



[Robina Foundation](#)

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Penny Hunt

ROBINA FOUNDATION **Board Meeting**

Conference Call

Tuesday, May 14, 2013

10:30 a.m. – 12:30 p.m. (EDT)

9:30 a.m. – 11:30 a.m. (CDT)

7:30 a.m. – 9:30 a.m. (PDT)

ROBINA FOUNDATION

TO: Robina Foundation Board of Directors
FROM: Penny Hunt
RE: May 2013 Board Meeting

So much has happened since the Robina Board Meeting in New York! I'm sure you agree. Nancy and I have missed Tom's presence in the office and his helpful guidance and counsel, but we have benefited from his clear leadership and direction as we've worked with all of you and others on Robina matters.

As you can see from the agenda, Steve will chair the meeting as Vice Chair of the Foundation. Tom hopes to participate, and we all hope that will be possible.

I know you will read all of the material in the book, but please note in particular:

Tab 2: The **Executive Director's Report** includes background information on the University of Minnesota Law School's proposals you will consider under **Tab 5**.

Tab 4: The **Legal Report** describes work to wind down and close the Binger Estate.

Tab 9: The *Binger Center for New Theatre Advisory Committee Report* provides new insights into the operation of the *Center*. Peter and I hope to speak with Dean Bundy about the report before the meeting.

Tab 10: We'll discuss agenda items for this summer's annual meeting, so you may want to be thinking about items for the list.

As always, please feel free to get in touch with me. If you have questions or concerns about any of the material in the Board Book or plans for the meeting.

Robina Foundation Board of Directors Meeting

Conference Call

Tuesday, May 14, 2013

10:30 a.m. to 12:30 a.m. EDT

9:30 a.m. to 11:30 a.m. (CDT)

7:30 a.m. to 9:30 a.m. PDT

Participant Instructions: 1. Dial 1-877-820-7831

2. Enter the Participant Passcode: 3167335# (must dial #key)

Time(CDT)	Agenda Item	Tab #
9:30 a.m.	Welcome and Call to Order - Schroeder	
9:35 a.m.	Vice Chair Comments – Schroeder	
9:45 a.m.	Minutes of February 26-27, 2013 Board Meeting – Berresford - Action	1
9:50 a.m.	Executive Director's Report - Hunt	2
10:00 a.m.	Treasurer's Report - Assets and Grants - Assets Detail 1st Quarter Financial Report from Mike Sullivan - USbank Quarterly Performance Report	3
	Legal Report Update on Binger Estate from Gina Kastel, Faegre BD	4
10:15 a.m.	Grant Program – Hunt - Proposals: University of Minnesota Law School ➤ <i>Sentencing Law Program Enhancements</i> - Action - Original Proposal - Timetables and Deliverables ➤ <i>Binger Center for New Americans</i> – Action - Proposal for 4-Year Pilot - Benchmarks - Grant Reports ➤ Abbott Northwestern Hospital: <i>CoPilot Program</i>: Update ➤ University of Minnesota Law School: <i>Institute of Criminal Law and Justice</i>: Six-Month Report <i>Scholarships</i>: Six-Month Report <i>Public Interest Scholars</i>: Annual Report ➤ Yale Law School: <i>Human Rights Fellowship Initiative</i>: Annual Report ➤ Yale School of Drama: <i>Binger Center for New Theatre</i>: Advisory Committee Report	5
		6
		7
		8
		9
11:10 a.m.	Other Business - August Board Meeting: Agenda Items ➤ Meetings with U of M and ANWH ➤ Discussion of funding scenarios ➤ Discussion of award ideas 2013 and 2014 Board Meeting Dates <i>New Trustees</i> <i>Governance (1/2 hr)</i> <i>YSD</i> <i>Grantmaking Disc.</i>	10
11:30 a.m.	Adjournment	

1	MINUTES NOVEMBER 13, 2012
2	EXECUTIVE DIRECTOR'S REPORT
3	TREASURER'S REPORT
4	LEGAL REPORT
5	PROPOSALS – U of M <i>Sentencing Law Program Enhancements</i> <i>Binger Center for New Americans</i>
6	ABBOTT NORTHWESTERN HOSPITAL <i>CoPILot UPDATE</i>
7	UNIVERSITY OF MINNESOTA <i>Criminal Law and Justice: Six Month Report</i> <i>Scholarships: Six Month Report</i> <i>Public Interest Scholars: Annual Report</i>
8	YALE LAW SCHOOL <i>Human Rights Fellowship Initiative:</i> <i>Annual Report</i>
9	YALE SCHOOL OF DRAMA <i>Binger Center for New Theatre:</i> <i>Advisory Committee Report</i>
10	OTHER BUSINESS August Board Meeting Agenda Items 2013 and 2014 Board Meeting Dates

**Robina Foundation Board Meeting
Meeting Minutes
February 26 – 27, 2013**

A meeting of the Board of Directors of the Robina Foundation, a Minnesota nonprofit corporation, was held on February 26 and 27, 2013, in the New York City offices of the Council on Foreign Relations.

Directors present: Gordon Aamoth, Susan Berresford, Kathleen Blatz, Thomas Crosby, Peter Karoff, and Steven Schroeder.

Staff present: Penny Hunt, Executive Director, and Nancy Gilberg, Administrative Consultant.

Guests present: Richard Haass, James Lindsay, Stewart Patrick and Suzanne Helm with the Council on Foreign Relations were present during a portion of the meeting.

Jessica Abreu from OfficeTeam was present and served as recorder.

Discussion of Robina's Future Grantmaking

To follow up on the November meeting discussion of "big, bold ideas" submitted by Robina Grantees and Board Members, Board Members devoted the morning to an internal discussion of the future direction of the Foundation. A summary of the discussion is attached to these minutes as Attachment 1.

Board Members agreed to:

- Explore the possibility of a "Robina Award";
- Fund a pilot of the Binger Center for New Americans at the University of Minnesota Law School if agreement is reached on benchmarks and other elements of the four-year pilot;
- Continue working with Abbott Northwestern Hospital/Allina on the elements of the *LifeCourse* initiative and its implementation to determine if institutionalization of the initiative is possible and whether this could be a major initiative of the Foundation;
- Consider expansion of the Council on Foreign Relations' Diversity Initiative;
- Work to determine appropriate future support of the Council on Foreign Relations' *International Institutions: Global Governance Program* and Yale Law School's *Robina Human Rights Initiative*.

Council on Foreign Relations

Crosby welcomed guests from the Council on Foreign Relations:

Richard Haass, President

Jim Lindsay, Senior Vice President, Director of Studies

Stewart Patrick, Senior Fellow and Director, International Institutions: Global Governance

Suzanne Helm, Vice President for Development

Haass, Patrick and Lindsay discussed the Council on Foreign Relations' reports:

International Institutions: Global Governance Six-Month Report: Patrick and Haass stressed that from the beginning of the IIGG initiative CFR recognized that existing institutions were not adapting to changed and changing circumstances. The goal of IIGG is to strengthen existing bodies and complement them with new regional organizations, ad hoc coalitions and public/private partnerships. CFR provides the basic original intellectual work on issues that governments are too busy to tackle and that universities approach from a theoretical perspective. Haass and Patrick described the successes of the IIGG initiative and Patrick's growing importance in the field and acknowledged several areas where IIGG "stumbled": the Council of Councils' start was slower than expected; the Global Governance Scorecard was delayed; and IIGG's work in the area of "International Peacekeeping" was not successful.

Haass identified three issues that CFR sees as key during the next five to ten years:

- Cyber security
- Health (non-communicable diseases and obesity)
- Climate change

All three of these issues could be under, at least in part, IIGG.

Expanded Diversity Initiative: Annual Report: Lindsay stressed the strong start to the initiative, which involves a partnership with Humanity in Action, but noted that the administrative work is heavier than CFR contemplated. CFR would be interested in working with HIA to determine if the partnership could be expanded with new approaches to increase diversity in foreign affairs.

Regarding funding, Haass acknowledged that CFR is committed to the issues addressed by the IIGG initiative. Limited funding might be available from others, but Robina Foundation funding has been crucial. Going forward, matching gifts or a challenge grant might be effective. CFR would be interested in identifying a program to honor Jim Binger.

Wednesday, February 27, 2013

Welcome and Call to Order

Crosby called the meeting to order and welcomed Board Members to the second day of Robina Foundation's Board Meeting.

Minutes of November 13, 2012 Board Meeting

A motion made and seconded to approve the Minutes of November 13, 2012, Board Minutes was approved unanimously.

Executive Director's Report

Hunt called Board Members' attention to several items in the Executive Director's Report in the Board Book.

Treasurer's Report / Legal Report

Crosby reported on the current status of the Foundation's assets:

- Tartan Partnerships have been transferred from the estate to the Foundation.
- Information on the "Other Assets" identified in JP Morgan's report on the Binger Estate will be available for Board review at the August Board Meeting.
- "Venture Capital Assets" are now held by USBank. Research is underway to determine if the value shown on reports can be realized.
- Documents to facilitate the IRS tax refund have been executed. The State of Minnesota has paid its refund.

Board Members noted the sizable legal fees charged by JP Morgan. Given the complexity and cost of challenging the fees, Crosby recommended that the Foundation not pursue review of detailed attorney invoices and a possible challenge to the fees. Board Members concurred with Crosby's recommendation.

Sullivan's Quarterly Report

Crosby reported that Foundation assets are invested approximately as recommended by Sullivan. Investment in bonds will be considered when funds are received from JP Morgan. ✱

CBIZ Report

Noting that the current report is not audited, Board Members agreed to consider an audit once all of the funds have been received from JPMorgan.

2013 Operating Budget

Hunt called Board Members' attention to the fact that fees for the management of the Foundation's assets and expenses related to the ownership of the condominium are now included in the Operating Budget.

A motion made and seconded to approve the 2013 Operating Budget was approved unanimously.

Grant Proposal

University of Minnesota Law School: *Sentencing Law and Policy Program Enhancements*

The Board deferred a decision on the University of Minnesota's request for funding to support four programs to advance the work of the sentencing stream of the Robina Institute for Criminal Law and Criminal Justice pending further information concerning:

- The yearly activities and deliverables for the programs;
- How the budget for each program was developed; and
- The University's future requests for additional support for the Robina Institute for Criminal Law and Criminal Justice.

Blatz and Hunt agreed to discuss these questions with Dean Wippman and report back to the Board.

Grant Reports

Abbott Northwestern Hospital / Allina: *LifeCourse* Annual Report

Board Members noted that the team working on *LifeCourse* has struggled with cohesion and the lack of patient contact because the early enrollees in the program are in long-term care. Hunt agreed to learn more about Abbott's plans to enroll patients still living at home as well as the initiative's approach to dissemination of information concerning the initiative and end-of-life care.

Yale School of Drama: *Binger Center for New Theatre* Six-Month Report

Hunt noted that the advisory committee's review of the Binger Center should be available for consideration at the May Board Meeting and that next fall Yale Corporation will provide a report on the status of the Foundation's endowment funds.

Other Business

Board Members discussed the dates for future 2013 Board Meetings and possible agenda items for the May and August meetings.

Adjournment

There being no other business, the meeting was adjourned.

Respectfully Submitted,

Susan Berresford, Secretary

Date

SUMMARY OF DISCUSSION OF ROBINA GRANTMAKING
February 26, 2013

General Discussion

Current Status

- Generally content with where things are and optimistic about the potential, although recognize that Robina Grantees may have more capabilities than what they currently bringing forward.
- No "big bets" have emerged, but there are programs "on the runway" which could enable the Board to make educated bigger bets ("bings") in the future.
- Reconfirmed that Robina assets should not be divided equally among Robina Grantees and that having all four Robina Grantees work on one idea to achieve transformational change is not achievable.

Future Grantmaking

- While a legacy is important, Robina's focus on four Robina Grantees rather than on a particular mission makes moving forward to achieve a transformational goal more difficult.
- Need to know how to increase confidence in an organization and a program in order to determine whether to provide higher levels of support. The Board should review existing commitments to determine if there is a good idea that can be built upon.
- Difficult to generate transformational projects and assess if the projects are contributing to overall goals.
- In order to leave a legacy it is crucial to consider things from a global view to determine how Robina Grantees can contribute to broader issues.
- Importance of very large grants. Several views:
 - One (or several) very large grants may not be possible.
 - Smaller multiple investments may be the best approach.
 - Not doing a \$50 million project is okay: Robina grant to YSD was not a huge grant.
 - It is disappointing that big bets are not clear.
 - One big idea would be "a wise idea."

Specific Programs / Initiatives

Award

Interest in considering an award. Karoff agreed to outline several options.

Twin Cities Initiative

Interest in identifying a named initiative in the Twin Cities, but split on whether should focus on the University of Minnesota Law School or Abbott Northwestern.

Abbott Northwestern Hospital / Allina: LifeCourse Initiative

- Board split on level of confidence in ANWH and the ability of the LifeCourse initiative to be a transformative project and Abbott to be the location of a Robina legacy.
- Need to see if they can institutionalize the program.
- Questions: enrollment of people who aren't in nursing homes; dissemination of information outside of public radio.

University of Minnesota Law School / Robina Institute on Criminal Law and Criminal Justice

Although Dean Wippman is proposing the Binger Center as the U's "big idea," Board expressed some interest in focusing on criminal law and the Robina Institute.

University of Minnesota Law School / Binger Center

- Concern that the U has so much work to do that not in the position to take on a global issue, but interest expressed in an immigration initiative:
 - Immigration has the potential for transformational nationwide change.
 - Although a "messy" issue because legislation is involved, immigration is an important issue on the brink of movement – may be an important time for an immigration initiative.
 - Immigration could prove to be transformational to human rights issues.
- Premature to endow, but prospects are exciting.
- Binger Center could become a big bet in a few years if strategic benchmarks are set and achieved.

Council on Foreign Relations

- Agreement that CFR will not be the focus of a big bet.
- Enthusiasm for program spending instead of endowment, although might consider a modest endowment of IIGG or a chair.
- Funding may help their cause, but there is no Robina Direction or control.

Yale / Yale School of Drama / Binger Center for New Theatre

Excellent grant because of the extraordinary vision of James Bundy, Yale School of Drama's ability to execute the initiative, the focus of the initiative in an area where funding is needed and the great potential to spur a generation of emerging talent.

Yale / Yale Law School

YLS's work in human rights has the potential to provide transformational change.

Call Bd's attention
to *

**ROBINA FOUNDATION
BOARD OF DIRECTORS MEETING
May 14, 2013**

EXECUTIVE DIRECTOR'S REPORT

As always, the bulk of my time since the Board Meeting in New York City has been spent following up on items discussed at the meeting and preparing for the May meeting. Following is a summary of my work.

University of Minnesota Law School

Sentencing Law and Policy Program Enhancements

Kathleen and I contacted Dean Wippman to discuss our need for more detail and clarity on the activities and deliverables proposed as part of the *Sentencing Law and Policy Program Enhancements*. To address our questions, the Dean, along with Kevin Reitz and Richard Frase, prepared the Timetables and Deliverables found at Tab 5. Steve, Kathleen, and I then held a conference call with Dean Wippman and Professors Reitz and Frase to talk further about the U's proposal. In connection with the Board's discussion of the proposal, Kathleen, Steve and I will fill you in on our discussion and the approach we propose for this part of the *Robina Institute for Criminal Law and Criminal Justice*. *

Binger Center for New Americans

To follow up on the Board's interest in supporting a four-year pilot of the *Binger Center*, subject to agreement on benchmarks for the initiative, Susan, Kathleen and I met with Dean Wippman, Ben Casper, who would lead the Binger Center if it is funded, and Jean Sanderson, head of the U's clinical programs, to discuss benchmarks for the pilot initiative. The benchmarks proposed by the U, as modified following our meeting, are found at Tab 5. Susan, Kathleen and I will provide our thoughts on the initiative and the benchmarks during the Board discussion of the proposal. *

Robina Institute on Criminal Law and Criminal Justice

Kathleen and I attended two interesting meetings sponsored by the *Robina Institute*:

- Professor Frase's lecture: "A Sentencing System That Works: Hybrid Principles and Proven Procedures." Professor Frase is also the author of the new book *Just Sentencing: Principles and Procedures for a Workable System*.
- The Second Annual Conference of the *Robina Institute*: "American Exceptionalism in Crime and Punishment: Diagnosis and Solutions." As a whole, we thought the conference was very good and interesting. It was well attended by a mix of academics (law professors as well as political science professors and a history professor specializing in the history of American homicide), staff of sentencing commissions, judges and prosecutors and former judges and prosecutors, criminal lawyers and students. Kathleen described the conference as a "hall of fame event in the criminal justice world" and noted that the audience included many of the movers and shakers in Minnesota. The conference included time for participants to critique each other's work.

Council on Foreign Relations

Expanded Diversity Initiative

To follow up on the Board's interest in understanding how CFR and Humanity in Action could enrich their partnership aimed at increasing diversity in the foreign affairs arena, Susan met with Jim Lindsay to understand how CFR would approach this. I followed up with Jim to talk about the process and timing to bring forward a proposal. My understanding is that CFR will submit a proposal for consideration at the August Board Meeting.

IIGG: Council of Councils

Gordy and I attended the March 11 and 12 Second Annual Council of Councils meeting. Following the meeting, I provided the Board with an email summarizing the conference.

Abbott Northwestern Hospital / Allina

Care Guide Initiative

At Steve's suggestion I contacted Dick Adair to find out the status of his paper on the Care Guide Initiative. In early April, Dr. Adair reported that the Annals of Internal Medicine had provisionally accepted the paper. As requested by the journal, Dr. Adair resubmitted the article with multiple new analyses. He promised to let us know what happens.

Article in paper.

LifeCourse Initiative

Dr. Anderson and the LifeCourse team and I had a long conversation following the Board Meeting to follow up on the Board's questions concerning the enrollment of non-nursing home patients in LifeCourse and the initiative's plans for outreach and communication. The LifeCourse team clarified plans to enroll patients living at home and promised to explore alternative ways to expand media efforts beyond public television. I asked the LifeCourse team to summarize information they provided regarding recent activities. Their summary is Attachment 1 to this report.

To help the Board put future reports in the context of the full initiative, ANWH/Allina will prepare a short summary of the *LifeCourse Initiative* to accompany the reports. This should help all of us!

Yale Law School

We learned recently that Kate Norton, the development staff member we worked with at Yale Law School, left Yale for a significant development position at Princeton. Our primary contact going forward will be Mary Matheron, newly appointed Associate Dean for Development at the Law School, a new position. Mary's background includes several positions at Georgetown University, one with the Athletic Department and one at Georgetown Law School. Immediately prior to joining YLS, Mary served as a Senior Advisor on Leadership Giving to the United Nations High Commissioner for Refugees. An interesting career in development! Kenna Barrett, who preceded Kate Norton, has rejoined Yale Law School's development staff and will prepare reports to the Robina Foundation.

Miscellaneous Meetings / Work

Foundation Finances

As you know, I worked on changes to our arrangement with US Bank for the signing of Robina checks. Nancy and I also met with Jerry Anderson and Kim DeBaere to discuss changes in US Bank's process for the wire transfer of funds. Kim replaced Tim Towle as the trust officer assigned to our account. Kathleen, Nancy and I met with Mike Sullivan to discuss his quarterly reports and information for the Board.

Binger Estate

I have had several conversations with Gina Kastel at Faegre BD about the finalization of the Binger Estate. Gina's status report is found at Tab 4.

*Nancy (and I) -
worked w/ Yale re: mtg next
winter.*

From: "Anderson, Eric W"
Subject: Follow up for the Board
Date: May 1, 2013 12:33:49 PM CDT
To: "Penny Hunt"

Penny,

The meeting last week was very helpful. We want to be able to communicate useful information to the Board in a succinct manner, and your comments gave us a framework for doing that. My understanding of that is the following:

1. Review the key aspects of the original proposal,
2. Provide a measure of our progress against the expected benchmarks, and
3. Keep explanatory charts self-evident and easy to interpret.
4. Use no more than 3-5 pages.

Summary

We will send you and Steve a draft of the August update in 4-5 weeks.

Here are a few highlights for the Board's information:

- LifeCourse had a major presence at the first National Summit on Advanced Illness Care, sponsored by C-TAC, the Coalition to Transform Advanced Care. The conference of over 400 attendees viewed several videos from TPT. Sandy and Eric participated and/or facilitated panel discussions around interprofessional training and clinical models.
- Dr. Richard Payne has joined our National Advisory Board. Dr. Payne teaches at Duke University. He comes with a background in pain, neurology, palliative medicine, and ethics. His research is extensive, including care delivery to minority populations. His biographical sketch is attached.
- Update on our non-TPT public engagement strategy. While TPT is viewed by about half of Minnesotans in Allina's service area, and is a great partner for public discourse, we will use the TPT connections to begin meeting with others, specifically,
 - Editorial board of the Star Tribune
 - Medical reporting leadership and staff (Maura Lerner, Warren Wolfe) of the Star Tribune; we had a preliminary meeting in the fall, and they expressed interest in re-engaging when a model is actually starting
 - Chris Worthington from MPR
 - MinnPost
 - Pioneer Press
 - AM radio in some form; WCCO is an unlikely partner, as they have essentially stopped public interest reporting
- Dr. Diane Meier, Dr. JoAnn Lynn, and Dr. Eric Coleman have been exceedingly helpful in our meetings. Dr. Meier in particular is eager for LifeCourse to partner with the large group of researchers at CAPC, the Center to Advance Palliative Care. We think they can offer collaboration and help around clinical care models.
- We anticipate beginning enrollment next week for the Pilot, bringing in 150 participants over the balance of this year. Six new Care Guides will be hired to fill out the clinical team.

People living at home

We remain mindful of the Board's interest and support for this work... and very grateful to be on this path to a better experience for our patients and families.



Richard Payne, MD

Richard Payne, MD, is a national leader and internationally known expert in the areas of pain relief, palliative and end of life care, oncology and neurology. The Duke Institute on Care at the End of Life seeks to increase knowledge and rediscover old wisdoms concerning end-of-life care and advanced illness management through interdisciplinary scholarship, teaching, and outreach emphasizing the holistic dimensions (i.e., body, mind and spirit) of care. As a unique teaching and research program located in a divinity school in a world class university, the Institute is particularly focused on addressing the moral and theological dimensions of pain and suffering, and creating innovative community-based models of care.

Prior to his appointment at Duke, Dr. Payne was Associate Professor and Chief of Neurology at the University of Cincinnati VA Medical Center, (1987-1992); Chief, Pain and Symptom Management Section, Dept. Neurology, M.D. Anderson Cancer Center (1992-1998), in Houston, TX; and from 1998-2004 led the Pain and Palliative Care Service at Memorial Sloan-Kettering Cancer Center in New York City, where he held the Anne Burnett Tandy Chair in Neurology. He currently serves on the board of directors of The Hastings (Bioethics) Center, and is board chair of the National Coalition of Cancer Survivors. He has served on numerous national and federal committees, including the National Institutes of Health (NIH), Institute of Medicine (IOM), and the National Quality Forum (NQF).

Dr. Payne received his B.A. in Molecular Biophysics and Biochemistry from Yale University, and his M.D. from Harvard Medical School. He completed his post-graduate training in medicine at the Peter Bent Brigham Hospital in Boston, MA; in neurology at the Cornell Campus of the New York Presbyterian Hospital; and a clinical and research fellowship in neuro-oncology and pain medicine at Memorial Sloan Kettering Cancer Center in New York City. From 2003-2004, Dr. Payne was President of the American Pain Society. He is certified in palliative medicine from the American Academy of Hospice and Palliative Medicine, and in neurology with added qualifications in pain management from the American Board of Psychiatry and Neurology. He has edited 4 books, and published more than 275 peer-reviewed journal articles, book chapters, essays and abstracts. He has received the Distinguished Service Award from the American Pain Society, the John J. Bonica Leadership Award from the Eastern Pain Association, the Humanitarian Service Award from the Urban Resources Institute and the Excellence in Pain Award from Janssen Pharmaceutical.

**ROBINA FOUNDATION
ASSETS AND GRANTS**

Q/E DATE	ASSETS	GRANTS (cumulative)	GRANTS (outstanding commitments)
12/31/07	\$149,839,012.57	\$350,000	\$ 0
12/31/08	128,359,302.03	7,028,535	17,507,864
12/31/09	127,065,750.39	14,719,093	9,947,881
03/31/10	126,595,324.27	14,719,093	9,947,881
06/30/10	123,001,620.97	15,719,093	8,947,881
09/30/10	121,856,212.63	20,549,431	10,067,543
12/31/10	128,007,811.51	22,922,663	7,694,311
03/31/11	128,482,893.73	22,922,663	16,944,311
06/30/11	128,031,543.16	24,422,663	15,444,311
09/30/11	125,106,894	30,208,267	23,229,046
12/31/11	120,827,123	30,658,267	32,895,500
03/31/12	121,350,931	34,489,187	48,338,828
06/30/12	99,963,670	53,765,992	32,563,646
09/30/12	98,199,014	57,085,876	29,243,762
12/31/12	100,293,064	57,086,876	29,243,762
03/31/13	96,166,446	63,502,994	22,827,644 (1)

- (1) Includes commitments of \$3,064,266 to Abbott's *Life Course* project; \$8,258,730 (over 4 years) to CFR's *IIGG Phase II*, and \$470,722 for CFR's *Expanded Diversity Initiative*; \$5,162,103 (over 3 years) for U of M *Institute of Criminal Law & Justice* program, and \$750,000 (over 34 years) to U of M *Scholarship* program, \$3,121,823 (over 4 years) for U of M *Public Interest Scholars*; and \$2,000,000 (over 2 years) to Yale Law School *Human Rights II* program.

ROBINA FOUNDATION

ASSETS DETAIL

USbank Checking, USbank Investment Account, TIFF Account, Estate of Jim Binger, IRS Refund

Assets	12/31/07	12/31/08	12/31/09
USbank Checking	\$28,607.85	\$39,292.02	\$3,299,000.81
USbank Investment	28,068,147.99	21,523,747.18	30,793,370.96
TIFF	8,587,802.83	6,356,616.51	8,183,916.75
Estate of Jim Binger	96,165,289.90	83,450,482.32	67,800,297.87
IRS Refund	16,989,164.00 (1) (2)	16,989,164.00	16,989,164.00
Total	\$149,839,012.57	\$128,359,302.03	\$127,065,750.39

Assets	03/31/10	06/30/10	09/30/10
USbank Checking	\$3,260,931.19	\$2,211,528.66	\$5,338,375.00
USbank Investment	30,990,610.24	31,231,745.96	23,575,643.46
TIFF	8,441,421.21	8,058,254.83	8,792,014.78
Estate of Jim Binger	66,913,197.63	64,510,927.52	67,161,015.39
IRS Refund	16,989,164.00	16,989,164.00	16,989,164.00
Total	\$126,595,324.27	\$123,001,620.97	\$121,856,212.63

Assets	12/31/10	03/31/11	06/30/11
USbank Checking	5,279,343.30	3,969,261.41	3,899,548.61
USbank Investment	21,160,516.65	70,072,133.88	79,068,499.17
TIFF	9,262,202.25	Closed - Funds wired to USbank	-0-
Estate of Jim Binger	82,985,461.31	45,121,210.44	35,743,207.38
IRS Refund	9,320,288.00 (3)	9,320,288.00	9,320,288.00
Total	\$128,007,811.51	\$128,482,893.73	\$128,031,543.16

Assets	09/30/11	12/31/11	03/31/12
USbank Checking	3,242,279	3,107,762	1,554,595
USbank Investment	79,623,780	74,568,396	76,710,536
Estate of Jim Binger	30,618,655	30,705,220	30,640,055
IRS Refund	11,622,180	12,445,745	12,445,745 (4)
Total	\$125,106,894	120,827,123	121,350,931

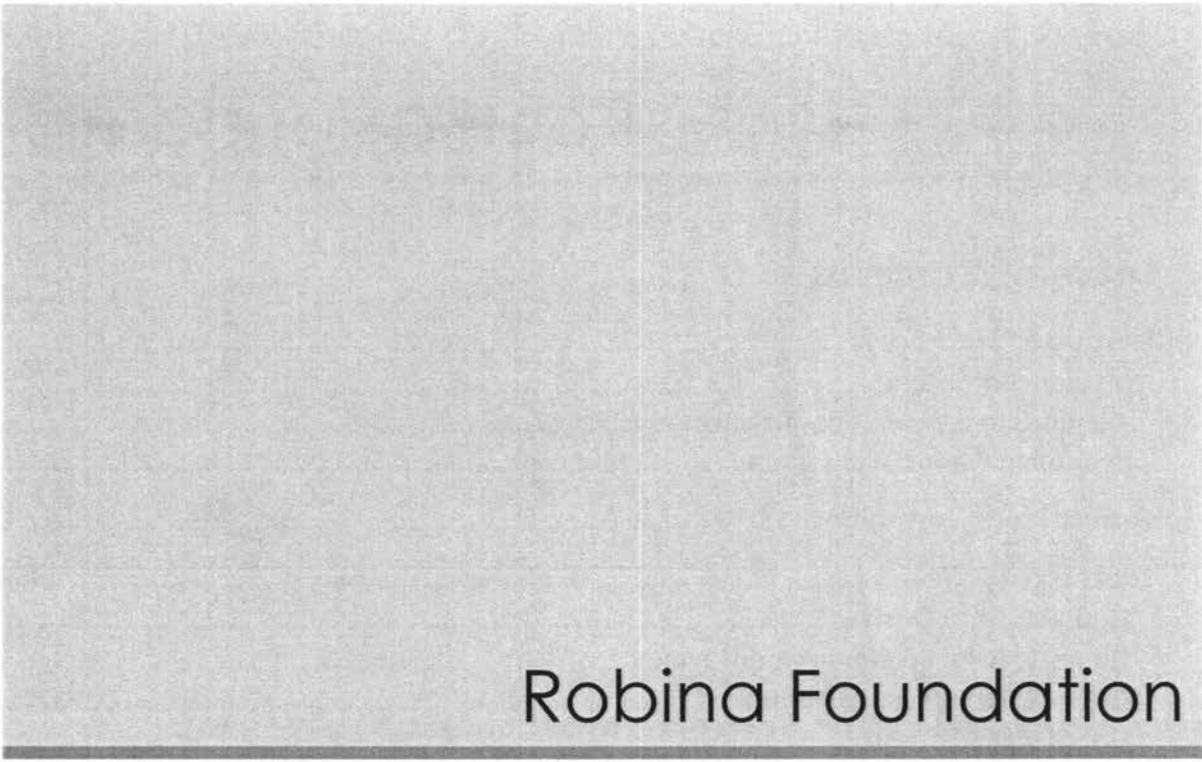
Assets	06/30/12	09/30/12	12/31/12
USbank Checking	538,773	438,552	331,081
USbank Investment	74,687,548	74,324,421	76,039,563
Estate of Jim Binger	12,291,604	10,990,296	11,476,675
IRS Refund	12,445,745	12,445,745	12,445,745
Total	\$99,963,670	98,199,014	100,293,064

Assets	03/31/13	06/30/13	09/30/13
USbank Checking	235,329		
USbank Investment	93,225,051		
Estate of Jim Binger	2,706,066		
IRS Refund	(5)		
Total	96,166,446		

- (1) Estimated info from Peggy Quinn of McDermott.
- (2) This figure includes both a refund from the IRS and amounts payable by the Binger Marital Trust to the Binger Estate because such Trust owes money to the IRS which money is subtracted by the IRS from monies otherwise payable to the Estate.
- (3) Updated info from Peggy Quinn of McDermott.
- (4) The expected amount is at least \$12,445,745.
- (5) Anita Tyson stated that "we are still waiting for a small final overpayment interest check from the US Treasury."

2

Actual amt of IRS refund: ~\$12.8M.



Robina Foundation

Quarterly Financial Report

*Prepared by Michael F. Sullivan, Ph.D.
Indigo Consulting*

March 31st, 2013

Robina Foundation

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Robina Foundation

Executive Summary

Mission Statement

The Robina Foundation, a Minnesota-based private grantmaking foundation, seeks to positively impact critical social issues by encouraging innovation and financially supporting transformative projects of its four institutional partners. These partners, selected by the Foundation's founder, James H. Binger, are: Abbott Northwestern Hospital, Minneapolis, MN; The Council on Foreign Relations, New York, NY; University of Minnesota Law School, Minneapolis, MN; and Yale University, New Haven, CT.

Observations and Recommendations

1. During the first quarter, final payments of tax refunds of \$12,899,988, plus some small interest residual yet to be determined, were authorized to be received by Tom Crosby into the JPM account. In turn, JPM combined this with other retained funds and distributed \$21,000,000 to USBANK at the end of the quarter. The JPM accounts now total \$2,706,066.
2. In early April, I met with USBANK to discuss investment activity and specifically to discuss the investment of the newly disbursed \$21,000,000.
3. We still have not invested any of our portfolio in US Government bonds due to:
 - a) the abysmal returns, and
 - b) interest rate risk.

(Our intention is to place approximately 47% of the total portfolio in US Government bonds and Cash (42% and 5%, respectively). That would be approximately \$45,327,479 today.

(continued on next page)

See
p. 13

Robina Foundation

4. USBANK and I discussed four investment options for the new \$21,000,000:
 - a) US Treasuries – but the returns are historic lows and there is interest rate risk.
 - b) We could invest in higher credit risk bonds, like corporate bonds or high yields, but Robina neither needs nor desires credit risk exposure in its bond portfolio.
 - c) A third option would be to invest in a series of bank certificates of deposit, but this would involve bank risk and possible caps to FDIC insurance, increasing default risk.
 - d) A fourth option is to invest in an ultra short-term bond fund or money market fund until Robina determines a payout stream for the next five years.
5. I chose the money market option as a parking space for the \$21,000,000, until we determine the grant stream.
6. Robina already has grant commitments for the next few years:

Year	Commitments
2013	\$10,145,333
2014	\$9,380,214
2015	\$4,909,912
2016	\$4,808,303
Total 2013 - 2016	\$29,243,762

We should develop a spreadsheet to extend those commitments with **EXPECTED** future commitments through 2018, totaling approximately \$10,000,000 per year, or any amounts the board intends.

7. With that projected payout schedule, we could purchase a ladder of US Government bonds with the full intention of holding each issue until maturity. While we would accept a lower yield, we would avoid interest rate risk (and likely market value decline) by holding until maturity.

Robina Foundation

Executive Financial Summary

	2012	2013			
	Qtr4	Qtr1	Qtr2	Qtr3	Qtr4
Cash	\$15,810,296	\$24,073,752	-	-	-
US Gov't Bonds	\$0	\$0	-	-	-
Market Portfolio	\$72,312,218	\$72,367,694	-	-	-
Corp. Bonds	\$14,574,867	\$13,358,885	-	-	-
Equities	\$36,413,824	\$38,431,352	-	-	-
Other	\$21,323,527	\$20,577,456	-	-	-
IRS Refund <i>(see footnote)</i>	\$12,445,745	\$0	-	-	-
Grand Total	\$100,568,259	\$96,441,445	-	-	-

FOOTNOTE: IRS REFUND EXCLUSIVE OF PENDING RESIDUAL PAYMENT

Robina Foundation

Grants Paid/Committed: 2013

	Qtr1	Qtr2	Qtr3	Qtr4	Grand Total
Allina Health System/Abbott Northwestern	\$4,245,492				\$4,245,492
Life Course/Late Life Supportive Care	\$4,245,492				\$4,245,492
Council on Foreign Relations	\$426,492		\$2,034,671		\$2,461,163
International Institutions and Global Governance (IIGG) Phase II			\$2,034,671		\$2,034,671
Expanded Diversity Initiative in Foreign Policy	\$426,492				\$426,492
University of Minnesota Law School	\$1,744,134		\$694,544		\$2,438,678
Public Interest Scholars			\$694,544		\$694,544
Institute on Criminal Law and Justice	\$1,494,134				\$1,494,134
Support Scholarships	\$250,000				\$250,000
Yale University		\$1,000,000			\$1,000,000
Yale Law School: Human Rights Fellowship Initiative Phase II		\$1,000,000			\$1,000,000
Grand Total	\$6,416,118	\$1,000,000	\$2,729,215		\$10,145,333
Running Grand Total	\$6,416,118	\$7,416,118	\$10,145,333	\$10,145,333	

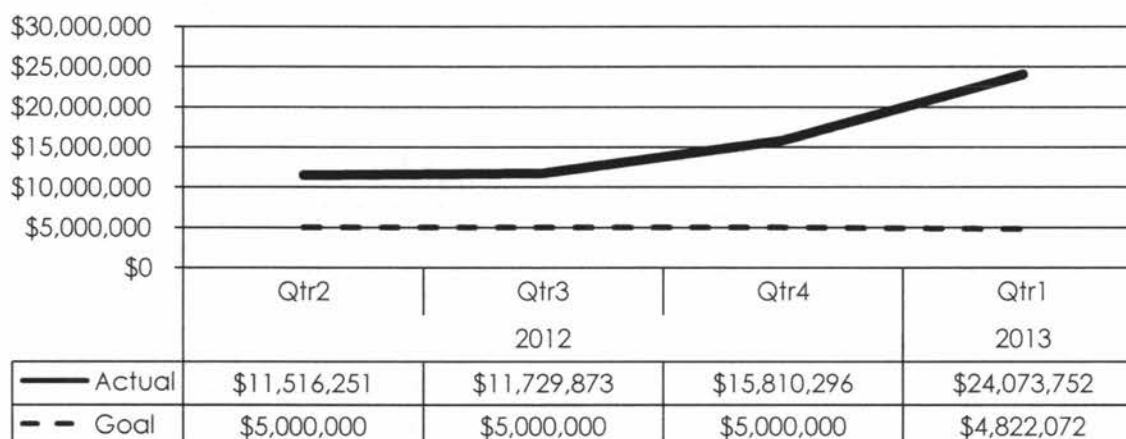
Quarter 1 – Paid Grants

Quarters 2, 3, and 4 – Committed Grants

Robina Foundation

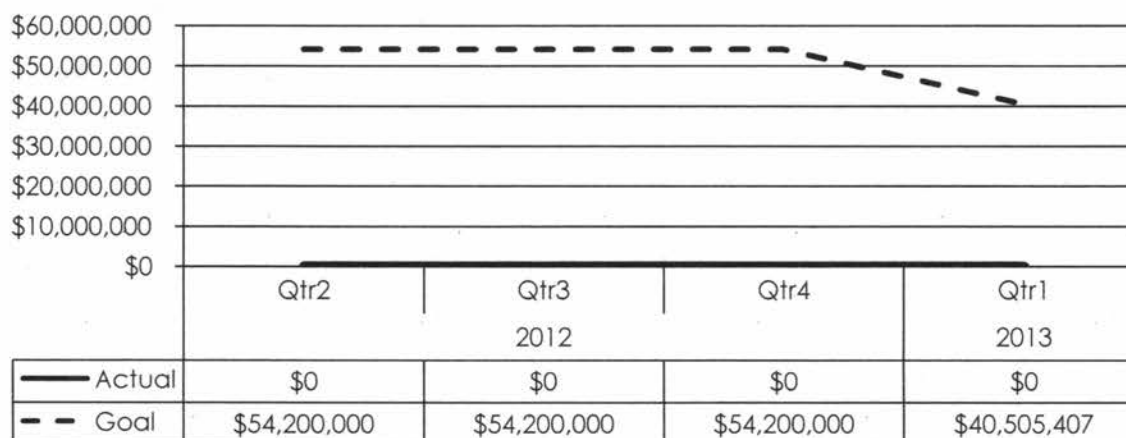
Sources of Assets

Figure 1: Total Cash



- Accounts in Cash: JHB Cash/MM, JHB Income Cash/MM, JHB Revocable Trust, JHB Income Account, US Bank Cash/MM, US Bank Checking
- Goal amount is 5% of total portfolio in 2013, and 5% of total portfolio in 2014

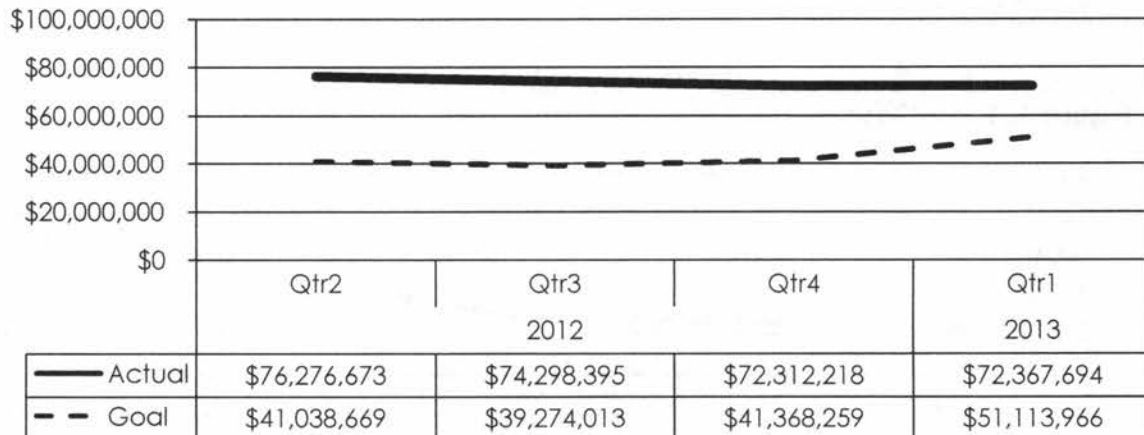
Figure 2: Total US Government Bonds



- Accounts in Bonds: US Gov't Bonds Only
- Goal amount is 42% of total portfolio in 2013, and 57% of total portfolio in 2014

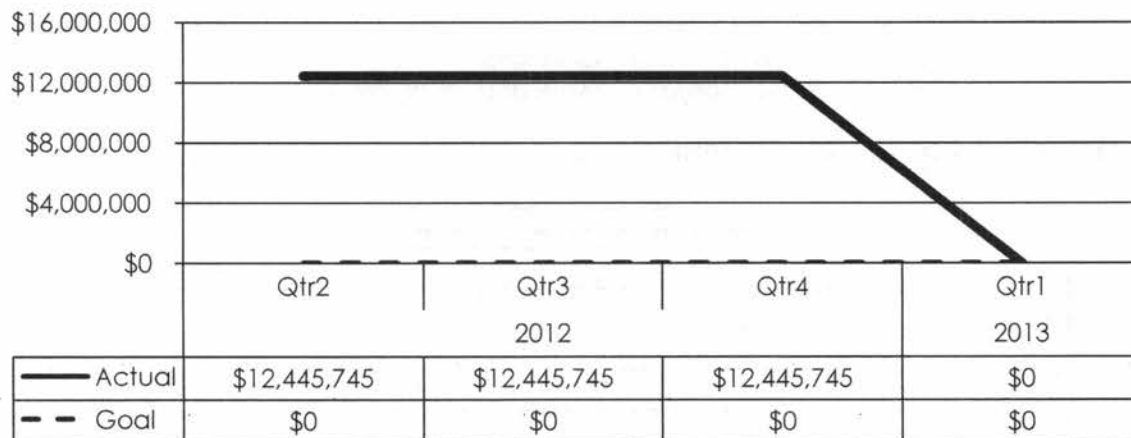
Robina Foundation

Figure 3: Total Market Portfolio



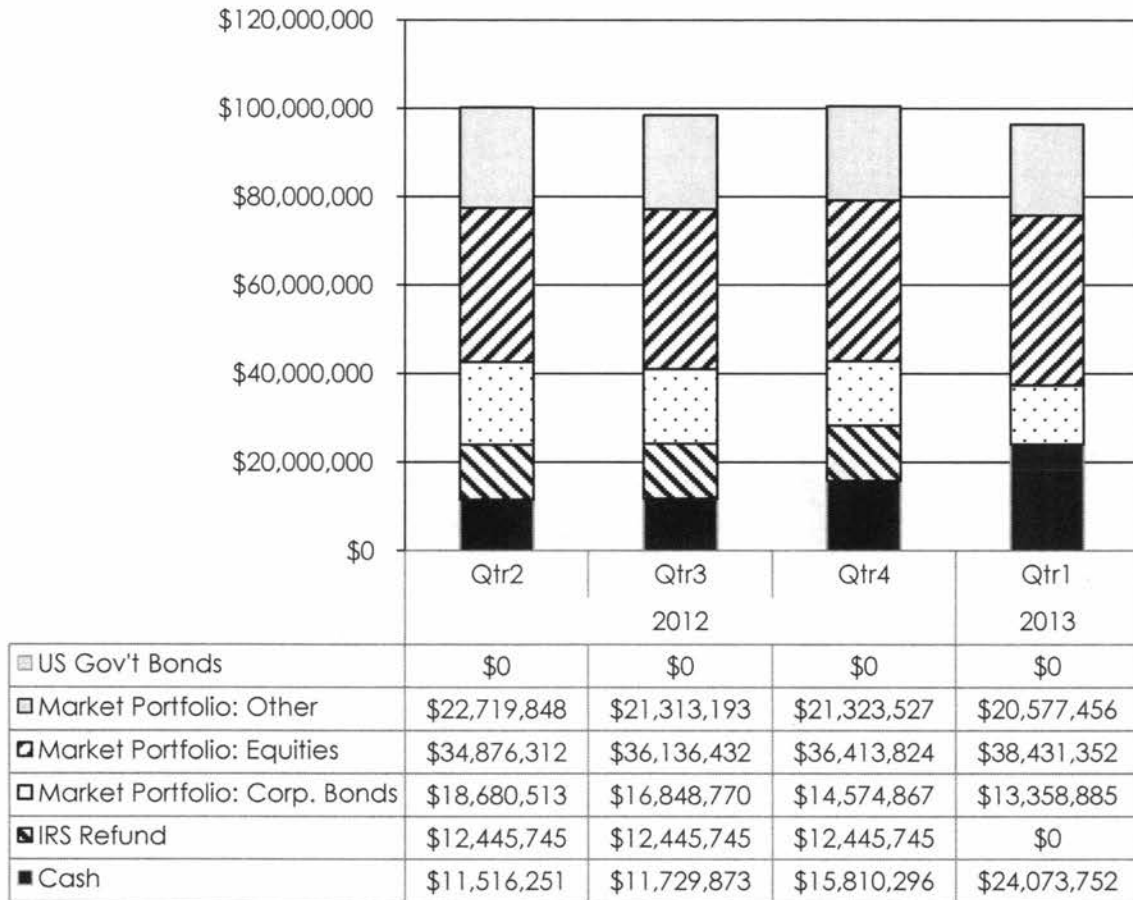
- Accounts in Market Portfolio: All other accounts
- Goal amount is 53% of total portfolio in 2013, and 38% of total portfolio in 2014

Figure 4: IRS Refund



Robina Foundation

Figure 5: Total Sources



Robina Foundation

Sources of Capital

	2012	2013			
	Qtr4	Qtr1	Qtr2	Qtr3	Qtr4
JP Morgan					
Cash					
JHB Cash/MM	\$194	\$86,924			
JHB Income Cash/MM	\$437,475	\$96,876			
Cash Total	\$437,669	\$183,799			
Revocable Trust					
JHB Revocable Trust	\$3,224,782	\$1,908,205			
JHB Income Account	\$7,215,789	\$133,592			
Tartan I LP	\$82,053	\$81,949			
Revocable Trust Total	\$10,522,624	\$2,123,746			
Other Securities					
Venture Capital	\$0	\$0			
All Other Securities	\$516,577	\$398,521			
Other Securities Total	\$516,577	\$398,521			
JP Morgan Total	\$11,476,870	\$2,706,066			
US Bank					
Cash					
US Bank Cash/MM					
US Bank Cash/MM	\$4,600,975	\$21,612,827			

Robina Foundation

	2012	2013			
	Qtr4	Qtr1	Qtr2	Qtr3	Qtr4
US Bank Cash/MM Total	\$4,600,975	\$21,612,827			
Cash Total	\$4,600,975	\$21,612,827			
Corp. Bonds					
US Gov't Bonds	\$0	\$0			
US Non-Gov't Bonds					
BP Capital PLC	\$745,745	\$742,161			
Corporate Issues	\$9,958,909	\$8,690,833			
NuVeen High Income Bond FD CL I	\$2,961,266	\$3,023,027			
Total Capital SA	\$532,180	\$529,145			
US Non-Gov't Bonds Total	\$14,198,100	\$12,985,166			
Corp. Bonds Total	\$14,198,100	\$12,985,166			
Equities					
Hedge					
Common Sense Offshore LTD	\$2,000,607	\$2,014,973			
Flag Private Equity LP	\$969,713	\$969,713			
Flag Venture Partners III LP	\$757,505	\$757,505			
Flag Venture Partners IV LP	\$1,041,250	\$1,041,250			
Pfingsten Partners III LP	\$1,142,990	\$1,142,990			
Pointer Offshore Ltd	\$3,087,519	\$3,177,155			
Hedge Total	\$8,999,584	\$9,103,586			
US and Non-US					
Stock Funds	\$27,414,240	\$29,327,767			
US and Non-US Total	\$27,414,240	\$29,327,767			

Robina Foundation

	2012	2013			
	Qtr4	Qtr1	Qtr2	Qtr3	Qtr4
Equities Total	\$36,413,824	\$38,431,352			
Other Bonds, Real Estate, and Commodities					
Non-US					
Barclays Bank PLC	\$0	\$0			
Ontario Province	\$376,767	\$373,719			
T Rowe Price Intl Bond Fund	\$1,992,221	\$1,915,294			
Non-US Total	\$2,368,988	\$2,289,013			
Hedge					
Gam Absolute Return Bond Fund	\$3,341,285	\$3,415,121			
GCA Credit Opportunities Offshore	\$4,203,863	\$4,329,982			
Marathon Credit Opportunity Fund Ltd	\$3,153,484	\$3,335,562			
Hedge Total	\$10,698,632	\$11,080,665			
Real Estate					
IDR Core Equity Re Strategy 2010	\$6,369,684	\$6,314,676			
Real Estate Total	\$6,369,684	\$6,314,676			
Commodities					
Barclays Bank PLC	\$0	\$0			
Inv Balance Risk Comm Str Y	\$871,735	\$0			
Oppenheimer Com Str Tr Fd Y	\$517,625	\$511,351			
Commodities Total	\$1,389,360	\$511,351			
Other Bonds, Real Estate, and Commodities Total	\$20,826,664	\$20,195,706			
US Bank Total	\$76,039,563	\$93,225,051			

Robina Foundation

	2012	2013	Qtr2	Qtr3	Qtr4
	Qtr4	Qtr1			
US Bank Checking	\$331,081	\$235,329			
IRS Refund	\$12,445,745	\$0			
Bazal Property	\$275,000	\$275,000			
Grand Total	\$100,568,259	\$96,441,445			

Robina Foundation

Asset Allocation Report: 03/31/2013

	Actual (\$)	Actual (%)	Goal (\$)	Goal (%)
Cash				
JHB Cash/MM	\$86,924	0%		
JHB Income Account	\$133,592	0%		
JHB Income Cash/MM	\$96,876	0%		
JHB Revocable Trust	\$1,908,205	2%		
US Bank Cash/MM	\$21,612,827	22%		
US Bank Checking	\$235,329	0%		
Cash Total	\$24,073,752	25%	\$4,822,072	5%
US Gov't Bonds	\$0	0%	\$40,505,407	42%
Market Portfolio				
Corp. Bonds	\$13,358,885	14%		
Equities	\$38,431,352	40%		
Other	\$20,577,456	21%		
Market Portfolio Total	\$72,367,694	75%	\$51,113,966	53%
Grand Total	\$96,441,445	100%	\$96,441,445	100%

Robina Foundation

Asset Allocation Report - Robina Perspective: 03/31/2013

	Actual (\$)	Actual (%)	Goal (\$)	Goal (%)
Cash				
JP Morgan	\$183,799	0%		
US Bank Cash/MM	\$21,612,827	22%		
US Bank Checking	\$235,329	0%		
Cash Total	\$22,031,955	23%	\$4,822,072	5%
Fixed Income				
US Gov't Bonds	\$0	0%		
Corp. Bonds	\$13,358,885	14%		
Non-US	\$1,915,294	2%		
JHB Revocable Trust	\$2,123,746	2%		
Hedge Funds	\$11,080,665	11%		
Fixed Income Total	\$28,478,591	30%	\$40,505,407	42%
Market Portfolio				
JP Securities	\$398,521	0%		
US Bank Equity Funds	\$29,327,767	30%		
US Bank Hedge Equities	\$9,103,586	9%		
US Bank Real Estate	\$6,314,676	7%		
US Bank Commodities	\$511,351	1%		
Bazal Property	\$275,000	0%		
Market Portfolio Total	\$45,930,900	47%	\$51,113,966	53%
Grand Total	\$96,441,445	100%	\$96,441,445	

Robina Foundation Management Agency

Selected Period Performance ROBINA FOUNDATION MGMT AGY Period Ending: 03/31/2013

<u>Sector</u>	<u>Market Value</u>	<u>Year to Date (3 Months)</u>	<u>1 Year</u>	<u>3 Years</u>	<u>5 Years</u>	<u>Inception to Date (70 Months)</u>
Total Managed Portfolio <i>Robina Custom Benchmark</i>	89,483,886	3.17 5.16	7.46 8.79	3.68 4.01	3.13	3.37
Domestic Equity <i>DJWilshire 5000 Index</i>	15,898,163	11.05 11.24	14.58 14.54	12.95	6.56	3.21
Hedged Equity <i>HFRI Equity Hedge Index</i>	5,192,128	2.22 5.29	2.95 5.81	3.66	2.15	1.32
Foreign Equity <i>MSCI EAFE Index (Gross)</i> <i>MSCI EMFree Index (USD)</i>	13,488,259	2.95 5.24 -1.62	10.45 11.81 1.96	5.49 3.27	-.40 1.08	-1.80 2.67
Total Fixed Income <i>Barclays 1-3 Yr Gov/Credit Index</i>	25,232,213	1.19 .19	5.40 1.08	3.30 1.64	3.77 2.37	3.36
Hedged Fixed Income <i>HFRI Relative Value Index (Total)</i>	11,080,665	2.11 3.75	8.86 10.20	7.27	6.44	5.39
Total Real Estate <i>DowJones Select REIT</i>	6,314,676	.00 7.02	13.68 13.17	16.94	6.07	1.48
Total Commodities <i>DowJones UBS Commodity TR</i>	1,744,793	-3.18 -1.14	-9.21 -3.03	1.42	-7.11	-3.11
Total Cash Equivalents	21,613,653	.03	.18	.14	.46	1.03

Portfolio Inception: 06/01/2007

Not A Deposit, Not FDIC Insured, May Lose Value, Not Bank Guaranteed, Not Insured By Any Federal Government Agency

Past performance does not guarantee future results. Performance returns may not reflect the deduction of applicable fees, which would reduce returns. Information is deemed reliable but may be subject to change.

This blended benchmark is an 'asset weighted benchmark'. It follows the allocation of the account throughout its history. For example, if an account holds 30% equity assets and 70% fixed assets, the benchmark would be allocated as 30/70 for which ever benchmark you assigned to those sectors. If the allocation moves to 50% equity/ 50% fixed, then the benchmark would mirror that allocation. In this specific benchmark, the following benchmarks have been assigned to their respective sectors. Domestic Equity - DJ Wilshire 5000 Index, Total Fixed Income - Barclays 1-3 Year Gov/Index, Foreign Equity - MSCI EAFE Index, Hedged Fixed Income - HFRI Relative Value Total, Hedged Equity - HFRI Equity Hedge Index, Total Commodities - Dow Jones UBS Commodity Tr, Total Real Estate - Dow Jones Select Reit.

Please refer to important information provided on the Disclosures page in the Appendix section

 THE PRIVATE CLIENT RESERVE



MEMORANDUM

ATTORNEY CLIENT PRIVILEGED

TO: Penny Hunt
FROM: Gina M. Kastel
DATE: May 6, 2013
RE: Approval of Accounts

This memorandum responds to your request for an update on the status of the accounting approvals and final distributions to Robina Foundation from the Estate of James H. Binger and James H. Binger Revocable Trust (together, the Estate).

JPMorgan Chase Bank, N.A. (JPMorgan) is the Personal Representative of the Estate and Trustee of the Revocable Trust. McDermott Will & Emery LLP (McDermott) represents JPMorgan, with Briggs & Morgan (Briggs) acting as local counsel. As you know, the Estate has been involved in litigation with private parties and the Internal Revenue Service (IRS). McDermott and Briggs have stated that all litigation has now been resolved and that the Estate is not subject to court supervision at this point, although the Personal Representative has not been discharged.

Robina Foundation is the residuary beneficiary of the Estate and has received nearly all its expected distributions from the Estate. According to McDermott, there remains approximately \$1 to \$2 million in the Estate. There is also a small amount of money (less than \$100,000) in the Tartan I Limited Partnership (Tartan). The remaining distributions to Robina Foundation are expected to be paid after the accounts for the Estate have been reviewed and approved.

As Personal Representative and Trustee, JPMorgan is legally obligated to keep accurate records relating to the Estate and to make reports to Robina Foundation as the beneficiary. The accounts to date have not been formally reviewed and approved. McDermott expects that the accounts through early 2013 will be available in the next several weeks. At that time, we will review them and provide our views to the Board of Directors of Robina Foundation on whether the accounts present any concerns. As Personal Representative and Trustee, JPMorgan has the right to have all potential objections to its actions resolved before making final distributions. This can be done in one of two ways, First, it is possible to have the Probate Court review and approve the accounts. In some cases that is required, but not in this case because the Estate is not subject to judicial supervision. The alternative to going to the Probate Court is for JPMorgan and Robina Foundation to enter into a settlement agreement. It is almost certain

that JPMorgan would ask for releases from liability related to the administration of the Estate as part of any settlement agreement.

There are pros and cons to review by the Probate Court. The primary advantage is liability protection for the Robina Foundation Board of Directors. The drawbacks include additional time and expense, as well as the public nature of the proceeding. Once we have the accounts, we can discuss these issues further with the Robina Foundation Board.

Finally, we will work with Dorsey & Whitney, which represents several members of Mr. Binger's family with respect to the Tartan I Limited Partnership, to ensure that the distributions of those funds comply with applicable excise tax rules for private foundations.

I'm happy to discuss this further at your convenience.

KASGM:

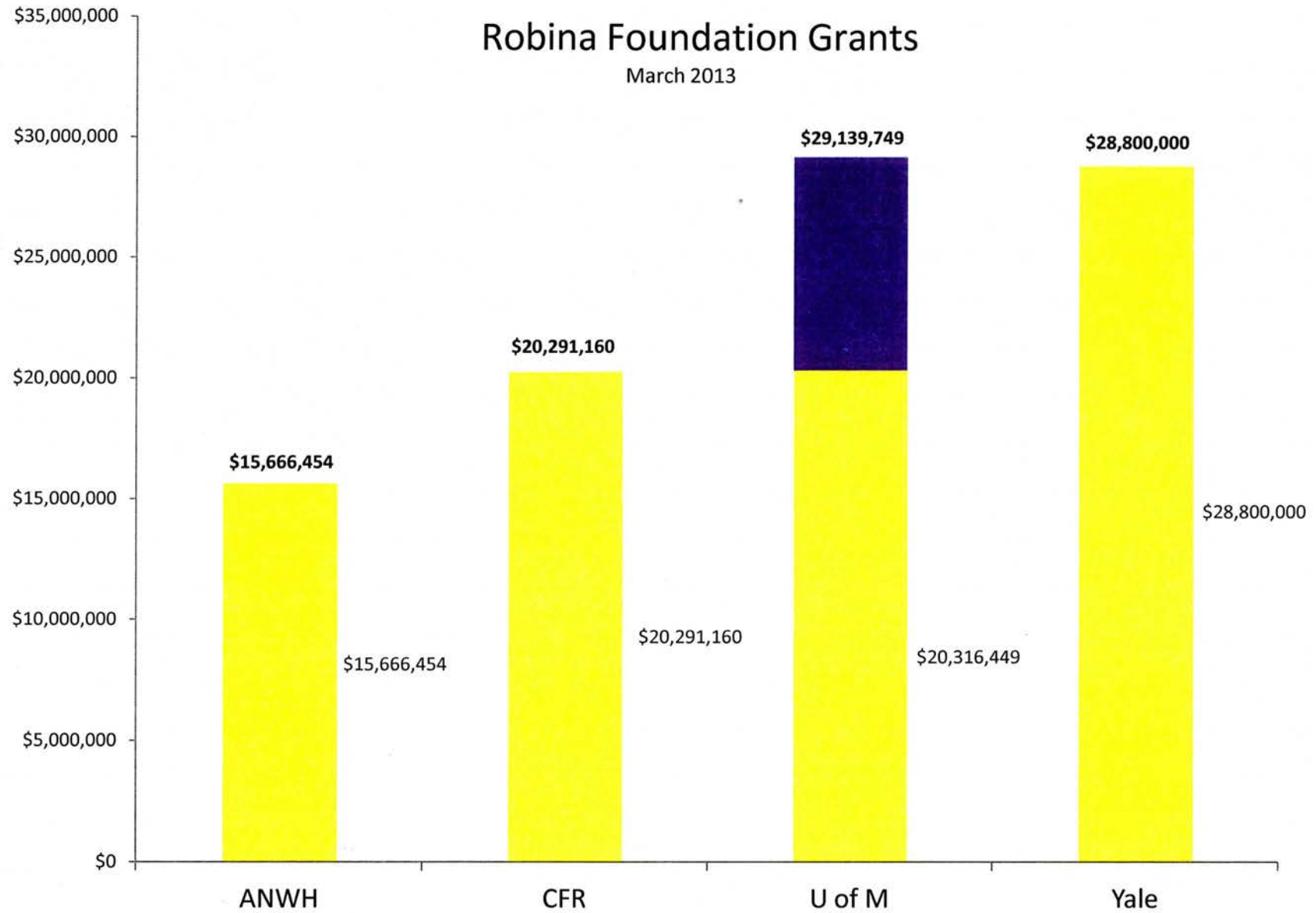
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	ROBINA FOUNDATION GRANTS														
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	TOTAL
ANWH															
Care Guides	1,253,535	2,373,233	2,373,232												6,000,000
Late Life Supportive Care Phase I					2,356,696	4,245,492	3,064,266								9,666,454
Late Life Supportive Care Phase II															
														ANWH Total	15,666,454
CFR															
IIGG	2,000,000	2,000,000	2,000,000	2,000,000	2,046,627	2,034,671	2,034,971	2,074,424	2,114,664						18,305,357
Online Video Project				419,750	276,805										696,555
Expanded Diversity Initiative				15,000	377,034	426,492	470,722								1,289,248
														CFR Total	20,291,160
U of M															
LaPPS	1,400,000	1,436,750	1,480,338	2,850,854	893,457										8,061,399
Institute of Criminal Law & Justice					847,190	1,494,134	1,750,900	1,771,752	1,639,451						7,503,427
Institute of Criminal Law & Justice															
Scholarships					250,000	250,000	250,000	250,000	250,000						1,250,000
Public Interest Scholars					379,800	694,544	809,355	813,736	804,188						3,501,623
														U of M Total	20,316,449
YALE															
Yale Drama															
CNT	750,000	750,000	1,350,000	950,000	18,000,000										21,800,000
Yale Law															
Human Rights	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000								7,000,000
														Yale Total	28,800,000
TOTAL	6,403,535	7,559,983	8,203,570	7,235,604	26,427,609	10,145,333	9,380,214	4,909,912	4,808,303						85,074,063
YEAR END NET ASSETS*															
				120,827,000	100,568,259	95,693,220	90,874,456	90,071,375	89,757,992						
	Grants Paid/Committed														
	*Estimated by Mike Sullivan based upon the projected grant programs and using asset allocation and assumed return assumptions.														

BOD Mtg May 14, 2013

Robina Foundation Grants

March 2013



■ Proposed

■ Paid/Committed

\$4,353,789 U of M Sentencing Enhancements

\$4,469,511 Binger Center for New Americans

Robina Institute of Criminal Law and Criminal Justice

Sentencing Law Program Enhancements

October 29, 2012

In its first year of operation, the Sentencing Law and Policy program (SLP) has laid the foundation for a series of projects, each of which is likely to have a substantial positive impact on criminal law reform efforts. With additional resources, we could accelerate and expand the SLP's work, making criminal justice reform a national issue with an enormous potential impact on hundreds of thousands of people. The additional resources needed include funds to buy out teaching time for Kevin Reitz and Richard Frase as the SLP co-directors and to hire non-academic professional staff to direct or consult on SLP projects, additional post-docs or research associates to work on selected projects, and additional support staff. We would also need funds to provide space to house the new SLP participants.

I. High Priority Projects

We have identified four major projects that could be launched in the immediate future with additional resources. For each, we offer rough breakdowns of anticipated costs, but the precise allocation of funding may shift as projects evolve.

A. Multi-State Criminal History Project (Director: Professor Frase)

An offender's criminal history (record of prior convictions) is a major sentencing factor in all American sentencing guidelines systems. Under some state guidelines offenders in the highest criminal history category have recommended prison sentences that on average are ten times longer than the recommended sentences for offenders with no prior convictions. Criminal history enhancements thus directly and substantially increase the size and expense of prison populations. Such enhancements also have a very strong disparate impact on racial and ethnic minorities; furthermore, they undercut the goal of making sentence severity proportional to offense severity and, under many existing formulas, they send many repeat property and drug offenders to prison, thus undercutting the goal of reserving limited and expensive prison space for violent offenders.

Yet very little attention has been paid to these issues by sentencing commissions and outside researchers. The formulas and impacts of criminal history enhancements vary dramatically from one guidelines system to another, and the rationales for specific formulas have rarely been stated or evaluated. The most plausible rationale for such enhancements is that repeat offenders have a higher risk of recidivism; but existing criminal history scores have rarely been validated and refined to improve their risk-prediction accuracy and efficiency. With additional resources, the Robina Institute could encourage guidelines states to examine their use of criminal history. We have already identified a number of important ways in which state criminal history formulas differ, for example: Which kinds of prior convictions are counted, with what weighting formulas and limitations, e.g., on very old convictions? Is the offender's current age taken into account? Is eligibility for the highest criminal history categories (most severe sentences) limited to offenders with prior violent crimes? What is the weight of the criminal history score in itself and compared to offense severity, as a sentence-enhancement factor?

The Criminal History Project would:

- Make a comprehensive study of the varieties of criminal history formulas found in American sentencing guidelines systems.
- Collect existing studies, and carry out or commission new research, on the impacts that different formulas have on the size of prison populations and their racial/ethnic composition, the proportionality of sentences relative to the seriousness of the crimes being sentenced, and the goal of ensuring adequate prison space for violent offenders.
- Collect existing studies and encourage new research on the validity of criminal history scores and each score component as predictors of recidivism risk, especially risk of violent crime.
- Encourage criminologists who study criminal careers to make closer connections between this well-developed body of research and what ought to be (but has rarely been) one of its most important practical applications – criminal history enhancements in sentencing.
- Based on the research described above, encourage sentencing commissions to examine the ways in which their guidelines employ criminal history enhancements and consider changes that would improve the crime control cost-effectiveness, racial neutrality, and offense proportionality of sentences imposed.
- Consider incorporating new approaches to criminal history in future Model Penal Code recommendations, which would serve to further promote their wide consideration and adoption by US legislatures or sentencing commissions.

Given the substantial role that criminal history enhancements have in most sentencing guidelines systems, even modest changes in criminal history scoring and weight could have enormous impacts.

Our discussions with sentencing commissioners and staff in Minnesota and other guidelines states indicates that there is considerable interest in examining criminal history enhancements. The staff of the Minnesota Commission has already begun a project on this topic, and we expect to be able to identify several other states sharing this interest.

Resource Needs

This project and the Repository project [C] described below will require substantial amounts of Professor Frase's time – these are largely unexplored topics, with few existing experts and research staff who could be hired to direct research on them. The proposed 50 percent reduction in Professor Frase's teaching load will free up about one-quarter of his time, which he will allocate approximately equally between these two projects.

One of the few researchers with substantial experience in studying state guidelines systems is Don Stemen, formerly at the Vera Institute in New York and currently an Assistant Professor in the Department of Criminal Justice and Criminology at Loyola University, Chicago. He has expressed great interest in working as a part-time consultant on both this and the Repository project. Given the time he can devote as a consultant, his hourly rate, and associated travel expenses, we have allocated one half of the total "Robina Institute Fellows" expense for projects A and C shown in the attached budget for his work on the Criminal History Project.

For additional research and operations work, this project will also require one quarter of the Post-doc Research Associate position shown in the budget, one half of one of the two Research Staff positions, and one-quarter of the Support Staff position.

To cover additional needs for student research assistance, we have allocated to this project one quarter of the "Law Student (LPA) opportunities" item in the attached budget. We may also need to hire as consultants on this project one or more criminologists specializing in criminal careers and related "life course" research. However, we believe we can cover this expense with existing funds.

A. Multi-State History Project	Year 1 FY 2014	Year 2 FY 2015	Year 3 FY 2016	Year 4 FY 2017	Year 5 FY 2018	TOTAL
Richard Frase teaching buy down (30%)	48,575	50,032	51,533	53,079	54,672	257,891
Robina Institute Fellow (50% time commitment)	50,000	51,500	53,045	54,636	56,275	265,457
Travel Allowance	2,500	2,575	2,652	2,732	2,814	13,273
Dislocation Expense	10,000	10,300	10,609	10,927	11,255	53,091
Post-Doc Research Associate	20,600	21,218	21,855	22,510	23,185	109,368
Research Staff (\$50,000 plus benefits)	35,000	36,050	37,132	38,245	39,393	185,820
IT/Web staff (\$50,000 plus benefits-half time position)	7,000	7,210	7,426	7,649	7,879	37,164
Support Staff (\$45,000 plus benefits)	15,750	16,223	16,709	17,210	17,727	83,619
Law Student (LPA) opportunities	5,000	5,150	5,305	5,464	5,628	26,546
TOTAL	194,425	200,258	206,265	212,453	218,827	1,032,229

B. Multi-State Parole and Probation Revocation Project (Director: Professor Reitz)

Nationally, 40% of prison admissions are due to revocations of probation or parole terms (for failure to abide by terms of supervision or the alleged commission of a new crime) rather than new convictions and sentences. In some states, this figure has reached 70%. Few jurisdictions use evidence-based practices to test whether individual revocation decisions are necessary to further public safety. The processes for revoking community sentences are often shoddy, with inadequate protections against arbitrary or discriminatory rulings.

In bulk, sentence revocations have helped fuel U.S. prison growth long after national crime rates began to decline. This has been questionable public policy and a substantial drain on state budgets. Many states now realize that the legal and policy problems surrounding sentence revocations are urgent and require new thinking and new solutions, but there have been few successful innovations upon which to build.¹

¹ One ambition of the project would be to identify best practices nationwide. For example, Washington State has pursued a promising experiment in cutting back both numbers of revocations and the length of confinement terms following revocations. Under court order to reduce prison populations, California has recently explored radical changes in sentence revocation policy.

The Revocation and Release Project would:

- Identify possible model systems and explore the wisdom of replicating parts or all of those systems in other jurisdictions;
- Help participant states devise "sentence revocation guidelines" (similar to successful sentencing guidelines reforms) to replace existing discretionary procedures with evidence-based best practices; and
- Disseminate the study's findings to other jurisdictions and incorporate advances in revocation policies into new Model Penal Code provisions.

The project would dramatically reduce prison admissions and incarceration rates in states that adopt positive changes, conserve community supervision resources for the rehabilitation and reintegration of offenders, and foster fairer and more transparent procedures.

At the March 2012 meeting of sentencing commissions hosted by the Robina Institute, a number of states expressed interest in this project with the goals of (1) implementing policy changes tailored to the needs of those states; and (2) creating models for other jurisdictions to emulate. The states with an immediate interest in participating include Minnesota, Pennsylvania, Alabama, Washington, and California. We expect to reach out to non-participant states through the Model Penal Code process and by working with the National Council of State Legislatures and the Council of State Governments.

Resource Needs

Professor Reitz would allocate roughly three credits of teaching relief (or 2/3 of average yearly teaching relief) to this project. Professor Reitz could begin work immediately (Fall 2012) in anticipation of a three-credit teaching load reduction starting Spring 2013.

Academic partners would include the University of Wisconsin (Professor Cecelia Klingele). The University of Toronto Centre for Criminology (Anthony Doob) has also expressed interest.

We would seek to hire one Consultant to co-direct the project. Ronald Corbett, Massachusetts Commissioner of Probation, and a national leader in the field of evidence-based probation reform (e.g., Chair of the Reinventing Probation Council that issued the 2000 report, "Transforming Probation Through Leadership"), has expressed interest in joining the project beginning January 2013 (when he will step down as Commissioner). His estimated time commitment would be the equivalent of one-third FTE at an estimated annual expense of \$75,000 per year plus travel and lodging expenses during periods of residency in Minnesota.

We estimate the project will require one quarter of the Post-Doc Research Associate position shown in the budget, one half of one of the two Research Staff positions, and one-quarter of the Support Staff position. We have allocated to this project one quarter of the "Law Student (LPA) opportunities" item in the attached budget.

B. Multi-State Parole and Probation Revocation Project

	Year 1	Year 2	Year 3	Year 4	Year 5	TOTAL
	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	
Kevin Reitz teaching buy down (25%)	50,754	52,277	53,845	55,460	57,124	269,460
Robina Institute Fellow (33% time commitment)	75,000	77,250	79,568	81,955	84,413	398,185
Travel Allowance	2,500	2,575	2,652	2,732	2,814	13,273
Dislocation Expense	10,000	10,300	10,609	10,927	11,255	53,091
Post-Doc Research Associate	20,600	21,218	21,855	22,510	23,185	109,368
Research Staff (\$50,000 plus benefits)	35,000	36,050	37,132	38,245	39,393	185,820
IT/Web staff (\$50,000 plus benefits-half time position)	7,000	7,210	7,426	7,649	7,879	37,164
Support Staff (\$45,000 plus benefits)	15,750	16,223	16,709	17,210	17,727	83,619
Law Student (LPA) opportunities	5,000	5,150	5,305	5,464	5,628	26,546
TOTAL	221,604	228,252	235,100	242,153	249,417	1,176,526

C. Sentencing Reform Repository Project (Director: Professor Frase)

The National Association of Sentencing Commissions (NASC) was created as a result of a 1993 meeting organized by Kevin Reitz. NASC's mission is "to facilitate the exchange and sharing of information, ideas, data, expertise, and experiences and to educate on issues related to sentencing policies, guidelines and commissions." But NASC has no staff and a very limited budget. As a result, its activities are limited to coordinating the organization's annual meeting, and its website primarily consists of meeting agendas and contact information for member commissions.

The Robina Institute could work with NASC to develop mechanisms for the collection, storage, analysis, and exchange of sentencing guidelines law and policy information. An incredibly rich but largely untapped trove of sentencing data, research reports, guidelines, statutory rules, policy-development materials, and interpretive case law currently exists on scattered sentencing commission web sites and legal databases, or in unpublished documents and agency computer files. Working with NASC and individual sentencing commissions, SLP faculty and their assistants will create a central clearinghouse of documents and guidelines-related materials that will greatly facilitate multi-state research and policy analysis by interested parties, including sentencing commissioners and their staffs, state officials interested in creating guidelines or a commission, and independent researchers. We would also explore ways to facilitate multi-state, comparative research and policy development by encouraging sentencing commissions to collect and report their data in more consistent formats. Over time, SLP could in essence become a secretariat for NASC, providing it the expertise, information resources, and staff support needed to fulfill its information-sharing mission.

The Sentencing Reform Repository Project would:

- Assemble electronic and/or hard copies of all currently available sentencing law and policy materials from as many sentencing guidelines states as possible, including materials in libraries, on commission and other web sites, in legal and other data bases,

and in the personal files of the few scholars who have studied one or more state guidelines systems (three of whom are Minnesota professors – Frase, Reitz, and Tonry) .

- Contact all guidelines states to request additional materials known or suspected to be available for those states.
- Place as much of the gathered material as possible on the Institute's web site, or with links to other web sites.
- Encourage more consistent formats in state guidelines data.
- Identify areas where additional research on state guidelines law and policy is particularly needed, with specific suggestions to interested researchers on how to obtain the necessary data and other materials.
- Create a sentencing research and policy blog on which any interested commissioner, commission staffer, or outside researcher can post comments, news, or research and policy inquiries.

We believe the proposed Repository would fill an important unmet need, and greatly facilitate research and improved sentencing policy in many states.

Resource Needs

As noted previously, this project and the Criminal History Project [A] described above will require substantial amounts of Professor Frase's time. He will divide the time freed up by the proposed 50 percent reduction in his teaching load equally between the two projects.

As noted above, Don Stemen is interested and highly qualified to work on collecting, harmonizing, and making effective use of materials gathered from multiple state guidelines systems. Indeed, he is the ideal person to assist Professor Frase with this project, and he is enthusiastic about the possibilities it presents. His time and travel expenses are expected to be approximately the same for each of these two projects; hence, we have allocated one half of the total "Robina Institute Fellows" expense for Projects A and C shown in the attached budget for his work on the Sentencing Reform Repository Project.

The Repository Project will seek to place much of the gathered material on line directly at the Institute's web site or by links to other sites, so we will need very substantial support from staff skilled at web site design and maintenance. Our budget includes a new staff line for IT/web site work, and that person is expected to spend about half of his/her time on the Repository project.

For additional research and operations work, this project will also require one quarter of the Post-Doc Research Associate position shown in the budget, one half of one of the two Research Staff positions, and one-quarter of the Support Staff position.

To cover additional needs for student research assistance, we have allocated to this project one quarter of the "Law Student (LPA) opportunities" item in the attached budget. We may also need to hire as consultants on this project one or more persons who are current or former members or staff of sentencing commissions – persons who, given their experience, are very knowledgeable about the kind of materials and information that is likely to be of greatest interest and value to sentencing commissions and policymakers. However, we believe we can cover this expense with existing funds.

C. Sentencing Reform Repository Project	Year 1	Year 2	Year 3	Year 4	Year 5	TOTAL
	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	
Richard Frase teaching buy down (30%)	48,575	50,032	51,533	53,079	54,672	257,891
Robina Institute Fellow (50% time commitment)	50,000	51,500	53,045	54,636	56,275	265,457
Travel Allowance	2,500	2,575	2,652	2,732	2,814	13,273
Dislocation Expense	10,000	10,300	10,609	10,927	11,255	53,091
Post-Doc Research Associate	20,600	21,218	21,855	22,510	23,185	109,368
Research Staff (\$50,000 plus benefits)	35,000	36,050	37,132	38,245	39,393	185,820
IT/Web staff (\$50,000 plus benefits-half time position)	28,000	28,840	29,705	30,596	31,514	148,656
Support Staff (\$45,000 plus benefits)	15,750	16,223	16,709	17,210	17,727	83,619
Law Student (LPA) opportunities	5,000	5,150	5,305	5,464	5,628	26,546
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TOTAL	215,425	221,888	228,544	235,401	242,463	1,143,721

D. Building Partnerships with Parole Release States (Director: Professor Reitz)

Law reform partnerships between policymakers and academics, of the kind established in sentencing-commission states, have not developed with traditional “indeterminate sentencing” jurisdictions that retain parole release as the means to determine prison sentence length (these include roughly half of the states in 2012). In all American law schools, only a handful of faculty nationwide have interest or depth of knowledge in paroling practices, and no organization like NASC exists to build bridges between academic research and indeterminate sentencing systems. The Robina Institute could fill this void, extending the NASC model to indeterminate states, with the goals of promoting policy-relevant research, evidence-based practices, and sharing of reform efforts across multiple jurisdictions.

This project would proceed on two parallel tracks:

- Build a “National Association of Parole Release Systems”; and
- Support discrete pilot projects, with subject matters determined in consultation with participant states.

Because we would rely on authentic collaboration between the Institute and state agencies (as is now the case with the Institute’s NASC-based activities), the substantive projects that would grow out of a NASC-like organization of paroling states should not be dictated in advance. However, the Institute can and will offer suggestions, and will participate actively in setting the direction for reform-oriented projects.

As an illustration, one project the Institute would recommend to participant states is a cross-jurisdictional reappraisal of the use of actuarial risk assessment instruments in parole release decisions. Evidence-based risk assessments can yield smaller prison populations and increased public safety—achieved simultaneously—but many states lack well-designed machineries for this purpose. Many paroling agencies use substandard instruments (e.g., prepared outside the state on populations that do not closely resemble the state’s prison releasees—or prepared in-

state without adequate expertise or validation) and some parole boards use no risk instruments at all. At the same time, while risk measures are becoming ubiquitous in criminal justice, the dangers of inappropriate uses have been under-evaluated. For example, there is a worrisome tendency of "neutral" risk factors (such as prior record and employment history) to correlate with the race of offenders. Instruments must be carefully designed to promote evidence-based practices while paying heed to the dangers of exacerbating racial and ethnic disparities in punishment.

A second potential project would be to encourage the creation of effective laws and procedures to grant parole boards emergency-releasing powers in times of prison overcrowding. Some laws of this kind were enacted in the 1980s but they were seldom used. More recently, in times of crowding emergencies, states have lurches toward one-time, ad hoc solutions that have not addressed longer-term problems that brought about the crises in the first place. A regularized overcrowding-control mechanism, with appropriate early-warning capability, could give paroling states the ability to manage prison population size that they now lack. Given that parole-release states were responsible for the greatest share of America's prison-growth explosion over the past 30 years, innovations of this kind are sorely needed.

Resource Needs

Initially, Professor Reitz would allocate approximately 1/3 of the time gained through teaching relief to this project. As the organizational base for projects with parole release states solidifies, the time allocation can be expected to increase.

Academic partners could include Vanderbilt University (Professors Nancy King and Christopher Slobogin have expressed interest) and the University of Wisconsin.

We would seek to hire one Institute Consultant to help guide the project. Edward Rhine, first choice of the Institute faculty, has expressed interest in joining the project in the 2013-14 academic year. Rhine is Ohio Deputy Director of Corrections for Reentry Programs, a Ph.D. sociologist, well-published author, and leading voice in evidence-based parole reform and prisoner reentry initiatives across the country.

His estimated time commitment would be the equivalent of one quarter FTE at an estimated annual expense of \$50,000 plus travel and lodging expenses during periods of residency in Minnesota.

It is estimated the project will require one quarter of the Post-Doc Research Associate position shown in the budget, one half of one of the two Research Staff positions, and one-quarter of the Support Staff position. We have allocated to this project one quarter of the "Law Student (LPA) opportunities" item in the attached budget.

D. Building Partnerships with Parole Release States

	Year 1	Year 2	Year 3	Year 4	Year 5	TOTAL
Year 1 (FY 2014)	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	
Kevin Reitz teaching but down (25%)	21,752	22,405	23,077	23,769	24,482	115,484
Robina Institute Fellow (25% time commitment)	50,000	51,500	53,045	54,636	56,275	265,457
Travel Allowance	2,500	2,575	2,652	2,732	2,814	13,273
Dislocation Expense	10,000	10,300	10,609	10,927	11,255	53,091
Post-Doc Research Associate	20,600	21,218	21,855	22,510	23,185	109,368
Research Staff (\$50,000 plus benefits)	35,000	36,050	37,132	38,245	39,393	185,820
IT/Web staff (\$50,000 plus benefits-half time position)	28,000	28,840	29,705	30,596	31,514	148,656
Support Staff (\$45,000 plus benefits)	15,750	16,223	16,709	17,210	17,727	83,619
Law Student (LPA) opportunities	5,000	5,150	5,305	5,464	5,628	26,546
TOTAL	188,602	194,260	200,088	206,090	212,273	1,001,314

II. Next Stage Projects

The high-priority projects outlined above are already far down the road of conceptual planning. A number of initiatives, under consideration for a later date, are described briefly below. Projects of this kind would come to fruition more quickly with added time and resources.

- **Racial disparities in prison and jail populations.** Considerable work on this issue has already been done in Minnesota, and several years ago the Sentencing Commission and Law School faculty began to design a major empirical project to gather important missing data. But this project was never carried out due to lack of staff and funding. And much less data on these issues is currently available for other states. Besides collecting additional Minnesota and other state data, SLP faculty would like to do further research on one of the most promising mechanisms to combat racial disparities: the application of racial impact assessments to current and proposed sentencing rules.
- **Prosecutor roles in sentencing (diversion, charging, plea bargaining, sentence recommendations).** Prosecution decisions (usually made by individual, case-level prosecutors, with minimal supervision or standards) have substantial impacts on the nature and severity of sentences imposed, and are a major potential source of excessive incarceration and sentencing disparities. Even modest improvements in the consistency and resource efficiency of these decisions would have very substantial impacts in most jurisdictions.
- **Prison population management in sentencing guidelines systems.** Policy makers need to know whether sentencing commissions and/or guidelines are the best available vehicle(s) for prison downsizing or controlled growth, and whether these vehicles work better when combined with certain other measures. Several studies have found

correlations between prison population size or growth and sentencing structures, but these studies need to be refined and brought up to date.

- **Promoting sentencing reform.** An overarching goal of SLP, building on all of the projects described above, is to use SLP faculty consulting expertise and research to promote well-designed sentencing guidelines and improved parole-release systems in as many states as possible. This project seeks to preserve the best guidelines systems now in operation (whose virtues do not necessarily guarantee their survival); to improve all existing guidelines and parole systems; and to encourage more states to adopt the well-designed guidelines systems that Professors Frase and Reitz have advocated in their scholarship and model-standards drafting.
- **Comparative Research on Guidelines Systems.** There are functioning sentencing guidelines systems in well over a dozen American states (and also in several other countries, e.g., the United Kingdom, New Zealand, and Israel). Some work has been done comparing these systems, and several of the projects described above will do more work in particular areas. Other fruitful areas for comparative research include grid versus non-grid systems; enforcement measures (e.g., appeals from and/or required statements of reasons for departure from guidelines recommendations); the use and different kinds of resource-impact assessments; retention versus abolition of parole-release discretion; range of offenses covered by the guidelines (some or all felonies; some or all misdemeanors); extent of regulation of non-prison punishments; and release-revocation and other enforcement measures for conditions of non-custodial sanctions).

* * *

The problems of U.S. sentencing practices are so many, and the number of people affected so large, that moving the needle even a little can have dramatic impacts on countless lives. Robina funding has already enabled the SLP to make substantial progress. With the additional support requested in this proposal, we can magnify the impact of the SLP's work dramatically. The full budget for the proposed new projects is attached.

A. Multi-State History Project	Year 1	Year 2	Year 3	Year 4	Year 5	TOTAL
	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	
Richard Frase teaching buy down (30%)	48,575	50,032	51,533	53,079	54,672	257,891
Robina Institute Fellow (50% time commitment)	50,000	51,500	53,045	54,636	56,275	265,457
Travel Allowance	2,500	2,575	2,652	2,732	2,814	13,273
Dislocation Expense	10,000	10,300	10,609	10,927	11,255	53,091
Post-Doc Research Associate	20,600	21,218	21,855	22,510	23,185	109,368
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Support Staff (\$45,000 plus benefits)	15,750	16,223	16,709	17,210	17,727	83,619
Law Student (LPA) opportunities	5,000	5,150	5,305	5,464	5,628	26,546
TOTAL	194,425	200,258	206,265	212,453	218,827	1,032,229

B. Multi-State Parole and Probation Revocation Project	Year 1	Year 2	Year 3	Year 4	Year 5	TOTAL
	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	
Kevin Reitz teaching buy down (25%)	50,754	52,277	53,845	55,460	57,124	269,460
Robina Institute Fellow (33% time commitment)	75,000	77,250	79,568	81,955	84,413	398,185
Travel Allowance	2,500	2,575	2,652	2,732	2,814	13,273
Dislocation Expense	10,000	10,300	10,609	10,927	11,255	53,091
Post-Doc Research Associate	20,600	21,218	21,855	22,510	23,185	109,368
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Law Student (LPA) opportunities	5,000	5,150	5,305	5,464	5,628	26,546
TOTAL	221,604	228,252	235,100	242,153	249,417	1,176,526

C. Sentencing Reform Repository Project	Year 1	Year 2	Year 3	Year 4	Year 5	TOTAL
	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	
Richard Frase teaching buy down (30%)	48,575	50,032	51,533	53,079	54,672	257,891
Robina Institute Fellow (50% time commitment)	50,000	51,500	53,045	54,636	56,275	265,457
Travel Allowance	2,500	2,575	2,652	2,732	2,814	13,273
Dislocation Expense	10,000	10,300	10,609	10,927	11,255	53,091
Post-Doc Research Associate	20,600	21,218	21,855	22,510	23,185	109,368
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Support Staff (\$45,000 plus benefits)	15,750	16,223	16,709	17,210	17,727	83,619
Law Student (LPA) opportunities	5,000	5,150	5,305	5,464	5,628	26,546

TOTAL	215,425	221,888	228,544	235,401	242,463	1,143,721
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D. Building Partnerships with Parole Release States

	Year 1	Year 2	Year 3	Year 4	Year 5	TOTAL
Year 1 (FY 2014)	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	
Kevin Reitz teaching but down (25%)	21,752	22,405	23,077	23,769	24,482	115,484
Robina Institute Fellow (25% time commitment)	50,000	51,500	53,045	54,636	56,275	265,457
Travel Allowance	2,500	2,575	2,652	2,732	2,814	13,273
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Support Staff (\$45,000 plus benefits)	15,750	16,223	16,709	17,210	17,727	83,619
Law Student (LPA) opportunities	5,000	5,150	5,305	5,464	5,628	26,546
TOTAL	188,602	194,260	200,088	206,090	212,273	1,001,314

TOTAL ALL PROJECTS	820,056	844,658	869,997	896,097	922,980	4,353,788
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University of Minnesota Law School SLP Augmentation Proposal
Timeline and Deliverables

1. Criminal History Project

Year One

- Assemble core project team (Institute fellow, consultants and other academic partners).
- Hold initial planning meetings and conference calls with core team members.
- Hire a Research Staff person to work on this and the Repository (Project no. 3, below); work with Professor Reitz in hiring of three staff members to work on all four near-term projects (Post-Doc, IT/Web staff, clerical/administrative support staff).
- Complete comprehensive study of criminal history formulas found in American sentencing guidelines systems and other American sentencing laws (e.g., laws that provide higher penalties and/or higher offense-level classifications for "second and subsequent" offenses of the same or similar type).
- Collect existing studies on the impacts that different criminal history formulas have on: the size of prison populations; their racial/ethnic composition; the proportionality of sentences relative to the seriousness of the crimes being sentenced; and the goal of ensuring adequate prison space for violent offenders.
- Hold meetings with representatives from 3 to 5 states interested in participating in research and possible policy change in this area.

Deliverables: Preliminary report summarizing research; recruitment of 3 to 5 participant states

Year Two

- Carry out or commission new research on the criminal history impacts noted above (impacts on size and racial/ ethnic composition of prison populations, proportionality of sentences to crimes, goal of ensuring adequate prison space for violent offenders).
- Collect existing studies and encourage new research on the validity of criminal history scores and each score component as predictors of recidivism risk, especially risk of violent crime.
- Encourage criminologists who study criminal careers to make closer connections between this well-developed body of research and what ought to be (but has rarely been) one of its most important practical applications – criminal history enhancements in sentencing. Develop requests for proposals for these criminologists to conduct new studies and/or apply existing research findings, to make these connections.
- Conduct legal, data, and policy analyses of the needs of each participating state.
- Develop state-specific reform proposals.

Deliverables: Further research reports; requests for proposals for research by criminal-careers specialists; criminal-history reform proposals tailored to each participant state.

Years Three and Four

- Based on the research and state-specific reform proposals described above, encourage and assist sentencing commissions in participating states to examine the ways in which their guidelines employ criminal history enhancements; encourage and assist these commissions to consider changes that would improve the crime control cost-effectiveness, racial neutrality, and offense proportionality of sentences imposed.
- Assist sentencing commissions and/or legislators and other interested officials in participating states to gain approval and implementation of criminal history reforms.
- Assist sentencing commissions in states that implement criminal history reforms to evaluate the effects of those reforms on actual sentencing practices and prison populations.
- Publish materials on the web, in hard copy, and through the National Association of Sentencing Commissions (NASC), promoting to other states the research and state-specific proposals developed by SLP in this area.
- Hold a national conference, hosted by the Robina Institute, to further publicize and promote SLP's research and law reform efforts related to criminal history enhancements.
- Consider incorporating new approaches to criminal history in future Model Penal Code recommendations, which would serve to further promote their wide consideration and adoption by US legislatures or sentencing commissions.

Deliverables: Full or partial adoption of criminal history reform proposals in several participant states; preliminary report summarizing post-implementation evaluation research; preparation and dissemination of publications highlighting advantages of these proposals; incorporation of aspects of proposals into Model Penal Code draft; national conference

Year Five and future years

- Provide similar SLP assistance to additional guidelines states interested in revising their criminal history formulas.
- Continue to assist and evaluate results in states that previously adopted criminal history reforms.

Deliverables: Full or partial adoption of criminal history reform proposals in additional participant states; preliminary report summarizing post-implementation evaluation research in those states; final report on post-implementation evaluation research in states that adopted criminal history reforms in earlier years.

2. Probation and Parole Revocations Project

Year One

- Assemble team (consultant, academic partners, linkages to other reform organizations)
- Hold initial planning meetings
- Conduct nationwide research into best and worst practices
- Hold meetings with 3 to 5 participant states

Deliverables: Preliminary report summarizing research; recruitment of 3 to 5 participant states

Years Two and Three

- Conduct legal, data, and policy analyses of each state's needs
- Identify promising and politically feasible avenues of change in each state (possibilities include legislation, new sentencing guidelines, changes in regulations and practices of corrections agencies)
- Develop state-specific reform proposals

Deliverables: Probation and parole revocation reform proposals tailored to each participant state

Years Three through Five

- Assist sentencing commission or other responsible agency in seeking approval and implementation in each state
- Publication promoting to other states the range of state-specific proposals developed by SLP, dissemination of proposals through NASC, Model Penal Code project, and a national conference hosted by the Robina Institute

Deliverables: Full or partial adoption of revocation reform proposals in several participant states; preparation and dissemination of publications highlighting advantages of proposals; incorporation of aspects of proposals into Model Penal Code draft; national conference

Future years

Provide similar SLP assistance to additional states interested in parole and probation revocation reforms

3. Sentencing Reform Repository Project

Year One

- Assemble core project team (Institute fellow, consultants and other academic partners).
- Hold initial planning meetings and conference calls with core team members.
- Hire a Research Staff person to work on this and the Criminal History Project (no. 1, above); work with Professor Reitz in hiring of three staff members to work on all four near-term projects (Post-Doc, IT/Web staff, clerical/administrative support staff).
- Begin to assemble electronic and/or hard copies of all currently available sentencing law and policy materials from the states most likely to have substantial and readily-available materials, namely, states with guidelines currently in force and with an active, fully-functioning sentencing commission; these materials will be found in libraries, on commission and other web sites, in legal and other data bases, and in the personal files of the few scholars who have studied one or more state guidelines systems (three of these are Minnesota professors – Frase, Reitz, and Tonry).
- Based on the materials initially collected, begin to formulate requests for and other plans to obtain additional sentencing-related materials from these states that are not, for one reason or another readily available (e.g., for reasons of data privacy, lack of state funds and staff to photocopy non-digitized materials, etc.).
- Create and publicize a new web site for the Repository, on or linked to the Institute's web site; post all digitized materials that have been obtained, and/or provide links to other web sites containing the material.
- Create a sentencing research and policy blog on which any interested commissioner, commission staffer, or outside researcher can post comments, news, or research and policy inquiries.

Deliverables: Collection of electronic and hard copy sentencing reform materials from a number of states; creation of the Repository web site and blog; action plans for difficult-to-obtain materials.

Year Two

- Based on the results in year one and growing familiarity with the varieties of state sentencing-related materials, formulate and begin to carry out plans to obtain materials, similar to those collected in year one, from states with guidelines currently or formerly in force but without a currently-active, fully-functioning sentencing commission.
- Re-contact all states that supplied materials in year one to update their submissions and ensure that the Repository has the latest versions as well as any new materials.
- Develop and implement procedures to make such updates routine, with back up procedures to make sure nothing important is missed.
- Place all additional gathered electronic material on the Institute's web site, and/or provide links to other web sites.

- Develop procedures to make non-electronic materials available to non-SLP researchers and policymakers, and add descriptions of these materials to the Repository web site.
- Begin to identify areas where additional research on state guidelines law and policy is particularly needed.
- Develop and implement plans encouraging states to employ consistent formats in their guidelines data and assist researchers in converting their data to such formats.
- Develop and post on the Repository web site specific suggestions, for interested researchers, of sentencing reform topics worth researching in one or more states, along with instructions on how to obtain the necessary data and other materials to carry out that research.
- Begin to develop plans for collecting historical materials about repealed guidelines and other sentencing reform efforts or failed efforts in states that do not currently have guidelines in effect.

Deliverables: Collection of electronic and hard copy sentencing reform materials from additional states; additions of materials to the Repository web site; procedures to keep materials up to date, and to make non-electronic materials available; plans for more consistent state sentencing data; sentencing reform research suggestions added to the web site.

Years Three to Five, and future years

- Continue to update and expand the Repository's hardcopy and electronic materials.
- Develop, distribute, and tabulate results from one or more questionnaires, asking sentencing researchers and policy makers if they are familiar with the Repository, have used it, have found it helpful, and have any suggestions for improvement.
- Hold a national conference, hosted by the Robina Institute, to further publicize and promote the Repository; the conference would show sentencing researchers and policy makers how to make the best use of the Repository, and would solicit feedback and suggestions to help SLP make the Repository even more useful.
- Using the questionnaire results and conference feedback, make any needed changes in the Repository and its operating procedures.
- Based on issues of national importance at that time, as well as a comprehensive review of the materials in the Repository, develop single and/or multiple-state sentencing reform research projects of interest to Robina faculty; identify outside consultants and academic partners for those projects, and complete or begin work on them.
- Identify materials from non-guidelines states that may be useful to researchers wishing to compare sentencing practices and impacts with and without guidelines; develop and begin to implement plans to obtain those materials and add them to the Repository.

Deliverables: Additions of materials to the Repository and its web site; report on questionnaire results; national conference; sentencing reform research plans; preliminary and final reports on that research.

4. Building Partnerships with Parole Releasing States

Year One

- Build on existing contacts with sentencing commission states (those with sentencing commissions *and* parole releasing agencies); identify responsible agencies and engage a critical mass of states (10 to 15) interested in participating in pilot discussions
- Develop contacts with existing organizations (e.g., American Correctional Assn., National Institute of Corrections)
- Develop in-house research base—system overviews—on all 34 paroling jurisdictions in the U.S.
- Plan for Year Two conference

Deliverables: build infrastructure for new association of states with common issues and problems (those with parole release systems) on NASC model; preliminary report on basic structural features of all U.S. indeterminate jurisdictions

Year Two

- Host national meeting of parole releasing states to propose an ongoing Association of Paroling States on NASC model; Poll state representatives on legal and policy issues of greatest substantive interest; Propose one or more projects based on SLP research¹
- Publication/dissemination of priority reform subject matters

Deliverables: First national meeting and enactment of NASC model; identification of priority reform issues and states interested in participation in SLP projects; report on a national reform agenda for parole-releasing states

Years Three through Five

- Select one project and assemble team (consultant, academic partners, linkages to other reform organizations)
- Adapt implementation steps from earlier SLP projects
- Host or sponsor national meetings for several years to establish organizational cohesion of new Association & deepen SLP contacts (NASC model; possible affiliation with NASC)

Deliverables: Launch first topic-specific project with 3 to 5 participant states; produce reform proposals and assist in their implementation; reports on results; further seeding of NASC organizational model among paroling states and transition to a self-sustaining nonprofit model

Future years

Make in-house capability available to additional paroling states interested in SLP assistance; ongoing affiliation with new national organization of paroling jurisdictions

¹ One possible suggestion is the improved use of risk assessment technologies, and coordination of uses of risk assessment by sentencing judges and parole boards.

Benchmarks -
p24

Budget -
page before
Tab 6.

University of Minnesota Law School
The Binger Center for New Americans
A Proposal to the Robina Foundation

April 30, 2013

Overview

The University of Minnesota Law School would like to partner with the Robina Foundation on a major new initiative that has the potential to help countless people in their quest to become legal residents or citizens of the United States. The Binger Center for New Americans would be an entirely new kind of law clinic: a collaboration among legal educators, immigration specialists, and practicing attorneys designed to improve immigration law and practice through a purposeful national litigation and outreach strategy. This proposal details the Center's principal goals for transformative change: (1) improving federal immigration law and policy through collaborative impact litigation, (2) expanding access to legal representation for refugees and immigrants in Minnesota, particularly those in immigration detention, (3) educating non-citizens about their legal rights, and (4) creating the nation's most dynamic and comprehensive immigration clinic for our students.

We are requesting \$4.5 million to launch the Binger Center. After a four-year pilot program to establish the center, the Law School will request an additional \$25 million to endow it. With the Robina Foundation's support, we can make a dramatic difference in the lives of untold numbers of individuals and families as they strive to become new Americans.

Barriers and Opportunities

The U.S. immigration system is cumbersome, expensive, inefficient, and onerous. The immigration courts are overburdened and dysfunctional. Many immigrants are detained under harsh conditions and then deported without ever seeing a lawyer. In the U.S., roughly 400,000 people are detained each year, with over 30,000 in detention on any given day. In Minnesota alone, up to 300 are in detention on any given day. Non-citizens who are unlawfully detained often face an expensive and complex federal legal process. For those who are poor, this challenge is usually beyond their means.

The Robina Foundation can help change this dismal picture, and now is an optimal time to do so. President Obama has made an overhaul of our broken immigration system the top priority for his second term, and it appears Congress will pass major legislation this year. Congress is expected to adopt a complex program that places millions of undocumented immigrants on a long and difficult pathway to becoming U.S. citizens, but it will also maintain or even expand the immense resources already dedicated to immigration enforcement and deportation.¹ Strategic impact litigation in the federal courts will be absolutely essential in order to secure the rights of millions of potential new Americans.

¹ The U.S. government now spends \$18 billion on immigration enforcement each year. This significantly exceeds the \$14.4 billion it spends on all other major law enforcement agencies—FBI, DEA, Secret Service, U.S. Marshals Service, and ATF—combined.

How the Binger Center for New Americans Can Help

By working with the area's leading non-profit legal services providers and law firms, the Binger Center can leverage the resources of each partner and expand the range, depth, and impact of the services each now provides on its own. In this way, the Binger Center will create a national model for provision of comprehensive and cohesive legal services to immigrant communities.

The center will also bring law faculty, pro bono attorneys and law students together in all stages and forms of immigration litigation, providing our students with a truly extraordinary educational experience while also expanding services to immigrants.

We envision two main components of the Binger Center:

- A comprehensive litigation program dedicated to strategic impact litigation
- A legal education and community outreach program

I. The Binger Center Impact Litigation Program

The Binger Center will run the nation's only comprehensive immigration litigation program, in partnership with Minnesota's leading non-profit immigration legal services providers--the Immigrant Law Center of Minnesota (ILCM), Advocates for Human Rights, and Mid-Minnesota Legal Aid—and with the pro bono programs of Minnesota's leading law firms—Faegre, Baker, Daniels; Robins, Kaplan, Miller & Ciresi; and Dorsey & Whitney.

We will create two new clinics to carry out this work – a Federal Litigation Clinic and a Detainee Rights Clinic. These new clinics (together with our existing Asylum Law clinic) will be able to draw on the resources of the Law School's 23 other clinics as needed to meet the needs of clients for advice on immigration-related problems in areas such as family law, consumer protection, criminal law, and tax. In this way, the Binger Center will combine depth and breadth in a genuinely transformative enterprise.

1. Federal Litigation Clinic

- **Improving immigration law through impact litigation.**

The Federal Litigation Clinic, in collaboration with our non-profit and law firm partners, will identify issues with the greatest potential for positive systemic change, identify the best case vehicles to pursue such change, and then litigate those cases at all levels, from the Board of Immigration Appeals all the way to the U.S. Supreme Court. Favorable appellate decisions can have nationwide impact benefitting hundreds, thousands, or, in the context of major immigration reform legislation, even millions of individuals.

Our proposal for the Binger Center includes bringing the Immigrant Law Center of Minnesota's pilot *pro bono* appellate litigation project in house, then dramatically expanding its capacity, more than tripling the number of federal appellate cases litigated from 6 to 18 or more each year. The letter in Appendix I describes some of ILCM's early appellate successes, which help illustrate the national impact a fully funded Binger Center can replicate and expand. One case, to

choose just one example, forced changes in the law to guarantee fair immigration court hearings to thousands of applicants for Temporary Protected Status, a crucial form of humanitarian relief from deportation.

The Federal Litigation Clinic will also systematically seek to improve government policies through U.S. District Court actions brought on behalf of individuals or classes of immigrants. District Court immigration litigation in Minnesota has been sporadic at best, but the Binger Center will have the capacity to triple the number of cases brought to achieve strategic policy priorities. Our law firm partners have important experience in this type of litigation. For example, Dorsey & Whitney helped lead successful nationwide class-action litigation on behalf of asylees who were denied permanent resident status or work permits, forcing the government to adopt immediate reforms that benefitted thousands of individuals.

- **Engaging federal agencies to improve immigration policies.**

The Binger Center will work directly with national and local immigration agencies to assist clients and achieve key policy objectives. Victory in federal court is often just the first step in a longer effort to obtain systemic change. Courts frequently leave important questions of immigration policy for federal agencies to sort out on remand or during settlement negotiations. We will also engage in advocacy to advance our priorities in non-adversarial ways that complement our litigation efforts. The Law School and our partners can convene roundtable meetings with local immigration officials to address implementation of reform legislation, seek needed changes in detention practices, or discuss other issues of concern before they escalate to the point of a lawsuit. At the national level, we will use our shared expertise to shape new regulations through the notice and comment process and secure favorable policies for non-citizens without resort to the courts. In the event of reform legislation, non-adversarial participation in rule making will be critical.

Our collaboration with the Advocates for Human Rights, ILCM, and Mid-Minnesota Legal Aid will give the Binger Center special weight when petitioning federal agencies for policy changes. As an example, in *Sandoval v. Holder*, ILCM successfully challenged the government's policy of subjecting children, regardless of their age, to a harsh statute that imposes life-time banishment upon anyone who makes a false claim of U.S. citizenship. The Eighth Circuit aptly described the statute as an "immigration death penalty" and remanded the case to the agency. After months of negotiations, the government agreed to abandon its flawed policy, a nationwide change that now prevents the application of this harsh statute to most non-citizen children under the age of 18.

- **Shaping the National Immigration Agenda**

By combining forces with key national immigrant rights organizations, such as the American Immigration Lawyers Association (AILA), the American Immigration Council (AIC), and the National Immigrant Justice Center (NIJC), the Binger Center will be uniquely positioned to help shape the national litigation agenda, including litigation in the U.S. Supreme Court. The Binger Center, in collaboration with its partners, will litigate pivotal immigration cases not only in Minnesota, but wherever they happen to be located. Ongoing engagement with our national allies will also magnify the Center's influence by drawing powerful amicus support to the cases

we litigate for our own clients, and, conversely, by giving us extraordinary opportunities to appear as *amicus curiae* in high profile immigration cases brought by others. The attached letter from AILA's national leadership confirms the important role the Binger Center would play on the national stage (Appendix II). (p. 12)

2. Detainee Rights Clinic

Minnesota's immigrant communities remain among the most underserved populations in the state, even though immigrants are vital to the state's future growth and prosperity (Appendix III). (p. 15)
For countless refugees and undocumented immigrant families, access to legal services can mean the difference between great hardship or even death in their country of origin and an opportunity to live productive and full lives as new Americans. Yet, even as the need for legal services has burgeoned, funding for such services has been slashed. In 1996, Congress barred legal aid organizations funded by the Legal Services Corporation from using these funds to represent undocumented immigrants. This shifted much of the burden to organizations such as the Immigrant Law Center of Minnesota. Since the economic downturn of 2008, non-profit legal services providers across the country have endured even deeper cuts to their funding, from both private and public sources. Mid-Minnesota Legal Aid, for example, has lost 20% of its staff since 2009 due to cuts. In short, there is a profound need for legal services in this area, and it is one that will grow even larger with the passage of major immigration reform legislation.

The gap in legal representation is most damaging to those in immigration detention. Locally, and nationally, the federal government's massive commitment to enforcement overburdens already dysfunctional immigration courts and, even if Congress adopts immigration reform legislation, there will be a persistent need for representation among detained noncitizens. A coordinated and fully resourced response is long overdue. The Binger Center's Detainee Rights Clinic will oversee an unprecedented expansion of legal services to detained non-citizens, including asylum seekers, many of whom have meritorious cases and families in Minnesota, but so few of whom can now access meaningful representation to vindicate their rights. The Center's collaborative approach will allow us to provide early intervention and expanded representation to alleviate the hardships of detention and permit individuals with meritorious claims a realistic opportunity to succeed. We will screen large numbers of detainees for possible meritorious claims, represent at least 50 detainees in bond hearings each year (only a handful receive representation now), and at least triple representation in merits hearings (from the current level of 20-30 cases per year).

The relief we can provide to immigrant families that would otherwise be broken by deportation will be an incredible achievement in itself. In addition, the Center's Federal Litigation Clinic will also have the ability to press for systemic changes to national detention policies through litigation and non-adversarial forms of advocacy.

II. The Binger Center Education and Outreach Program

Although Minnesota's existing legal services providers offer a range of education programs designed to inform immigrants of their rights and assist attorneys who may volunteer time, basic

education on immigration law and related issues remains a critical need. That need will grow exponentially if, as expected, Congress adopts major immigration reform legislation this year.

Immigration law is notoriously complex and noncitizens face cultural, linguistic, and economic barriers that keep them from accessing reliable information about their rights. The Law School is ideally positioned to augment what is already available in this area through student volunteers and outreach resources available elsewhere in the University. University of Minnesota Law School students already provide thousands of hours of pro bono legal services to the community every year. With training from the Binger Center, law students could be deployed to community centers, schools, and other locations in Minnesota's immigrant communities to offer "know your rights" programs and intake services. By partnering with volunteer attorneys, perhaps recently retired partners looking for pro bono opportunities, the Law School can also offer "quick clinics" and other forms of high-impact, low cost legal advice.

The Binger Center will also develop innovative education programs to increase lawyer pro bono activity. We will host major continuing legal education programs to train volunteers in federal and detention litigation, publish comprehensive practice manuals and practice advisories, and provide technical assistance to volunteer lawyers to facilitate their pro bono service.

Finally, as we develop our education and outreach program, the Binger Center will identify resources elsewhere in the University and the community that might benefit Binger Center clients and immigrant communities and use those resources to enhance the impact of the Center's work.

III. A Lasting Legacy In Clinical Legal Education

Funding this proposal will transform our students' legal educations, and, in many cases, their lives. As mentioned above, no other law school offers a comprehensive clinic within a single substantive area that brings an entire community of advocates together in cutting-edge impact litigation, intensive direct representation, and community outreach. This combination will make the Binger Center among the most innovative, ambitious and prominent clinical programs in the country. In an era of declining law school applications and increased emphasis on experiential learning, the Binger Center will serve as a model for the next generation high-impact law clinic and enrich the Law School's curriculum substantially.

Currently, the Law School has one of the largest and most comprehensive clinical programs in the country. Yet, it still must turn away dozens of student applicants every year for lack of capacity. The Binger Center will close this gap by providing students the unique opportunity to engage in some of the most challenging and potentially path-breaking clinical work available anywhere. The Binger Center will also give students the unique opportunity to work with Law School faculty and attorneys from our law firm and public interest partners, forming relationships that will be critical to their professional futures.

Proposal to the Robina Foundation

With the Robina Foundation's help, we propose to establish the Binger Center for New Americans in two steps.

Step 1: Launch the center with \$4.5 million for a four-year pilot program.

- Collaborate with top non-profits and area law firms to design key program initiatives.
- Meet goals for the types and number of cases handled and individuals served, as described in the accompanying document on benchmarks.
- Use litigation to establish system-changing legal precedents.
- Place students with partner organizations to expand the capacity for handling pro bono cases, with a goal of providing outstanding experiential learning opportunities to students.
- Establish new programs for educating immigrants about their legal rights.

The attached budget specifies how the requested funds would be applied during the four-year pilot period.

Step 2: Endow the center with \$25 million to fully realize its long-term potential.

If the pilot project meets or exceeds its goals, we would ask the Robina Foundation to endow the Center to enable it to continue and expand its work.

A fully realized Binger Center would include:

- The Detainee Rights and Federal Litigation clinics described above.
- The asylum law clinic already operated by the Law School.
- The Education and Outreach Program described above.
- An Executive Director to oversee the Center's operations and to facilitate an expansion in the number of partner institutions (law firms and non-profits) to increase the reach and impact of the Binger Center.

We anticipate that the annual operating costs of a fully realized Binger Center would be approximately \$1.1 million. An endowment sufficient to cover those costs would be approximately \$25 million.

Conclusion

A fully realized Binger Center will help families remain together or reunite, shield individuals from deportation to countries where they will face violent persecution, and reshape the U.S. immigration system in ways that mitigate some of its harshest aspects. More broadly, the Binger Center will offer countless prospective new Americans basic legal protections in their quest for citizenship and a new life. And it will do this through a unique collaborative structure that will leverage the resources of the partners, establish a new national model, and inspire generations of law students to pursue public service. We think this is a fitting way to honor Jim Binger and for the Foundation to leave a lasting legacy at the Law School.

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January 25, 2013

Dean David Wippman—
University of Minnesota Law School
381 Mondale Hall
229-19th Ave. South
Minneapolis, MN 55455

Dear Dean Wippman

Thank you again for the opportunity to supplement my earlier letter in support of the proposal for a Binger Center for New Americans at the University of Minnesota Law School. The purpose of this letter is to provide some additional detail about why I believe the Binger Center can play an important national role in improving immigration law.

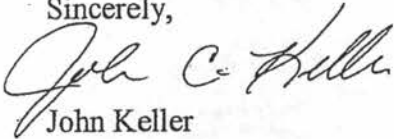
I am confident the Binger Center Impact Litigation Program would have transformative influence at the national level. My confidence is based on the significant impact ILCM has been able to achieve in just four short years through our own *pro bono* litigation project. Our successes have been impressive, especially considering we launched at the height of an economic recession when funding for all non-profits became increasingly scarce. With only a portion of the resources needed to staff this program, we forged ahead because we know the work is essential to the immigrant and refugee communities ILCM serves. The sacrifices made have been well worth it, and we have built an outstanding pilot project that proves the effectiveness of a collaborative approach to strategic immigration litigation. Giving this project a permanent home at the Binger Center will unleash its full potential, and when all of our community's resources are brought together through the Center, I have no doubt the law school will stand out as a national leader for immigration justice.

Now is the right time to create the Binger Center. Congress is poised to pass historic immigration legislation this year. The new law is expected to create a potentially complicated pathway to citizenship that could benefit many thousands of immigrant families in Minnesota alone. The political exchange for the humanitarian provisions will be strict enforcement policies that preserve the Department of Homeland Security's huge

capacity to detain and deport. Impact litigation in the federal courts will be even more important if Congress passes a new immigration law—both to defend the humanitarian reforms against restrictive implementation, and to protect the rights of the thousands of immigrants in Minnesota who will continue to face detention and deportation every year.

Attached are summaries of our work in just a few key areas to provide a sense of our policy priorities, our national reach, and the dynamic model a fully funded Binger Center can build upon. As you know, our work begins but does not end in the courtroom. We often pursue other forms of advocacy to shape immigration policy in favor of our clients. ILCM is truly excited to partner with the law school and our other community allies to make the Binger Center a reality.

Sincerely,



John Keller
Executive Director

Summaries of select ILCM *Pro Bono* Litigation Project cases

(for descriptions of additional cases please visit [our website](#))

Securing the rights of immigrant children: *Sandoval v. Holder*

Immigrant children have traditionally enjoyed special, more lenient treatment under U.S. deportation laws. In *Sandoval v. Holder*, 641 F.3d 982 (8th Cir. 2011), ILCM and *pro bono* co-counsel Robins, Kaplan, Miller & Ciresi, L.L.P., successfully challenged the government's policy of subjecting children to a harsh statute that permanently banishes from the United States any immigrant who has made a false claim of U.S. citizenship. The Eighth Circuit ruled in our favor and remanded the case to the Board of Immigration Appeals, requiring the agency to consider our argument that Congress could not have intended this draconian immigration penalty designed for adults to also apply to vulnerable children like our client. On remand, the Department of Homeland Security (DHS) agreed to withdraw the false citizenship claim charge, and our was allowed to remain permanently in the United States with her family.

Our work on this issue continues. The Eighth Circuit's decision prompted DHS to reevaluate its national policy regarding children and false claims of U.S. citizenship. In early 2012, the American Immigration Lawyers Association and key Senate staff members asked ILCM's litigation director to help advise DHS in formulating a new national policy that now protects most children under age 18 from the reach of the statute. This change benefits hundreds if not thousands of children nationwide. Even more recently, our litigation director has helped congressional staffers draft proposed legislation that would amend the statute and categorically exclude all children under 18 from this harsh penalty. We will continue to be involved in the effort to fix this law as Congress considers immigration reforms in 2013.

Guaranteeing fair hearings in immigration court: *Salguero-Fuentes v. Holder*

Temporary Protected Status (TPS) is an important form of humanitarian relief from deportation that is available to nationals of designated countries destabilized by civil strife or natural disaster, such as Syria, Somalia, Honduras, El Salvador, and Haiti. There are hundreds of thousands of TPS eligible immigrants in the United States today. Despite a statute providing that these individuals have an unqualified right to apply for TPS in deportation proceedings, many immigration judges used to ignore the statute and deny TPS hearings to qualified individuals based on a misreading of poorly drafted regulations. ILCM challenged this practice in *Salguero Fuentes v. Holder*, 516 F.3d 399 (8th Cir. 2009). The Eighth Circuit remanded the case and demanded that the Board of Immigration Appeals (BIA) issue an expedited decision addressing our statutory argument. This forced the BIA to issue a precedential decision less than three weeks later, fully vindicating our position and applying it nationwide to the benefit of thousands of TPS applicants in deportation proceedings. See *Matter of Lopez-Aldana*, 25 I&N Dec. 49 (BIA 2009).

Cutting-edge asylum litigation on behalf of children and women

ILCM is at the center of national efforts to reform U.S. asylum law and extend its protections to both (1) children who face persecution for refusing recruitment into powerful Central American gangs, and (2) women who suffer violent persecution because of their gender. To qualify for asylum, an applicant must prove that she is in danger of persecution, but also that the persecution will be inflicted because she possesses one of five protected characteristics: race, religion, nationality, political opinion, or membership in a "particular social group." ILCM and our allies are litigating for a humane interpretation of the "particular social group" category. If successful, we will secure asylum protection not only for our own clients, but for several thousand similarly situated children and women nationwide.

- **children fleeing gang persecution**

ILCM represents three Salvadoran siblings who were threatened with death after refusing recruitment into the infamous Central American gang, the MS-13. The Board of Immigration Appeals (BIA) denied our clients asylum in the landmark precedent, Matter of S-E-G-, 24 I&N Dec 579 (BIA 2008). *S-E-G-* is one of the most significant asylum decisions of the past two decades, and it has been widely criticized for violating the internationally accepted legal standard for defining "particular social groups." ILCM enlisted *pro bono* co-counsel, appealed to the Eighth Circuit, and also sought the intervention of the U.S. Attorney General. In 2009, the case attracted even more national attention when the government arrested our young clients and forced us to seek an emergency stay of deportation from the U.S. Supreme Court. This prompted then Solicitor General Elena Kagan to step in, the government soon agreed to reopen the case, and our clients were allowed to remain in the United States. Despite the reopening, however, *S-E-G-* still stands as national precedent that the government has used to deny asylum to thousands of young gang victims.

In the aftermath of *S-E-G-*, ILCM's litigation director was invited to join the *amicus curiae* committee of the American Immigration Lawyer's Association (AILA), and through this position he is now chair of a national Asylum Litigation Working Group comprised of leading asylum advocates and scholars. This has given ILCM an unprecedented opportunity to shape the national litigation strategy to overturn *S-E-G-*. The effort is still ongoing. ILCM serves as a clearinghouse for information about gang-asylum litigation and we provide technical assistance to attorneys from across the country. ILCM also engages in direct litigation on behalf of gang victims at all levels, including the U.S. Supreme Court.

- **gender based asylum litigation**

ILCM, along with *pro bono* counsel from Robins, Kaplan, Miller & Ciresi, L.L.P., is also fighting to win asylum for victims of gender-based violence. In the tragic case of *C-R-P- v. Holder*, our client was gang-raped in Guatemala, became pregnant, and then gave birth as a result of the brutal sexual assault, yet the Board of Immigration Appeals (BIA) found her ineligible for asylum. The BIA rejected our argument that pervasive gender-based violence in Guatemala justifies recognition of all Guatemalan women as a single "particular social

group." After extensive litigation before the Eighth Circuit the Department of Justice agreed that *C-R-P*'s case should be remanded back to the BIA for more careful consideration of our argument that gender alone can define a valid "particular social group." We believe the BIA may be poised to publish a national precedent in this case, and a positive ruling could make asylum available for the first time to thousands of women from countries that do not protect victims of gender violence. Because of the broad potential impact of this case, we recruited the National Immigrant Justice Center and the Center for Gender and Refugee Studies (Hastings College of Law) to submit *amicus curiae* briefs to the BIA in support of our client.



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January 22, 2013

David Wippman, Dean
University of Minnesota Law School
381 Mondale Hall
229-19th Ave. South
Minneapolis, MN 55455

Dear Dean Wippman:

As leaders of the American Immigration Lawyers Association (AILA), we want to convey our whole-hearted support for your plan to establish a Binger Center for New Americans at the University of Minnesota Law School. We appreciated the chance to see your proposal and we are happy to share our views about the potential impact of the litigation clinic you envision.

AILA is a national association of more than 12,000 attorneys and law professors who practice and teach immigration law. Founded in 1946, AILA is a nonpartisan, not-for-profit organization that provides continuing legal education, information, professional services, and expertise through its 38 chapters and over 50 national committees. AILA seeks to advance the administration of law pertaining to immigration, nationality and naturalization; to cultivate the jurisprudence of the immigration laws; and to facilitate the administration of justice and elevate the standard of integrity, honor and courtesy of those appearing in a representative capacity in immigration and naturalization matters. AILA's members practice regularly before federal agencies, as well as the federal courts.

Having reviewed your proposal, and being well acquainted with the work of your non-profit partners, we agree the federal litigation clinic stands to make a significant, very positive national impact. The plan has several strengths.

First, your proposal is timely. Congress is likely to adopt far-reaching changes to our immigration system before the end of this year. There is growing support for legislation that would include a roadmap to citizenship for several million New Americans, but at the same time it is probable that any new law will also contain provisions guaranteeing intensive immigration enforcement for years to come. We know from long experience that enactment is just the beginning of the story. The ultimate benefits that reform legislation can deliver to non-citizens will remain uncertain, as will the degree of harm that enforcement provisions may inflict. The real human consequences of any law will depend to a great extent upon our ability to effectively litigate for the rights of immigrants in federal courts as it is implemented. Your clinic would be an invaluable ally in this national effort.

Second, the core idea of bringing the law school, non-profits, and your three largest law firms into a formal partnership is innovative and smart. Acting together as a unified community of immigrant advocates will allow you to pursue important litigation priorities over time. Several law schools have immigration clinics that do engage in federal court litigation, but this is generally on a more limited, case-by-case basis, not as part of a systematic program to achieve prioritized policy goals. What you are attempting is far more comprehensive in scope and therefore should be much more impactful. A similar clinic would be difficult to reproduce in larger metropolitan areas where there are often too many entities engaged in immigration litigation to bring around a single table. In Minnesota, however, it does seem realistic for all the key players to act together with focus, and this should magnify the impact of your work, both locally and at the national level.

Third, and relatedly, we are excited by your proposal because there is pressing need for more coordinated litigation within the Eighth Circuit, which, unfortunately, is now one of the least friendly circuits for immigrants in the country. In terms of size, the Eighth Circuit's immigration caseload has historically been significant, yet much smaller than the vast immigration dockets of other circuits like the Ninth (California/Arizona), Second (New York), or Fifth (Texas). Because of this, we think your clinic would be in a unique position to influence the law of the circuit where it is located. No law school program could hope to meaningfully track all of the immigration cases brought in the Ninth Circuit, for example, but we do think the collaborative approach you are taking would give your clinic the scale needed to monitor all immigration appeals as they arise in the Eighth Circuit. We think this would position you to have significant impact, and to litigate effectively during the implementation of anticipated immigration legislation.

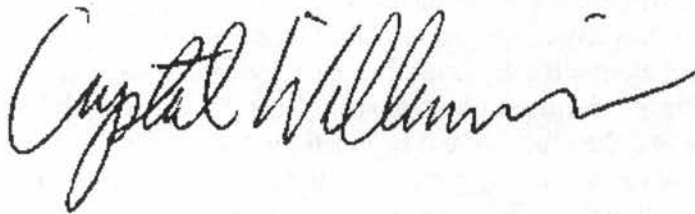
Finally, as noted, we are very familiar with the outstanding work of your partners, including the Advocates for Human Rights, Mid-Minnesota Legal Assistance, and the Immigrant Law Center of Minnesota (ILCM). Attorneys from all three organizations are active AILA members. With respect to federal litigation, ILCM's litigation director, Ben Casper, is the Eighth Circuit representative to AILA's *amicus curiae* committee and he serves as the committee's point person for national asylum issues. ILCM's work in the Eighth Circuit and other federal courts, as well as its leadership within AILA on litigation matters, should provide a strong foundation for the clinic. We do hope to see the impact

of this work multiplied with the resources you are seeking, and to collaborate with your clinic in the coming years.

Sincerely,

A handwritten signature in black ink, appearing to be 'Laura Lichter', with a stylized, somewhat abstract shape at the end of the line.

Laura Lichter, AILA President

A handwritten signature in black ink, appearing to be 'Crystal Williams', written in a cursive style.

Crystal Williams, AILA Executive Director

Immigrants become key to state growth and prosperity

Article by: DAVID PETERSON

Star Tribune

December 6, 2012 - 11:22 PM

Each morning at sunrise, Edinah passes through Edina on her way to work.

The Burnsville resident couldn't have imagined back in Kenya that a town that almost shares her name would become a daily sight - or that her buddy Doris, whom she knew back in Africa, would be working next door. But it's an apt illustration of a state undergoing a subtle but profound shift in its relationship with its growing immigrant population.

With more native-born residents leaving the state, Minnesota's growth and prosperity depend increasingly upon its unusually strong flow of foreigners, according to a series of new analyses and data, the most recent of which arrived on Thursday.

As North Dakota and South Dakota experience jumps in population, Minnesota's once enviable position as a population magnet among Frost Belt states is fading. But in immigration, it towers over the rest of the Upper Midwest, with almost as many foreigners arriving as all the neighboring states combined.

Among facts to emerge this week:

- In the first part of this decade, the state lost an average of 4,037 people each year to migration, but gained an average of 5,940 international migrants each year.
- Sixty-five of Minnesota's 87 counties are losing residents to other places, including such once robust but now aging population growth centers as Dakota and Anoka counties. Almost all of the counties are getting some new blood through immigration, though that is fully offsetting losses in only three of those counties.
- In the Twin Cities, immigrants are flowing to many more places. Minneapolis is flat-lining, and being equaled or surpassed by more and more suburbs -- including, for the first time, big middle- and upper-income suburbs in the second and third rings such as Eden Prairie and Shakopee.

Minneapolis went from having the highest concentration of immigrants of any city of any size in the metro area in 2000, at about 15 percent, to being trailed by several in this week's data, which covers a five-year period ending in 2011: Brooklyn Center, Brooklyn Park, Columbia Heights, St. Paul, Hopkins, Eden Prairie and Shakopee. Eden Prairie jumped from 9 percent immigrant to 16 percent, Shakopee from 5 to 16 percent, while Minneapolis edged from 14.5 to 15.7 percent.

Edinah Ogembo, five months pregnant in Burnsville, and Doris Momanyi, with a daughter in Hopkins, are part of a massive substitution in suburban school systems. Tens of thousands of native-born suburban Minnesotans have aged out of the K-12 system and immigrant children have taken their place, the state's latest figures show.

A new Metropolitan Council analysis of migration trends says we are in the midst of a 50-year period -- from 1990 to 2040 -- in which the seven-county metro area will lose to other parts of the state and nation about 360,000 people through retirement, departures for college and other factors.

During those same years, they reckon, we'll gain almost 750,000 immigrants.

What demographers call "natural" population growth -- more births than deaths -- is expected to add more than 1 million



Edinah Ogembo, right, who came to the United States from Kenya and has lived in the Twin Cities five years, drives through Edina to her job as an aide at Legacy Care Home in Minnetonka. Here she helped resident Ada Anderson to her room.

David Joles, Star Tribune



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Admitted to practice: Minnesota Supreme Court; U.S. District Court, Minnesota; U.S. Courts of Appeal for the Seventh, Eighth and Ninth Circuits; U.S. Supreme Court

EDUCATION **University of Minnesota Law School, Minneapolis, MN**
J.D., *cum laude*, 1997

Carleton College, Northfield, MN
B.A., *magna cum laude*, Philosophy, 1990

**PROFESSIONAL
ACTIVITIES**

Immigrant Law Center of Minnesota, St. Paul, MN
Director, Pro Bono Litigation Project, October 2008 - present
Founder and contract director of project pursuing impact litigation before Board of Immigration Appeals, U.S. Court of Appeals for the Eighth Circuit, and other federal courts. Provide direct appellate representation to ILCM clients; train, mentor and provide technical assistance to *pro bono* volunteer lawyers from area law firms.

American Immigration Lawyers Association (AILA)
Member, 1999 – present
Amicus Curiae Committee, Eighth Circuit representative, 2011 – present
Asylum Litigation Working Group, Founder and chair, 2012 - present
Frequent lecturer at AILA continuing legal education events. As appointee to amicus committee, help set AILA's national litigation priorities and prepare AILA amicus briefs to the Board of Immigration Appeals, circuit courts of appeal, and the U.S. Supreme Court. In 2012, established special Asylum Litigation Working Group to coordinate litigation strategy among key national asylum advocates including the United Nations High Commissioner for Refugees, the National Immigrant Justice Center, Harvard Law School, and the Center for Gender and Refugee Studies (Hastings College of Law).

National Immigration Project of the National Lawyers Guild
Member, 2001 - present

University of Minnesota Law School, Minneapolis, MN
Supervising attorney, 2012 - 2013
Adjunct Professor of Clinical Instruction, 1999 – 2004
Instructed law students in asylum law and procedure. Supervised students in the representation of asylum applicants before the Department of Homeland Security, Immigration Courts, the Board of Immigration Appeals, and U.S. Court of Appeals for the Eighth Circuit. In 2013, supervised first student from a Minnesota law school to present oral argument in immigration case before the Eighth Circuit Court in *Goromou v. Holder*, No. 12 -2525 / 3612.

Saint Thomas University School of Law, Minneapolis, MN

Adjunct Clinical Professor of Law, 2012 - 2013

Instructed law students in asylum law and federal appellate procedure. Supervised students in the representation of asylum applicants before the U.S. Court of Appeals for the Eighth Circuit, as well as *amicus curiae* the American Immigration Lawyers Association in an asylum appeal before the Fourth Circuit.

William Mitchell College of Law, St. Paul, MN

Adjunct Clinical Professor, 1999

Instructed and supervised law students representing clients in asylum cases and a variety of other immigration matters.

Centro Legal, Inc., St. Paul, MN

Attorney, June 1997 – June 2000

Immigration attorney for non-profit community law office serving Spanish-speaking clients. Practice focus on deportation defense. Responsible for community education projects. Advised public defenders from across Minnesota regarding immigration consequences of criminal convictions for non-citizens.

Asylum Law Project

University of Minnesota Law School / Harlingen, TX

Supervising Attorney, 1999 - 2001

Trained first-year law students to provide pro-bono legal representation to detained asylum seekers. Supervised law students in south Texas representing clients in detained immigration court.

Immigration Task Force of Minnesota

St. Paul, Minnesota

Steering Committee Member, 1998 - 2000

Steering committee member / co-chair of state-wide coalition of religious, social service, and community advocates for immigrants' rights.

Legal Assistance to the Disadvantaged Committee

Minnesota State Bar Association, Minneapolis, MN

Member, 1995-1998

Collaborated with law professors, state bar officials, legal services providers, and the Minnesota Justice Foundation to draft a model policy for student public service at Minnesota's law schools.

AWARDS

Immigrant Law Center of Minnesota

2007 Karen F. Ellingson Volunteer Legal Services Award

For work on behalf of the clients of the Immigrant Law Center of Minnesota

Minnesota Advocates for Human Rights

2001 Volunteer Award recipient, University of Minnesota Law School Immigration Clinic. For educating law students to provide high-quality legal representation to asylum seekers.

Centro Legal, Inc.
2000 immigrant service award winner

Minnesota State Bar Association, Legal Assistance to the Disadvantaged Committee

1997 Exceptional Service Award. For drafting the Minnesota State Bar Association's model policy for law student public service, and implementing the University of Minnesota Law School Public Service Program.

LANGUAGES Fluent in Spanish

RECENT PRESENTATIONS AND PUBLICATIONS

- 2013 American Immigration Lawyers Association
 Annual Conference, San Francisco, CA (June 2013)
 Author: *Gang and Witness-based Asylum Claims* (forthcoming)
 Panelist: *Particular Social Groups*
 (with Deborah Anker, Harvard Refugee and Immigration Clinic,
 and Karen Musalo, UC Hastings College of Law)
- 2013 Minnesota State Bar Association
 Immigration Section CLE program, Minneapolis, MN
 Panelist: *Impact Immigration Litigation*
 (with Bruce Nestor, DeLeon & Nestor, and Kate Evans)
- 2012 Immigrant Law Center of Minnesota
 CLE program, Minneapolis, MN
 Panelist: *Eighth Circuit and Supreme Court Immigration Litigation*
 (with Kate Evans)
- 2012 American Immigration Lawyers Association
 Minnesota/Dakotas Chapter CLE program, St. Paul, MN
 Panelist: *Membership in a Particular Social Group*
 (with Kate Evans)
- 2012 American Immigration Lawyers Association
 Annual Conference, Nashville, TN
 Author: *"Particular social group" litigation in the wake of S-E-G-*
- 2012 American Immigration Lawyers Association / Advocates for Human Rights
 Upper Midwest Annual Conference, Minneapolis, MN
 Panelist: *Setting the Table for Appeal*
 (with Holly Cooper, UC Davis School of Law)
- 2011 American Immigration Lawyers Association
 National Web-CLE program
 Panelist: *Temporary Protected Status and DED: What You Need to Know*
 (with Edward Neufville and Linda Osberg-Braun)

- 2011 American Immigration Lawyers Association
Southwest Annual Conference, Nashville, TN
Presenter: *Advanced Asylum*
- 2011 American Immigration Lawyers Association
Federal Court Litigation CLE, Atlanta, GA
Panelist: *Jurisdictional Bars under INA § 242*
(with Mary Kenney, American Immigration Council, and Maria Baldini-Potermin)
- 2011 American Immigration Lawyers Association / The Advocates for Human Rights
Upper Midwest Annual Conference, Minneapolis, MN
Panelist: *Current Litigation Issues: BIA, Eighth Circuit, U.S. Supreme Court*
(with Maria Baldini-Potermin and Elizabeth Holmes)
Panelist: *Shifting Definitions in Asylum Law*
(with Virgil Wiebe, St. Thomas University School of Law, and Emily Good, The Advocates for Human Rights)
- 2010 Immigrant Law Center of Minnesota
Eighth Circuit Immigration Practice CLE, Federal Courthouse, St. Paul, MN
Host / author: *Eighth Circuit Immigration Practice Manual*
Participants: Judge Diana Murphy; Maureen Watz Gornik, Deputy-In-Charge
- 2010 American Immigration Lawyers Association
Annual Conference, Washington, D.C.
Panelist /lead author: *The ~~Evolution~~ Convolution of Particular Social Group Law*
Panelist/ co-author: *Living with S-E-G-*
(with Regina Germain, University of Denver Sturm College of Law, and Ilana Greenstein)
- 2010 American Immigration Lawyers Association
National Web-CLE program
Panelist: *Gang-Based Asylum Applications*
(with Thomas Boerman)
- 2010 American Immigration Lawyers Association / Advocates for Human Rights
Upper Midwest Annual Conference, Bloomington, MN
Panelist: *Advanced Asylum Topics*
(with Virgil Wiebe and Sarah Solz Brenes, St. Thomas University School of Law)
Panelist: *Litigation Updates: Stays of Removal*
(with David Leopold, AILA president, and Matthew Ralph, Dorsey & Whitney)
- 2009 Immigrant Law Center of Minnesota
Eighth Circuit Immigration Practice CLE, Federal Courthouse, St. Paul, MN
Host / author: *Eighth Circuit Immigration Practice Manual*
Participants: Maureen Watz Gornik, Deputy-in-Charge; Sally Silk, Robins, Kaplan, Miller & Ciresi; Richard Evans, U.S. Dept. of Justice

- 2009 American Immigration Lawyers Association / Advocates for Human Rights
Upper Midwest Annual Conference, Bloomington, MN
Moderator/panelist: *BIA and Federal Court Updates*
(discussion leader with current Board of Immigration Appeals member Anne Greer and former BIA member Lory Rosenberg)

REPRESENTATIVE CASES

Sandoval v. Holder, 641 F.3d 982 (8th Cir. 2011)

On behalf of the Immigrant Law Center of Minnesota, and together with *pro bono* co-counsel from the law firm Robins, Kaplan, Miller & Ciresi, L.L.P., led challenge to the Board of Immigration Appeal's position that unaccompanied alien children are subject to life-time banishment from the United States under 8 U.S.C. §1182(a)(6)(C)(ii) if they make a false claim of U.S. citizenship. The Eighth Circuit granted the appeal and sent the case back to the BIA, instructing the agency to explain why the harshest immigration penalty applicable to adults would also apply to children. Subsequent negotiations led to new government policy prohibiting application of this statute to most children under 18.

Salguero Fuentes, et al. v. Holder, 516 F.3d 399 (8th Cir. 2009)

On behalf of the Immigrant Law Center of Minnesota, led successful appeal by Salvadoran immigrants asserting their statutory right to apply for Temporary Protected Status (TPS) in immigration court. The Eighth Circuit remanded and ordered the BIA to expedite a decision reconsidering the statutory claim, which less than three weeks later forced the agency to publish a precedent, *Matter of Lopez-Aldana*, 25 I. & N. Dec. 49 (B.I.A. 2009), that fully vindicated Salguero Fuente's interpretation of the statute and now provides unrestricted immigration court review for all TPS applicants nationwide.

Negusie v. Holder, 129 S. Ct. 1159 (2009)

Counsel of record for *amicus curiae* The Advocates For Human Rights. With *pro bono* co-counsel from the law firm Robins, Kaplan, Miller & Ciresi, L.L.P., authored amicus brief to the United States Supreme Court in support of an Ethiopian asylum applicant, urging the court to reject the BIA's restrictive interpretation of the asylum "persecutor bar" at 8 U.S.C. §1101(a)(42).

Cuadra v. Gonzales, 417 F.3d 947 (8th Cir. 2005)

Won appeal on behalf of a Salvadoran immigrant who the BIA had declared ineligible to apply for relief under the Nicaraguan and Cuban Adjustment and Central American Relief Act of 1998 (NACARA). The Eighth Circuit held the BIA violated the plain meaning of the controlling statute and regulations in a decision expanding eligibility to apply for humanitarian NACARA relief.

Reyes-Vasquez v. Ashcroft, 395 F.3d 903 (8th Cir. 2005)

Counsel of record in successful appeal challenging the government's narrow test for measuring "continuous physical presence" under the cancellation of removal statute 8 U.S.C. §1229b(b). Established more liberal eligibility standards for this form of humanitarian relief from deportation within the Eighth Circuit.

Hernandez v. Reno, 258 F.3d 806 (8th Cir. 2001)

Litigated challenge to the BIA's standard for determining whether an asylum applicant can be denied asylum relief as an individual who has "assisted or otherwise participated in the persecution of any person" under 8 U.S.C. §1101(a)(42). The Eighth Circuit remanded, agreeing that the BIA's strict liability rule failed to properly assess individual culpability for acts of persecution, as it did not consider the motives or voluntariness of Hernandez's conduct.

Holiday Inn Express litigation (2000)

Lead immigration counsel for 8 undocumented Mexican immigrants arrested by INS immediately after organizing a union at the Minneapolis hotel where they were employed as housekeepers. After the hotel entered a landmark settlement with EEOC and paid the workers \$72,000, negotiated an unprecedented settlement with INS granting 7 of the workers the right to remain in the United States with deferred action status and employment authorization in light of the government's interference with their unionizing activities.

The Binger Center for New Americans Benchmarks

The Binger Center for New Americans will be the nation's premier comprehensive immigration law clinic. It will drive systemic improvements to the country's immigration laws, engage law students in public service to immigrant and refugee communities, expand desperately needed access to legal representation for detained immigrants, and educate noncitizens about their legal rights.

The Binger Center will house a unique clinical law firm composed of three interrelated immigration clinics: a new Federal Litigation Clinic, a new Detainee Rights Clinic, and our existing Asylum Law Clinic. In addition, we will launch a new policy program aimed at education and outreach to local immigrant communities as well as the legal community. We expect it will take 12 months to staff, organize, and bring to full capacity the new clinics and outreach program.

The accompanying chart sets out benchmarks to measure the Center's progress. This memorandum provides the context that supports the proposed benchmarks.

I. Federal Litigation Clinic

The principal goals of the federal litigation clinic are to 1) improve the U.S. immigration system through impact litigation and 2) offer students inspirational experiential learning opportunities. We suggest that progress toward these goals be evaluated using a combination of numerical and qualitative benchmarks.

GOAL ONE: Improve the U.S. immigration system through impact litigation

Benchmark One (near term): Initiation of cases with the potential for significant positive change to existing law, administrative regulations, or policies

Benchmark One (long term): Favorable outcomes leading to positive changes in existing law, regulations, or policies

To maximize its impact on existing immigration law and policy, the Federal Litigation Clinic will focus its resources on cases with the greatest potential for broad, positive change for refugee and immigrant communities. Binger Center faculty and advisory committee members will identify issues that most warrant litigation, screen potential cases for the best vehicles to pursue those priorities, and then initiate legal proceedings accordingly. The following are examples of litigation priorities the clinic could pursue:

- Expanding asylum protection for victims of persecution. Federal immigration agencies have denied asylum to thousands of victims of persecution by adopting an unreasonably restrictive interpretation of the "refugee" definition at 8 U.S.C. § 1101(a)(42). The Federal Litigation Clinic will bring cases that can yield judicial precedents extending protection to vulnerable asylum seekers, such as persons fleeing brutal Central American gangs or gender-based violence.
- Challenging improper detention practices. Each day the Department of Homeland Security (DHS) incarcerates tens of thousands of noncitizens under various detention

statutes, including one that mandates detention without bond for certain persons in deportation proceedings. 8 U.S.C. § 1226(c). Unfortunately, the government often oversteps its authority. With cases drawn from the Detainee Rights Clinic and other sources, the Federal Litigation Clinic will fight to end abusive detention practices.

- Protecting the rights of noncitizens in removal proceedings. In recent years, the BIA and the Attorney General have issued controversial precedents that allow DHS to deport thousands of noncitizens, including many long-term residents with deep family ties in this country. One decision abruptly overturned decades of immigration law limiting deportation for “crimes involving moral turpitude.” *Matter of Silva-Trevino*, 24 I&N Dec. 687 (AG 2008). A number of federal courts reject *Silva-Trevino*, but a divided Eighth Circuit has so far deferred to it. The Federal Litigation clinic would seek to overturn *Silva-Trevino* and other agency decisions that misconstrue our deportation statutes.
- Securing the rights of immigrant and refugee children. Congress intends that children receive special, more lenient treatment under U.S. immigration law, yet the Board of Immigration Appeals (BIA) often applies harsh deportation provisions to children, and fails to account for the unique vulnerabilities of children who apply for asylum or other relief from deportation. We will litigate for precedents that force immigration agencies to adopt rules tailored to children, including unaccompanied children.
- Countering arbitrary and dilatory agency action. Immigration agencies often engage in patterns of arbitrary or otherwise unlawful action that can only be remedied through coordinated litigation in U.S. District Courts. Examples include improper denial of immigration benefits such as employment authorization, excessive delays in approving naturalization applications, or refusal to provide records sought under the Freedom of Information Act (FOIA). The Federal Litigation Clinic will counter systemic abuses through strategic litigation under the Administrative Procedures Act, the mandamus statute, FOIA, and other laws.
- Comprehensive Immigration Reform As immigration reform works through Congress, new issues will undoubtedly emerge and may take priority. In the likely event of a new law, federal court litigation will be crucial both to defend the humanitarian elements of the legislation and to curb the harm inflicted by new enforcement provisions.

Because cases may take many years to litigate to a final resolution, interim case developments (e.g., preliminary injunctions, motion outcomes, etc.) may offer additional indications regarding Center progress.

Benchmark Two (near term): Increase the number of appellate and district court matters handled locally from 8 to at least 12

Benchmark Two (long term): Triple the number of appellate and district court matters handled locally from 8 to 24

The Binger Center aims to expand greatly local capacity to pursue impact litigation. At present, most federal impact litigation in Minnesota is handled by the Immigration Law Center of

Minnesota (ILCM) and the Binger Center's other law firm and non-profit partners. But resource constraints drastically limit the number of cases litigated. ILCM, the leader in this area, handles about 6 federal appellate matters per year. These cases include petitions for review or rehearing to circuit courts, petitions for certiorari to the U.S. Supreme Court, and amicus briefs in appellate cases of national importance. ILCM also handles 2-3 U.S. District Court matters per year, such as habeas corpus or mandamus actions. ILCM has undertaken most of its federal litigation as co-counsel with law firm pro bono attorneys from Binger Center partner institutions. At full capacity, the Federal Litigation Clinic, working with its Binger Center partners, will triple the number of appellate and district court matters handled per year (from 8 to 24).

While we recognize the limitations of simply counting the number of matters handled (the significance of any given matter will vary depending on the issue, the outcome, case complexity, etc.), the number of matters handled offers at least some indication of progress toward the goal of enhancing legal services for immigrants and refugees.

Benchmark Three (near term and long term): Build a national reputation as one of the leading institutions fostering positive change

In the long term, we expect the Binger Center to achieve a national reputation as one of the leading institutions fostering positive change in U.S. immigration law and policy. Indicators on that front will include case referrals and co-counsel arrangements with law firms and immigration advocacy organizations, both locally and nationally, positive press coverage of the Center and/or its cases, speaking invitations to Binger Center faculty, and interviews or surveys of Binger Center partners and national organizations familiar with the Binger Center's work, such as the American Immigration Lawyers Association.

GOAL TWO: Increase Student Experiential Learning Opportunities

Benchmark One (near term and long term): Number of students trained annually relative to clinic norms

Benchmark Two (near term): Positive student clinical course evaluations

Benchmark Two (long term): Positive survey results from alumni

For most students, live-client clinics offer the best way to develop practice skills that are increasingly in demand in a very difficult legal job market. Clinics also provide terrific opportunities for public service and have the potential to inspire students to pursue public service throughout their careers, either full-time or, more commonly, through periodic pro bono work. But even though the Law School offers eight in-house clinics and numerous adjunct clinics, it cannot presently meet student demand for live-client clinics. The Binger Center will substantially enhance our capacity in this area, creating great opportunities for students both in house and with our partner institutions.

Near-term benchmarks will include the number of students participating in the Binger Center clinics relative to clinic norms (here and nationally). While a typical litigation clinic might take

6-8 students, we expect to be able to double that number for each clinic, because of our collaborative model. Student evaluations of their experiences in Binger Center clinics will offer a near-term qualitative indicator of success. Surveys of alumni some years out will offer a good qualitative indicator of the value of their Binger Center experience in preparing them for practice. Surveys will also allow us to assess whether working with the Binger Center has inspired alumni to participate in public service and pro bono work at higher rates than peers who did not take the clinics.

II. Detainee Rights Clinic

The principal goals of the Detainee Rights Clinic are to 1) provide early intervention and expanded representation to detained noncitizens to alleviate the hardships of detention and permit individuals with meritorious claims a realistic opportunity to succeed; 2) monitor detention conditions and obtain changes in detention policy; and 3) offer students inspirational experiential learning opportunities. Again, progress toward these goals can be evaluated using a combination of numerical and qualitative benchmarks.

GOAL ONE: Provide early intervention and expanded representation to detained non-citizens in Minnesota

Benchmark One (near term and long term): Numbers of detainees offered access to counsel on expedited basis (i.e., within seven days of detention)

Benchmark Two (near term and long term): Numbers of detainees represented in bond hearings

Benchmark Three (near term and long term): Numbers of detainees represented in merits hearings

Minnesota's immigration court processes approximately 2000 cases involving detained noncitizens each year. The Department of Homeland Security sets high bonds for many detainees, few of whom have the financial resources to pay for a bond, let alone a lawyer. Most detainees know little about their legal rights. Detained noncitizens typically must wait weeks between their arrest and their first preliminary hearing before an immigration judge. Faced with prolonged detention, these individuals and their families suffer extreme emotional and economic hardships, and many with potentially valid claims to remain in the United States simply give up and accept deportation before they ever have the opportunity to speak to a lawyer.

For several years, the Advocates for Human Rights, ILCM, and local law schools including the University of Minnesota Law School have jointly operated a volunteer detention project that offers initial screening and advice to detainees who reach their preliminary hearing before an immigration judge. After an interview that lasts perhaps 15 minutes, the attorney evaluates whether the deportation charges are open to challenge, and, alternatively, whether the individual may be eligible to seek relief from deportation. In almost all cases, even if the detainee has claims to litigate, the pro bono attorney can only provide very limited advice, momentary representation during the initial hearing, and a referral list of mostly private attorneys.

The existing detention project secures full merits-hearing representation for only 20–30 detainees each year; the large majority of detainees who need pro bono assistance go without. For pro bono attorneys who do not specialize in immigration law, representing detained noncitizens in a merits hearing is challenging at best. A typical case requires hours of research, meetings with the client, and important documents that an incarcerated person can no longer access without help. Immigration detainees in Minnesota are kept in county jails along with criminal inmates. The jails are inconveniently located, subject to frequent lock-downs, and otherwise time-consuming to visit because of strict security measures.

The Binger Center would transform this situation through early intervention and greatly expanded access to comprehensive pro bono representation. Together with our partners we will implement an aggressive outreach program that will give detainees initial in-person or phone consultations during their first days in immigration custody. Detainees will be educated about their rights, and those with potential defenses to removal will be prioritized for full representation, which will include bond and/or merits hearings. The Detainee Rights Clinic will have the resources to provide close, ongoing support for volunteer attorneys, which will facilitate much higher levels of pro bono representation at all stages of detained cases.

Benchmarks will include the timing of initial screenings relative to the present detention project, the numbers of detainees represented in both bond and merits hearings relative to current norms, and increased numbers of attorneys accepting pro bono cases in detained court. We expect to be able to represent at least 50 detainees in bond hearings each year (a small handful receive representation now). We also expect, together with our Binger Center partners, to at least triple the representation of detainees at merits hearings from the current level of 20-30 each year, though it may take a few years to hit those targets.

Benchmark Four (near term and long term): Positive outcomes in merits and bond hearings relative to outcomes for unrepresented detainees

The Detainee Rights Clinic is predicated on evidence that detainees represented by counsel have a much greater likelihood of securing favorable outcomes than those who lack representation. Accordingly, near and long-term indicators of progress should include the outcomes of representation in both merits and bond hearings relative to outcomes for unrepresented detainees. A related indicator will be whether success in bond hearings facilitates success in subsequent merits hearings. The Law School will also interview clients at the close of representation to assess satisfaction and the impact of representation on employment, housing, family stability, and related measures.

GOAL TWO: Drive improvements in detention policies and conditions

Benchmark One (near term and long term): Advocate for and achieve positive changes in detention policies and conditions, including greater use of alternatives to incarceration

Benchmark Two (near term and long term): Engage national allies and achieve leadership role as advocates for detainee rights.

The Detainee Rights Clinic will be in continual contact with noncitizens held by DHS at county jails throughout Minnesota, giving us an unprecedented ability to monitor conditions at all area facilities. The clinic will press DHS for detention policies that ensure the health and dignity of noncitizens, as well as access to counsel, and we will have the capacity to litigate for changes whenever appropriate. With our local partners we will advocate for greater use of alternatives to immigration incarceration in Minnesota, and we will join national allies, like the Detention Watch Network, to promote the human rights of detained noncitizens across the country. When fully implemented, the Binger Center will be a national leader in advocacy for the rights of detained noncitizens.

Short term benchmarks will include accounts of advocacy or litigation undertaken on behalf of detainees, while longer term indicators of progress will include the results of any such efforts, wider adoption of alternatives to incarceration, and results of ongoing surveys of detainees regarding detention conditions in area jails. As with the Federal Detention Clinic, we can measure our national leadership and reputation through interviews or surveys of allied national organizations familiar with the Binger Center's work.

GOAL THREE: Increase Student Experiential Learning Opportunities

Student learning goals are similar for both clinics, so the same benchmarks will be used for both.

III. Outreach and education program

During what is likely to be a period of historic change in immigration law, the Outreach and Education Program's principal goals are (1) to educate noncitizens about their legal rights, and (2) to train lawyers and facilitate their pro bono service on behalf of noncitizens.

GOAL ONE: Educate noncitizens about their legal rights

Benchmark One (near term): Establishment of programs to provide noncitizens legal education and advice

Benchmark One (long term): Steady growth in client service and program effectiveness

Benchmark Two (near term and long term): Publication and dissemination of educational materials leading to reputation as leading provider

Immigration law is notoriously complex. At the same time, noncitizens face cultural, linguistic and economic barriers that keep them from accessing reliable information about their rights. If Congress passes major reform legislation, the unmet demand for accurate legal advice will grow exponentially, overwhelming the current resources in our community. The Binger Center will mobilize students, faculty and our community partners to help meet this challenge. In our campaign to educate noncitizens, benchmarks will include the number of noncitizens assisted through "know your rights" forums and legal advice clinics, as well as our publication of educational materials that guide noncitizens through the process of obtaining resident status and,

ultimately, U.S. citizenship. Impact can be documented through records of client service and follow-up surveys or interviews with those who have accessed our services.

GOAL TWO: Recruit and train lawyers for pro bono service on behalf of noncitizens

Benchmark One (near term and long term): Numbers of attorneys recruited for pro bono service on behalf of noncitizens

Benchmark Two (near term and long term): Numbers of lawyers trained to perform pro bono representation on behalf of noncitizens

The Binger Center will lead an ambitious new initiative to recruit and educate lawyers for pro bono representation in the immigration field. Faculty and students, along with our partners, will host major continuing legal education programs that provide technical training in federal litigation and detained immigration court proceedings. We will also publish comprehensive practice manuals and practice advisories, and provide ongoing technical assistance to lawyers to facilitate their pro bono service. It is easy to document our programs and publications, and we can measure their success through follow up evaluations with lawyers. With respect to pro bono recruitment, we will track the number of attorneys who agree to handle new cases, ask them to evaluate the quality of their experiences, and count the number who chose to accept additional pro bono placements.

GOAL THREE: Leverage other resources at the University to assist in the Center's work.

Benchmark One: Establish collaborations on education and outreach with other faculty and programs at the University

Benchmark Two: Numbers of noncitizens provided legal education and advice

Public engagement is central to the University's mission, and the Office of Public Engagement sponsors a host of centers, institutes, and academic programs that will provide the Binger Center with support for its work. These include, for example, the Center for Urban and Regional Affairs and the Wilkins Center for Human Relations and Social Justice. Resources available through both the University's Community Service Learning program and the Office of Student Engagement will be tapped to facilitate student involvement in the outreach and education components of the Binger Center. In addition, the Binger Center will take advantage of the expertise of professionals in other disciplines in its provision of services and education to noncitizens. Finally, the law school has an affiliation with the University's Urban Outreach and Engagement Center, located on Minneapolis's north side, which provides space and outreach support for a variety of university-community partnership initiatives. The Binger Center will take full advantage of these relationships to develop its outreach and education initiatives.

Benchmarks will include the establishment of formal collaborations with education and outreach programs around the University. An additional benchmark will be the number of noncitizens we are able to reach through reliance on collaborations with other University programs.

**The Binger Center for New Americans
Benchmarks Overview**

I. Federal Litigation Clinic

Goals	Near-term benchmarks	Long-term benchmarks
Improve the U.S. immigration system through impact litigation	1. Initiate cases with potential for significant positive change, locally and nationally 2. Increase by half number of appellate and district court matters from 8 to 12 (year one) 3. Begin to build national reputation, measured through case referrals and positive press coverage	1. Achieve favorable outcomes on these cases, leading to positive change 2. Triple number of appellate and district court matters from 8 to 24 3. Achieve a national reputation as one of the leading institutions fostering positive change, measured through increase in case referrals, positive press coverage, speaking invitations, and surveys of national immigrant rights organizations
Increase student experiential learning opportunities	1. Launch clinics with standard clinic enrollment numbers (6-8) 2. Receive positive student clinical course evaluations	1. Double the number of students participating relative to clinic norms (i.e., 12-16 students) 2. Receive positive feedback from alumni regarding value of experience and level of post-graduate pro bono activity

II. Detainee Rights Clinic

Goals	Near-term benchmarks	Long-term benchmarks
Provide early intervention and expanded representation to detained non-citizens in Minnesota	1. Numbers of detainees offered access to counsel within seven days of detention 2. Increase number of detainees represented in bond hearings to 30 in year 1 3. Increase the number of detainees represented in merits hearings from 20 to 30 4. Achieve positive outcomes in bond and merits hearings relative to unrepresented detainees	1. Numbers of detainees offered access to counsel within seven days of detention 2. Increase the number of detainees represented in bond hearings to 50 by year 3 3. Increase the number of detainees represented in merits hearings from 20 to 60 4. Achieve positive outcomes in bond and merits hearings relative to unrepresented detainees
Drive improvements in detention policies and conditions	1. Initiate advocacy for improved detention policies and conditions, including greater use of alternatives to incarceration 2. Engage national allies to promote detainee rights	1. Achieve positive changes in detention policies and conditions, including greater use of alternatives to incarceration 2. Achieve national leadership as advocates for detainee rights
Increase student experiential learning opportunities	1. Launch clinic with standard enrollment numbers (6-8 students) 2. Receive positive student clinical course evaluations	1. Double the number of students participating relative to clinic norms (i.e., 12-16 students) 2. Receive positive feedback from alumni regarding value of experience and level of post-graduate pro bono activity

III. Outreach and Education Program

Goals	Short-term benchmarks	Long-term benchmarks
Educate non-citizens about their legal rights	1. Establish programs to provide noncitizens with education and legal advice about their rights 2. Publish and distribute educational materials	1. Document steady growth in client service and assess effectiveness through surveys or interviews 2. Establish reputation as leading provider of authoritative information to noncitizens and community partners
Recruit and train lawyers for pro bono service on behalf of noncitizens	1. Numbers of attorneys recruited for pro bono service on behalf of noncitizens in areas of federal immigration litigation and detention 2. Numbers of pro bono lawyers trained and supported by Binger Center (CLE programs, comprehensive practice manuals, and technical assistance tools)	1. Increased numbers of attorneys providing pro bono service to noncitizens in federal immigration litigation and detention matters 2. Numbers of pro bono lawyers trained and supported by Binger Center, and measure success of program qualitatively through follow-up evaluations with participants
Leverage other resources at the University to assist in the Center's work	1. Establish collaborations on education and outreach with other faculty and programs 2. Numbers of noncitizens provided legal education and advice	1. Expand collaborations on education and outreach 2. Numbers of noncitizens provided legal education and advice

The Binger Center for New Americans Timeline and Deliverables

(assuming July 1, 2013 start)

1. Binger Center Overview

Year One

- Hire Executive director (from among participating clinics) and program associate (shared with other Binger Center clinics);
- Establish Binger Center advisory committee: identify litigation priorities; draw plans for expanded federal litigation and detainee representation with partner institutions;
- Establish ties with national immigration litigation and detainee rights allies;
- Launch federal litigation clinic, detainee rights clinic, and education and outreach program, as described below

Years Two to Four

- Develop clinics and education and outreach program, as described below

2. Federal Litigation Clinic

Year One

- Hire 1 FT clinical faculty member, 1 FT teaching fellow, and adjunct faculty;
- Create curriculum;
- Decide initial litigation priorities;
- Enroll 6 - 8 students in clinic;
- With partners, undertake at least 12 federal litigation matters during year;

Deliverables: Report summarizing (1) litigation priorities and matters undertaken, (2) legal issues presented and potential impact of each matter on litigation priorities, (3) any interim or final litigation outcomes with description of impact, (4) non-adversarial advocacy undertaken and results achieved, (5) press or other coverage of clinic activities, (6) clinic implementation progress with (a) results of student and client evaluations, and (b) quantitative measurements of federal immigration litigation activity by Binger Center clinic and partners.

Year Two

- Review and identify annual litigation priorities with Binger Center advisory committee and input of national allies;
- Enroll 12 - 16 students in clinic or with partner organizations;
- With partners, undertake at least 18 - 24 federal litigation matters during year;

Deliverables: Report summarizing (1) litigation priorities and matters undertaken, (2) legal issues presented and potential impact of each matter on litigation priorities, (3) any interim or final litigation outcomes with description of impact, (4) non-adversarial advocacy undertaken and results achieved, (5) press or other coverage of clinic activities, (6) clinic implementation

progress with (a) results of student and client evaluations, and (b) quantitative measurements of expanded federal immigration litigation activity by Binger Center clinic and partners.

Years Three and Four

- Review and identify annual litigation priorities with Binger Center advisory committee and input of national allies;
- Enroll 12 - 16 students in clinic or with partner organizations;
- With partners, undertake at least 24 federal litigation matters during year;

Deliverables: Report summarizing (1) litigation priorities and matters undertaken, (2) legal issues presented and potential impact of each matter on litigation priorities, (3) any interim or final litigation outcomes with description of impact, (4) non-adversarial advocacy undertaken and results achieved, (5) press or other coverage of clinic activities, (6) clinic implementation progress with (a) results of student and client evaluations, (b) survey of clinic alumni, and (c) quantitative measurements of expanded federal immigration litigation activity by Binger Center clinic and partners.

3. Detainee Rights Clinic

Year One

- Hire 1 FT clinical faculty member, 1 FT teaching fellow, and adjunct faculty;
- Create curriculum;
- develop plan for early intervention and outreach to detainees, and identify needed changes in local detention practices;
- Enroll 6 - 8 students in clinic;
- With partners, begin early intervention outreach program for detainees;
- With partners, provide representation in at least 30 bond matters during year;
- With partners, provide merits representation in at least 30 matters during year;
- With partners, begin advocacy for changes in local detention practices.

Deliverables: Report summarizing (1) numbers of bond and merits matters undertaken and outcomes, (2) progress implementing early intervention outreach program for detainees, (3) advocacy undertaken to obtain change in local detention practices and results, (4) press or other coverage of clinic activities, and (5) clinic implementation progress with (a) results of student and client evaluations, and (b) quantitative measurements of detention litigation activity by Binger Center clinic and pro bono partners.

Year Two

- Enroll 12 - 16 students in clinic or with partner organizations;
- With partners, fully implement early intervention outreach program for detainees;
- With partners, provide representation in at least 50 bond matters during year;
- With partners, provide merits representation in at least 40 - 60 matters during year;
- With partners, continue advocacy for changes in local detention practices.

Deliverables: Report summarizing (1) numbers of bond and merits matters undertaken and outcomes, (2) full implementation of early intervention outreach program for detainees, (3) advocacy undertaken to obtain change in local detention practices and results, (4) press or other coverage of clinic activities, and (5) clinic implementation progress with (a) results of student and client evaluations, and (b) quantitative measurements of detention litigation activity by Binger Center clinic and pro bono partners.

Years Three and Four

- Enroll 12 - 16 students in clinic or with partner organizations;
- With partners, fully implement early intervention outreach program for detainees;
- With partners, provide representation in at least 50 bond matters during year;
- With partners, provide merits representation in at least 60 matters during year;
- With partners, continue advocacy for changes in local detention practices.

Deliverables: Report summarizing (1) numbers of bond and merits matters undertaken and outcomes, (2) ongoing activity of early intervention outreach program for detainees, (3) advocacy undertaken to obtain change in local detention practices and results; (4) press or other coverage of clinic activities, and (5) clinic implementation progress with (a) results of student and client evaluations, (b) quantitative measurements of detention litigation activity by Binger Center clinic and pro bono partners, and (c) survey of clinic alumni.

4. Education and Outreach Program

Year One

- Establish network of University and community allies;
- Begin to provide educational and outreach programs and materials for noncitizens;
- Begin to provide educational and outreach programs and materials for pro bono lawyers.

Deliverables: Report summarizing (1) educational and outreach priorities identified for noncitizens, (2) initial establishment of University and community allies; (3) development of educational and outreach programs for noncitizens and pro bono attorneys, (4) program implementation progress with (a) quantitative and qualitative measurements of noncitizens served, (b) quantitative and qualitative measurements of pro bono attorneys recruited and trained, (c) quantitative and qualitative measurements of participating students.

Year Two

- Fully establish broader network of University and community allies;
- Fully implement educational and outreach programs and materials for noncitizens;
- Fully implement educational and outreach programs and materials for pro bono lawyers.

Deliverables: Report summarizing (1) educational and outreach priorities pursued for noncitizens, (2) full establishment of University and community allies; (3) full development of educational and outreach programs for noncitizens and pro bono attorneys, (4) program

implementation progress with (a) quantitative and qualitative measurements of noncitizens served, (b) quantitative and qualitative measurements of pro bono attorneys recruited and trained, (c) quantitative and qualitative measurements of participating students.

Years Three and Four

- Continue educational and outreach programing and materials for noncitizens;
- Continue educational and outreach programing and materials for pro bono lawyers.

Deliverables: Report summarizing (1) educational and outreach priorities pursued for noncitizens, (2) activities of University and community allies; (3) ongoing educational and outreach programs for noncitizens and pro bono attorneys, (4) program implementation progress with (a) quantitative and qualitative measurements of noncitizens served, (b) quantitative and qualitative measurements of pro bono attorneys recruited and trained, (c) quantitative and qualitative measurements of participating students, including survey of alumni.

BINGER CENTER FOR NEW AMERICANS

Assume 7/1/2013 start date

	Year 1 2014	Year 2 2015	Year 3 2016	Year 4 2017	TOTAL
N. Cook: 50% buy out (salary @ \$153,240)	108,003	111,244	114,581	118,018	451,846
New Faculty #2 (@\$120,000)	170,800	175,924	181,202	186,638	714,563
New Faculty #3 (@\$120,000)	170,800	175,924	181,202	186,638	714,563
Co-Partner: Immigrant Law Center of Minnesota (ILCM)	50,000	51,500	53,045	54,636	209,181
Co-Partner: Advocates for Human Rights (Advocates)	50,000	51,500	53,045	54,636	209,181
Co-Partner: Mid-Minnesota Legal Assistance (MMLA)	50,000	50,000	50,000	50,000	200,000
Teaching Fellows (2 @\$70,000)	193,740	193,740	193,740	193,740	774,960
Adjuncts (6 @ \$6,000)	36,000	36,000	36,000	36,000	144,000
Student Clinic Directors (8 @ \$2,500)	20,000	20,000	20,000	20,000	80,000
Program Associate (@ \$50,000)	70,050	77,055	77,055	77,055	301,215
Outreach Activity (Includes Web based activity)	30,000	30,000	30,000	30,000	120,000
General Supplies/Operations	50,000	50,000	50,000	50,000	200,000
Space Renovations	350,000				350,000
SUBTOTAL	1,349,393	1,022,887	1,039,869	1,057,361	4,469,510

ENDOWMENT AMOUNT	20,000,000	25,000,000
4.5% payout	900,000	1,125,000

Care COPILOT

Promoting the Inclusion of Laypersons on Care Delivery Teams
Robina Foundation Board Six-Month Report
April 30, 2013

INTRODUCTION

Significant progress has been made since the care guide funds were repurposed to support Care COPILOT in November of 2012. The building of our Care COPILOT team has begun with the hiring of the program manager (a former care guide) and the market development lead. Their efforts have been focused on launching the Care COPILOT website: www.healthcarecopilot.com, and developing our implementation services.

We slightly adjusted the name to include 'care' to tie our concept and services to the healthcare industry. In the care delivery approach we are advocating, care a patient receives continues to be driven by the patient and provider. However, inclusion of the new layperson role on care delivery teams allows for a 'care copilot' to serve as support to the patient and provider. This layperson role develops a relationship with both patients and providers to remain acutely aware of issues and concerns influencing patient care; thus, ensuring nothing is missed and patients receive appropriate care at the appropriate time.

Vision Statement

We envision a day when laypeople are a routine part of the care delivery team; viewed by providers as an indispensable team member necessary to delivering better care; appreciated by patients and communities for the persistent personal connection they provide; and supported by payers, employer and policy makers for demonstrable results toward achieving the triple aim.

Mission Statement

Care COPILOT will promote Care Guide project knowledge by *disseminating* the concept, actively *facilitating* its adoption, fostering its practical evolution and *studying* its use.

Focus 1

Promote broad awareness & adoption of the Care Guide Project outside of Abbott Northwestern Hospital & Allina Health.

- **Goal I:** Disseminate the knowledge produced by the Care Guide Research Project to organizations at the local, regional and national levels.
- **Goal II:** Facilitate the successful implementation of the Care Guide Project by providers outside the Allina Health organization.

Focus 2

Promote & support development of variations of the care guide role at Abbott Northwestern Hospital & Allina Health.

- **Goal III:** Design, develop and deploy new variants of the care guide role.
- **Goal IV:** Facilitate the successful implementation of a new care guide role variant in a provider organization outside of Allina Health.
- **Goal V:** Seek and receive outside funding for the design, implementation and study of at least one of the new care guide role variants.

Future State

Establish a national center for the study, promotion and dissemination of layperson adjuncts to care delivery teams.

Care COPILOT will concentrate our efforts in 2013 to make significant progress towards achieving goals I & II. This report describes our progress and strategies toward achievement.

FOCUS 1

Promote broad awareness and adoption of the Care Guide Project outside of Abbott Northwestern Hospital and Allina Health

Goal 1: *No later than one year after the establishment of CoPILoT, more than 50 percent of provider organizations within the Allina Health service area (local/regional providers) will have been made aware of the existence and results of the Care Guide project. At least 25 percent of local/regional providers, either directly or through the provider organizations with which they are associated, will have had a more direct interaction (phone, email, face-to-face) with CoPILoT regarding details of the program. In addition, nationally, at least 30 percent of all providers, either directly or through the provider organizations with which they are associated, will have had the same opportunity to learn more about the basics of the Care Guide project.*

Research Publication:

A manuscript describing the Phase 2 randomized trial "Improving chronic disease care by adding laypersons to the primary care team: a randomized, controlled trial" (Appendix A) has been provisionally accepted by the Annals of Internal Medicine, a major and well-regarded U.S. journal. This manuscript has undergone extensive revision over the last 6 months with the careful attention of the Annals editors. Major changes required by the editors have been:

1. Drop the matched patient (similar patients in clinics without care guides) comparison--"too much for one paper".
2. Re-analysis of hospital charge differences (year before working with a care guide versus the year of working with a care guide) due to extreme skewness of the economic data. In lay terms, billing data is highly skewed by a few patients with very long stays and high charges. Using a "log gamma transformation" approach changed the difference in charges between care guide and control patients to "not significant". However, working with a care guide still reduced the NUMBER of hospitalizations significantly ($P = 0.050$).
3. A laborious analysis of the final date when each of several thousand end points was measured, to see if the observed differences between care guide and control patients could be explained by care guide patients coming in to clinic later in the study year. In a word, no.
4. Much more detail about how the study was conducted, separate results for each clinic, numbers of contacts between care guides and patients/providers in each clinic, the survey questions investigating patients' perceptions of their care, etc. The paper now contains 12 tables of data.

Throughout this process, the editors have shown a lot of interest and been very supportive as they shape it to the needs of their readers. We will let the Board know if and when final acceptance occurs. In the meantime, we cannot publicize the final results before publication. A list of future publications and presentations is listed in Appendix B. Research publications will continue to acknowledge and recognize the critical role the Robina Foundation has played in funding the initial Care Guide research and our ongoing Care COPILOT project.

On April 25, Kim Radel, Dick Adair, Medicine Clinic care guide Betsy Synder and a care guide trainee from a South Minneapolis clinic serving low income patients were interviewed by reporter Maura Lerner, who is preparing an article about the Robina care guide project for the Star Tribune in conjunction with a presentation Dick and Kim are giving to a national meeting of the Institute for Clinical Systems Improvement, May 7 in Bloomington, MN.

Furthermore, in May 2013, the Care Guide research project and results will be presented at the Centers for Medicare and Medicaid Services' Pioneer Accountable Care Organization programs annual meeting. This annual meeting is attended by 32 participating health care organizations from across the nation.

Website:

The Care COPILOT website is the primary strategy to promote awareness and adoption of the Care Guide Project to a broad audience of healthcare organizations and researchers. The contracted services to design, build and review content for the website were done by Risdall Advertising.

The www.healthcarecopilot.com website went live on April 19, 2013 (Appendix C). The goals of the website are to educate healthcare organizations and researchers about the care guide concept, establish buy-in, and have organizations find value in purchasing our services. Features of the website include: continuous content management, dynamic responsive site design for use on multiple devices, and managed Search Engine Optimization (SEO). We have purchased additional domains to increase site utilization.

Our services and offerings have been strategically placed together to fulfill a variety of needs, as the website is the main vehicle to accessing information about the Care Guide Project and Care COPILOT services. Care COPILOT will continue to acknowledge and recognize the critical role the Robina Foundation has played in funding the initial Care Guide research and our Care COPILOT project.

Strategic Partnerships:

Another key strategy to the promotion of the Care Guide Model is the strategic partnerships we have formed with the Institute of Clinical Systems Improvement (ICSI) and Stratis Health.

The Institute of Clinical Systems Improvement (ICSI), based in Bloomington, Minnesota, is an independent, nonprofit health care improvement organization sponsored by five nonprofit health plans. Our strategic partnership with ICSI includes disseminating the care guide model to their broad membership base, which includes 50+ medical groups and hospital members representing 9,000 physicians in Minnesota and surrounding areas. The following are current opportunities we've identified with ICSI to disseminate the care guide model:

- The care guide model and research results will be presented May 6-8, 2013 at ICSI's annual colloquium, reaching approximately 500 other health care professionals.
- Periodic features on the care guide model in their monthly newsletter, which reaches approximately 800 members.
- Care COPILOT's website will be cross-linked and featured on ICSI's website. ICSI will highlight the care guide model on their website through a case study history and an introductory video on the care guide model.
- ICSI has invited Richard Adair, MD, to co-host a future Ideagora on the care guide model. The Ideagora is a monthly conversation, open to all ICSI members, and held via teleconference on various "hot topics" in health care. All Ideagoras are facilitated by ICSI's Chief Knowledge Officer, Gary Oftedahl, MD.

Stratis Health, based in Bloomington, Minnesota, is a nonprofit organization that leads collaboration and innovation in health care quality and safety, and serves as a trusted expert in facilitating improvement for people and communities. We will be partnering with Stratis Health to broadly disseminate the care guide model primarily through utilizing their communication channels. As Minnesota's Medicare Quality Improvement Organization, Stratis Health has built an extensive network of health provider organizations subscribing to their numerous newsletter publications. The following are current opportunities we've identified with Stratis Health to disseminate the care guide model:

- The care guide model and research results will be featured in Stratis Health's family of publications:

- Clinic Link—monthly distribution reaching approx. 900 health care professionals
- Culture Care Connection—quarterly distribution reaching approx. 820 health care professionals
- Hospital Check-In—monthly distribution reaching approx. 1,210 health care professionals
- Nursing Home Update—monthly distribution reaching approx. 320 health care professionals
- RARE Report—monthly distribution reaching approx. 1,270 RARE campaign participants
- Care COPILOT's website will be cross-linked on Stratis Health, and potentially the RARE campaign and Culture Care Connection websites.

Goal 2: *No later than one year after establishing CoPILOT, at least four independent, non-Allina Health provider organizations will have deployed care guides onto their existing care delivery teams in the primary care setting. The adoption of the care guide must be as a direct result of applying our knowledge dissemination and/or support services in those organizations.*

Implementation Outreach efforts:

Although disseminating the Care Guide Model through presentations, the website and newsletters will reach a broad audience, we will also use another strategy to deploy the Care Guide project outside of Allina Health. We will begin by targeting closely aligned, independent, organizations within the Allina Health service area. Specifically, we will target organizations that have an established relationship with Allina Health and share Allina's goal to drive care transformation within their communities. Implementation of the program in these organizations will help quickly drive adoption of the Care Guide model and build a strong foundation for dissemination on a national level in the long-term. Additionally, keeping the initial target market within the Allina Health service area will allow the team that developed the Care Guide project to provide valuable oversight into the implementation and operationalization of the program at other sites during Care COPILOT's initial dissemination period. These target clients include CEO Summit and Allina Integrated Medical (AIM) Network participants (Appendix D). Additionally, Allina has pre-existing methods of disseminating information to aligned organizations through quarterly CEO Summit meetings and AIM provider meetings, as well as other established communication channels.

Initial meetings are scheduled with three CEO Summit/AIM organizations that have an interest in implementing the Care Guide project through Care COPILOT: Hutchinson Health Center in Hutchinson, MN, Firstlight Health System in Mora, MN and Cuyuna Regional Medical Center in Crosby, MN. Further prioritization of these organizations based on interest, available resources, and organizational fit will help to identify an implementation sequence.

In addition, we continue to receive local and national interest in the Care Guide Model. A local federally qualified health center (FQHC), Southside Community Health Services, has recently expressed interest in adopting the Care Guide Model. With a care guide already hired for their clinic, Care COPILOT will work towards helping Southside Community Health Services build their knowledge base of the Care Guide Model. We will also strive towards building a partnership that fully utilizes Care COPILOT's service offerings.

Appendix E is an example of a program summary document we are utilizing with organizations to engage their leadership in dialogue with our Care COPILOT team.

Advisory Board:

The advisory board's initial meeting is scheduled to convene on May 1, 2013, with Kim Radel as the primary point of contact for board members and serving as an ex officio member. Members of the advisory board have been identified and listed within Appendix F. Members have been specifically chosen to help 1) ensure Care

COPILLOT activities move towards achieving its mission and vision, 2) represent needs of the external market, 3) define and advise the level of support services provided by Care COPILLOT to Allina Health, and 4) facilitate connections with organizations seeking to include laypersons on care delivery teams.

Care COPILLOT Service Offerings:

We are working towards developing a comprehensive collection of support and documentation materials for implementing the Care Guide Model. Included in Appendix G are summaries of Care COPILLOT's service offerings. There are three tiers of products and services which range from free of charge to a fee-based structure.

- **Starter Documents**—a free set of introductory sample documents on the Care Guide Model, and downloadable from the Care COPILLOT website. Sample documents available through this product include:
 - Introduction to the care guide role
 - Care guide scope of practice
 - Portrait of a care guide
 - Job description
 - Patient education—diabetes only
 - Care contract—diabetes only
 - Program brochure
- **Care Guide Model Tool-kit**—a collection of documents designed and implemented in the original Care Guide Model. These tools are comprehensive and available as a means to support a self-guided implementation process of the care guide model onto care delivery teams. The Reference Manual is offered for a nominal fee (approximately \$500), and purchase of this tool-kit includes a single hour-long guided consultation from Care COPILLOT staff.
- **Consulting Services**—Care COPILLOT will team with client organizations to provide a diverse set of services that support implementation of the Care Guide Model. Our consulting framework is offered under a fee-based structure and may include the following themes:
 - *Assessment and Implementation Services Design:* collaborate with organizations' leadership team to identify the specific goals of implementing the Care Guide Model and assess organizational structure and its ability to adopt the program. Care COPILLOT will assist organizations in identifying the best served target population.
 - *Hiring Guidance:* Care COPILLOT can provide suggestions and guidance in hiring for the care guide role in an effort to maintain the fidelity of the Care Guide Model.
 - *Training:* to address operational needs, Care COPILLOT will work with organization leaders to build a comprehensive understanding of capabilities and benefits of the Care Guide Model. We also offer customizable training packages for care guides to meet the unique needs of the organization.
 - *Continuing Education Training:* Care COPILLOT offers a membership-based program for organizations wishing to provide their care guides with continuing education and training. Continuous education of care guides is paramount in their continued success integrating into the health care delivery setting, providing quality patient care, and functioning within their scope-of-practice.
 - *Documentation and Reporting:* Care COPILLOT will work with organizations that have implemented the Care Guide Model, but lack sufficient capability and resources to collect and analyze patient care data for quality improvement purposes and program evaluation.

- *Building Custom Solution:* Care COPILOT is dedicated to the evolution of the Care Guide Model. We will collaborate with external organizations looking to implement modifications of the Care Guide Model .

Learnings

- The Care COPILOT team found that translating the effective results of the Care Guide Project from a research setting to industry has challenged our team's approach in presenting the care guide model.
- Presenting an entirely new clinic worker, the care guide, to the healthcare community requires developing a message that accurately depicts the role, its capabilities, and provides a resonating rationale for its creation.
- Although more than a year has passed since the Care Guide Project concluded, Care COPILOT continues to identify learnings from the initial implementation efforts of the research project.

Financials

	<i>QUARTER 1—2013</i>		<i>ANNUAL 2013</i>
	<i>Actual</i>	<i>Budget</i>	<i>Budget</i>
REVENUE			
Robina Foundation	\$33,766	\$125,000	\$1,180,000
Revenue from Operations	\$0	\$0	\$0
Governmental Revenue	\$0	\$0	\$0
Private Foundation	\$0	\$0	\$0
Total Revenue	\$33,766	\$125,000	\$1,180,000
EXPENSES			
Personnel & Fringe			
Program Manager	--	--	--
Market Development	--	--	--
Clinical Lead	--	--	--
Total Personnel & Fringe	\$54,556	\$46,081	\$262,080
OTHER EXPENSES			
Implementation Award	\$0	\$0	\$0
Study Award	\$0	\$0	\$40,000
Space build-out	\$0	\$0	\$300,000
Lease	\$0	\$0	\$15,000
Website Development	\$32,000	\$50,000	\$100,000
Supplies	\$1,737	\$8,348	\$5,000
Travel	\$37	\$8,210	\$0
Printing	--	--	\$5,000
Total Other Expenses	\$33,774	\$66,558	\$465,000
Indirect Expenses (10%)	--	--	\$451,208
Total Expenses	\$88,330	\$112,639	\$1,178,288

Respectfully submitted,
Kim Radel, MHA, Operations Director

Appendix A. Submitted Manuscript and Tables.

Improving Chronic Disease Care by Adding Laypersons to the Primary Care Team: A Randomized, Controlled Trial

Running Title: Adding Laypersons to Primary Care Teams

Richard Adair MD, Douglas R. Wholey PhD, Jon Christianson PhD, Katie M. White EdD, Heather Britt PhD, and Suhna Lee, MPA

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ABSTRACT

Background: Improving care for chronic disease patients is an important goal, but how to accomplish this efficiently is unclear.

Objective: To test whether adult chronic disease patients working with lay “care guides” would achieve more evidence-based goals than patients receiving usual care.

Design: Multi-site, parallel group, 2:1 allocation randomized trial, stratified by clinic, conducted July 2010-April 2012. Patients, providers, and persons assessing outcomes were not blinded to treatment assignment.
ClinicalTrials.gov: NCT01156974

Setting: 6 diverse primary care clinics in Minnesota

Patients: Adults with hypertension, diabetes, or heart failure

Intervention: 2135 patients were given disease-specific information about standard care goals, and asked to work toward these goals for 1 year, with or without the help of a care guide (laypersons with strong interpersonal skills who received brief training about these diseases and the mechanisms of behavior change). The analysis included 2125 patients with complete follow-up.

Measurements: The pre-specified primary endpoint was percent of goals met at baseline and at 1 year.

Results: At 1 year, care guide patients achieved more goals than usual care patients (OR 1.31, 95% CI 1.16-1.47, $P<.001$). Care guide patients reduced unmet goals by 30.1%, usual care patients by 12.6%. Care guide patients

improved more than usual care patients in meeting 11 of 12 individual goals, including not using tobacco ($P=.021$). Care guide effects did not vary with patient demographic characteristics. Estimated cost was \$286 per patient per year.

Limitations: These patients met many goals at baseline and few were non-English-speaking or uninsured.

Conclusion: Care guides added to the primary care team can improve care for chronic disease patients at low cost.

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INTRODUCTION

Almost half of Americans with chronic disease fail to receive evidence-based care (1-3). Reasons for this include limited access for some (4, 5) and payment systems that undervalue primary care and provide incentives for more care but not better results (6). A consensus is emerging that chronic disease care can best be provided by a team, centered in the primary care office, working directly to engage patients and give providers feedback about care quality (4, 7). These principles are integral to the chronic care model (8-10) and the patient-centered medical home (11). Questions remain about how these teams will be structured, how they will be paid for, and which patients will benefit (12, 13).

Despite potential global savings, active care management does not fit within the budgets of most primary care practices (12-14). Usually this service is provided by nurses (15-18) rather than lower-salaried, non-clinical personnel (19-28). Telephone coaching from a central location is less expensive but often ineffective (29-30).

Seeking a pragmatic way to help chronic disease patients, investigators at the University of Minnesota and Allina Health, a large not-for-profit network of hospitals and clinics in Minnesota and western Wisconsin, blended ideas from several sources and introduced a new type of clinic employee, a lay "care guide", whose only job was to help patients and providers achieve care goals recommended by national authorities (31). This trial tests the hypothesis that care guides can improve care at reasonable cost.

METHODS

Design Overview

This was a 1-year multicenter, randomized, parallel group study (working with a care guide or usual care, with 2:1 allocation), stratified by clinic, conducted in 6 primary care clinics in Minnesota. Patients, providers, and persons performing outcome assessments were not blinded to treatment assignment. A 6-month recruitment period began in 3 clinics in July 2010 and in 3 clinics in October 2010. Follow-up was completed in April 2012. No changes in methods, outcomes, or data collection methods were made after the study began.

The Institutional Review Boards of Allina Health and the University of Minnesota approved the study. All patients gave written informed consent.

Setting and Participants

From 50 Allina Health primary care clinics, we chose 6 clinics that were diverse in size, location (urban, suburban, rural), provider specialty (family practice, internal medicine), and duration of exposure to Allina

quality improvement initiatives. Patients with hypertension, diabetes, or congestive heart failure (common chronic diseases with objective standards for care (32-34)) were eligible if they were aged 18-79, not pregnant, and had a primary care office visit during the 6-month enrollment period. There were no other exclusion criteria. We gave providers lists of eligible patients on each day's schedule, and asked them to refer patients who "needed help". Analysis confirmed that providers preferentially referred patients with higher blood pressures and glycated hemoglobin values from these lists.

Randomization and Interventions

Twelve care guides were hired and assigned by clinic size: 1 clinic had 1 care guide, 4 clinics had 2, and 1 clinic had 3. Research supervisors prepared sealed opaque envelopes containing a purple card indicating care guide assignment or a gold card indicating usual care. 180 envelopes (120 with purple cards and 60 with gold cards) were given to the small clinic, 360 (240 purple, 120 gold) to medium sized clinics, and 540 (360 purple, 180 gold) to the large clinic. Each clinic's envelopes were shuffled before delivery and daily thereafter.

When a patient was referred for enrollment, a care guide explained the study and the randomization process. Consent forms included an agreement to work with a patient's primary provider to achieve care goals recommend by the American Diabetes Association, the American Heart Association, and the 7th Joint National Committee on Prevention, Detection, Evaluation, and Treatment of High Blood Pressure (Table 1) (32-34). Patients who consented to enroll received identical written information about the benefits of meeting disease-specific goals. After this, patients selected an envelope and opened it to determine treatment assignment. Thus, care guides and patients were not blinded to treatment assignment. Each care guide worked primarily with a small group of providers. Providers cared for both care guide and usual care patients.

For the care guide position we hired laypersons with at least two years of college education and strong interpersonal skills. We provided them with two weeks' training that included basic information about hypertension, diabetes, and heart failure; barriers to care and resources for overcoming them; professional behavior; how to use the electronic health record (EHR); and behavior change techniques including motivational interviewing, goal setting, contracting, and feedback (35). The non-clinical nature of this position was stressed and a "scope of practice" document was created. Care guide workstations were located in clinic waiting rooms to facilitate face-to-face interactions with patients, providers, and nurses. Details are described in a pilot study (31). Two experienced registered nurses were hired as supervisors.

The main objective for the care guides was to help assigned patients and their primary care providers achieve recommended care goals. Care guides asked patients to sign a contract (scanned into the EHR) agreeing to work toward their disease-specific goals and to prioritize goals. Care guides met with providers and sent them electronic messages as needed. Care guides and patients mutually decided how often and how (face-to-face or by telephone) they would contact each other. Quarterly reports about care goals achieved and not achieved were printed for patients and delivered electronically to primary care providers. Otherwise, we did not specify how care guides would go about the work of improving goal achievement.

Care guides and the research team did not interact with the usual care patients after enrollment and randomization. Usual care patients and providers knew a study was in process; the care delivered by providers to these patients may have been influenced by contact with care guides regarding other patients. Caregivers were exposed to many other Allina care-improvement activities during the study, including EHR prompts to repeat abnormal blood pressures, alerts when glycated hemoglobin and cholesterol measurements were overdue, and efforts to reduce hospital readmissions. These activities applied equally to care guide and usual care patients. No patients crossed over between groups.

Outcomes and Follow-up

The primary endpoint was the change for each patient in the percent of disease-specific care goals (Table 1) met from the day of enrollment to 1 year later. Upon enrollment and exactly 1 year later the EHR was inspected to determine the number of goals assigned (at risk for not meeting) and the number of goals met, using the last data available. Data from 10 patients were excluded; see the Figure. Otherwise there was complete follow up.

Secondary endpoints were the change in the percent of goals met by patients with each diagnosis and in the achievement of each individual goal. Other objectives were to determine whether the benefit of working with a care guide could be predicted by patient demographic data including age, sex, self-identified race, language spoken at home, insurance type, and educational attainment; to evaluate the influence of working with a care guide on patients' perceptions of care; and to measure costs. No changes were made in these endpoints or how they were collected after the study began.

Patients were asked to answer 14 survey questions regarding perceptions of care before randomization and 1 year later (Appendix Table 5). We recorded compensation for care guides and supervisors, the cost of training, and the cost of creating 12 workstations. Since care guides and supervisors helped enroll patients and collect and audit research data, we asked them to estimate the percentage of their time spent on patient care rather than research. To investigate the influence of working with a care guide on resource utilization, we obtained global Allina billing data and counted Allina emergency department visits and hospitalizations for one year before and after each patient's enrollment.

We did not anticipate potential harms from this intervention; adverse event collection was confined to deaths. The accuracy of the clinical data collection process was monitored, monthly for 3 months then quarterly, by care guides, nurse supervisors, and the research team, using self-audits and second-party audits.

Statistical Analysis

A power calculation suggested that if two-thirds of goals were met at baseline, 729 patients would provide an 80% chance of detecting a 10% change (relative to baseline, within the active treatment group); 3079 patients, a 5% change. We aimed to enroll 2000 patients. For all analyses, we used Stata 12 software (StataCorp LP, College Station, Texas).

Each patient had 3-12 goals depending on diagnoses. Because we accepted all goals recommended by national authorities, we treated all goals equally, despite the fact that some could be considered more important or more difficult to achieve. Some were conditional (e.g., a recommendation that diabetic patients take a drug affecting the renin-angiotensin system to preserve renal function if found to have albuminuria). This resulted in a slightly increased denominator (goals at risk for not meeting) at 1 year, as data on albuminuria and left ventricular ejection fraction became available.

We compared percent of possible goals met by patient groups using a binomial (events/trials) logistic regression model in which for each patient the numerator (events) was the number of goals met and the denominator (trials) was the number of possible goals, controlling for goals met at baseline, and clustering standard errors by clinic. We estimated maximum likelihood odds ratios for care guide: usual care patients (using Stata command BLOGIT) for all patients (the primary endpoint) and for patients in each diagnosis group and at each site, and (using Stata LOGIT) odds ratios for achieving each individual clinical goal.

We evaluated the benefit of working with care guides in demographic subgroups by including an interaction between care guide effect and membership in these subgroups in a model similar to the primary outcome analysis. To evaluate the effect of working with a care guide on patients' perceptions of care before and after the study, we regressed survey response measures on treatment group*time, % goals met at baseline, and time, including random effects for patient and clinic (Stata XT MIXED). To compare numbers of Allina hospitalizations and emergency department visits during the year before and the year after each patient's enrollment we used Poisson regression (Stata POISSON). For the analysis of charges, we regressed charges on time*treatment group (Stata REGRESS) using a log-gamma distribution to reduce skewness.

We collected but do not report here outcome comparisons of enrolled patients with matched patients in similar clinics with no exposure to care guides.

Role of the funding source

The Robina Foundation had no role in the design and conduct of the study; collection, management, analysis and interpretation of the data; and preparation, review, or approval of the manuscript.

RESULTS

Patients

Over 6 months 2455 patients were referred by providers; 2135 (87%) enrolled. Of these, 10 patients were excluded; we analyzed data for the remaining 2125 patients (Figure). Table 2 shows diagnoses and characteristics of these patients. About half had more than one diagnosis. Appendix Table 1 shows numbers and characteristics of patients at each site. The median number of patients served by one care guide was 120 (minimum 92, maximum 130, IQR 118-121).

Primary Endpoint

Care guide patients met a larger percent of possible care goals at 1 year than usual care patients (OR 1.31; 95% CI 1.16-1.47; $P < .001$) (Table 3). Both groups increased percent of goals met at 1 year compared to baseline; numerators (numbers of goals met) and denominators (possible goals) for the entire group are shown in Appendix Table 2. Care guide patients reduced unmet goals by 30.1%, usual care patients by 12.6%. In a *post hoc* analysis, the difference in outcomes between treatment groups was minimally affected by differences in the times of final measurement for each goal (Appendix Table 3).

Secondary Endpoints

Odds ratios comparing percent of possible goals met at 1 year for care guide and usual care patients grouped by diagnosis and clinic are shown in Table 3. Odds ratios for achievement of individual clinical goals are shown in Table 4.

Regarding adherence and effort, the mean number of visits to a patient's primary clinic during the study was similar for care guide and usual care patients (5.1 and 5.0, respectively). Care guides reported a median of 4 provider contacts during the study year and 7 patient contacts, 2 face-to-face and 5 by telephone; these numbers were similar across study sites (Appendix Table 4) and study quarters.

The benefit from working with a care guide was not different across demographic categories of age, sex, race, language, insurance, or education.

In after-study surveys, care guide patients reported significantly more positive perceptions of their care than control patients in constructs measuring social support, individualized care, help, reinforcement, and understanding of how to improve their health (Appendix Table 5).

Full-time care guides served a mean of 119 patients (Appendix Table 6). Compensation for 12 care guides (\$16/h salary plus benefits) was \$511,176, and for 2 nurse supervisors was \$116,736. Care guides estimated 63% of their duties were related to patient care rather than research; supervisors estimated 60%. Modular furniture and equipment for 12 semiprivate workstations within existing clinic space cost \$108,000, which could be depreciated over 5 years. Training costs were \$3031. Care guides estimated that without research duties they could each serve approximately 190 patients; the total cost per patient would be \$286 per year.

Comparing the care guide year to the previous year, mean hospitalizations per patient decreased from .37 to .35 for care guide patients and increased from .29 to .35 for usual care patients ($P=.050$); emergency department visits were not significantly different (Appendix Table 7). Median hospital charges also decreased for care guide patients and increased for control patients but charge data were highly skewed and not significantly different when a log gamma distribution was used ($P = 0.157$). There was no significant difference in professional charges or Relative Value Units (Appendix Table 8).

DISCUSSION

In this study, a group of chronic disease patients in a community setting, meeting three-quarters of recommended treatment goals at baseline, reduced unmet goals by 30.1 % in 1 year with care guide support; patients in the same clinics randomized to usual care reduced unmet goals by 12.6% (OR 1.31, 95% CI 1.16-1.47; $P<.001$). These results were achieved using a new and relatively inexpensive care model, which integrates trained laypersons directly into the primary care delivery process. Estimated cost was \$286 per patient. There were significant differences favoring care guide patients in all diagnosis subgroups, in achievement of both clinical and process goals (e.g., tobacco cessation and retinal exam), in patients' perceptions of care, and in hospitalization rates. Benefits were broadly based across patient demographic categories.

Improving the quality of care for chronic disease patients is an important goal for the US health care system. The question remains, how to do this in a practical and efficient way? We searched the English-language chronic disease care management literature 2008-2013 using PubMed keywords chronic disease, manager, navigator, coach, guide, trainer, community health worker, promotora, matron, and peer patient; and using Google Scholar. Several innovative care management models have been proposed and implemented: the chronic care model/patient-centered medical home (10, 15, 36-39), the teamlet model (40), and the community health worker model (21-23). Some include peer patients (24-27), family members (41) or surrogate family members (42). Integrated delivery systems may have resources for chronic disease care programs (38, 39), but how to fund such activities in other settings is uncertain (12, 37).

We were unable to identify another large randomized trial testing the effectiveness of integrating laypersons into the delivery of primary care for chronic disease patients. Many studies address the needs of underserved patients; in this study care guides helped a broad range of patients who were meeting many goals at baseline, and who were cared for by providers already receiving regular quality-improvement feedback.

What were the key interactions leading to clinical improvements? Care guides described using a variety of techniques. With patients, they spent time to explain the benefits of meeting goals in lay language, used their non-medical backgrounds to create an environment where patients felt at ease asking questions, called patients after office visits to ensure instructions were understood, and helped develop specific action plans. With

providers and nurses, they gave reminders about unmet goals on the day of an appointment (when this information would be most useful) and supplied information such as “this patient reports difficulty affording medication” or “this patient seems ready to quit tobacco”.

Care guides, using their relationships with providers, serve as quality improvement advocates integrated into the daily process of providing primary care. This arrangement differs from the common practice of giving providers periodic feedback based on data gleaned from the EHR. The effectiveness of such feedback is limited by inclusion of outlier patients, incorrect provider attribution, and rigid guideline targets; clinicians can become frustrated and ignore feedback perceived as inaccurate (43-46).

Moving the quality improvement process into the primary care office resolves some of these problems. Conversations about care quality and when guidelines are inappropriate for individual patients can occur face-to-face; a sense of teamwork can increase workplace satisfaction (43). In a post-study survey of 115 providers and nurses (data not shown) 93% felt that care guides improved patient care and 94% felt that care guides were an effective use of resources. It seems likely that improvements by usual care patients in some clinics were related to the presence of care guides (Table 3).

Costs were low for several reasons. Most care guides were early in their careers (although one was nearing retirement) and accepted entry-level salaries in the Minneapolis-St Paul market. They were encouraged to concentrate on patients who seemed ready to make changes, contacting others less often. They used brief, focused behavior change techniques. Each worked with a small number of providers, allowing informal and electronic communication rather than scheduled “huddles”.

Improvements associated with care guides did not come at the expense of additional resource utilization. Comparing the study year with the previous year, rates of hospitalization changed little for care guide patients but increased for usual care patients. However, since patients could obtain care outside the Allina Health system and since baseline hospital utilization was different in patient groups, further analysis is needed to determine whether this intervention affected hospital costs.

How do care guides differ from other personnel used as care managers? Care guides can explain the value of meeting standard goals but, unlike nurses, cannot answer clinical questions. Compared with medical assistants, care guides have less training and no competing duties in clinic. Like community health workers, care guides are culturally similar to the patients they serve, but are located in the clinic. Care guides were recruited for specific traits and competencies: an outgoing personality, the ability to engage easily with people of different ages and backgrounds, and a second language where needed (e.g., Spanish and Somali in the pilot study) (31).

This approach to care management blends several important elements: it is low in cost; it is integrated into existing clinic workflows; it explicitly incorporates behavior change theory; and it leverages the power inherent in face-to-face relationships. Allina Health is expanding use of care guides to include helping patients with other diagnoses, frequently hospitalized patients, and patients receiving late-life care.

Limitations of this study include a relative lack of uninsured and non-English speaking patients; however, these groups were well represented in the pilot study, which had similar results. The study’s 1-year time frame limits the ability to assess this model’s durability or long-term impact on resource use. We cannot explain the difference in hospitalizations between patient groups in the year before randomization; studying resource use in a closed system would provide more reliable data. Post-study survey responses are subject to response bias. Improvement in usual care patients could be related to knowing they were study subjects, and to the disease-specific information received before randomization.

In conclusion, this study showed that laypersons with relevant skills and training, located in clinic waiting rooms where they could meet patients and providers face-to-face, could help chronic disease patients and their providers improve the quality of care. Because of its low cost, this model could be implemented in many settings, including small independent offices, where most primary care in the US is delivered (12-14, 47).

FIGURE LEGEND

Study Flow Diagram

^a All patients with diabetes, hypertension, and/or heart failure seen during the enrollment period, ages 18-79 and not pregnant.

^b Were not referred by provider for enrollment.

^c Patients who moved away or changed clinics were included in the analysis using last data available, because they could (and sometimes did) return.

^d Data was removed at the request of the 9 patients who withdrew, and for the pregnant patient because she found she was pregnant soon after enrollment.

^e Used last data available.

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Figure. Study flow diagram.

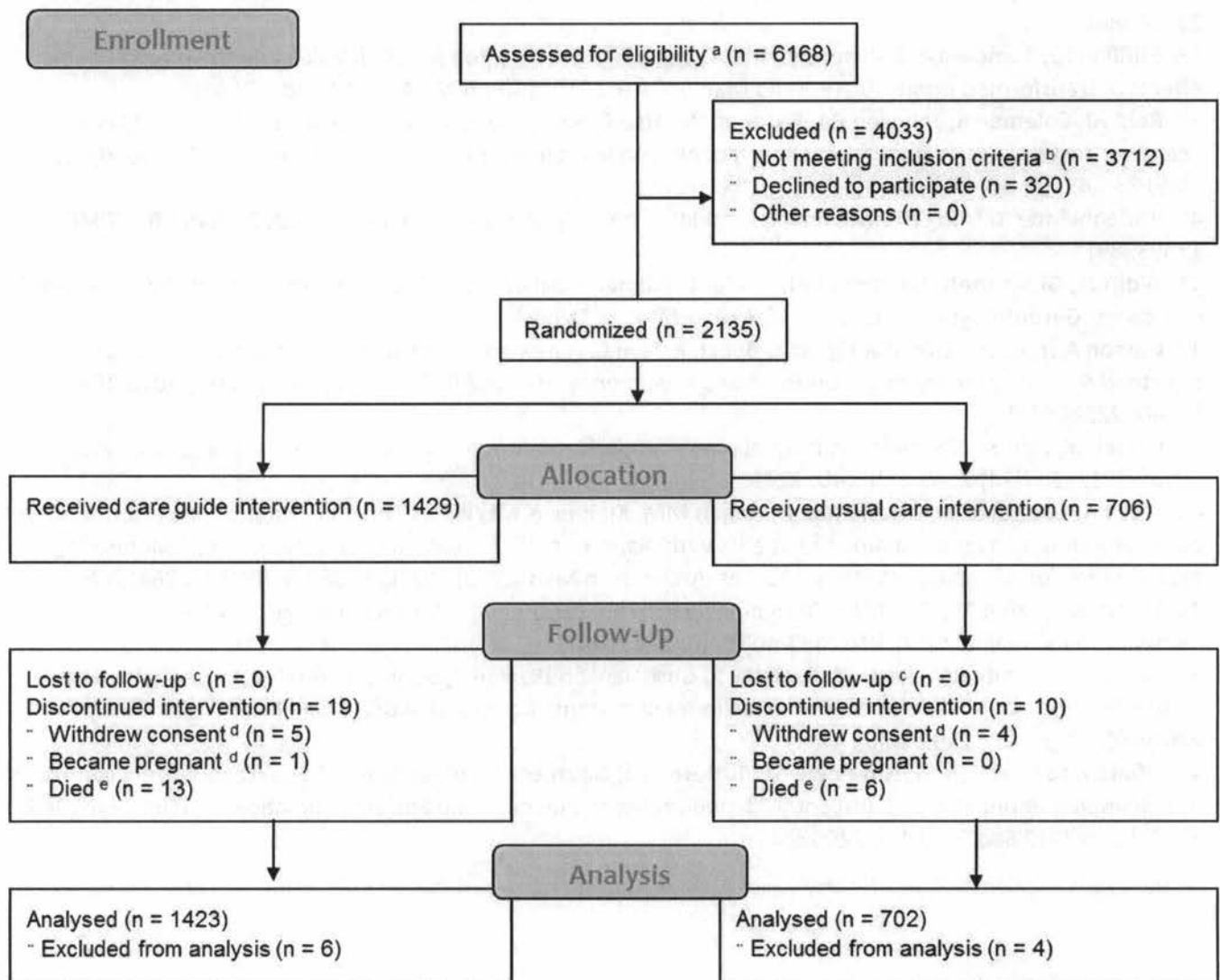


Table 1. Care goals by diagnosis

Care goal	Patient diagnosis		
	HTN	DM	CHF
Not using tobacco	✓	✓	✓
Systolic pressure < 140 mm Hg	✓		
Diastolic pressure < 90 mm Hg	✓		
HbA1c < 8.0%		✓	
LDL cholesterol < 100 mg/dl		✓	
Systolic pressure < 130 mm Hg		✓	
Diastolic pressure < 80 mm Hg		✓	
Retinal examination within 2 years		✓	
Measurement of urinary albumin within 2 years		✓	
Prescription of an ACEI or ARB if urinary albumin > 30 mg/ g creatinine		✓	
Pneumonia vaccination		✓	✓
Echocardiogram			✓
Prescription of beta blocker if LVEF < 40%			✓
Prescription of an ACEI or ARB if LVEF < 40%			✓

Abbreviations: HTN = hypertension; DM = diabetes mellitus; CHF = congestive heart failure; HbA1c = % glycated hemoglobin; LDL = low-density lipoprotein; ACEI = angiotensin converting enzyme inhibitor; ARB = angiotensin receptor blocker; LVEF = left ventricular ejection fraction.

Table 2. Baseline characteristics of care guide and usual care patients

Characteristic	Care guide (n = 1423)	Usual care (n = 702)
Diabetes	65	62
Hypertension	82	80
Heart failure	6	5
> 1 diagnosis	50	45
Female	50	53
White	90	91
Speak English at home	98	98
Medicaid insurance	7	7
High school education or less	39	39
Not using tobacco	84	86
Age	61.1 (11.3)	60.9 (11.7)
Systolic blood pressure	128.8 (16.8)	128.7 (17.1)
Diastolic blood pressure	74.5 (11.0)	74.3 (11.6)
HbA1c (diabetes)	7.4 (1.5)	7.3 (1.5)
LDL cholesterol (diabetes)	86.1 (30.4)	86.4 (30.0)

Abbreviations: HbA1c = % glycated hemoglobin; LDL = low-density lipoprotein

Table 3. Total goals met at baseline and 1 year

	CARE GUIDE					USUAL CARE					CARE GUIDE EFFECT		
	Goals met					Goals met					Odds ratio	95% CI	P
	(N)	% at baseline	% at 1 year	Difference	% Change	(N)	% at baseline	% at 1 year	Difference	% Change			
All	1423	75.1	82.6	7.5	10.0	702	76.1	79.1	3.0	3.9	1.31	1.16-1.47	<.001
DM	930	75.5	82.5	7.0	9.3	436	76.3	78.2	1.9	2.5	1.35	1.22-1.50	<.001
HTN	1162	75.8	83.2	7.4	9.8	560	77.2	80.2	3.0	3.9	1.29	1.16-1.44	<.001
CHF	89	82.5	88.2	5.7	6.9	34	86.6	85.1	-1.5	-1.7	1.58	1.01-2.48	0.047
> 1 diagnosis	717	77.0	83.6	6.6	8.6	316	78.4	79.7	1.3	1.7	1.37	1.21-1.55	<.001
Clinic 1	239	72.8	80.7	7.9	10.9	119	71.0	79.3	8.3	11.7	1.02	0.82-1.28	0.843
Clinic 2	239	81.4	87.6	6.2	7.6	117	84.4	85.2	0.8	0.9	1.33	0.99-1.77	0.055
Clinic 3	239	73.8	81.7	7.9	10.7	120	73.6	75.8	2.2	3.0	1.46	1.19-1.80	<.001
Clinic 4	241	75.9	82.1	6.2	8.2	119	77.0	78.9	1.9	2.5	1.31	1.05-1.64	0.019
Clinic 5	119	71.4	84.7	13.3	18.6	60	76.6	83.7	7.1	9.3	1.27	0.88-1.83	0.195
Clinic 6	346	74.6	81.5	6.9	9.2	167	76.1	76.9	0.8	1.1	1.39	1.16-1.66	<.001

Abbreviations: DM = diabetes mellitus; HTN = hypertension; CHF = congestive heart failure. Difference is the absolute difference in % goals met from baseline to 1 year; % change is the relative difference at 1 year from baseline. Odds ratios refer to differences in % goals met at 1 year, care guide patients:usual care patients.

Table 4. Achievement of individual clinical goals

CARE GOAL	CARE GUIDE					USUAL CARE					CARE GUIDE EFFECT		
	(N)	Goals met		Difference	% Change	(N)	Goals met		Difference	% Change	Odds ratio	95% CI	P
		% at baseline	% at 1 year				% at baseline	% at 1 year					
Not using tobacco	1423	83.8	86.6	2.8	3.3	702	85.2	85.5	0.3	0.4	1.77	1.09-2.86	<.001
SBP (All)	1409	63.3	73.0	9.7	15.3	690	66.7	70.3	3.6	5.4	1.20	0.98-1.46	0.021
SBP (HTN only)	458	53.1	76.0	22.9	43.1	246	55.3	71.1	15.8	28.6	1.32	0.97-1.79	0.078
SBP (Any DM)	930	67.8	71.2	3.4	5.0	436	72.7	69.7	-3.0	-4.1	1.15	0.81-1.63	0.45
DBP (All)	1409	78.5	80.9	2.4	3.1	690	80.1	81.7	1.6	2.0	0.97	0.66-1.41	0.87
DBP (HTN only)	458	78.6	86.5	7.9	10.1	246	77.6	87.8	10.2	13.1	0.85	0.59-1.23	0.39
DBP (Any DM)	930	78.0	77.7	-0.3	-0.4	436	81.2	78.0	-3.2	-3.9	1.03	0.63-1.68	0.92
Pneumonia vacc.	965	63.5	83.6	20.1	31.7	456	63.8	72.8	9.0	14.1	3.49	2.37-5.15	<.001
HbA1c	930	74.6	76.9	2.3	3.1	435	75.9	77.9	2.0	2.6	0.97	0.88-1.06	0.49
LDL cholesterol	930	72.9	77.4	4.5	6.2	435	74.3	77.9	3.6	4.8	1.00	0.77-1.31	0.99
Retinal exam	722	83.1	90.6	7.5	9.0	346	76.3	77.2	0.9	1.2	2.70	1.32-5.54	0.007
Microalbumin test	930	78.7	94.7	16.0	20.3	435	81.6	87.1	5.5	6.7	3.16	2.32-4.31	<.001
ACEI/ARB (DM)	279 (333)*	77.4	83.8	6.4	8.3	140 (164)*	78.6	79.9	1.3	1.7	1.52	0.93-2.51	0.097
Echocardiogram	95	98.9	100.0	1.1	1.1	34	94.1	100.0	5.9	6.3	**		
ACEI/ARB (CHF)	43 (45)*	81.4	82.2	0.8	1.0	11 (12)*	81.8	58.3	-23.5	-28.7	1.19	0.24-5.87	0.21
BB (CHF)	43 (45)*	90.7	95.6	4.9	5.4	11 (12)*	90.9	91.7	0.8	0.9	**		

Abbreviations: SBP = systolic blood pressure; DBP = diastolic blood pressure; HTN = hypertension; DM = diabetes mellitus; Vacc = vaccination; LDL = low-density lipoprotein. ACEI/ARB (DM) = angiotensin converting enzyme inhibitor or angiotensin receptor blocker prescribed if microalbuminuria. ACEI/ARB (CHF) = these drugs prescribed if left ventricular ejection fraction <40%. BB (CHF) = beta blocker prescribed if left ventricular ejection fraction <40%. Difference is the absolute difference in % goals met from baseline to 1 year; % change is the relative difference at 1 year from baseline. Odds ratios refer to differences in % goals met at 1 year, care guide:usual care patients.

*For these goals, numbers of patients are shown as N at baseline (N at 1 year). N at 1 year includes patients where information about urinary albumin or left ventricular ejection fraction became available during the study.

**Odds ratio could not be calculated.

(MANUSCRIPT) APPENDIX TABLE 1. Baseline characteristics of patients by clinic site

Characteristic	Study group (N)	All patients		Clinic 1		Clinic 2		Clinic 3		Clinic 4		Clinic 5		Clinic 6	
		Care guide (1423)	Usual care (702)	Care guide (239)	Usual care (119)	Care guide (239)	Usual care (117)	Care guide (239)	Usual care (120)	Care guide (241)	Usual care (119)	Care guide (119)	Usual care (60)	Care guide (346)	Usual care (167)
Diabetes	(%)	65	62	72	59	56	42	74	70	60	66	62	67	66	68
Hypertension		82	80	78	83	94	93	72	73	79	71	78	78	85	80
Heart failure		6	5	4	6	7	3	4	6	8	6	9	7	7	4
> 1 study diagnosis		50	45	51	46	54	37	49	45	44	40	46	50	53	51
Female		50	53	54	63	51	59	47	38	46	50	45	53	51	52
White		90	91	75	76	96	99	86	89	96	97	97	95	94	92
Speak English at home		98	98	98	97	99	98	96	98	99	99	100	98	98	98
Medicaid insurance		7	7	8	8	2	2	10	9	4	5	8	7	9	9
High school education or less		39	39	44	48	13	23	43	34	38	30	45	43	48	51
Not using tobacco		84	86	85	84	95	96	77	76	83	85	83	82	82	87
Age	(mean)	61.1	60.9	60.1	60.8	65	65.7	57.7	56.0	60.7	61.2	63.8	61.6	60.6	60.5
Systolic blood pressure		128.8	128.7	130.2	133.7	130.8	131	126.1	126	128	127.2	129.8	128	128.6	127
Diastolic blood pressure		74.5	74.3	75.6	76.7	74.1	73.2	74.5	75.4	73.7	71.6	73.6	73.4	74.8	74.7
HbA1c (diabetes)		7.4	7.3	7.4	7.2	7.3	7	7.5	7.5	7.3	7.1	7.5	7.4	7.3	7.4
LDL cholesterol (diabetes)		86.1	86.4	89.7	88.4	75.1	76	86.2	82.1	86.4	86.9	85.7	86.8	89.6	92.5

Abbreviations: HbA1c = % glycated hemoglobin; LDL = low-density lipoprotein.

(MANUSCRIPT) APPENDIX TABLE 2. Numbers of baseline and final goals by clinic site

	CARE GUIDE					USUAL CARE				
	(N)	Baseline Goals met (%)	Total goals	1 year Goals met (%)	Total goals	(N)	Baseline Goals met (%)	Total goals	1 year Goals met (%)	Total goals
All patients	1423	6892 (75.1)	9178	7632 (82.6)	9236	702	3335 (76.1)	4385	3488 (79.1)	4411
Clinic 1	239	1189 (72.8)	1634	1337 (80.7)	1656	119	525 (71.0)	739	586 (79.3)	739
Clinic 2	239	1087 (81.4)	1336	1175 (87.6)	1342	117	477 (84.4)	565	483 (85.2)	567
Clinic 3	239	1241 (73.8)	1682	1383 (81.7)	1692	120	600 (73.6)	815	626 (75.8)	826
Clinic 4	241	1167 (75.9)	1537	1265 (82.1)	1541	119	605 (77.0)	786	624 (78.9)	791
Clinic 5	119	498 (71.4)	697	596 (84.7)	704	60	272 (76.6)	355	302 (83.7)	361
Clinic 6	346	1710 (74.6)	2292	1876 (81.5)	2301	167	856 (76.1)	1125	867 (76.9)	1127

(%) = goals met/total goals

(MANUSCRIPT) APPENDIX TABLE 3. Influence of time of final goal measurement on care guide effect

	Care guide effect				Care guide effect mediated by time			
	OR	95%CI	P		OR	95%CI	P	
Not using tobacco	1.77	1.09	2.86	0.021	1.77	1.09	2.86	0.021
SBP (All)	1.20	0.98	1.46	0.077	1.20	0.98	1.46	0.076
SBP (HTN only)	1.32	0.97	1.79	0.078	1.32	0.98	1.78	0.071
SBP (Any DM)	1.15	0.81	1.63	0.45	1.15	0.81	1.63	0.45
DBP (All)	0.97	0.66	1.41	0.87	0.97	0.66	1.41	0.86
DBP (HTN only)	0.85	0.59	1.23	0.39	0.85	0.59	1.21	0.36
DBP (Any DM)	1.03	0.63	1.68	0.92	1.03	0.63	1.67	0.91
Pneumonia vacc.	3.49	2.37	5.15	<.001	*			
HbA1c	0.97	0.88	1.06	0.49	0.96	0.84	1.10	0.58
LDL cholesterol	1.00	0.77	1.31	0.99	0.98	0.73	1.32	0.91
Retinal exam	2.70	1.32	5.54	0.007	2.62	1.31	5.23	0.007
Microalbumin test	3.16	2.32	4.31	<.001	*			
ACEI/ARB (DM)	1.52	0.93	2.51	0.097	1.54	0.96	2.47	0.071
ACEI/ARB (CHF)	1.19	0.24	5.87	0.83	1.24	0.32	4.81	0.75

Abbreviations: SBP = systolic blood pressure; DBP = diastolic blood pressure; HTN = hypertension; DM = diabetes mellitus; Vacc = vaccination; LDL = low-density lipoprotein; ACEI/ARB (DM) = angiotensin converting enzyme inhibitor or angiotensin receptor blocker prescribed if microalbuminuria present. ACEI/ARB (CHF) = these drugs prescribed if left ventricular ejection fraction <40%. Odds ratios for echocardiogram and beta blocker could not be calculated in the primary analysis (care guide effect) so these goals are not included. For the secondary analysis (care guide effect mediated by time) we determined the quarter in which the final measurement occurred for each goal. The care guide effect persisted, with minimal differences between the 2 analyses.

* Odd ratios could not be calculated. Many data points were missing because before-study data were often recorded as met/not met without dates.

(MANUSCRIPT) APPENDIX TABLE 4. Care guide contacts with patients and providers

	Care guide/patient		Care guide/provider
	Phone	In-person	
All clinics	5.3	2.7	5.0
Clinic 1	3.2	2.9	5.0
Clinic 2	4.7	1.8	5.0
Clinic 3	7.0	3.6	4.6
Clinic 4	5.0	2.3	4.7
Clinic 5	6.4	3.1	4.5
Clinic 6	5.8	2.8	5.5

Mean numbers of contacts during the study year.

(MANUSCRIPT) APPENDIX TABLE 5. Influence of working with care guides on perceptions of care

Patient survey measures

	ALL PATIENTS		CARE GUIDE						USUAL CARE					
	Baseline	1 year	Baseline			1 year			Baseline			1 year		
	Alpha	Alpha	N	Mean	SD	N	Mean	SD	N	Mean	SD	N	Mean	SD
Social support	0.93	0.92	1364	3.97	0.79	900	4.25	0.75	668	3.95	0.81	399	4.09	0.79
Help	0.85	0.81	1351	3.82	1.04	909	3.53	0.66	665	3.91	1.02	415	3.41	0.80
Individualized care	0.88	0.90	1359	4.18	0.62	926	4.31	0.67	670	4.18	0.64	419	4.22	0.66
Reinforcement	0.88	0.91	1310	4.05	0.67	897	4.13	0.73	655	4.08	0.70	401	3.98	0.80
Understanding	0.72	0.93	1335	3.28	0.92	882	3.39	1.04	661	3.35	0.95	398	3.29	0.99

Care Guide Effect

	Treatment group* time	% goals met at baseline	Time	Constant	Observations	Chi ²	P
Social support	0.138	0.251	0.133	3.835	3331	121.01	<0.001
Help	0.202	0.282	-0.512	3.791	3340	235.21	<0.001
Individualized care	0.099	0.208	0.030	4.187	3374	113.7	<0.001
Reinforcement	0.169	0.280	-0.100	4.036	3263	85.93	<0.001
Understanding	0.178	0.206	-0.071	3.464	3276	74.83	<0.001

Abbreviation: alpha = Cronbach's alpha. These values demonstrate measurement reliability at conventionally accepted levels.

A survey was administered in-person at the time of enrollment, before randomization. Respondents included 1393 of 1423 care guide patients (98%) and 678 of 702 control patients (96%), for a total of 2071 of 2125 patients (97%).

This survey was repeated after the study, administered by mail with three reminders (one by mail, two by telephone), as both care guide and control patients reached their 1-year enrollment anniversary dates plus one day. A few patients (2%) did not receive the survey because they could not be reached or had died. Respondents included 927 of 1385 care guide patients (67%) and 420 of 693 control patients (61%), for a total response rate of 65%. Responses by clinic ranged from 57% to 71%.

The survey included 5 measures designed to capture patients' perceptions of their care experience: social support, helping, individualized care, reinforcement, and understanding. Survey questions were scored on a 7-point Likert scale: for help: never, not much of the time, some of the time, most of the time, regularly, don't know, not applicable. For the others: strongly disagree, disagree, neither disagree or agree, agree, strongly agree, don't know, not applicable.

The questions were:

Social Support: I have someone to ask for suggestions about how to deal with problems; someone to talk to about my problems; someone to share my fears and worries with.

Help: How often do the people at this clinic help you: plan the steps I can take at home to manage my health; by following up with me after an appointment; organize my concerns for discussion at clinic visits.

Individualized Care: I feel that people at this clinic take into account: my ideas about managing my health conditions; my concerns with medications and their effects; my personal circumstances or situation.

Reinforcement: I feel that people at this clinic: congratulate me on my actions to improve my health, acknowledge my accomplishments in managing my own care, call my attention to difficulties in maintaining new behaviors.

Understanding: I have unanswered health questions; I need more information about managing my hypertension, diabetes, or heart failure.

The patient care experience was assessed by regressing patient responses on treatment group*time, % goals met at baseline, and time. Because the responses were repeated by patients and patients clustered in clinics, random effects were included for patients and clinics, with patients nested within clinics (Stata command XTMIXED).

Higher numbers indicate more positive responses. In all 5 constructs the care guide effect (treatment group*time) was associated with significantly improved perceptions of care. Perceptions of care were also positively associated with % goals met at baseline.

(MANUSCRIPT) APPENDIX TABLE 6. Numbers of patients served by each care guide

	Patients
<i>Clinic 1</i>	239
<i>CG 1</i>	114
<i>CG 2</i>	125
<i>Clinic 2</i>	239
<i>CG 3</i>	119
<i>CG 4</i>	120
<i>Clinic 3</i>	239
<i>CG 5</i>	118
<i>CG 6</i>	121
<i>Clinic 4</i>	241
<i>CG 7</i>	121
<i>CG 8</i>	120
<i>Clinic 5</i>	119
<i>CG 9</i>	119
<i>Clinic 6</i>	346
<i>CG 10</i>	130
<i>CG 11</i>	92
<i>CG 12</i>	124
<i>Total</i>	1423

Abbreviation: CG = care guide

(MANUSCRIPT) APPENDIX TABLE 7. Hospitalizations and ED visits, mean (SD)

	Hospitalizations	ED visits
Care guide patients		
Previous year	0.37 (1.00)	0.50 (1.99)
Intervention year	0.35 (1.08)	0.57 (2.82)
Usual care patients		
Previous year	0.29 (0.78)	0.45 (1.79)
Intervention year	0.35 (0.93)	0.57 (1.73)
Poisson regression		
Treatment group*time	-0.24	-0.088

Abbreviations: ED = emergency department. Numbers of hospitalizations and emergency department visits at Allina Health facilities were manually counted from the EHR. Previous year was defined as the 365 days before each patient's enrollment, intervention year as the following 365 days. Differences were compared using Poisson regression. ED visits increased more in usual care patients than control patients but this difference was not significant. Rates of hospitalization declined for care guide patients and increased for control patients ($P = .050$)

(MANUSCRIPT) APPENDIX TABLE 8. Hospital and professional charges

Hospital charges

	Mean	Min	p25	Median	p75	Max
Care guide patients						
Previous year	30041	0	1377	6416	33816	474400
Intervention year	32791	0	1301	5560	35336	1016195
Usual care patients						
Previous year	25815	0	1234	4484	32497	502612
Intervention year	32734	0	1300	8341	28764	427657

Professional Charges and Relative Value Units

		Mean	Min	p25	Median	p75	Max
Care guide patients							
Previous year	Charges	3746	138	1232	2254	4358	53538
	RVU	15.32	0	4.94	9.16	16.95	290.37
Intervention year	Charges	3812	0	1122	2175	4528	71126
	RVU	15.29	0	4.5	8.5	18.18	188.07
Usual care patients							
Previous year	Charges	3759	146	1168	2152	4325	185889
	RVU	14.1	0.97	4.71	8.28	17.16	195.3
Intervention year	Charges	3851	0	1017	2093	4115	86292
	RVU	14.98	0	4.42	8.5	17.11	149.07

Abbreviation: RVU = Relative Value Units; p25 = 25th percentile; p75 = 75th percentile. Charge data (US dollars) were extracted from Allina billing data 4 months after the 1-year anniversary of the last patient enrollment, and modified by mean collection rates. Previous year was defined as the 365 days before each patient's enrollment, intervention year as the following 365 days.

We evaluated these charges using a gamma distribution with log link to reduce skewness. P values for differences by treatment group and year were not significant (P = 0.157 for hospital charges, P = 0.77 for professional charges, P = 0.38 for RVU).

Appendix B. Timeline of research papers and publications

Care Guide Research Project-Phase 2: Upcoming Papers & Publications

Updated: 4/23/2013					Estimated		
Topic	Title	Primary Author	Journal or Organization	Progress	Submission Date	Decision Date	Notes/Comments
Paper: Phase 2 research results	Improving chronic disease care by adding laypersons to the primary care team: A randomized, controlled trial	Richard Adair	Annals of Internal Medicine	Full draft submitted for review	12/17/2012	4/30/2013	Editor responses submitted 2/22/13; Resubmitted materials sent to editors on 3/28/13
Abstract: Patient survey data, survey tool	Evaluating the effect of team care on the patient experience	Doug Wholey	Academy Health annual research meeting (Meeting: Jun 2013)	Full draft submitted for review	1/1/2013	3/22/2013	Meeting: Jun 23-25, 2013 in Baltimore, MD; Presentation accepted for Poster Presentation; Poster will be presented by Katie and/or Suhna
Abstract: Phase II Care Guide Project results	Improving chronic disease care by adding laypersons to the primary care team: A randomized, controlled trial	Richard Adair	IHI (Institute for Healthcare Improvement)-25th Annual National Forum on Quality Improvement in Healthcare	Full draft submitted for review	3/1/2013		Meeting: Dec. 8-11, 2013 in Orlando, FL
Paper: How to measure HTN	Four ways to measure the effectiveness of treatment for essential hypertension	Richard Adair	TBD	Partial draft in progress			
Paper: Total cost of care, cost data analysis	(TBD)	Kim Radel	TBD	No draft-data analysis in prog.			
Paper: Clinical governance & variation in program implementation	Implementing layperson care guides in a RCT of primary care clinic practices: The role of collaborative governance	Katie White	Implementation Science	No draft-data analysis in prog.			Goal: 1st draft complete by 2/19/13
Paper Presentation			Academy of Management, Health Care division meeting (Meeting: Aug 2014)	No draft-idea only	~ 1/15/2014		Meeting: Aug 1-5, 2014 in Philadelphia, PA
Paper Presentation			Society for Studies in Organizing Healthcare (SHOC) research conference (Meeting: April 2014)	No draft-idea only	~ 1/1/2014		Meeting: exact date TBD in Copenhagen
Paper Presentation			Academy Health annual research meeting (Meeting: Jun 2014)	No draft-idea only	~ 1/15/2014		Meeting: Jun 8-10, 2014 in San Diego, CA
Paper: PhD dissertation	Mediating effect of care continuity	Suhna Lee	MN Health Services Research (HSR) Conference (UMN event)	Partial draft in progress			Presented on March 5, 2013

Appendix C. Care COPILOT Website Homepage



Appendix D. Allina Health CEO Summit Partners and AIM Network Providers

CEO Summit participants include 13 hospitals and medical centers across eastern Minnesota and western Wisconsin that collaborate with Allina Health to develop and deploy solutions for care management and establish a clinical information exchange.

The Allina Integrated Medical (AIM) Network aligns 51 independent physician practices, with over 1000 providers, in the Twin Cities metropolitan area in shared leadership and decision-making with a common goal of improving quality and reducing cost.

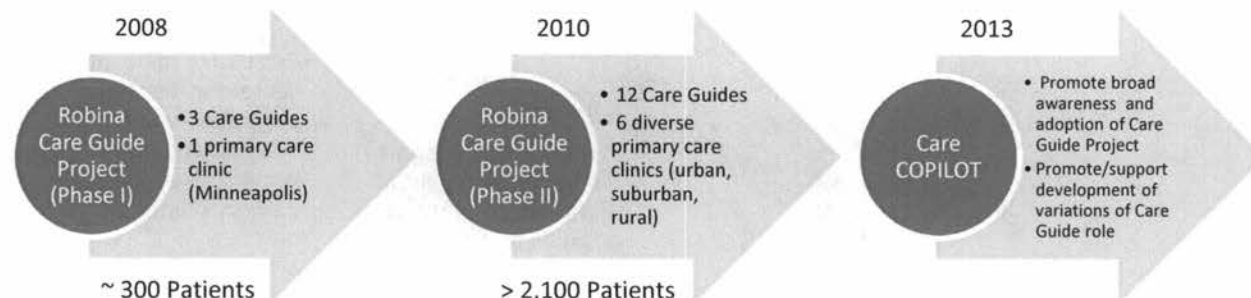
The following are organizations participating as both a CEO Summit Partner member and AIM network provider:

- Cuyuna Regional Medical Center—Crosby, MN
- District One Hospital—Faribault, MN
- FirstLight Health System—Mora, MN
- Grand Itasca Clinic & Hospital—Grand Rapids, MN
- Hutchinson Health Center—Hutchinson, MN
- Regina Medical Center—Hastings, MN
- Riverwood Healthcare Center—Aitken, MN
- River's Edge Hospital & Clinic—St. Peter, MN

Appendix E. Care COPILOT Program Summary Document

Care CoPilot

Promoting laypersons on care delivery teams



The Robina Care Guide Project

- Research study conducted in collaboration with University of Minnesota School of Public Health, and with funding support from the Robina Foundation
- A care guide is a non-clinical layperson who has a collaborative role within a team-based clinical setting, which consists of providers, nurses, medical assistants and patients.
- Study results indicate that patients working with a care guide were 31% more likely to achieve a care goal after 1 year when compared to patients not working with a care guide.
- Care guides integrated into the primary care team can improve chronic disease care at a relatively low cost.
- Care guides helped clinic maintain traditional roles and work flows, and were accepted by nurses and providers
- Care guides built long-term face-to-face relationships with patients which facilitated trust and compliance.

Care COPILOT

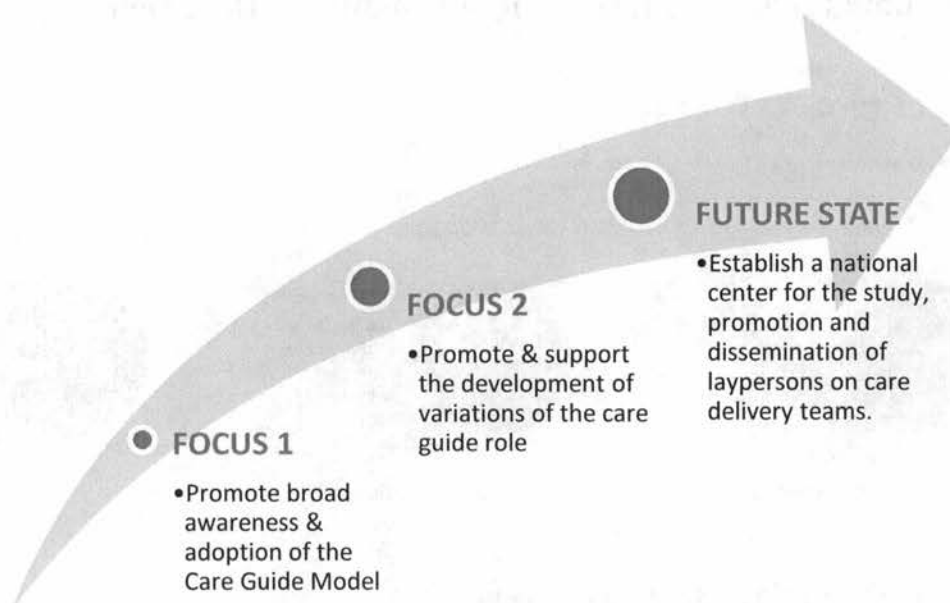
Vision

We envision a day when laypeople are a routine part of the care delivery team; viewed by providers as an indispensable team member necessary to delivering better care; appreciated by patients and communities for the persistent personal connection they provide; and supported by payers, employers and policy makers for demonstrable results towards achieving the triple aim.

Mission

Care COPILOT will promote Care Guide Project knowledge by *disseminating* the concept, actively *facilitating* its adoption, fostering its practical evolution and *studying* its use.

Focus Areas



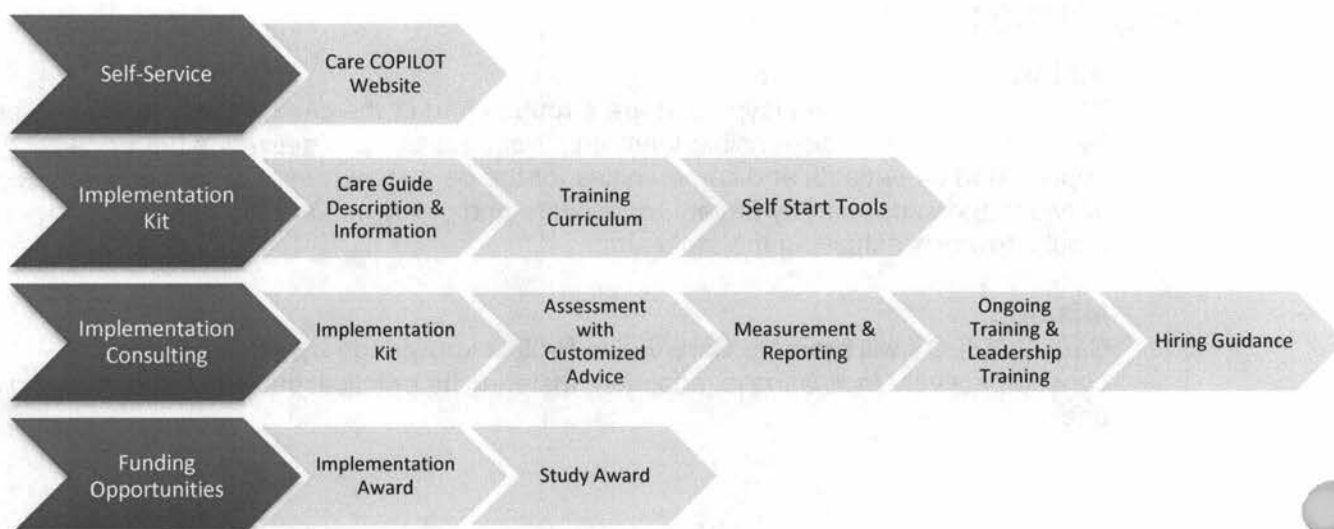
FOCUS 1 GOALS

- Disseminate the knowledge produced by the Care Guide Research Project to organizations at the local, regional and national levels.
- Facilitate the successful implementation of the Care Guide Project by providers outside the Allina Health organization.

FOCUS 2 GOALS

- Design, develop and deploy new variants of the care guide role.
- Facilitate the successful implementation of a new care guide role variant in a provider organization outside of Allina Health.
- Seek and receive outside funding for the design, implementation and study of at least one of the new care guide role variants.

Core Components



Appendix F. Care COPILOT Advisory Board Charter Document

Care CoPilot

Promoting laypersons on care delivery teams

Advisory Board Charter

Mission—Care COPILOT will promote Care Guide Project knowledge by disseminating the concept, actively facilitating its adoption, fostering its practical evolution and studying its use.

Vision—We envision a day when laypeople are a routine part of the care delivery team; viewed by providers as an indispensable team member necessary to delivering better care; appreciated by patients and communities for the persistent personal connection they provide; and supported by payers, employers and policy makers for demonstrable results towards achieving the triple aim.

Purpose—the board will help to:

- Ensure Care COPILOT activities move towards achieving its mission and vision
- Represent the needs of the external market
- Define and advise the level of support services provided by Care COPILOT to Allina Health
- Facilitate connections with organizations seeking to include laypersons on care delivery teams

Meeting Time/Frequency—the board will meet quarterly in 2013, either in person or virtually. Kimberly Radel, Operations Director of Robina Research Programs, will be the advisory board's primary point of contact and an ex officio member. As such, she will call the meetings, define the agenda and lead the advisory board meetings.

Membership—

Member	Title/Organization
Penny Wheeler	Chief Clinical Officer, Allina Health
Heather Britt	Director, Division of Applied Research, Allina Health
Karen Tomes	VP, Care Management & Patient Experience, Allina Health
Richard Adair	Principal Investigator, Robina Care Guide Project, Allina Health
Tomas Valdivia	Business Advisor, External
Deborah Elumba	Clinical Project Manager, Division of Applied Research, Allina Health
Christine Bent	Senior VP, Clinical Service Lines, Allina Health
Robert Wieland	Executive VP, Ambulatory Care, Allina Health
TBD	Leader from Independent Healthcare Organization
TBD	Senior Member, ICSI
TBD	Senior Member, Health Plan or Policy Organization

Membership of Care COPILOT's advisory board will change periodically, but will have a core makeup comprised of an:

- Allina Health senior executive
- Allina Health care management leader
- Abbott Northwestern clinical leader
- Allina Health Division of Applied Research senior member

One of the two to three external advisor positions will be filled by a senior member of a non-Allina Health provider organization. The other two positions will be filled by:

- Senior members of outside provider, or
- Provider-related organization (e.g., ICSI, commercial business, policy organization or health plan)

Appendix G. Care COPILOT—updated summary of service offerings

Summary of Products & Services Packages:

Package A- Starter Documents

*An Introductory Sample of
Documents*

(Free)

This package is free and includes sample documents that help to explain the care guide role. All sample documents are available for download from the Care COPILOT website.

Package B- Care Guide Model Tool-kit

*Documents for Self-Guided
Implementation*

(Fee: \$500)

This package is available for a nominal fee, and includes all contents of Package A in addition to a complete compendium of documents available for download from the Care COPILOT website.

The comprehensive set of documents are intended to help organizations in a self-guided implementation process.

Package C- Consulting Services

Implementation Consulting Service

(Fee: Custom)

Care COPILOT will consult with the client organization to customize an implementation plan and help shape the Care Guide model to fit the unique needs of the client organization.

Details of Packages:

Care Guide Role:

- Introduction to the care guide role
- Care guide scope of practice
- Portrait of a care guide
- Job description

Training & Education:

- Patient education handout (DM only)
- Care contract (DM only)
- Video snippet of training
- Program brochure

Package A

Introductory Sample Documents

Care Guide Role:

- Introduction to the care guide role
- Care guide scope of practice
- Portrait of a care guide
- Job description

Training & Education:

- Care guide training curriculum
- Training competency checklist
- Patient education handout (DM, HTN, CHF)
- Care contracts (DM, HTN, CHF)
- Program brochure

Getting Started:

- Clinic implementation schedule
- Program enrollment considerations
- EHR tools checklist
- Documentation templates
- Patient quarterly progress reports flowsheet
- Peer auditing tracking template

Package B

Documents for Self-Guided Implementation

All documents included in Package B

Consulting Services:

- Assessment with customized implementation recommendations
- Hiring guidance
- Measurement and reporting framework
- Ongoing training sessions
- Eligibility for funding opportunities
- Customized development of a specific care guide role or layperson role

Package C

Consulting Services

University of Minnesota Law School

Six-Month Report to the Robina Foundation on The Robina Institute of Criminal Law and Criminal Justice

April 10, 2013

The Institute is now fully staffed, and organized in three program areas: Criminal Justice Policy (Program Area Director: Michael Tonry); Criminal Law Theory (Program Area Director: Antony Duff); and Sentencing Law and Policy (Program Area Directors: Richard Frase and Kevin Reitz).

The Institute's activities are coordinated by an Executive Director (Michael Smith), and support is provided by an Administrative Assistant (David Hanbury) and a Communications Specialist (Robbi Strandemo). The first of a small cadre of Research Fellows (Zach Hoskins) is on board, working primarily in Criminal Law Theory, but assisting in the development of the work agendas and activities in all three Program Areas. The Institute has developed a comprehensive website (<http://www.robinainstitute.org/>) which takes advantage of conferencing and communication capacities of the internet, and provides visitors easy access to Institute publications, to agendas and videos of Institute events, and to external resources of likely interest to persons anywhere seeking information about crime and criminal justice policy.

The Robina Institute of Criminal Law and Criminal Justice was launched on November 11, ²⁰¹¹ at a conference titled "Rethinking Criminal Law and Criminal Justice." The Program Area Directors (Tonry, Duff, Frase and Reitz) sketched their plans in a large meeting of about 100 judges, legislators, county prosecutors, defense attorneys and scholars, and received useful suggestions from the group about how to go about the work. Hennepin and Ramsey County Attorneys Mike Freeman and John Choi were among the speakers.

The Visiting Scholars and Practitioners Program got underway with a broad solicitation of applications. During the 2011-2012 year, visitors included Professor Julian Roberts (Oxford), Professor Nicola Lacey (Oxford), Professor Nicola Vincent (Macquarie and Delft Universities) and Professor Andrew Ashworth (All Souls College, Oxford). At a small reception on October 3, the first two Visiting Practitioner Fellows were welcomed to the Institute: John Stuart (Minnesota's Public Defender for the past 22 years) and Geoffrey Edblad (Isanti County Attorney and, for the past seven years, chair of the Minnesota Sentencing Guidelines Commission). The Institute chose Dr. Kieran McCartan (University of the West of England) for its spring 2013 Visiting Scholar: he is in residence at the Law School for the month of April and is spending his time here conducting interviews and focus groups to investigate community understandings of and attitudes about the rehabilitation and community reintegration of child sexual offenders. His work was featured at the first session of a new series, "Robina in Conversation," on April 10, 2013. McCartan's presentation was followed by commentary from Robina Fellows John Stuart and Jeff Edblad and a general discussion, moderated by Professor Perry Moriearty, among the roughly 75 Twin Cities community members in attendance; among those participating were treatment providers who work with sexual offenders in the state, and

several Minnesota Department of Corrections officials responsible for managing this population.

Program Areas:

Criminal Justice Policy

The work in this Program Area aims to contribute to a major restructuring of the American criminal justice system, with particular emphasis on reduction of the mass incarceration that has produced an American imprisonment rate approaching 800 per 100,000 population without a corresponding public safety benefit. It is a rate eight times higher than the average of other developed countries. One program in one institute cannot by itself change a legal system, but it can play a significant role in the process. For example, Michael Tonry, Program Area Director, is a member of a newly created National Academy of Sciences Panel on Mass Incarceration; it was constituted to survey evidence and experience and to propose solutions. Tonry has also been participating in MacArthur Foundation deliberations as that foundation contemplates launching a decade-long (or longer) attack on mass incarceration.

The particular role the scholarly community can best play in these processes is to distill current knowledge, from which any evidence-based solutions must arise, and to test the possible effects of policy proposals. Daniel Nagin (Carnegie-Mellon, Heinz School of Public Policy, and Chair of the National Academy of Sciences Panel on the Deterrent Effects of Capital Punishment) and Jeffrey Fagan (Columbia and Yale Law Schools, and the most talented social scientist of his generation specializing in criminal justice) have agreed to serve as external co-directors of this Program Area.

Six discrete projects now comprise our work in this Program Area. Progress has been made in each during the second year, and plans are underway for activity in each in coming years:

1. *Commission on American Criminal Justice Policy.* Assessing the feasibility of organizing a privately funded national commission on criminal justice policy in the United States was a priority project described in earlier reports to the foundation. The Robina Institute has decided not to establish such a commission. Michael Tonry serves as an advisor to the John D. and Catherine T. MacArthur Foundation, which has elected to establish a major program on criminal justice policy reform. Among its activities is support of a National Academy of Sciences Committee on the Causes and Consequences of High Rates of Incarceration. Professor Tonry is a member of that committee and author of its final report's chapter on criminal justice and sentencing policy. He is co-author of chapters on the social, cultural, and political causes of mass incarceration and on the committee's policy recommendations. The committee's report will be completed by mid-summer 2013 and released early in 2014.

There is widespread agreement that the American criminal justice system is in turmoil—too costly, too severe, beset by unjustifiable racial disparities, and often unjust. In a comparably turbulent period in the 1970s two private commissions, respectively funded principally by the Field Foundation and the Twentieth Century Fund, issued important reports that proved highly

influential¹. When the Robina Institute's initial proposal was forwarded to the Robina Foundation, it appeared possible that a bill introduced into the U.S. Senate by Virginia Senator James Webb, calling for the creation of a national commission on criminal justice policy, would be enacted. In the end, though introduced in several Congresses, the bill did not pass. Had the National Academy of Sciences Committee not been formed, a case could be made for establishment of a high-profile privately funded commission. But the NAS Committee makes a private commission unnecessary.

2. *American Criminal Justice Policy since 1975*. This project aims to document interactions between knowledge derived from social science research and policy making since 1975. Original articles were commissioned from senior scholars, in most cases the unquestioned leading figures in their fields, on central policy subjects: guns and violence, drug control, deterrence of criminal behavior, treatment and rehabilitation, youth violence, longitudinal and experimental research, policing, and sentencing. Drafts of those articles were presented at the First Annual Robina Conference, on "Crime and Justice in America, 1975-2025," in April 2012. Most of the expenses for the conference were paid from a grant obtained from the National Institute of Justice, U.S. Department of Justice. The draft articles were subsequently discussed at a private scholarly conference attended by the authors and 15 other leading subject matter experts. Most were subsequently revised before being sent in each case to at least two and sometimes three paid referees. They have now all been substantially revised yet again. The resulting book, *Crime and Justice in America, 1975-2025*, edited by Michael Tonry, is in production at the University of Chicago Press and will be published in the summer of 2013. See Appendices 1, 2.

3. *Race, Ethnicity, Immigration, and the Criminal Justice System*. This project builds on Michael Tonry's *Punishing Race—A Continuing American Dilemma*, published in 2011 by Oxford University Press. That book exhaustively examines racial differences in criminality and racial disparities in case processing in the United States. The aim of the new project is to produce an authoritative summary of knowledge of the tortured interactions among race and crime, ethnicity and crime, and immigration and crime in the United States and other developed countries. Thirty-three survey articles were commissioned from leading scholars in the United States and elsewhere. The resulting book, *The Oxford Handbook of Ethnicity, Crime, and Immigration*, edited by Michael Tonry and Sandra Bucerius (a young German ethnographer at the University of Alberta), is in production at Oxford University Press and will appear in late-summer 2013. See Appendix 3.

4. *The Evolution of Judicial and Prosecution Systems in Developed Countries*. This comparative project aims to achieve improved understanding of differences between national judicial and prosecution systems, and the differences those differences make. Papers were commissioned on the prosecution systems of three American states (North Carolina, Washington, Arizona), five European countries (Italy, the Netherlands, Poland, Sweden,

¹ Andrew von Hirsch. 1976. *Doing Justice*. Report of the Committee for the Study of Incarceration (Hill & Wang); Alan M. Dershowitz. 1976. *Fair and Certain Punishment*. Report of the Twentieth Century Fund Task Force on Criminal Sentencing (McGraw-Hill).

Switzerland), and Japan. Drafts were discussed at an April 2011 conference in Minneapolis attended by the authors, other leading prosecution scholars from the United States and elsewhere, three American district attorneys (Milwaukee, Minneapolis, Anoka County), and the Irish Director of Public Prosecutions. All the articles underwent major subsequent revisions. The resulting book, *Prosecutors and Politics in Comparative Perspective*, edited by Michael Tonry, was published in 2012 by the University of Chicago Press. See Appendices 4, 5.

Explorations are starting with Central European University in Budapest and the Open Society Foundation about a follow-up project, conference, and volume on the development of judicial and prosecution systems in eastern and central Europe since the collapse of the communist regimes.

5. *Explaining Declining Crime Rates in Western Countries*. Crime rates have been falling in the United States since 1991, but there is nothing special about that. Crime rates have been declining in all developed Western countries since various dates in the 1990s. That parallelism also is nothing new. Crime rates fell in Western countries for which reliable data are available between 1830 and 1950, and rose in all between the 1960s and 1990s. This exploratory project, to our knowledge the only one of its kind anywhere, is attempting to document and explain those patterns. A multi-disciplinary and multi-national group of economists, statisticians, historians, operations researchers, and others has held meetings in Amsterdam (supported by a Dutch National Science Foundation research center) and Bologna, Italy to discuss successive drafts of commissioned papers. A third meeting will be held this May. The resulting book based on papers from the three meetings and edited by Michael Tonry will be published in 2014 by the University of Chicago Press. See Appendix 6. The project will, however, continue.

6. *American Sentencing Policy*. This project examines the causes and consequences of changes in American sentencing policies and practices, and in prevailing ways of thinking about crime and criminals, since 1960, and sets out proposals for fixing sentencing systems that almost all knowledgeable people agree are broken. Michael Tonry has been working on a book on this subject, tentatively entitled *Sentencing Fragments*, for several years. A draft of the book will be discussed at a Robina Institute Book Conference, organized with Richard Frase, in November 2013. The book will be published by Oxford University Press in autumn 2014.

Sentencing Law and Policy (SLP)

The Institute's work in this Program Area got underway with a meeting on December 2 and 3, 2011, which brought to the Law School twenty experts in community corrections to help chart revisions of the sentencing and corrections provisions of the American Law Institute's *Model Penal Code*. The Robina Institute's Kevin Reitz is lead Reporter for these revisions, responsible for drafting them and shepherding them through the ALI's multi-year process of refinement and promulgation. The original *Model Penal Code* was the most successful criminal law reform project of the 20th century, and was adopted in whole or in part by 40 state legislatures after its promulgation in 1962. The current, first-ever revision of the MPC is a unique opportunity to leverage the Code's stature to draw serious attention to problems in the criminal justice system most in need of reform.

The December meeting focused on noncustodial penalties, and the noncustodial portions of prison sentences (parole or "postrelease supervision"). It also addressed the enormous problem of "collateral consequences" of conviction. On any given day in the United States, there are nearly 5 million people on probation or parole, and many more, who have completed their sentences, struggle to reestablish their lives in the face of the many legal disabilities imposed on ex-offenders (such as restrictions on employment opportunities and ineligibility for public housing and student loans). To help develop proposals for the *Model Penal Code* revisions, probation and parole officials from Massachusetts, Minnesota, Washington State and Ohio were joined by law professors from Minnesota, Wisconsin, and Vanderbilt and by representatives from the ACLU and the Minnesota Sentencing Guidelines Commission.

The December meeting set the template for new proposed community corrections provisions that appeared in a "Discussion Draft" completed in March 2012. At 154 pages, the draft was well received within and beyond the ALI, as a powerful framework for addressing a host of problems now facing sentencing law and policy. (The draft was discussed with approval on the New York Times editorial page on May 19, 2012, see Lincoln Caplan, "Punishment Outside Prison.") The Robina Institute meeting was critical to the quality and scope of the March 2012 proposals. Also, as a direct result of the meeting, two participants were appointed by the ALI as Advisers to the revision process and another participant, Wisconsin Law professor Cecelia Klingele, was selected by Kevin Reitz to serve as Associate Reporter for the revision project. A second Discussion Draft on these subjects is now in preparation, and will be presented at the ALI's annual meeting in May 2013. The draft is scheduled for final approval by the ALI's voting bodies in October 2013 and May 2014.

The meeting of sentencing commissions, convened on March 30-31, 2012, continues to bear fruit. That meeting brought together 35 individuals who have been working on sentencing guidelines -- as members and staff of federal or state sentencing guidelines commissions or as scholars who study them. The aim at this meeting was to identify important current developments and to identify possible institutional collaborators for SLP research on difficult issues in guideline construction and application. Several possibilities for collaborative work with sentencing commissions emerged from the meeting:

- (1) A multi-state study of the use of criminal history scoring in sentencing guidelines, and the possibility of recalibrating the rules to improve public safety, reduce excessive or disproportionate prison sentences, and reduce racial disparities in punishment.
- (2) A multi-state collaborative project to address high failure and revocation rates for offenders who are serving sentences of probation or who are under parole or post-release supervision.
- (3) Research on ways to incorporate improved risk and needs measures into guidelines systems.
- (4) Co-hosting of the 2013 annual meeting of the National Association of Sentencing Commissions (NASC) by the Institute (SLP) and the Minnesota Sentencing Guidelines Commission. It was agreed that this meeting should include solicited research papers on

important sentencing policy issues such as the three described above, in order to provide direct policy guidance to state sentencing policy makers.

Following the March 2012 meeting, and building directly on the discussions and expressions of interest gained at that meeting, Professors Frase and Reitz made detailed plans for near-term SLP projects and began to carry them out. This work included:

(1) Planning for the 2013 NASC annual meeting (and laying a foundation for other collaborations with NASC and its members). At the NASC annual meeting held in Chicago on August 5-7, 2012, Professor Frase provided NASC members with an introduction to the Robina Institute's mission and plans, and Professor Reitz moderated a plenary session on risk assessment. At that meeting and in subsequent conference calls, Professors Frase and Reitz reached agreement with the NASC Executive Committee on the three policy topics to be addressed by commissioned papers at the 2013 meeting: 1. The Impact of Criminal History Enhancements on Guidelines Recommendations and Sentences Imposed; 2. Risk and Needs Assessments At Sentencing; and 3. Standards and Procedures for Revocation and Other Measures to Enforce Conditions of Probation and Post-Prison Release. Professors Frase and Reitz obtained agreement by leading scholars in each of these fields to present papers at the 2013 NASC meeting, and made plans for discussants and panelists to respond to those papers. Planning for these and other aspects of the August, 2013 meeting will continue through the end of this fiscal year.

We believe the 2013 NASC program will forge strong ties between the Robina Institute's SLP, NASC, its member commissions, and sentencing commissioners and commission staff around the country. These ties will, in turn, achieve several important SLP goals: to strengthen NASC so that it can better achieve its core purposes of information sharing and policy development; to encourage policy-related research by individual commissions or groups of commissions in partnership with SLP or on their own; to alert non-SLP academics to the legal, policy, and empirical research opportunities these commissions can provide; and, by raising the visibility of NASC and its members, to encourage new states to create sentencing commissions, join NASC, and launch guidelines and other sentencing reform projects.

(2) Selection and planning for this Program Area's near-term projects. Based on the March 2012 meeting, on discussions with the NASC Executive Committee and other NASC members, and on the research and policy-development strengths of SLP faculty, four high-priority, near-term projects were identified: 1. Multi-state Criminal History Project; 2. Multi-state Parole and Probation Revocation Project; 3. Sentencing Reform Repository Project; and 4. Project to Build Partnerships with Parole Release States.

Enhance -
needs

The scope and specific goals of each of these projects were described in materials submitted to the Robina Foundation under item (3), below. All four projects received majority or unanimous praise from the three outside reviewers chosen by the Foundation, recognizing both the importance of the topics and the ability of SLP to have a strongly positive impact. Of these projects, work is furthest advanced on the Criminal History and Revocation Projects. Professor Frase has done extensive research on criminal history

issues in Minnesota and has consulted closely with the Minnesota Commission staff on the research they have done. He has also obtained a commitment, pending funding approval, from Don Stemen (Loyola-Chicago, formerly at the Vera Institute) to work on this project and the sentencing reform repository. Professor Reitz has obtained commitments, pending funding approval, from Cecelia Klingele (University of Wisconsin) and Ronald Corbett (outgoing Commissioner of Probation in Massachusetts and national leader in probation reform projects), to work with several states wishing to reduce prison populations through the restructuring of their laws of sentence revocation (incarceration of persons on community supervision for violation of sentence conditions, often technical in nature). This project and the Criminal History project will both draw further support from the plenary session papers and panel discussions of those topics at the 2013 NASC annual meeting, as described above.

(3) Augmentation of work in this Program Area. At a presentation to the Robina Foundation Board on July 31, 2012, Professors Frase and Reitz described near- and longer-term SLP projects. In response to a question from a board member, they agreed that these projects would be able to move ahead much more quickly and effectively with additional resources, including reductions in the professors' teaching (thus far, all of the work they have done on SLP projects has essentially been an overload, on top of their regular teaching duties and other personal and professional commitments). Frase and Reitz have since refined their near-term project plans, identified staff and other resource needs, sought and obtained expression of interest from the most qualified persons to assist with each project, and prepared cost estimates and an overall budget for augmented work in this Program Area. None of these plans has yet been implemented, pending approval of additional funding.

(4) Planning for the 2013 Annual Robina Conference. The Sentencing Law and Policy program area is responsible for planning the Institute's 2013 Annual Conference, titled *American Exceptionalism in Crime and Punishment*. The goal of the meeting is to encourage American criminal justice policy makers to give greater attention to the legal systems of other Western democracies, which operate with significantly lower prison populations and lower rates of serious crime. The conference will also highlight ways in which US practices in probation, parole, and collateral sanctions of conviction are far out of line with norms in other industrialized democracies. Much of this will be entirely new research, on questions never before explored, but with enormous policy relevance. Ten papers have been commissioned for the conference, to be written by international leaders in the fields of history, political science, economics, criminology, and law. They will be published in a single volume, probably by Oxford University Press, although the University of Chicago Press has written to express interest in publication, as well.

The conference will include an all-day public meeting on Thursday, April 25, followed by a two-day working meeting of authors and other experts to critique and mold the conference papers for publication. We estimate an audience of 150 for the public meeting on April 25, including policy makers, practitioners, and academics. The published conference volume will reach a wider audience still, with an expected shelf life of many years.

Criminal Law Theory

Work in this program area is intended to facilitate new and more productive discussions among scholars, and between scholars and those directly involved in making, implementing and reforming criminal law policies, about some of the substantial problems found both in the content of our existing criminal law (which problems have provoked a widespread belief that we face a “crisis of overcriminalization”) and in its administration. Real progress in tackling these problems, real movement toward a more principled criminal law that can make a proper, though limited contribution to social peace, justice and security, requires attention to theory; we must engage in discussions about the aims that the criminal law should serve, about the proper grounds of criminal liability, about how we should decide which kinds of conduct can properly be criminalized, about how the criminal law should relate to other modes of legal regulation and control, and about how it should be enforced. Those discussions need to involve scholars who spend their lives directly engaged in criminal law theory, policy makers and practitioners who spend their lives formulating and implementing criminal law and policy, and activists who spend their lives campaigning for its reform. A central aim of the workshops organized in this program area has been to bring such people into mutually enlightening and constructive conversation.

The work got underway in April, 2012, when the Robina Institute built a small conference and workshop on “Criminal Responsibility and its History” around the presence in the Law School of Professor Nicola Lacey, the Oxford University Professor of Criminal Law and Legal Theory and Robina Distinguished Visiting Professor in Spring 2012, whose work on criminal responsibility is highly regarded on both sides of the Atlantic. Work in this Program Area continued through a series of workshops and a conference:

Workshop: Criminal Responsibility and Its History (13-14 April 2012)

This workshop brought together legal theorists, historians, philosophers and other scholars to discuss what it means to hold offenders responsible and how conceptions of responsibility have changed. It focused especially on the recent work of Nicola Lacey, who opened the workshop by discussing the history of criminal responsibility, and what she called a resurgence in recent decades of attributions of bad character to criminal offenders. From there, participants discussed the interplay between religious, scientific and legal conceptions of human agency; and the various challenges that responsibility raises for criminal lawyers as well as scholars. A central theme was how our understanding of modern legal practices, and our understanding of what the criminal law should be, can be improved by considering the history of criminal law.

Other papers were presented by Thomas Green and Elizabeth Papp Kamali, both of the University of Michigan; Nicole Vincent of Macquarie University in Australia and Delft University in the Netherlands; Ekow Yankah of Yeshivah University; Alan Norrie of the University of Warwick in the U.K.; and Joel Eigen of Franklin and Marshall College. Heavily revised versions of a number of these papers will be published as a Symposium in the journal *Criminal Law and Philosophy* in 2014.

Workshop: The Presumption of Innocence (May 2012)

This workshop brought together historians, philosophers, legal scholars and practitioners from across the United States and around the globe to discuss developments in criminal justice

that raise new questions about the role of the presumption of innocence in contemporary criminal law: the role it should play in the criminal trial, but also the broader roles it might play outside the criminal process. Eight papers were circulated and discussed—

- Shima Baradaran (Brigham Young), 'The Presumption of Punishment'
- Sherman Clark (Michigan), 'The Juror, The Citizen, and The Human Being: The Presumption of Innocence and the Burden of Judgment'
- Kim Ferzan (Rutgers-Camden), 'Prevention, Proof, and the Presumption of Innocence'
- Richard Lippke (Indiana), 'The Prosecutor and the Presumption of Innocence'
- JaneAnne Murray (Minnesota), 'The Presumption of Guilt and its Obligations'
- Roger A Shiner (University of British Columbia), 'Corporations and the Presumption of Innocence'
- Hamish Stewart (Toronto), 'A Foundation for the Presumption of Innocence'
- Carl-Friedrich Stuckenberg (Bonn), 'Who is Presumed Innocent of What by Whom? ... and What Does "Innocence" Mean and What is a Presumption?'

These papers, along with a further seven papers from a related workshop held in Aberdeen, will be published in 2014 in a special issue of *Criminal Law and Philosophy*.

Workshop: Preventive Justice (September 2012)

This workshop brought legal scholars from around the world to discuss when, and why, the state may be justified in using coercive measures not to punish people for crimes they have already committed, but to prevent them from committing crimes in the future. It focused on the recent research of Professors Andrew Ashworth and Lucia Zedner of Oxford University, who are directing a three-year project on preventive justice sponsored by the U.K. Arts and Humanities Research Council. Seven papers were circulated and discussed—

- Andrew Ashworth (Oxford), 'Distinguishing Punishment from Prevention and Regulation'
- Susan Dimock (York), 'Risk, Crime and Prevention'
- David Cole (Georgetown), 'The Preventive Turn in US Counterterrorism and its Spillover into Criminal Justice'
- Kim Ferzan (Rutgers), 'The Time before Crime'
- Allegra Mcleod (Georgetown), 'Sexual Harm, Political Emotion, and Criminal Law Reform'
- Stuart Green (Rutgers), 'Preventive Justice and Vice Crimes'
- Lucia Zedner (Oxford), 'Detaining the Dangerous: A Comparative Jurisprudence of Preventive Detention'
-

A selection of these papers will be published in 2014 in a special issue of *Criminal Law and Philosophy*.

Conference: Collateral Consequences of Criminal Records (October 2012, March 2013)

For the nearly one in three adult Americans with criminal records, the consequences of conviction include not only punishment but also collateral sanctions on employment, housing,

welfare and other important goods, restrictions that often remain in effect well after individuals have completed their sentences and that often frustrate or prevent their re-integration. The Institute teamed with Minnesota's Council on Crime and Justice to explore the issue of collateral sanctions at the 2012 Minnesota Justice Forum, held in the Law School. (The law firm Robins, Kaplan, Miller & Ciresi was also a sponsor of the conference.) Legal practitioners, policy-makers, scholars, and members of Minnesota communities discussed the effects of collateral sanctions, their rationales and possibilities for reform. After an overview of the issues by Cecelia Klingele (Wisconsin), panel sessions focused on the following topics:

- The Rationale Behind Collateral Sanctions
- Impacts on Individuals and Communities
- Collateral Consequences and Sentencing
- Pathways to Recovery
- Reentry and Redemption

The October conference was aimed at a large, public audience (about 150 people attended). It was followed by a smaller workshop in March 2013, involving scholars and practitioners with an expert interest in the issues, from Minnesota, from elsewhere in the United States, and from overseas. Seven papers were circulated and discussed—

- Nora Demleitner (Washington & Lee), 'Collateral Sanctions in the United States and Europe: Retroactivity and Proportionality'
- Elena Larrauri (Pompeu Fabra, Barcelona), 'Employment Disqualification: Punishments or Collateral Consequences of a Sentence?'
- Sonja Starr (Michigan), 'Do Criminal Record Set-Asides Affect Employment Outcomes and Recidivism?'
- Zach Hoskins (Minnesota), 'Reconsidering Collateral Sanctions as Punishment'
- Wayne Logan (Florida State), 'Informal Collateral Consequences'
- Mary Sigler (Arizona State), 'Defending Disenfranchisement'
- Chris Bennett (Sheffield), 'Penal Disenfranchisement'

We are exploring publication possibilities for these papers.

Workshop: Rethinking Sexual Offenses (April 2013)

Sexual offenses present a number of serious theoretical problems for the criminal law: these include the definition and classification of various kinds of sexual assault, the extent to which any types of consensual sexual conduct should be criminal, the investigation and prosecution of sexual attacks, and the appropriate punishment or treatment of sexual offenders. A small planning meeting to discuss these problems was held at Villanova Law School in November 2012, as preparation for a workshop in Minneapolis on April 4-6, 2013. Seven papers were circulated for discussion at the April workshop—

- Stuart Green (Rutgers), 'Sexual Offenses: A Taxonomy'
- Marc Spindelman (Ohio State), 'Male Sexual Victimization: Rethinking Paradigms of Sexual Violence'

- Donald Dripps (San Diego), 'The Dilemma of Punishment Deficits in a Hyper-Carceral Criminal Justice System'
- Leslie Green (Oxford), 'Social Morality and Sexual Offences'
- Fionnuala Ní Aoláin (Minnesota), 'Gendered Harms and their Interface with International Criminal Law: Norms, Challenges and Domestication'
- Janine Benedet (British Columbia), 'Reforming the Law of Sexual Assault in Canada: Lessons and Cautions'
- Kieran McCartan (University of the West of England; Robina Visiting Scholar), 'The Reality of Community Understandings of Sexual Violence'
- Michelle Dempsey (Villanova), 'Prosecutorial Discretion in Rape Cases: The Problem of Attrition and the Concept of Evidential Sufficiency'

The workshop also devoted a session to the work of the Minnesota Task Force on the Civil Commitment of Sex Offenders, led by two members of the Task Force (Kelly Mitchell and Mark Ostrem).

Other Activities

The Institute has been supporting research by Professor Barry Feld on Police interrogations of serious adult offenders, modeled on his research for his recent book, *Kids, Cops, and Confessions: Inside the Interrogation Room* (NYU Press, 2013). This research (and the book Feld will publish based on it) will fill an important gap in our knowledge—how police ordinarily interrogate adults suspected of murder, criminal sexual assault and aggravated robbery. Knowledge about these practices is important to understanding how and when false confessions and false convictions result. Institute funds support Feld's research assistants in analyzing the case files and tape recorded interrogations in a large sample of cases drawn from the files of the Hennepin and Ramsay County prosecutors' offices.

The Institute has appointed two Robina Visiting Scholars for 2013-14:

- *Professor Elizabeth Brown* (Niagara University), who will be working on a project on the social and political factors that help explain how the patterns of incarceration vary between and among U.S. states over time.
- *Professor Vincent Chiao* (Toronto), who will be working on a project on the role of the criminal law in a liberal democracy.
- Planning is underway for the 2014 Robina Conference (April 2014), on the theme of *The Future of Criminal Law?*
- Workshops are planned in Minneapolis for Fall 2013 on 'Immigration and Criminal Law', and 'Neuroscience and Criminal Law'.

* * *

An income and expense statement for the past ten months is attached as Appendix 7. As always, we are very grateful to Jim Binger and the Foundation for making the Institute possible.

Appendices

EDITED BY MICHAEL TONRY

A black and white photograph of a prison guard tower on a hill under a dramatic, cloudy sky. The tower is a small, square structure with a flat roof and several windows, perched on a dark, sloping hill. A metal staircase leads up to the tower. The sky is filled with large, bright, puffy clouds against a darker background. The overall mood is somber and institutional.

**CRIME AND
JUSTICE IN
AMERICA
1975-2025**

Crime and Justice in America, 1975-2025

Michael Tonry, editor

March 29, 2013 draft

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THE OXFORD HANDBOOK OF ETHNICITY, CRIME, AND IMMIGRATION
Sandra M. Bucerius and Michael Tonry, editors

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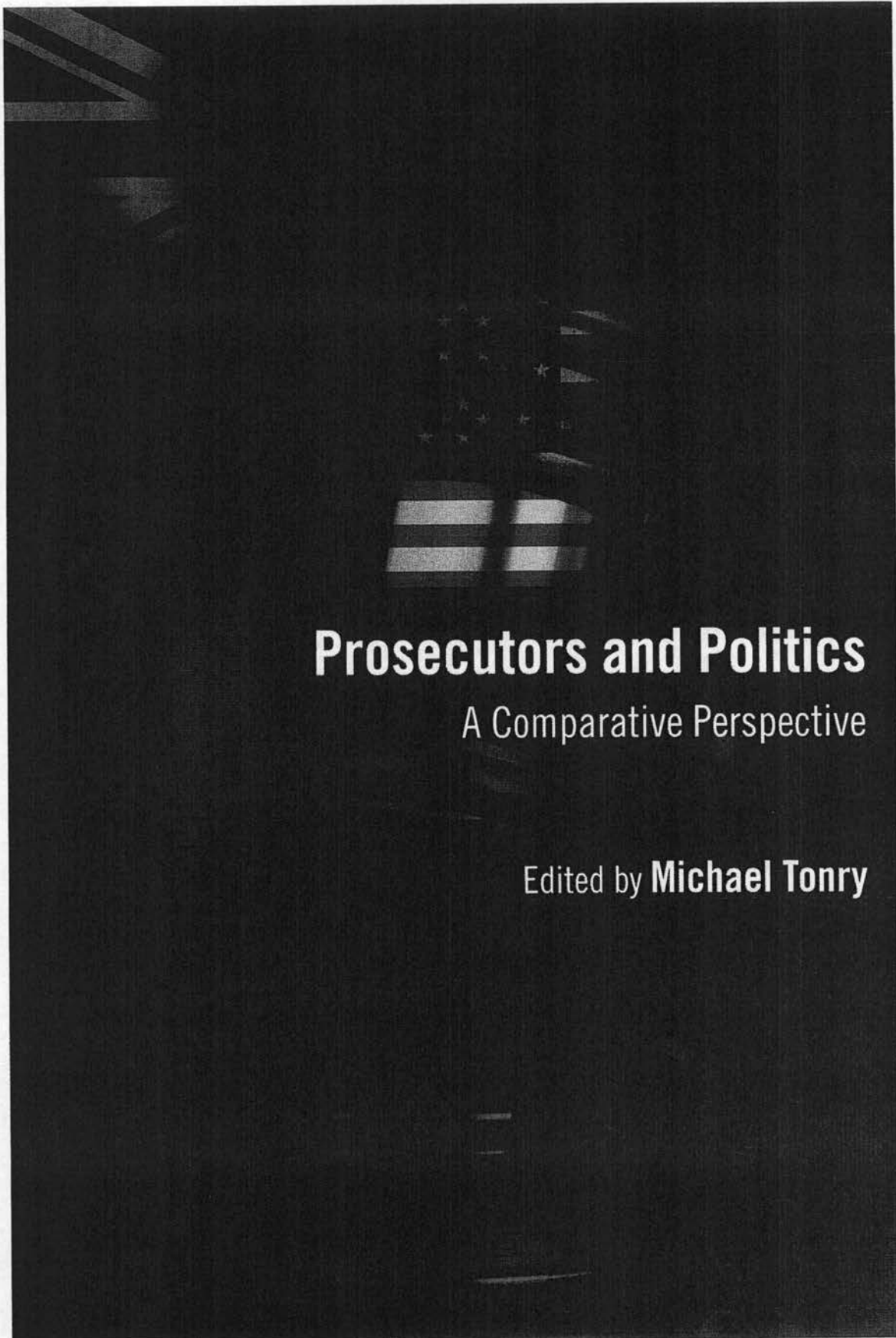
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BOLOGNA MEETING AGENDA

Thursday, March 8

8:30 pm Dinner

*Collegio Erasmus
Via De' Chiari, 8
40124 Bologna*

*Drogheria della Rosa
Via Cartoleria 10, Bologna
Tel. +39 051-222-529
<http://www.drogheriadellarosa.it>*

Friday, March 9

9:30 am Introductions and Background
Mike Tonry

10:15 am Data Sources (Harrendorf Paper)
Marcelo Aebi

11:00 am BREAK

11:30 am European Crime Trends (Aebi/Linde paper)
Marcelo Aebi and Antonia Linde

12:30 pm LUNCH

1:30 pm Global Homicide Trends (Lappi-Seppälä paper)
Tapio Lappi-Seppälä

2:30 pm Explaining European Trends (Buonanno et al.)
Paolo Buonanno (Drago will arrive late)

3:30 pm BREAK

4:00 pm Explaining Burglary Trends (Rosenfeld/Messner)
Rick Rosenfeld

5:00 pm Meeting adjourns

8:30 pm Dinner

*Trattoria Anna Maria
Via Belle Arti, 17/A Bologna
Tel. +39 051-266-894
<http://www.trattoriannamaria.com>*

Saturday, March 10 -

9:30 am Discussion: Are there common trends?
Mike Tonry, moderator

10:30 am BREAK

11:00 am Discussion: How can we explain common/divergent trends?
Mike Tonry, moderator

12:00 pm Meeting adjourns

REIMBURSEMENT

To submit expenses for reimbursement please send your receipts to David Hanbury. You can either scan and email them to him at: ghanbury@umn.edu

or send originals by mail to:

David Hanbury
Robina Institute of Criminal Law and Criminal Justice
229 19th Avenue South
313 Mondale Hall
Minneapolis, MN 55455

ROBINA INSTITUTE ON CRIMINAL LAW AND CRIMINAL JUSTICE

Robina Institute on Criminal Law and Criminal Justice

Description	Year 2 BUDGET FY 2013	Expenditures for Period 7/1/2012 - 4/29/2013	Anticipated Annual Expenditures 7/1/2013 -6/30/2014
<i>Research Streams</i>			
Criminal Law Theory	85,000	48,910.00	48,910
Criminal Sentencing Law and Policy	85,000	752.99	5,000
Criminal Justice Policy	85,000	300.00	21,304
<i>Visitors</i>	62,500	13,512.55	23,513
<i>Scholarship/Conferences</i>			
Annual Robina Conferences	40,000	13,523.58	42,426
Target of Opportunity Research Funds	30,000	4,456.76	4,457
<i>General Operations</i>	354,000	269,964.31	346,235
SUBTOTAL:			
Program Activities, Administration and Facilities	741,500	351,420	491,845
FACULTY DEVELOPMENT	752,634	520,189.38	751,599.00
SUBTOTAL: Faculty Development	752,634	520,189	751,599
TOTAL	1,494,134	871,610	1,243,444

University of Minnesota Law School

**Six-Month Report to the Robina Foundation on
The Robina Scholarship Match Program
April 1, 2012 through April 30, 2013**

April 30, 2013

The Robina Foundation has provided the Law School with \$1.25 million in scholarship support for a matching gift program. Under the program, scholarship matches are available at two different levels. A commitment of \$60,000 paid over three years (\$20,000 per year) generates a one-to-one match, resulting in a full scholarship for one student in the amount of \$40,000 per year. A commitment of \$15,000 paid over three years (\$5,000 per year) generates a corresponding three-year match from Robina of \$5,000 per year, thus generating a partial scholarship of \$10,000 per year for a student.

This matching gift program is appealing to donors and provides a strong rationale for giving to support students at the Law School. Over the past year, eight new donors have pledged a total of \$125,000 for Robina partial scholarships; and two donors have pledged a total of \$120,000 for a Robina full scholarship. The total of new commitments for both full and partial scholarships is \$245,000.

Under the leadership of a new Director of Advancement, the Robina Foundation Scholarship Program will be a centerpiece of the solicitation strategy for alumni, faculty, staff, and friends of the Law School. The matching funds will serve as a key talking point for fundraising staff and an important motivator for gift prospects.

The Robina Scholarship Match Program demonstrates that donors respond with increased giving when they learn about the additional funds generated by the Robina Foundation. Most of the eight donors of new scholarships over the past year increased their giving significantly over past years and were motivated by the matching funds. This also was the pattern in the previous year, indicating that the generous matching funds from Robina are an important incentive to donors.

ROBINA SCHOLARSHIP FUND
Scholarships Awarded Academic Year 2013

Reporting Period 07/01/2012 – 06/30/2013

	<u>Donor Funds</u>	<u>Robina Match</u>	<u>Total Award</u>
Robina Partial Scholarships (24 student recipients)	\$120,000	\$120,000	\$240,000
Robina Full Scholarships (3 student recipients)	\$60,000	\$60,000	\$120,000
TOTAL SCHOLARSHIP AWARDS (27 student recipients)	\$180,000	\$180,000	\$360,000

Note: These scholarship awards reflect gifts and matching funds from commitments made in past years as well as scholarship money received in the current year.

University of Minnesota Law School
Annual Report to the Robina Foundation
on the Robina Public Interest Scholars Program

April 30, 2013

Summary

Over the past year, the Law School awarded four (4) post-graduate fellowships to the Class of 2012, five (5) \$15,000 scholarships to the Class of 2013, and nine (9) scholarships of varying amounts to the Class of 2014. We awarded twelve (12) \$5000 summer fellowships to the Class of 2015 and the Class of 2014 for summer public interest work. Our new Public Interest Coordinator has offered directed counseling and resources to all students interested in public service, as well as provided programming in Summer Funding, Loan Repayment and Forgiveness Programs, Finding Summer Public Interest Work, and Post-Graduate Fellowships. We have begun the LRAP program planning and engaged nonprofit agencies, government employers, and community stakeholders with our program. Finally, we have chosen our Class of 2016 Robina Public Interest Scholars for the Law School.

The Robina Public Interest Scholars Program has excited and engaged law students, prospective students, employers and stakeholders, interested in developing future leaders in the public interest community. Students are taking on challenging and important work in nonprofit organizations and government agencies during their summers and post-graduate work, allowing them to continue in long-term public service careers. Employers have expressed gratitude for the help the Robina Foundation and the Law School have given to assist their clients and expand their legal work. We are confident that the Robina Public Interest Scholars program will develop leaders to advocate for vulnerable populations and tackle innovative solutions to current problems.

Goals and Objectives of the Robina Public Interest Scholars Program

The goals of the Robina Public Interest Scholars program are to:

- (1) Make long-term careers in public service affordable to graduates; and
- (2) Support students and graduates in their work with nonprofit organizations and government agencies.

These goals will be accomplished through four main objectives:

- (1) **Scholarships** – to attract and encourage students interested in public service.
- (2) **Law School Experience in Public Service** – to expose students to public interest work through mentoring, clinics, externships, pro bono/volunteer work, public interest course work, and summer internships.
- (3) **Post-Graduate Fellowships** – to enable students to launch a career in public service.
- (4) **Loan Repayment Assistance** – to enable graduates to continue careers in public service.

Part 1. Scholarships

Class of 2013 and Class of 2014 – We awarded five (5) \$15,000 scholarships to the Class of 2013 and nine (9) scholarships of varying amounts to the Class of 2014. First, we identified students with a demonstrated commitment to public service work and an expressed intent to pursue public service work after graduation. Students were identified through their pre-law school activities, (e.g. AmeriCorps, Peace Corps, ACLU), their summer or school-year internships during law school (e.g. Advocates for Human Rights, Minnesota Center for Environmental Advocacy, Southern Poverty Law Center), and participation in law school clinic or other law school activities (e.g. Minnesota Justice Foundation, Asylum Law Project).

Scholarship support has allowed these students to continue in public interest careers. Some of the students from the Class of 2013 have already secured post-graduate positions in public interest careers, including an Equal Justice Works Fellow at Mid Minnesota Legal Assistance working on a Medical Legal Partnership project, a law clerk at the Montana Supreme Court, and a position with the Judge Advocate General's office. Students from the Class of 2014 have secured second-year summer positions with public interest organizations, including the ACLU of Washington State, Ramsey County Public Defender's Office, Department of Health and Human Services, and the Ramsey County Attorney's Office. Robina Scholars also make presentations to students on summer public interest work and applying for post-graduate fellowships.

Class of 2015 – We will award ten (10) \$15,000 scholarships to students in the Class of 2015 this summer.. By waiting until this summer, we can identify students who have both a pre-law school demonstrated commitment to public service and have continued that commitment through their summer work.

Students from the Class of 2015 have applied for and received summer internships at several local and national legal service organizations and government agencies, including Mid Minnesota Legal Aid, Asian American Justice Center, Minneapolis City Attorney's Office, Central Minnesota Legal Services, Michigan Poverty Law Project, and the Minnesota Center for Environmental Advocacy.

Class of 2016 – We awarded twelve (12) \$15,000 annual scholarships to the admitted students in the Class of 2016 and offered them placement as Robina Public Interest Scholars. Our Public Interest Counselor worked closely with Admissions, Financial Aid, and Communications to market and promote the Robina Public Interest Scholars Program through the Law School website, promotional materials, and admissions documents. Over forty admitted students applied to be selected as Robina Public Interest Scholars and we selected twelve (12) students in the inaugural class.

To apply, admitted students had to submit a resume, transcript, and write an essay covering two of the three essay questions –

- (1) Please describe what public service means to you and why public interest law is right for you.*
- (2) Provide any examples of personal or professional experiences that demonstrate your*

commitment to public service and leadership.

(3) Why are you interested in this program and how will you utilize the knowledge gained to apply to your future work?

The Public Interest Coordinator, along with the Admissions staff, reviewed and selected among the applications. Scholars were chosen by their leadership potential, past demonstrated commitment to public service work, academic record, and future commitment to and understanding of public service work as shown by their essays. Many of the admitted students have indicated that the Robina Public Interest Scholars Program was the deciding factor in choosing to attend the University of Minnesota Law School.

Summer Public Interest Fellowships – We awarded twelve (12) Robina Public Interest Scholars summer funding awards in the amount of \$5000 each. This year, we invited local nonprofit organizations and government agencies to apply to host fellows. These organizations were asked to submit a sample posting, including information about their summer program and projects, and a letter of intent to host a fellow. We selected the following organizations to receive funding – Community Mediation Services, Southern Minnesota Regional Legal Services (SMRLS) – Housing Unit, SMRLS Mankato, Ramsey County Public Defender’s Office, Legal Services of Northwest Minnesota, Gender Justice, Neighborhood Justice Center, and Mid Minnesota Legal Aid – Litigation Unit. Those organizations posted their fellowship positions with the Law School and selected their summer fellows from applicants from the Classes of 2015 and 2014. The recipient organizations expressed gratitude to both the Robina foundation and the Law School for supporting their work this summer.

We awarded the other four (4) Robina Public Interest Scholar summer fellowships as “build your own” funding for students’ unpaid summer work at nonprofit organization and government agencies. To apply, students were asked to submit a resume and a personal narrative that described their commitment to public service, their proposed summer internship, future goals, and a letter of commitment from their sponsoring nonprofit organization or government agency. A Law School committee selected students to receive funding at the following organizations: U.S. Department of Education – Office of Civil Rights, Bloomington Immigration Court, United States Attorney’s Office in Minnesota, and the Minneapolis City Attorney’s Office.

While many students are interested in getting experience with public interest employers, most nonprofit organizations and government agencies provide only unpaid positions for the summer. The Law School supplemented the Robina Public Interest Scholars summer funding with funding offering seven (7) Robina Public Policy fellowships, three (3) Mansfield and Cooper Fellowships, and two (2) Justice John Paul Stevens Fellowships. The support of the Robina Foundation allows law students to gain experience and begin to make connections in their chosen field and with their desired employer.

Part 2 – Law School Experience

We are committed to providing a law school experience that offers students opportunities to build skills in direct advocacy, policy advocacy, community engagement, project sustainability, and leadership. By utilizing the Law School’s existing resources in externships, clinical

programs, public-interest-focused classes, mentoring, and volunteer work, as well as continuing to offer new experiences, the Law School can offer Robina Public Interest Scholars a specifically tailored law school experience that best helps them meet their goals.

Our Public Interest Coordinator has held stakeholder meetings with faculty, clinical faculty, student organization leaders, nonprofit organization leaders, government agency managers, and alumni in public service careers to begin to develop the law school experience aspects of the Robina Public Interest Scholars Program. We are working on a mentoring program to pair Robina Scholars with a faculty or external mentor. Currently, several diversity and government-focused mentoring programs exist at the Law School and we would like the Robina Program to work alongside those. We now offer 24 clinics and multiple classes relevant to a public interest career, as well as a number of extracurricular activities with a public service focus, such as the Asylum Law Project, New Orleans Legal Assistance, and Criminal Justice League.

In addition to providing law school experiences in clinics, classes, externships, and mentoring, the Robina Program will require each Robina Scholar to volunteer for at least 50 hours during law school through the Minnesota Justice Foundation, a nonprofit organization located on campus that matches students to volunteer legal activities. The Public Interest Coordinator has already been working with the Minnesota Justice Foundation staff to share resources and programming, as well as continue to build employer relationships.

Part 3 – Post-Graduate Fellowships

We awarded four (4) year-long post-graduate fellowships to four outstanding 2012 graduates. Each has exceptional public interest experience and each has worked as a student attorney and/or student director in a Law School clinic. Jenna Cieslak is working at the Volunteer Lawyers Network, assisting low-income individuals with bankruptcy and related debtor issues. Lindsey Greisig is working with Ba Futura Timor, promoting women's rights and fighting impunity for violent crimes against women and children. Mila Gunin is working with Chicago Volunteer Legal Services to represent indigent clients in general civil legal matters. Priyanka Sharma is working with the consumer and immigration law units of Mid Minnesota Legal Aid, assisting clients with foreclosure, debt collection, and immigration issues. The Public Interest Coordinator has worked with each fellow to support their current and post-fellowship public interest careers, including providing information on loan forgiveness programs and networking in public service careers.

All fellows submit monthly updates on their work. A few excerpts follow.

January Updates

I have a pretty full caseload now, consisting of dissolutions and adoptions. I'm in court on a regular basis and I also go over and file things often enough that the clerks recognize me, which is a lot of fun. I've gotten to know the quirks of various judges, and what to expect when I'm in their courtrooms. That way I'm able to give my clients a heads-up and make them feel a little bit more prepared when they step up in the courtroom. At any given time I have 10-15 cases that I am working on. Mila at Chicago Volunteer Legal Services

In the past month I've been working on several bankruptcy and family law cases. I recently filed my first bankruptcy case and am close to filing several more. I am also working on a custody case and several divorces, some with children and some without. Jenna at Volunteer Lawyers Network

February Update

The month of February was very successful in terms of litigation. At the beginning of the month I won an immigration case for a Mexican client. He spent the months of November, December, and January detained. After months of work on his case, the Judge granted my client's application for "cancellation of removal," meaning that my client could stay in the United States legally with a green card. My client was overwhelmed with joy and relief and sobbed as the interpreter told him the good news. Priya at Mid Minnesota Legal Aid

At the end of February, I represented another Hispanic client in housing court. My client's home had gone into foreclosure. In order to avoid any legal proceedings, my client signed a cash for keys agreement with the lender, agreeing to move out by the beginning of March. However, a few days later, the lender filed an eviction against my client. My client was distraught by the thought of a court proceeding. He was confused about why the lender would file a lawsuit when they had explicitly agreed to avoid any legal action. I filed an answer and showed up at the hearing. The lender's attorney was unaware of any cash for keys agreement. This is a typical left-hand/right-hand problem when dealing with major banks. Upon reading the agreement, the opposing attorney agreed to dismiss the case and I successfully argued for an immediate expungement of the eviction from my client's records. My client was very pleased and rushed off to the hospital where his wife was giving birth to their second child that same morning.

March Updates

This month I completed several divorces and adoptions. I had the pleasure of completing the very first case on which I stood up after I became a licensed attorney! Over the month, I had several clients call me up and tell me how happy they were with my services and that I had done a good job. To me, this was perhaps the greatest validation that I could get. Also, when I do intakes, I have had clients come to me and tell me that I am the first person to whom they have spoken about their issue. I get great pleasure out of being able to be that outlet for people. It is especially nice to help people who have ended up in a bracket eligible for our services recently, through unexpected reversals. In that situation, our organization is one of the few good things actually happening in their life! Mila at Chicago Volunteer Legal Services

While the young nation of Timor-Leste has adopted penal law and established courts, it has yet to agree to a juvenile justice code. As such, juvenile offenders (anyone under 16 years old) remain technically exempt from conviction. Unfortunately, this has resulted in juvenile offenders facing vigilante justice,

illegal (and therefore unsafe) court proceedings, and traditional justice. Conversely, many victims have been left without justice for often quite heinous crimes. Actions are thus progressing to ensure the Government adopts an appropriate juvenile justice code.

Recently, I had the opportunity to participate in a technical working group conducted by UNICEF in Timor-Leste. Over two days, the working group, which included Government representatives, police, and several civil society representatives, discussed relevant provisions for the Code. The group debated the minimum and maximum ages for special protections, incorporating difficult cultural nuances and legal theories. In addition, the group shared viewpoints on court procedures, detention centers, and other punishments.

I attended the discussion as a representative and I discussed concerns regarding procedural protections in arrests and hearings, and also contributed analysis of the juvenile detention problem where detention (or education) centers are over utilized and under funded. The draft legislation is set to be tabled in Parliament this year, with the hope that a proper code is adopted soon. Lindsey at Ba Futura Timor

We have been promoting the post-graduate fellowship opportunities to the Class of 2013. We will post four or five post-graduate fellowship positions in May, with one set at Mid Minnesota Legal Aid, one at Volunteer Lawyers Network, and two or three open for “build your own” positions. Our Public Interest Coordinator, along with the other members of the Career Center, has encouraged students still seeking post-graduate positions to begin reaching out to nonprofit organizations to develop projects appropriate for post-graduate fellowships. Our Public Interest Coordinator has also performed outreach this year to various nonprofit organizations and government agencies about our post-graduate fellowship opportunities, and will continue to expand our outreach this year to focus on federal government employers.

Part 4 – Loan Repayment

The Robina LRAP will enable graduates to continue public service and will be annually renewable for up to \$4000 for 10 years. The Robina LRAP, which will begin in 2017, will be available to Robina Public Interest Scholars working full time at any government agency, nonprofit organization, or international NGO. We will verify qualifying employment and salary on a bi-annual basis. Should the scholar continue in qualifying nonprofit or government work for 10 years, or 120 monthly payments, the Scholar would then be eligible for forgiveness of the remainder of his or her loans under Public Service Loan Forgiveness and College Cost Reduction Act.

While Class of 2016 Robina Public Interest Scholars and employers are excited about the Robina LRAP support, alumni have also provided positive feedback on the Robina LRAP plan. The Public Interest Coordinator is working with the Advancement office to look into options for additional funding for graduates engaged in public service work.

* * *

With the help of the Robina Foundation, the Robina Public Interest Scholars program will enable our graduates to be leaders in their communities, engage in innovative policy-making, and assist indigent and vulnerable persons as part of long-term public interest careers. An income and expense statement is attached as Appendix I.

As always, we are very grateful to Jim Binger and the Foundation for making the Robina Public Interest Scholars Program possible.

Appendix

Appendix I. Expenditures

PUBLIC INTEREST SCHOLARS PROGRAM

	<u>BUDGET</u> Year 1 FY 2013	<u>EXPENDITURES</u> 7/1 /2012 – 3/31/2013
<u>Public Interest Scholarship</u>	\$180,000	\$180,000
Class of 2013 – 5 awarded @ \$15,000	\$75,000	\$75,000
Class of 2014 – 9 awarded @ varying amounts ¹	\$105,000	\$105,000
<u>Summer Internships</u>		
Rising 2L, 3L – 12 awarded @ \$5,000	\$52,500	\$60,000
<u>Post-Graduate Public Interest Fellowships</u>		
Class of 2012 – 4 awarded @ \$25,000 ²	\$125,000	\$62,500
*? <u>Loan Repayment Assistance</u>	N/A	N/A
<u>Program Support</u>	\$74,800	
Program Coordinator 100% full time ³	\$74,800	\$67,261
Workshops/meetings and other networking activities	N/A	N/A

¹ Class of 2014 – Varying amounts were awarded because identified students had varying amounts of need due to other merit-based scholarships.

² We awarded 4 fellowships instead of 5 to transition graduates into the new fellowship program. We will award the full amount by the end of the 2013 fellowships this fall.

³ Position began in November, 2012.



Yale Law School

Kenna Barrett

Corporate and Foundation Relations Advisor

April 30, 2013

Penny Hunt
Executive Director
Robina Foundation
4900 IDS Center
80 South 8th Street
Minneapolis, MN 55402

Dear Penny:

It was wonderful to learn, upon my return to Yale Law School, that the School was in the first year of a renewed three-year grant for the Robina Initiative. Having the perspective of a few years' time away, I can see the ways in which the Initiative has grown appreciably, and I can unequivocally say that no other donor in well over a decade has had a comparable effect on the School's efforts to train future human rights activists, leaders, and scholars. We remain grateful for your support.

PROGRAMMATIC GOALS AND OBJECTIVES

The Robina Human Rights Fellowship Initiative provides annual support for the following components:

- A. *Robina Human Rights JD Scholarships* for 15-20 students interested in studying and pursuing careers in human rights;
- B. *Robina Summer Human Rights Fellowships* for 30-40 students interested in spending the summer doing human rights work;
- C. *Robina Post-Graduate Fellowships* for three or more emerging professionals interested in entering the human rights field;
- D. *Robina Visiting Human Rights Fellowships* for human rights professionals or scholars who will teach, write, conduct research, or lecture at the Law School or participate in the Law School's legal clinics and centers, and who will generally inspire future generations of international human rights lawyers and scholars;
- E. *Robina Human Rights Coordinator*, who will help facilitate the day-to-day activities of the Robina Initiative and assess the Initiative's impact;
- F. *Human Rights Clinical Education Innovation and Field Missions* for the development of new ventures in human rights clinical education or human rights

- field missions for the Allard K. Lowenstein International Human Rights Law Clinic or other human-rights related clinical courses; and
- G. *Outreach* for fostering networking among Robina Fellows and Scholars and conducting Schell Center outreach activities, including co-sponsoring human rights events with other schools and departments at Yale University and externally.

Additional goals of the Robina Initiative, which are in alignment with the goals of the overall plan for the human rights program at Yale Law School, include:

- Creating opportunities for Robina Scholars and Fellows to share ideas and experiences relating to human rights, work with each other on scholarship and practical research and projects, and make use of existing networks both at Yale and within the field broadly;
- Continuing to develop opportunities for students and faculty members to create and participate in new and innovative human rights projects through coursework, hands-on field work, and student activities;
- Encouraging new scholarship that will contribute to existing knowledge and advance new ideas in human rights;
- Providing support and encouragement for students and emerging scholars and practitioners to continue to pursue human rights work, either domestically or internationally;
- Utilizing the new human rights database to help our graduates and students learn about human rights fellowships and other opportunities at organizations or in regions of interest;
- Enhancing the Schell Center's ability to conduct outreach and cooperate with other schools, departments and centers at Yale University and with external organizations to organize an increasingly diverse array of human rights events, including more events with interdisciplinary perspectives; and
- Producing an annual assessment of the Robina Initiative by continuing to document and survey the experiences of Robina Visiting Fellows, Summer Fellows and JD Scholars, as well as beginning to track the post-law-school career paths of our graduates who have benefited from these programs.

PROGRESS TOWARD GOALS

This report will initially address our success at carrying out each of the programmatic components of the program and then will address our progress toward the goals outlined above.

A. Robina Human Rights JD Scholarships

Financial aid is one of Yale Law School's highest funding priorities. Each year, the Law School spends approximately \$8 million on grant-based scholarship support to current students (and, if we include also the cost of our loan forgiveness program, COAP, this

figure rises to \$12 million). Currently, 77% of our student body is receiving some form of financial aid for the 2012-2013 academic year. Approximately 12% of the Law School's budget for this fiscal year is expended on financial aid, with more than half (56%) of our students qualified for Law School institutional scholarships, averaging \$22,622 per student. The support provided by the *Robina Human Rights JD Scholarships* helps to preserve our need-blind admissions process—which enables us to continue to make admissions decisions regardless of students' financial ability—while also sustaining the diversity of our incoming classes.

We are pleased to report that during the 2012-13 academic year, we again provided *Robina Human Rights JD Scholarships* to 11 students interested in studying human rights and potentially pursuing careers in this field. The average award amount was \$23,534; the highest scholarship amount was \$31,480 and the lowest was \$12,253. The students who received the Robina Human Rights JD Scholarships are: **Emad Atiq '16 JD, Kristine Beckerle '15 JD, Tessa Bialek '13 JD, Rebecca Buckwalter-Poza '14 JD, Ravi Deedwania '14 JD, Arnaldur Hjartarson, '13 LLM, Kaitlin Konkel '15 JD, Sheng Li '14 JD, Benjamin Perryman '13 LLM, Marbre Stahly-Butts '13 JD and Julie Veroff '15 JD.** Please find in the attached addendum a set of short biographies of these students.

The backgrounds of the Robina Human Rights JD Scholars are quite varied: These students come from a wide array of geographic regions and educational institutions and have received an impressive number of accolades and honors, including, to name just a few, a Fulbright Scholarship, Rhodes Scholarship, AIDS Accountability International Expert Award, Gates Cambridge Scholarship, Benjamin Trustman Fellowship (to fund a year-long post-graduate experience in Jordan), Order of the Grail-Valkyries Academic Honor Society for excellence in scholarship, dynamic leadership, and innovative service, Charles W. Hufford Book Prize for a graduating Teaching Assistant who most embodies the qualities of energy and enthusiasm, and a Boren Fellowship for research in Nanjing, China. Equally remarkable are the many activities that these students have embarked upon during their law school experience that are related to human rights and international law. Here are just a few examples of the organizations in which these students are involved:

- Lowenstein International Human Rights Clinic
- Temporary Restraining Order Project
- Initiative for Public Interest Law at Yale
- Extraordinary Chambers in the Courts of Cambodia Project
- Women of Color Collective
- Yale Law Women
- Black Law Students Association
- American Constitution Society
- Iraqi Refugee Assistance Project
- Women, Incarceration and Family Law Project/Arthur Liman Public Interest Program
- *Yale Human Rights and Development Law Journal*

- *Yale Journal of International Law*

The Robina Human Rights JD Scholars make up an important part of the community of students at the Law School who share an impassioned interest in the public good and in human rights in particular. We are very thankful for the Robina Foundation's support of this outstanding cohort of scholars.

B. *Summer Human Rights Fellowships*

Each year, the Schell Center receives a large number of applications from students interested in spending their first or second law school summers working in human rights positions. The opportunity for students to participate in summer human rights work is invaluable and provides an excellent complement to students' research and studies in the academic year. The fellowships enable students who are interested in pursuing careers in human rights to "test out" this work and see whether it fits well with their aspirations. Many of the students who participate in this program attest that the time spent as a summer human rights fellow was one of the highlights of their law school experience.

As the Robina Foundation is aware, these fellowships are currently entitled the *Kirby Simon Summer Human Rights Fellowships, Supported by the Robina Foundation* in order both to acknowledge the Robina Foundation's generous support and to continue to honor Kirby Simon, the son of Professor John Simon—a Foreign Service officer who died in 1995 while serving in Taiwan—for whom these fellowships were originally named.

Through the support of the Robina Foundation, we were able to provide opportunities for 36 students to pursue fellowships in human rights during the summer of 2012. The 2012 summer human rights fellows were comprised of 29 students from the Class of 2014, four students from the Class of 2013, one student from the Class of 2012, and two graduate students from other Yale University schools. The average combined stipend and travel grant provided to each student was \$5,478, with a low of \$1,200 and a high of \$7,457. The organizations for which these fellows worked include Asylum Access Ecuador, Worker Rights Consortium in Bangladesh, the Supreme Court of Israel, the Iraqi Refugee Assistance Project in Jordan, European Court of Human Rights, and the Constitutional Research Institute of the Constitutional Court of Korea. Please find in the attached addendum a list of the names of students who received fellowships, as well as their brief biographies and descriptions of summer projects.

C. *Robina Foundation Post-Graduate Fellowships*

The *Robina Foundation Post-Graduate Fellowships* provide an unparalleled opportunity for recent graduates to spend a year working in judicial and other governmental and intergovernmental bodies or conducting independent human rights research. The Robina Post-Graduate Fellowships were designed to complement the Robert L. Bernstein Fellowships, also offered by the Orville H. Schell, Jr. Center for International Human Rights to graduating students or recent graduates. The Bernstein Fellowships focus

specifically on human rights *advocacy* work. The Robina Post-Graduate Fellowships have doubled the number of Yale human rights fellowships open to our recent graduates.

In 2012, Robina Foundation Post-Graduate Fellowships were awarded to **Leah Bellshaw '12 JD**, **Colleen Gilg '08 JD**, and **Josiah Pertz '12 JD**. In addition, **Michelle Argueta '11 JD**, a Robina Foundation Post-Graduate Fellowship in 2011-12, received a three month Robina Post-Graduate Fellowship extension as she continued her work at the International Criminal Tribunal for the former Yugoslavia and pursued career options in the field of international criminal law.

Leah Bellshaw '12 JD is spending her Robina Fellowship year working as an intern in the chambers of Judge Theodor Meron, who is the current President of the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague. Her work as an intern in Judge Meron's office encompasses a broad range of responsibilities. Most significantly, she has been involved in the drafting of two appeal judgments, both of which involved complex legal analysis and unprecedented holdings that significantly advanced the ICTY's jurisprudence. In addition to those judgments, she has drafted and edited several memos and judicial orders, as well as administrative decisions that are issued by Judge Meron in his capacity as President of the ICTY, rather than as a Judge of the Appeals Chamber. These decisions involve such issues as early release and sentence remission for convicted persons, matters relating to the detention of accused persons currently on trial, and the review of decisions made by the ICTY Registrar concerning, for example, legal aid for defense counsel. She has also conducted extensive research on various legal issues related to ongoing cases (the details of which are confidential as the matters have yet to be resolved).

Leah received a BA from the University of California at Berkeley, where she studied international development. Prior to law school she worked with refugees and forced migrants in Kampala, Uganda. At Yale, Leah served as a Managing Editor for the *Yale Journal of International Law* and as a Policy Editor for the *Yale Law & Policy Review*. In her second year, Leah competed in the International Criminal Court Moot Competition. She also co-directed the Project Assisting the Extraordinary Chambers in the Courts of Cambodia, co-chaired the Human Rights Committee of the American Constitution Society, and served as a Board Member of the Initiative for Public Interest Law at Yale. During her summers Leah interned with the Department of Justice Human Rights and Special Prosecutions Section, the Hebrew Immigrant Aid Society, and the World Bank.

Colleen Gilg '08 JD is also spending her Robina Fellowship year in the Hague working in international criminal law, at the Office of the Prosecutor at the International Criminal Court. Colleen graduated *summa cum laude* from the University of Notre Dame with a BA in Government and International Studies. During her time at the law school, Colleen served as a student director of the Lowenstein International Human Rights Clinic, a student director of the Schell Center, and a Teaching Fellow for a Yale College international human rights course. She also worked with immigration clients in the Community Lawyering Clinic. Colleen spent her law school summers in Costa Rica with

the Center for Justice and International Law and in San Francisco with the Center for Justice and Accountability. Between her second and third years of law school, Colleen worked in the Office of the Prosecutor at the International Criminal Court, first as an intern and then as a legal consultant.

After graduating from law school, Colleen spent two years at Simpson Thacher & Bartlett LLP in New York, where she helped represent the Government of the Dominican Republic in an international arbitration proceeding and successfully represented several clients seeking asylum. She then worked as an Associate Legal Officer in the Office of the Co-Prosecutors at the Extraordinary Chambers in the Courts of Cambodia. Colleen then served as a law clerk to Judge John C. Coughenour of the Western District of Washington.

Josiah Pertz '12 JD is spending his Robina Fellowship year in Strasbourg, France, working at the European Court of Human Rights. His primary duties are as a clerk to Judge András Sajó of Hungary, for whom he helps draft judicial opinions and prepare research memos on U.S. law and European Court of Human Rights jurisprudence. In addition, as a member of the Research Division, he is responsible for writing the section on U.S. law for the division's comparative law reports.

In law school, Josiah served as Editor of the *Yale Journal of International Law* and co-chairman of the Barristers' Union trial advocacy organization. He was a Moot Court semifinalist and a finalist for the Trial Prize. Devoting a substantial portion of his coursework to international law, Josiah received a Coca-Cola World Fund Fellowship to research Costa Rica's historic referendum on the Dominican Republic-Central America-United States Free Trade Agreement. He is currently at work on a book about that election, recounting how a Nobel Laureate, an astronaut, a crocodile wrestler and two U.S. presidents came together to promote the agreement. Josiah also interned in the chambers of Judge Sandra Townes of the Eastern District of New York.

Prior to law school, Josiah was chief English speechwriter for Nobel Peace Laureate and Costa Rican President Oscar Arias, then chief speechwriter for United States Senator Robert Menendez. He received his BA from Harvard. Josiah writes in his interim Robina Fellowship report:

So above all, I would like to take this opportunity to express my thanks. I hope to have made contributions, however modest, to the work of the institution and of human rights protection, and gained experience in research and writing that will allow more contributions to the field in the future. And beyond the work aspect, my life is immeasurably richer because of this. Living here has opened my eyes to new ways of thinking, wonderful people, a new language, the joys of pork and sauerkraut, the advantages of dedicated bicycle lanes, and so much more. I count my blessings every day for this experience. Please accept my sincere gratitude.

D. Robina Foundation Visiting Human Rights Fellowships

During the 2012-13 academic year, we appointed **Tom Dannenbaum '10 JD**, **Lucas Guttentag**, **Hassan Jabareen**, **Zachary Kaufman '09 JD**, and **Daniel Wilkinson '00 JD** as *Robina Foundation Visiting Human Rights Fellows*. The following paragraphs describe their backgrounds and their activities over the course of their fellowship periods.

Professor **Tom Dannenbaum '10 JD** is currently a PhD candidate in the department of politics at Princeton University, where he is writing a dissertation on the moral integrity of the soldier and the normative meaning of fighting in a criminal war. His academic articles have appeared in the *Harvard International Law Journal*, *International & Comparative Law Quarterly*, *Security Studies*, the *Cornell International Law Journal*, and several other law journals and edited volumes. His work on state and international organization responsibility for the wrongful acts of peacekeepers has been cited by the Hague Court of Appeal in the Netherlands and the International Law Commission. He holds degrees from Stanford University, Princeton University, and Yale Law School, where he was an editor of the *Yale Law Journal*. He expects to complete his PhD in political theory and international relations in 2014. At Yale this past fall, Professor Dannenbaum taught International Law and Armed Conflict.

Hassan Jabareen is the founder and general director of Adalah - The Legal Center for Arab Minority Rights in Israel, and a leading Palestinian human rights lawyer in Israel. He regularly litigates before the Israeli Supreme Court on behalf of Palestinians in Israel and in the Occupied Palestinian Territory (OPT). Major cases include representing Arab political parties and leaders in election disqualification cases and in political, criminal cases; and challenging the Citizenship Law, which prohibits family unification between Palestinians from Israel and the OPT, and the no-compensation law, which banned Palestinians from the West Bank and Gaza from obtaining damages from Israeli security forces. Further, he led the legal team in the representation of the 13 bereaved families of the October 2000 killings and Arab political leaders before the Or Commission of Inquiry. He has been teaching in Israeli law schools since 1998 as an Adjunct Lecturer on the legal status of Palestinian citizens of Israel and has published academic articles on cause-lawyering and the constitutional status of the Palestinians; a recent article was published in *Yale Human Rights & Development Law Journal*. Hassan was a Yale World Fellow in 2005-2006.

As a Senior Robina Visiting Human Rights Fellow, Hassan presented a talk at the Human Rights Workshop in October 2012 entitled: "How the Palestinians Became a National Minority in Israel". This talk was based on an article that he wrote during the fellowship, which will be published in an edited book by Oxford University Press in 2013. He is currently working on further academic articles about the rule of law and the Palestinians in Israel. He has also been working with a team of students in the Lowenstein International Human Rights Clinic preparing a brief for the Israel Supreme Court and a report for a U.N. special rapporteur related to Israel's plan to build a Jewish settlement in the Negev that will displace a Bedouin community from the homes to which Israel moved them many years ago.

Zachary Kaufman '09 JD, is the founder, president, and chairman of the Board of Directors of the American Friends of the Kigali Public Library and an honorary member of the Rotary Club of Kigali-Virunga, Rwanda. Together, these organizations built the Kigali Public Library, Rwanda's first-ever public library. Zach also serves on the Advisory Board of Indego Africa, the American Planning Board of Humanity in Action, and the Washington Lawyers Committee of the United States Holocaust Memorial Museum. Previously, Zach practiced law at O'Melveny & Myers LLP—where he served as pro bono counsel to Ashoka, the global association of leading social entrepreneurs—while teaching as an adjunct professor at George Washington University's Elliott School of International Affairs. In addition to his other writing, Zach has published two books: he is the co-editor (with Dr. Phil Clark) of *After Genocide: Transitional Justice, Post-Conflict Reconstruction, and Reconciliation in Rwanda and Beyond* and the editor of *Social Entrepreneurship in the Age of Atrocities: Changing Our World*.

During his Robina Fellowship period, Zach is adapting the dissertation he wrote for his doctorate in International Relations at Oxford University into his third book, on U.S. foreign policy on transitional justice; working on a law review article on transitional justice; and writing several shorter pieces on social entrepreneurship. He has also been on a book tour for *Social Entrepreneurship in the Age of Atrocities*.

Daniel Wilkinson '00 JD, is the Managing Director of the Americas division at Human Rights Watch. He has conducted fieldwork and advocacy throughout the region, and authored reports on human rights issues in Brazil, Colombia, Cuba, Mexico, the United States, and Venezuela. Wilkinson's writings on U.S. policy toward Latin America have been widely published. His book, *Silence on the Mountain: Stories of Terror, Betrayal, and Forgetting in Guatemala*, won the PEN/Albrand Award for nonfiction.

On March 7, 2013, he spoke at the Schell Center's Human Rights Workshop. His talk, *The Art of Effective Human Rights Advocacy: The Case of Colombia*, drew a substantial audience. He will also be participating in other Yale Law School events throughout the semester. During the period of his fellowship, Wilkinson has been conducting research on international and domestic law related to organized crime and the impact of U.S. "drug war" policies on efforts to strengthen human rights protections in Latin America.

Professor **Lucas Guttentag** continues to serve as the Robina Foundation Distinguished Senior Fellow in Residence. He began teaching at Yale Law School in 2009 and is in residence each fall semester. Professor Guttentag is the founder and former national director of the ACLU Immigrants' Rights Project, which he led for more than 25 years, litigating complex civil rights, class action and constitutional cases in courts throughout the United States, including successful arguments in the Supreme Court. Under his leadership, the Immigrants' Rights Project became the largest litigation program in the country enforcing the civil and constitutional rights of non-citizens. He has testified before Congress, often appears in national media, was named a human rights "hero" by the ABA Human Rights journal and has received many awards for his litigation and leadership. He is a fellow of the American Bar Foundation and is receiving an honorary degree from CUNY Law School in 2013.

This past fall at the Yale Law School, Professor Guttentag taught a course on Immigration Law, Policy and Constitutional Rights and a course on Strategic Impact Litigation. He also co-taught the Liman Public Interest Workshop on Borders and the Liman Public Interest Practicum. A total of 71 students were enrolled in these courses. Many, many more have benefited from his engagement in the Law School and the world beyond the university, having been able to participate in (and in some cases helped organize) events such as the annual Immigration Litigation Roundtable; a racial profiling roundtable; and an Immigration Theory, Practice and Workshop series.

The Robina Visiting Fellows, by hosting discussions, delivering lectures, participating in conferences, advising students and publishing scholarship—have a valuable impact both inside and outside the Law School, contributing to human rights discourse throughout Yale University and in the wider community of human rights scholars and advocates. They inject vibrancy and freshness into the intellectual life of the Law School and the larger world while themselves taking advantage of a period of intellectual renewal and professional development.

E. Robina Human Rights Coordinator

Katherine (Katy) Lawder began her position as the Robina Foundation Human Rights Fellowship Initiative Coordinator in 2010. In this role, Katy coordinates the day-to-day activities of the Robina Initiative; processes Robina Post Graduate Fellows and Visiting Robina Fellows; developed and manages the human rights alumni database; implements assessment tools to continuously monitor and evaluate the Robina Initiative's impact; and collaborates with the Schell Center's Director, Jim Silk, to conduct further outreach to Alumni and to students in other parts of the university to increase their involvement in the Law School's human rights programs.

Human Rights Alumni Database

The human rights alumni database has been a significant project and is now fully functional. Earlier in the year, the structure of the database was successfully shifted from Excel to Access, which allows for more efficient and sophisticated use of the database. Katy then worked with the Law School's Information Technology team to finalize the design of the database, expanding it considerably to enable the tracking of alumni subsequent to graduation from YLS. Thus, the first phase consisted of documenting (on Excel) close to two thousand individuals who had participated in human rights-related activities at the law school since 1985. Once this was accomplished, the second phase was to shift to Access and to expand the structure of the database to include fields for contact information and employment history. The third phase, which will require ongoing input and maintenance, is to research and enter contact information and employment history, on the basis of information collected from the Law School's Career Development Office and from publically available websites.

The goal of the database is to create a centralized source of information on the Law School's human rights community, and we anticipate that there will be many ways to use

this information. For example, an inaugural email blast has already been sent out this spring to invite our "human rights graduates" to this year's Bernstein International Human Rights Symposium. The Bernstein Symposium is the Schell Center's annual human rights conference, bringing together students, international human rights fellows, advocates and scholars to provide a public forum for discussion of critical human rights issues. This year's symposium was *Beyond Kiobel: Human Rights and Corporate Liability in the 21st Century*. The alumni email also extended an invitation to a reception held on the first evening of the Symposium to honor former Law School Dean and Schell Center Director Harold Koh with the unveiling of his portrait. A number of graduates who learned about the event from the mass email attended. The message also introduced our graduates to the networking potential of the database.

Now that the human rights alumni email list is in place, additional emails can easily be sent for a variety of purposes. Specialized email lists can also be created on the basis of a number of different categories and combinations, such as all graduates from a particular Law School graduating class; all graduates who have worked in a particular geographic area; or graduates who share specific professional affiliations.

In addition to providing a powerful mechanism for outreach and community building, the human rights alumni database is a comprehensive repository of information. It can be used to generate reports, to track trends, to provide contacts for current students, and to assist the Schell Center in planning events and panels.

Yale University Human Rights Resource Guide

Katy also continues to work on developing a Yale University Human Rights Resource Guide, which is designed to provide an inclusive listing of human rights-related teaching, research and activities throughout the University. The resource guide constitutes an attempt to consolidate and centralize the wide array of scattered activities and resources of interest, whether in the form of individual courses or seminars (undergraduate, graduate and professional) or in the form of research and events at various University centers and institutes.

This Guide will be a valuable resource to law and other students interested in exploring human rights opportunities in diverse parts of the University as well as to law school faculty and staff seeking to develop and further inter-disciplinary connections with other departments and programs. Courses with human rights content can be found in several of the professional schools, including the School of Medicine's Department of Epidemiology and Public Health, the Divinity School, the School of Management, and the School of Forestry and Environmental Studies. Areas of overlap and interest can also be found in several of the graduate school departments, such as African Studies, International Affairs, Political Science, and Anthropology, to name only a few. In addition, there are also a number of centers and programs that offer opportunities for information sharing and synergy. Katy will also be working with the Yale College Liaison to the Schell Center in the coming months to incorporate some of the undergraduate student organizations.

Online?

One point of difficulty is that this kind of information changes from semester to semester: professors go on leave or sabbatical; new initiatives are created; and visiting researchers come and go. Once the fundamental structure has been established, the resource guide will need to be annually verified and updated. The Schell Center already coordinates with many of these other entities throughout the university and, building on this research, will be in a position to do so even more in the future.

Monitoring and Assessment

Assessment activities this year again correspond to the progression of the academic cycle, with timelines that will allow all data, for current and previous cohorts, to be available for summary and analysis early in the summer. A combination of personal interviews, written questionnaires and written reports will provide information on all areas of the Robina Initiative and will be utilized in the preparation of the 2013 Robina Fellowship Assessment.

In addition to the qualitative assessment piece, the new human rights alumni database can be tapped to provide a wealth of information for monitoring and assessment purposes. A large part of Katy's time is devoted to the maintenance of the database, both by adding new individuals every semester and every summer (students) and by updating the employment history of those already in the database. We now have in place a robust monitoring tool that will enable us to more easily document activities, track trends and perhaps perform more longitudinal analyses in future. The human rights community at the law school is growing quickly, and the total number of individuals in the database will exceed 2,000 by the fall of 2013.

F. Human Rights Clinical Education Innovation and Field Missions

Clinical experience is an essential part of students' development of the knowledge and skills necessary to be effective advocates. This component of the Robina Initiative:

(1) supports the costs of the Lowenstein and other human rights-related clinics to conduct field research, in order to provide students with the intensive field experience that is critical to their practical human rights education; and (2) enables our faculty to explore and develop initiatives that renew and enrich our human rights-related clinical work. This year, the Human Rights Clinical Education and Field Missions sponsored the following activities:

- 1) **Sierra Leone.** The Lowenstein Clinic team (Jim Silk, Amanda Elbogen, Todd Baker and Stephanie Keene) traveled to Sierra Leone October 2-5 to present the findings and recommendations of their report on failures to prevent child marriage in the country at a meeting of government and civil society officials.
- 2) **Transnational Development Clinic.** Professor Muneer Ahmad traveled with students in the Transnational Development Clinic to Washington, D.C. and New York for hearings in the case the team is working on.

- 3) **Annual Human Rights Clinical Faculty Symposium.** Jim Silk and clinical fellow Soo-Ryun Kwon attended the National Human Rights Clinical Faculty Symposium, hosted this year by Stanford Law School, January 19-20, 2013.
- 4) **Lowenstein Clinic Iran project trip to Essex, England.** A Lowenstein Clinic team (Soo-Ryun Kwon, Stephanie Kim, and Kyle Delbyck) traveled to Essex to attend a conference of Iranian human rights organizations, present their preliminary research findings and interview conference participants. The conference was held at the University of Essex December 15-18, 2012.
- 5) **Transnational Development Law Clinic cholera accountability project trip to Haiti:** A Transnational Development Law Clinic team led by Professor Muner Ahmad and Visiting Schell Fellow Troy Elder traveled to Haiti over the Law School's spring break to interview Haitian officials, the staff of non-governmental and inter-governmental organizations and survivors of the cholera epidemic as part of research on U.N. responsibility for the epidemic and to strategize about efforts to secure redress for the effects of the epidemic on the human rights of Haitians.
- 6) **Lowenstein Clinic project on failure of institutions to address corruption in Uganda:** In May, a team of Lowenstein Clinic students will travel with clinical fellow Soo Kwon to Uganda to conduct research for a report on the failure of Ugandan institutions designed to hold corrupt officials accountable.

G. Outreach and Clerical Support

Last year, with the Robina Foundation's permission, we expanded the use of funds designated for clerical support and other administrative expenses associated with implementing the Robina Initiative to include support for activities that encourage interaction and networking between Robina Scholars and Fellows and for conducting human rights outreach activities, particularly with other schools and departments at Yale University.

- James Silk traveled to Italy May 5-11 with student Paul Linden-Retek and former student Tendayi Achiume. They gave talks and conducted workshops with students and faculty at the University of Brescia Faculty of Law, which had recently, with earlier technical assistance from Professor Silk and other colleagues and students, created Italy's first law clinic. The Brescia clinic has begun to develop a strong focus on human rights issues. The Yale team addressed challenges of human rights clinical work and taught a mock class.
- This Robina budget line also supported the work of the Schell Center's undergraduate assistant, Yale College student Talya Lockman-Fine, who has been coordinating outreach to the undergraduate community as well as helping with the planning of Schell Center events.

- Two events organized by Professor Silk and Talya were geared toward engaging Yale College students in the human rights activities of the Schell Center: an April 9 panel of current Yale law students who have focused on human rights in law school and an April 22 meeting with Yale College undergraduate student leaders of 15 human rights-related organizations, designed to foster greater coordination and cooperation with the Schell Center on human rights events and other activities.
- Talya has also helped Professor Silk initiate a program to match undergraduates interested in human rights and law school with law-student mentors who have been deeply involved in the Law School's human rights program.
- In addition to Talya's work, the Clerical/Outreach category supported the purchase of computers and other technology for some of our Fellows as needed.

Please note that the update we had provided last year on ongoing relationships between Robina Scholars/Fellows and Yale Law School graduates will now be provided in the annual Fellowship Assessment that we provide to the Foundation over the summer.

UNANTICIPATED RESULTS AND POTENTIAL CHANGES

With the benefit of four years' experience under our belts, we did not have any significant unanticipated results or potential changes to our scope of work. We have been able to absorb some surplus funds that accumulated in the earlier years of the program, as our budget shows.

PLANS FOR NEXT YEAR

We are currently in the midst of extending invitations to several outstanding scholars and practitioners to be Robina Visiting Human Rights Fellows next year. We will, therefore, provide updated information about next year's Robina Visiting Human Rights Fellows to the Robina Foundation later this summer. We do, however, expect Lucas Guttentag and Tom Dannenbaum to stay on as Robina Visiting Human Rights Fellows next year.

We have chosen four individuals to be the 2013-14 *Robina Foundation Post-Graduate Fellows*. Their names and judicial clerkship assignments are as follows: **Sue Guan '12 JD**, Chambers of the President of the International Criminal Tribunal for the former Yugoslavia; **Julie Hunter '13 JD**, Chambers of the European Court of Human Rights; **Scarlet Kim '11 JD**, Legal Enforcement Unit of the Presidency of the International Criminal Court; and **Ryan Liss '13 LLM**, who will be a prosecutorial intern at an international criminal tribunal. Another individual, **James Shih '13 JD**, was selected but will defer his Fellowship until a later time.

Robina Initiative Coordinator Katy Lawder will continue in the coming year to assess the Robina Human Rights Fellowship Initiative. She will also coordinate the Initiative, help Robina Visiting Human Rights Fellows integrate successfully in the Law School community, and help the current and former fellows interact with each other and with others in the human rights field. She will continue to develop and use the human rights database and will finish the Human Rights Resource Guide.

We will continue to publicize the Robina Initiative to students through our website, email messages, wall posters, and publications (see an example of the advertising for the Robina Post-Graduate Fellowships at <http://www.law.yale.edu/intellectuallife/RobinaFellowship.htm>). To external audiences, we will continue to issue press releases announcing Robina Visiting and Post-Graduate Fellows. We will also maintain the Robina Foundation Human Rights Fellowship Initiative web pages at <http://www.law.yale.edu/Intellectuallife/RobinaFellowship.htm>.

FINANCIAL REPORT

As the Robina Foundation may recall, Yale's fiscal year takes place during the period of July 1 through June 30. Because of the timing of our fiscal year, the final annual expenses of the Robina Initiative only become fully available in the August following the end of the fiscal year. For this reason, we will provide a final financial report for Year 1 to the Robina Foundation in August 2012 in order to confirm or make any necessary adjustments to our current projections, provided below:

Income:			
	\$ 1,000,000	New Award	
	\$ 97,561	Balance Forward from FY 12	
TOTAL:	\$ 1,097,561		
			Projected
		Actuals YTD	Actuals FY
	Original	(as of	Close
	Budget	3/31/13)	(6/30/13)
Expenses:			
Robina Human Rights Scholarships	\$ 250,000	\$ 226,743	\$ 257,273
Robina Summer Fellowships & Travel Support	\$ 200,000	\$ 204,693	\$ 204,693
Robina Post-Graduate Fellowships	\$ 180,000	\$ 116,557	\$ 141,057
Robina Visiting Fellows	\$ 235,000	\$ 223,913	\$ 293,992
Robina Human Rights Coordinator	\$ 65,000	\$ 53,484	\$ 71,400
Human Rights Clinical Ed Innovation & Field Missions	\$ 50,000	\$ 34,908	\$ 53,108
Clerical Support & Associated Expenses	\$ 20,000	\$ 4,509	\$ 10,383
TOTAL:	\$1,000,000	\$864,807	\$1,031,905

Explanation of Financial Report and Variances

As of today, we project a balance forward of \$65,656, as of the close of our fiscal year on June 30. We plan, with the Foundation's permission, to carry over these funds into next year (Year 2 of our three-year grant). In this coming year, we will have four Post-Graduate Fellows, and we anticipate using a good portion of our unexpended balance to support those individuals. The Post-Doctoral program is a very effective and in-demand component of the program, and we think carefully about each appointment, meaning that the ability to spend more in some years and less in others greatly helps us make the right appointments.

As the Foundation will notice, we have reduced the amount carried over from last year (FY 12) to this year (FY 13) from \$97,561 to \$65,656. We did so, in part, because we hosted five Visiting Fellows this year and were able to host them for longer periods of time than has been the case in prior years. As a result, the Visiting Fellows budget line reflects a projected variance greater than ten percent. We anticipate hosting another four or five Visiting Fellows next year as well. *

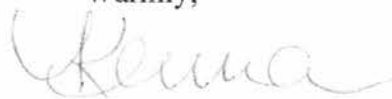
While our Clerical/Outreach line also reflects a projected variance greater than ten percent, we note that this variance, while significant in terms of the line item, is less than one percent of our overall budget, and we hope that the Foundation will permit us to carry over this balance into FY 14, using it to support the various line items of the Initiative as necessary, with the expectation that a significant portion of funds will support Post-Doctoral Fellows. *

CONCLUSION

On behalf of Dean Post, Jim Silk, Katy Lawder, and my other colleagues who assist the Initiative in various ways, thank you for your investment in us and your trust in what we do. Your gifts have reached so many promising human rights scholars and activists, and the effects of your philanthropy are reverberating in many areas of the globe. Please find attached an Addendum with biographies of JD scholars and fellows, as well as thank-you notes from many of our recipients.

Thank you again for your investment in the Robina Foundation Human Rights Fellowship Initiative at Yale Law School. We look forward to continuing our conversation in the weeks and months to come. Until then, please feel free to be in touch with any questions or comments about the report or the Initiative more generally.

Warmly,



Kenna Barrett

cc: Robert Post, Dean
Mary Matheron, Associate Dean
James Silk, Clinical Professor of Law
Katy Lawder, Robina Human Rights CoordinatorAttachments

ADDENDUM

A. *Robina Human Rights JD Scholars*

Emad Atiq, Class of 2016

In addition to being an Economics major with a minor in Applied and Computational Mathematics, Emad earned his degree in Philosophy at Princeton University. He graduated from Princeton *summa sum laude* and Phi Beta Kappa. In 2009, Emad received the Gates Cambridge Scholarship to attend the University of Cambridge for a Masters in Philosophy degree in Analytic Philosophy. He completed his MPhil in 2010 writing a dissertation on the role of recognition in blame and our practices of holding people morally responsible. He was supervised by Simon Blackburn. He intends to pursue a PhD in philosophy at Princeton to supplement his JD, exploring the role of responsibility and freedom in both criminal law and moral theory.

Emad has worked as a research assistant for professors at University of Chicago, Princeton University, and Stanford University on projects ranging from analysis on media bias to measurement of health-trends in Asia. An avid debater, he is a former member of the Pakistan national debating team and the Princeton varsity debate team. His debating career includes participation in the World Schools Debating Championships (Germany 2004, Canada 2005) and the World Universities Debating Championships (Thailand 2008). Emad also participated in musical theater as a member of the Princeton Triangle Club. At Yale Law School, Emad's interests are primarily in criminal law, legal philosophy, and international law.

Kristine Beckerle, Class of 2015

Kristine Beckerle graduated *magna cum laude* from Harvard College in 2011, with a degree in Social Studies and a foreign language citation in Arabic. While an undergraduate, she interned with a press freedom NGO in Washington, D.C., the Middle East/North Africa Unit of UNHCR in Geneva and with UNRWA, the UN Agency for Palestine refugees, in New York. Upon graduating, Kristine traveled to Amman, Jordan on a Benjamin Trustman Fellowship. She spent the last year in Amman teaching creative writing in one of the Palestinian refugee camps, as well as interning and then consulting for UNRWA's offices in Jordan, working specifically on gender-based violence and international protection issues. While at Yale Law School, Kristine hopes to continue work on and about the Middle East and international law, looking particularly at the intersections of international human rights, humanitarian and refugee law and its impacts on subaltern populations and traditionally disenfranchised groups.

Tessa Bialek, Class of 2013

This is Tessa's third time receiving support from the Robina Foundation. She was a Robina Human Rights Summer Fellow during the summer of 2011, and a Robina JD Scholar in 2011-12. Tessa is eager to pursue a career in public interest law, and her law school experiences so far have focused on human rights and social justice in local and global settings. Exploring her interest in international criminal law, Tessa participated in the Extraordinary Chambers in the Courts of Cambodia Project as a first-semester student, and continued working with the ECCC during her first summer as an intern at the Documentation Center of Cambodia. Through the Lowenstein International Human Rights Clinic, she spent two semesters working with the International Crimes Tribunal in Bangladesh on issues of witness and victim protection and

support and crimes against humanity jurisprudence. Recently, she has explored human rights and social justice domestically and locally. Tessa spent the summer of 2012 as an intern with the Washington DC Legal Aid Society's Appellate Advocacy Project and focused on promoting systemic change to benefit people living in poverty in DC in the areas of housing, family, public benefits, and consumer protection law. She advocates for juvenile sentencing reform in Connecticut through the Lowenstein Clinic, and is a student director of that clinic this year. Tessa also participates in the Legal Services for Immigrant Communities, providing civil legal services to immigrants in the community

Rebecca Buckwalter-Poza, Class of 2014

Rebecca Pilar Buckwalter-Poza is a writer and former political consultant who has wanted to attend the Yale Law School since 2005, after reading her first legal academic work on the Bill of Rights at age 19 during a semester of independent study at Harvard College. Rebecca participates on the *Yale Journal of International Law* and the *Yale Law and Policy Review* (Submissions Editor) and spent her first summer interning in the White House Counsel's Office. This year, Rebecca is interning at the U.S. Attorney's Office for the District of Connecticut and completed an Institute for Social and Policy Studies (ISPS) Fellowship, researching state-level health care legislation. Before law school, Rebecca worked on domestic and international campaigns and policy projects, consulting to progressive parties and candidates in Ukraine, Nigeria, and Argentina as well as interning with the Asian Human Rights Commission in Hong Kong as a Henry Luce Scholar. Rebecca also served as Deputy National Press Secretary of the Democratic National Committee during the 2008 presidential election and has worked for the Center for American Progress, Change.org, and James Carville, with whom she co-authored a book, "40 More Years: How Democrats Will Rule the Next Generation." Rebecca plans to serve in federal government in Washington, DC after graduation.

Ravi Deedwania, Class of 2014

Ravi Deedwania is from Fresno, California and attended MIT. He received an S.B. in Economics and was elected to Phi Beta Kappa. Prior to entering law school, Ravi worked for a year at the White House Council of Economic Advisers.

Ravi's interests in law school include international law, international human rights, and law and economics. Ravi worked at Global Witness the summer after his first year of law school, researching issues related to corruption in the natural resource sector in developing countries. Ravi will be working at Cleary Gottlieb the summer after his second year of law school, where he hopes to gain experience in antitrust law.

Arnaldur Hjartarson LLM

Arnaldur Hjartarson was born in Iceland and at a young age moved with his family to the capital, Reykjavik City. He graduated from law school in 2008, ranking second highest in his graduation class. He has held several positions in the Icelandic legal sector, most notably as a law clerk at the Icelandic Supreme Court, lecturer in law at the University of Iceland, and legal advisor to the Icelandic Parliament's Special Investigation Commission, which had the task of investigating the causes of the financial crisis in Iceland.

Kaitlin Konkeli, Class of 2015

Kaitlin Konkel is a 2010 graduate of Williams College. At Williams, she majored in English and Political Science, earning departmental honors for a Political Science thesis titled "The Politics of Words: Governments, NGOs, and the Language of Human Rights." After college, Kaitlin spent two years working as a legal assistant and case manager at Chin & Curtis, a boutique immigration firm in Boston. She has also served on the Board of Engineers for Blue Engine, an education start-up in New York, since January 2011. At Yale Law School, Kaitlin hopes to build on her interests and background in immigration and education, explore and discover other areas of interest, and eventually pursue government or non-profit work.

Sheng Li, Class of 2014

Sheng Li was born in China and grew up in Burlington, Vermont. Prior to Yale, Sheng attended Johns Hopkins, where he received a BA and MA in International Relations, and worked as a national security analysis at the RAND Corporation.

At Yale, Sheng has focused on public and private international law. He recently published scholarship on the law of cyber-warfare and is currently writing about international investment law. Sheng is a member of Yale's Lowenstein Human Rights Clinic and is the Managing Editor for Submissions on the *Yale Journal of International Law*. He worked at the Senate Judiciary Committee last summer and will split the coming summer between Cleary Gottlieb and Foley Hoag in Washington, D.C. After graduation, Sheng plans to practice for several years before entering law teaching.

Benjamin Perryman LL.M

Benjamin Perryman is a lawyer with a passion for human rights and social justice. He is currently a Master of Laws candidate ('13) and Fulbright Scholar at Yale Law School. Originally from Vancouver, Canada, Benjamin now calls Dartmouth, Canada home, where he lives with his wife and two young children.

Marbre Stahly-Butts, Class of 2013

Marbre Stahly-Butts graduated *summa cum laude* from Columbia University in 2008, with a major in African-American Studies and Human Rights. After completing her undergraduate studies Marbre went on to Oxford University and completed a masters in African studies--with a focus on Zimbabwean political violence. Since starting at Yale Law School Marbre has focused on criminal justice issues and the racial and class discrepancies which currently pervade our criminal justice system. While in law school Marbre has worked as a legal intern at the Equal Justice Initiative in Alabama and the Bronx Defenders in New York.

Julie Veroff, Class of 2015

Julie Veroff grew up in Fresno, California, and received her BA in International Relations with Honors and Distinction from Stanford University in 2007. She then pursued an MPhil in Development Studies at the University of Oxford, supported by a Rhodes Scholarship. While there, Julie was awarded distinction for her dissertation on refugees' access to justice, based on fieldwork conducted with Angolan, Rwandan, and Congolese refugees in Zambia. She also volunteered as a rape crisis counselor and was the convener of the Rhodes Scholars' Southern African Forum. From 2009 to 2012, she served as the Executive Director of FACE AIDS, a non-profit organization dedicated to building a global movement of young leaders to fight HIV/AIDS.

and promote health equity. She is particularly interested in international human rights and humanitarian law, foreign affairs, conflict resolution and post-conflict reconstruction, global health inequities, and forced migration, as well as domestic issues of poverty and social injustice. While at Yale Law School, Julie plans to engage in clinical work, and, upon graduation, intend to pursue a career in social justice and public interest law.

B. Robina Summer Human Rights Fellows

Josef Ansong, Class of 2014

'Joey' Josef Teboho Ansong is presently a 2L at Yale Law School. He holds a Bachelor in International Relations from the University of Aberystwyth—the first department of International Relations in the world—as well as an MPhil and PhD in International Relations from the University of Cambridge, where he was the Editor-in-Chief of the *Cambridge Review of International Relations* (a peer-reviewed academic journal). In between his Masters and PhD Joey spent 18 months working as a Human Rights Monitor in a US State Department Security Sector Reform program in Liberia. Joey spent the summer of 2012 working as a Law Clerk at the World Bank Sanctions Board in Washington D.C. He is the author of a number of peer-reviewed articles and chapters in academic books.

Emad Atiq, Joint Degree Candidate 2016

Emad Atiq is also a Robina Human Rights JD Scholarship recipient; his biography is included in the JD Scholars section above. During the summer of 2012, Emad worked for the appeals division of the office of the prosecutor at the International Criminal Tribunal for former Yugoslavia where he provided research and drafting support to the prosecution for its on-going cases.

Ben Baker, Class of 2014

Ben Baker was born in Washington, DC. He attended Brown University for his undergraduate studies where he earned a BA in Philosophy and in Economics. He wrote a senior thesis in Ethics and Metaphysics of Self under David Estlund, in the Philosophy department at Brown. After graduating, Ben spent a portion of his gap year volunteering in the education department of an NGO based in Udaipur, India, before coming to New Haven.

At Yale Law School Ben has participated in the *Yale Journal of International Law* both as an editor and a student writer and worked in the Lowenstein International Human Rights Clinic, which involved a research trip to Sierra Leone with two other law students. He interned at the Office of Evaluation and Suspension in the World Bank after his 1L year. His primary area of interest is Philosophy of Law, and Ben plans to pursue a Philosophy PhD alongside his JD in order to eventually teach Philosophy and Law.

Caitlin Bellis, Class of 2014

Caitlin Bellis is a second-year student primarily interested in immigration reform and refugee issues. She is a member of the Worker and Immigrant Rights Advocacy Clinic and the Iraqi Refugee Assistance Project. Before law school, Caitlin spent a year interning for a day laborer-led worker's center, an immigrant rights organization in Portland, Oregon. During the summer of 2012, she worked as a member of Asylum Access Ecuador's policy team, examining how immigration detention in Ecuador affected Colombian refugees. While there she wrote a preliminary report on immigration detention in Ecuador, focusing on its effects on asylum seekers and refugees. The report was in Spanish and targeted primarily to Ecuadorian officials. Caitlin was looking for procedural loopholes that left Colombian refugees vulnerable to refoulement. Research for the report included weekly visits to the immigration detention center in Quito, interviews with government officials, representatives of the Ecuadorian Red Cross,

UNHCR, and other concerned parties, and investigatory trips to the four provinces that border Colombia. She hopes to continue in the immigrant rights field after she graduates. Caitlin speaks Spanish and Russian, and hopes to speak them both better once she graduates and has more time to study them.

Joshua Bendor, Class of 2013

Josh Bendor is a third-year law student from Stanford, California. He graduated from Yale College in 2005 and spent the five years in between college and law school working in government and public policy: at the Brookings Institution, on the Obama campaign, and at the U.S. Department of Education, where he was a core member of the team developing the Department's Race to the Top program. At Yale Law School he has participated in the San Francisco Affirmative Litigation Clinic and Worker and Immigrant Rights Clinic; served as a Coker Fellow; and is currently publishing a Note on cooperative federalism and administrative law in the *Yale Law Journal*. He spent his 1L summer at the Affirmative Litigation section of the San Francisco City Attorney's Office and the summer of 2012 at the ACLU of Northern California and the ACLU Immigrants' Rights Project. Next year, he will be clerking for Judge Engelmayer in the Southern District of New York.

Julia Brower, Class of 2014

A native of St. Paul, Minnesota, Julia Brower majored in the Woodrow Wilson School of Public and International Affairs at Princeton University, graduating *summa cum laude* in 2008. Her senior thesis, "From Force to Persuasion: Rebel Groups as Political Parties," won the Woodrow Wilson School senior thesis prize. Prior to her arrival in New Haven, she was a Junior Fellow at the Carnegie Endowment for International Peace in the Democracy and Rule of Law Program, and a paralegal in the Office of the Legal Adviser in the U.S. Department of State.

At Yale Law School, Julia is interested in international law and human rights law. She is a member of the Lowenstein International Human Rights clinic and a student director of the Orville H. Schell, Jr. Center for International Human Rights. She is also a student director of the ECCC Project, in which students perform legal research for a judge on the Extraordinary Chambers of the Courts of Cambodia. During the summer of 2012 Julia worked in Sierra Leone with a local NGO, Timap for Justice, which provides free legal assistance throughout the country. After she graduates in 2014, Julia plans to pursue a career in international human rights.

Jonathan Choi, Class of 2014

Jonathan Choi grew up in Vancouver, Canada. He graduated *summa cum laude* from Dartmouth College with a degree in Computer Science, Economics, and Philosophy, and earned high honors for his thesis in Computer Science. He also focused on the study of Ethics and Development Economics.

Jonathan entered Yale Law School with an interest in international law, particularly international criminal law. He volunteered with the Iraqi Refugee Assistance Project during his 1L year and worked at the International Criminal Tribunal for the former Yugoslavia during the summer of 2012. He has also developed an interest in tax law while at Yale. He has worked as the Director of the *Yale Journal on Regulation Online*, Executive Bluebook Editor of the *Yale Law Journal*, and as a research assistant for Professor Anne Alstott.

Ravi Deedwania, Class of 2014

Ravi is also a Robina Human Rights JD Scholarship recipient; his biography is included in the JD Scholars section above.

During the summer of 2012, Ravi worked for Global Witness, an NGO that works on corruption, conflict, environmental issues, and human rights abuses associated with the natural resource sectors in developing countries. Global Witness's work can be divided into two primary categories: (1) investigating and publicizing particular instances of abuse or unethical behavior in the natural resource sectors in developing countries, and (2) lobbying governments around the world to enact and implement policies to improve transparency and governance of the natural resource sector. Ravi spent his time doing research and talking to experts from civil society and the oil industry to try to develop an understanding of the mechanics of oil deals between oil companies and governments. He also worked on a comparative analysis of the laws governing the oil sector in various African countries.

Kyle Delbyck, Class of 2014

Kyle Delbyck is a 2L at Yale Law School. She is extremely interested in post-conflict reconstruction work and spent the year after college on the Watson Fellowship, during which she traveled to Taiwan, Cambodia, Cyprus and Bosnia to interview locals about transitional justice processes. Since beginning at Yale Law School, Kyle has built upon her Watson Fellowship experiences. She is currently Co-Director of the Yale ECCC project, a student group that writes research memorandums for a judge in the Supreme Court Chamber of the tribunal. She is also member of the Lowenstein International Human Rights Clinic and on the board of the Initiative for Public Interest Law at Yale.

During the summer of 2012 Kyle worked at the Extraordinary Chambers in the Courts of Cambodia (ECCC), the Khmer Rouge Tribunal, where she wrote memoranda and motions on legal issues that arose throughout the course of the trial and also developed lines of questioning for witnesses. In particular, she conducted research on international standards for competency to stand trial, the ECCC's treatment of crimes of sexual violence, and ad hoc tribunal precedent on judicial independence.

Benjamin Farkas, Class of 2014

A native of Santa Cruz, CA, Benjamin Farkas graduated from Princeton University *summa cum laude* with a degree in philosophy and a minor in East Asian Studies. He wrote his senior thesis on Rawls and Aristotle and researched areas including philosophy of mind, ethics, and Chinese literature and film. His honors included the Center for Human Values Senior Thesis Prize and the Shapiro Award for Academic Excellence. Prior to matriculating at Yale Law School, he spent one year as a Princeton in Asia Fellow, teaching Oral English and American Culture courses at the Normal College of Jishou University in Hunan Province, China. At Yale Law School, Benjamin is a Features Editor on the *Yale Journal of International Law*, a First Year Editor on the *Yale Law Journal*, a member of the Lowenstein International Human Rights Clinic, and a member of Yale's Vis International Arbitration Moot team. He was a foreign law clerk for Justice Miriam Naor of the Israeli Supreme Court after his first year of law school, and will be a summer associate at O'Melveny & Myers' San Francisco office during the summer of 2013.

Marjan Firouzgar, Class of 2014

Marjan Firouzgar was born in Los Angeles, California but raised overseas, attending high school in Geneva, Switzerland. In 2009, she graduated from Yale College with a B.S. in Electrical Engineering and Physics, *cum laude*, and with distinctions in both majors. She was awarded the Yale Gordon Grand Fellowship at the end of her senior year, which enabled her to spend a year working at BASIX, a microfinance institution headquartered in Hyderabad, India, for a year after graduation.

Marjan is currently pursuing a 3-year joint JD/MBA degree at Yale Law School and Yale School of Management. She is expected to graduate in June 2014. Marjan serves as a Student Fellow of the Information Society Project, Chair of Technology and Policy of the America Constitutional Society, and Co-Chair of Entrepreneurship and Technology of the Yale Law and Business Society. In Spring 2012, she enrolled in the Transnational Development Clinic, through which she helped draft an opposition to an Indian medical patent application.

Last summer, Marjan worked at the Documentation Center of Cambodia, and she plans to spend this summer with Knobbe Martens Olson & Bear, an intellectual property boutique firm, in Irvine, California. Marjan ultimately hopes to combine her technical, legal, and business backgrounds to contribute toward international economic development. In her spare time, Marjan enjoys traveling, photography, soccer, swimming, and playing her saxophone.

Ingrid Deborah Francois, Class of 2014

Ingrid Francois, better known as Deborah, was born in Seoul, South Korea and raised in Brooklyn, New York. She majored in Political Science/International Relations and in Human Rights Studies at the Macaulay Honors College at Hunter College. After graduating in 2010, she worked at the Brennan Center for Justice at NYU School of Law. At Yale Law School, she is the Articles Editor for the *Yale Journal of International Law*, the Development & Partnerships Co-Chair for the American Constitution Society, the Recruitment & Professional Development Chair for the Black Law Students Association, a member of the Asian Pacific American Law Students Association, and a member of the Lowenstein International Human Rights Clinic. She is interested in international law and human rights. During the summer of 2012, Deborah worked at the Center for Constitutional Rights in New York and plans on splitting Summer 2013 at Cleary Gottlieb and a public interest non-profit organization.

Robert Fuentes, Joint Degree 2015

Robert Fuentes is from Porterville, California. He attended Stanford University, where he received a BA with Honors in Political Science. He wrote his senior honors thesis on human rights abuses in southern Mexico during the country's transition to democracy. His research paper, "Rebellion and Revolution in Central America: The Honduran Exception," won the Hoefer Prize for Excellence in Undergraduate Writing.

Robert is a joint degree student at the Harvard Kennedy School of Government. He will receive his M.P.P. and JD in the spring of 2015. At Yale Law School, Robert has pursued his interests in immigration and immigrant rights, civil and human rights, and criminal defense. He is a

submissions editor for the *Yale Human Rights and Development Law Journal*, a co-president of the Yale Law Democrats, and an intern in the Worker and Immigrant Rights Advocacy Clinic. After graduating, Robert hopes to return to California to pursue impact litigation related to immigration and immigrant rights.

During the summer of 2012, Robert spent eight weeks in Mexico City interning at the Miguel Agustín Pro Juárez Center for Human Rights. Centro de Derechos Humanos Miguel Agustín Pro Juárez (Center Prodh) is one of Mexico's most well-known and respected human rights organizations. In its litigation work, Center Prodh represents clients in "paradigmatic cases" in Mexican courts, at the Inter-American Commission and Court of Human Rights, and at the United Nations. In its advocacy work, the Center promotes its human rights agenda in these fora as well as in the United States. Through its educational work, the Center conducts know-your-rights campaigns and workshops at its headquarters in Mexico City and in other states throughout Mexico. The Center's main focus area is criminal justice—e.g., direct representation of persons who have been convicted of crimes based on confessions extracted from torture. The Center also focuses on certain social, economic, and environmental rights—such as the rights to land, housing, and water.

Robert prepared memos on a variety of topics in relation to Center Prodh's representational and advocacy work. He prepared a memo to help advise a client who had obtained asylum in the United States regarding his ability (or inability) to return temporarily to Mexico and he prepared a memo on the U.S. exclusionary rule of evidence in relation to pending legislation in Mexico that would reform the Mexican Penal Code. Parts of this legislation were based off the exclusionary rule as developed in U.S. case law, and the research Robert conducted was to be used in advocacy efforts regarding the (in) appropriateness of replicating certain exceptions to the U.S. rule in the Mexican context. He also did a significant amount of translation work for both press releases and the Center's quarterly magazine on human rights issues in Mexico.

In addition, Robert was enrolled at La Hermandad Educativa in Guatemala for 5 weeks during the summer of 2012. La Hermandad is made up of two language schools: PLQE in Xela and the Mountain School in Nuevo San Jose. PLQE was established in 1988 and has a long history of supporting and working with human rights organizations. Robert worked on human rights-related service projects while enrolled at La Hermandad, including working with the coordinator of the Mountain School to develop a lesson plan on international human rights for the school's Young Leaders Scholarship Program. The scholarship program provides, among other objectives, lessons to middle and high school students on social and human rights issues.

Emily Gerrick, Class of 2014

Emily Gerrick is a second-year law student from Southern California. She is interested in a public interest career, particularly in the criminal justice field. At Yale Law School, she has been involved in the Detention and Human Rights Clinic, the Capital Assistance Project, and the Khmer Rouge War Tribunal Project. During the summer of 2012, Emily interned at the Texas Civil Rights Project, and she is currently working as a research assistant for Professor Dennis Curtis.

Katherine Gibson, Class of 2014

Katherine Gibson is a second-year law student from Middletown, Delaware. She graduated from the University of Delaware in 2009, with a degree in Economics and International Relations. She then completed a year of service as an AmeriCorps VISTA volunteer at MERIT, a small nonprofit that helps under-served people start small businesses in Salem, Oregon. The following year, she worked at Valbin Corporation in Bethesda, Maryland, facilitating and writing grants for State Department professional exchange programs. At Yale Law School, Katherine has participated in the Community and Economic Development Clinic, the Environmental Law Clinic and the *Yale Human Rights and Development Law Journal*. She split her 1L summer between Alternative Law Forum, a public interest law firm in Bangalore, India, and the Connecticut Commission for Human Rights, the state anti-discrimination agency. She will be a summer associate at Boies Schiller and Flexner during her 2L summer.

Adam Goldenberg, Class of 2014

Born and raised in Vancouver, Adam Goldenberg holds a BA in Social Studies with High Honors from Harvard University, where he was a John Harvard Scholar and a member of Phi Beta Kappa. From 2008 to 2011, he was chief speechwriter to the Leader of the Opposition in the Parliament of Canada, and later served as a senior aide in the Government of Ontario.

At Yale Law School Adam is an editor of the *Yale Journal of International Law* and the *Yale Journal on Regulation*, as well as a contributor to *The Globe and Mail*, *Macleans*, and *The Ottawa Citizen*.

Adam is also the Co-Founder of Teach For Canada, an organization that will fight educational inequality by helping young leaders become outstanding teachers in Canada's most challenging schools.

Abigail Graber, Class of 2014

Abigail Graber, a native of Silver Spring, Maryland, graduated in 2008 with Highest Honors from Swarthmore College with a double-major in History and Political Science. After college, Abigail moved to St. Petersburg, Russia, where she taught English. Upon returning to the states, she worked as an editorial assistant at an academic publishing company and then as a paralegal in a boutique, *qui tam* law firm in Washington, D.C.

At Yale Law School, Abigail is proud of her clinical work with the Veterans Legal Services Clinic and the Iraqi Refugee Assistance Project. She is also a managing editor on the *Yale Journal of International Law*, a senior editor of the *Yale Law Journal*, and a research assistant for Professor Reva Siegel. Last summer, she clerked for Justice Melcer on the Supreme Court of Israel in Jerusalem. This summer, she is looking forward to joining the employment discrimination and Title IX group at the National Women's Law Center in Washington, D.C. Abigail intends to stay in public interest law after her graduation. While her specific focus is still undetermined, she is looking into opportunities in veterans' advocacy, women's rights, and generally at public interest law firms.

Andrew Hammond, Class of 2014

Andrew graduated from the University of Chicago in 2007 where he was active in local politics and advocacy. Before coming to law school, Andrew studied at Oxford as a Rhodes Scholar and worked in social welfare policy in New York and Washington, DC. At Yale, Andrew is a Comments Editor of the *Yale Law Journal* and serves as the co-chair of the Clinic Student Board. Last summer, he worked with children's rights litigators in South Africa and as a Platform Writer for the Democratic National Committee. This summer, he will return to Chicago to work at the Lawyers Committee for Civil Rights and Jenner & Block.

Fiona Heckscher, Class of 2014

Fiona Heckscher is a JD/MBA '14 candidate at Yale where she helps run the country's largest conference for progressive lawyers (RebLaw) and continues her longstanding work with affordable housing with the Community and Economic Development Clinic. She is from Princeton, NJ and earned her BA in Public Policy from Brown University where she sat on the committee that allocated Brown's \$650 million annual budget and ran a student/community partnership to address homelessness. Her thesis was about research ethics and was entitled "Managing Risk or Creating Knowledge: The Effects of Institutional Review Boards on Social Science Research."

Before college, Fiona lived and worked in South Africa, where she coordinated trainings and translated for the inaugural year of a school for community leaders from across the continent. In college, she worked in Mali, where she developed recommendations for healthcare practitioners based on field research at 6 clinics. Most recently she taught middle school science in Phoenix, Arizona with Teach for America. During the summer of 2012, Fiona worked with Indego Africa, a Rwanda-based, design-focused social enterprise.

Julie Hunter, Class of 2013

Julie is a third-year student at Yale Law School studying issues arising at the intersection of transnational law, human rights, and development. Through the Allard K. Lowenstein International Human Rights Clinic, Julie has co-authored reports and legal analyses of the trafficking and abuse of third-country nationals by military contractors, the growth of homeless encampments in the United States, and the Indian Residential School system for the Canadian Truth and Reconciliation Committee. She spent the summer of 2012 working for Paul Hoffman on various international and Alien Tort Statute human rights litigation efforts. During the summer of 2011, Julie interned at a legal aid organization on the Navajo Reservation.

Prior to law school, Julie worked for the Coalition for the International Criminal Court in their regional advocacy section. She graduated from Harvard University in 2007 with a degree in government. Julie plans to pursue a career in international diplomacy, rule of law building, and human rights.

Stephanie Kim, Class of 2014

Stephanie Kim is a second-year student at Yale Law School and a graduate of Williams College. This year, she is a student director at the Orville H. Schell, Jr. Center for International Human Rights and an editor for the *Yale Human Rights and Development Law Journal*. She is also

currently a member of the Allard K. Lowenstein International Human Rights Clinic and the Jerome N. Frank Legal Services Organization. Her summer 2012 internships have included working with the Mental Disability Advocacy Center in Budapest, Hungary and the Iraqi Refugee Assistance Project (IRAP) in Amman, Jordan, and this summer she will be working with the Capital Area Immigrants' Rights (CAIR) Coalition in Washington, D.C.

The Mental Disability Advocacy Center (MDAC) is an international human rights organization that advances the rights of children and adults with intellectual disabilities and psycho-social disabilities. MDAC uses law to promote equality and social inclusion through strategic litigation, advocacy, research and monitoring and capacity-building. As an intern for the strategic litigation team, Stephanie was primarily engaged in conducting legal research in preparation for cases before the European Court of Human Rights and UN treaty bodies. She also prepared research and recommendations for initiating the inquiry procedure before the Committee on the Rights of Persons with Disabilities.

IRAP provides comprehensive legal representation to individual refugees seeking resettlement. It has chapters at 23 law schools in the U.S. and the Middle East. Chapters are student-initiated and directed. Law students work in pairs, under the supervision of pro bono attorneys from private firms. They prepare visa applications, submit appeals, and advocate and empower their clients to successfully negotiate the resettlement process. IRAP also does fact-finding and policy advocacy work. As a field intern in Amman, Jordan, Stephanie primarily conducted client intake interviews and follow-up in order to prepare the caseload for the upcoming academic year. She also met with local NGOs to discuss IRAP's referral process and strengthen partnerships with them.

Paul Linden-Retek, Class of 2012

Paul Linden-Retek comes originally from Prague, Czech Republic but grew up in Boca Raton, Florida. He attended Harvard College, graduating in 2008 with an A.B. in Social Studies summa cum laude and as a member of Phi Beta Kappa. His senior thesis, entitled "Public Responsibility, Solidarity, and Citizenship: Václav Havel and Jürgen Habermas on Morality and Democratic Politics," won the Thomas T. Hoopes Prize for outstanding scholarly work. Prior to attending law school, Paul worked as a policy adviser in the European Union Department of the Ministry of the Environment of the Czech Republic, primarily addressing international climate change negotiations in the context of the Czech Presidency of the EU Council.

Paul is a dual degree candidate at Yale, pursuing a JD and a PhD in Political Theory. At Yale Law School, Paul has focused on international human rights law, comparative law and legal philosophy. He has worked with the Lowenstein International Human Rights Clinic (of which he served as a Student Director) and the Project Assisting the Extraordinary Chambers in the Courts of Cambodia, and sits on the Board of the *Yale Human Rights and Development Law Journal*. In his summers, Paul has worked in the Legal Unit of the International Civilian Office/EU Special Representative in Kosovo, focusing on international law, post-conflict legal reform, and human rights issues; with the Department of Human Rights and National Minorities in the Office of the Prime Minister of the Czech Republic, focusing on anti-discrimination measures in the areas of education, employment, and political participation; and during the summer of 2012, Paul worked with the Central European and Eurasian Law Initiative (CEEELI) Institute, focusing on rule of law

development in Tunisia, Libya, and Egypt and on expanding national minority protection legal training in the Czech Republic.

Iya Megre, Class of 2014

Iya Megre was born in the Republic of Georgia and raised in New York City. She graduated from Harvard College Phi Beta Kappa and *magna cum laude* in Classics. At Harvard, Iya received the Newbold Rhineland Landon Memorial Scholarship, the William King Richardson Scholarship, and the John Harvard Scholarship. Iya also worked for *Let's Go* travel guides, ultimately serving as Editorial Director for the entire 2012 series. At Yale Law School, Iya has been involved in the Immigration Legal Services Clinic—through which she recently won withholding from removal for a client—and the Media Freedom and Information Access Clinic. Iya is also Executive Editor of the *Yale Journal of Law & the Humanities* and a member of the YLS Outlaws. During the summer of 2012, Iya worked for Open Society Justice Initiative's National Criminal Justice Reform team, primarily in research and advocacy efforts with the Global Campaign for Pre-Trial Justice.

Sarah Millings, Class of 2013

Sarah Millings comes from Long Island, New York and attended Stony Brook University. She received her BA *summa cum laude* in Political Science with a focus on international and comparative studies. She is a member of Phi Beta Kappa. After completing her JD, Sarah will pursue a doctoral degree in international legal history.

Tiffany Ng, Class of 2014

Tiffany studied international relations and has researched and written on issues impacting China and the Asia Pacific region during a fellowship at the Carnegie Endowment for International Peace. In addition to her policy research, Tiffany has performed public interest work at various international NGOs, including the DC-based GlobalGiving.

At Yale Law School, Tiffany has been very involved with Yale Law Women and the Asia Pacific American Law Students Association (APALSA) and is currently serving on the boards of both organizations. Her legal academic interests include human rights and women's rights, international arbitration/litigation, and international development. She is currently part of the Lowenstein International Human Rights Clinic. During the summer of 2012, she served as a legal intern in Uganda, Africa with International Justice Mission, a human rights agency. Tiffany plans to gain some experience in the private sector before pursuing a career in government or public service relating to human rights.

Chika Okafor, Class of 2014

Chika Okafor was born in Chicago and attended Stanford University in California where he majored in Economics. In college, he worked with Martin Luther King in China, an organization using Martin Luther King as a way to foster cross-cultural understanding between American and Chinese students. He was also a member of Alpha Phi Alpha Fraternity, the Stanford African Students Association, and the Stanford Spoken Word Collective. He was a Rhodes Scholar Finalist in 2007, and after college worked with McKinsey & Company and the Chicago Public Schools.

At Yale Law School Chika has been involved with the *Yale Human Rights and Development Journal*, Barristers Union, and has been a Research Assistant with Professor Graetz. He is on the Executive Board of the Yale Black Law Students Association for the 2012-2013 school year. During the summer of 2012, Chika interned at the European Court of Human Rights in Strasbourg and the NAACP LDF in Washington, D.C.

Aadhithi Padmanabhan, Class 2014

Aadhithi Padmanabhan is a 2L at Yale Law School. She is a member of the Worker and Immigrant Rights Advocacy Clinic and a Legal Director for the Yale chapter of the Iraqi Refugee Assistance Project. Before coming to law school she worked at Bain & Company, and was an undergrad at Harvard College where she studied Religion and Political Science.

Aadhithi spent the summer of 2012 in Johannesburg working with Lawyers for Human Rights' Refugee and Migrant Rights Program. The Johannesburg office runs a law clinic that sees clients to consult on asylum issues including assisting clients to access refugee reception offices to apply for or renew permits, make submissions to the Refugee Appeal Board, and a variety of other legal issues that refugees and asylum-seekers face in South Africa. Aadhithi's work involved meeting with clients in the clinic. She also assisted LHR's detention attorney in her visits to Lindela Detention Facility where they conducted intake interviews and selected cases of unlawful detention to bring before the courts for judicial review. She will spend next summer with the ACLU's Immigrants' Rights Project in San Francisco.

Freya Pitts, Class of 2013

Freya Pitts graduated with a BA, *summa cum laude*, in History and International Studies. As an undergraduate, she received the Andrew D. White Prize in European History for her senior thesis, which was entitled, "Resistance and Femininity in Memoirs of Occupied France." She also spent a semester abroad studying Francophone history at the University of Paris. Before attending law school, Freya spent two years working for Teach for America in Atlanta, GA, where she worked as a Social Studies Teacher.

At Yale Law School, Freya has participated in the Lowenstein International Human Rights Clinic and the Temporary Restraining Order Project. She has also been Editor of the *Yale Journal of International Law* and a Student Director of the Schell Center for International Human Rights. She worked as a human rights research fellow at the Doughty Street Chambers and the Death Penalty Project in London, UK. During the summer of 2012, Freya worked at the Tahirih Justice Center, which provides direct legal services to immigrant women and girls fleeing gender violence in Africa.

Shayak Sarkar, Class of 2013

Shayak Sarkar is from Edinburg, TX, and attended Harvard, where he earned AB and AM degrees in applied mathematics and statistics and won election to Phi Beta Kappa. He won the Hoopes Prize for his thesis on district residency requirements and the economics of educating homeless children. Later as a Rhodes Scholar, he earned MSc degrees with distinction from Oxford University in evidence-based social work and development economics. Shayak is currently pursuing both a PhD in economics from Harvard University and a JD from Yale Law School.

At Yale Law School, Shayak is a member of the Worker and Immigrant's Rights Advocacy Clinic and Policy Director for the Iraqi Refugee Assistance Program. During the summer of 2012, Shayak worked on an individual research project through the Centre for Microfinance relating to financial access, market failures, and human trafficking in India. His work involved analyzing women's empowerment in field experiments in microfinance, particularly regarding generosity and intrafamilial giving patterns.

Gabe Scheffler, Class of 2014

Gabe Scheffler is a second-year JD student at Yale Law School. His primary interests are domestic health care policy and economic policy. Prior to studying at Yale, he was a research assistant at the Harvard Kennedy School's Center for International Development, where he worked on various projects relating to public sector corruption in developing countries and US health care policy. He graduated from Harvard in 2009 with a degree in History and Literature. During the summer of 2012, Gabe worked as a foreign law clerk for Justice Hanan Melcer. The Israeli Supreme Court uses foreign law as persuasive precedent and Gabe's work for Justice Melcer involved writing a number of legal memos on a variety of different topics and how these issues would be resolved in the United States – under either federal or state law; the Justice and Gabe would discuss his findings.

Alisa Shekhtman, Class of 2014

Alisa Shekhtman grew up in Santa Cruz, California, after her family emigrated from Russia in 1991. She attended the University of California, Berkeley, where she studied Political Science and French, completing an honors thesis in each major. Her political science honors thesis, "Kadi v. Commission: A Case Study of the Development of a Fundamental Rights Jurisprudence for the European Court of Justice" won the top prize at the Scripps-UC undergraduate research conference on European politics, and was also awarded a research grant from the UC Berkeley Institute of International Studies. She spent a semester abroad at the Institut d'Etudes Politiques in Paris, where she worked as a research assistant in the French National Archives. She traveled to Rome to participate in the Jean Monnet International Seminar on the European Union. During her first year at Yale Law School, she participated on the *Yale Journal of International Law*, and became a member of the Willem C. Vis International Commercial Arbitration Moot Team.

During the summer of 2012, Alisa worked on a project with the Public International Law and Policy Group in DC, a global pro bono law firm specializing in post-conflict constitution, war crimes prosecution and peace negotiations. The project is a campaign throughout Kosovo called "Justice and the People," aimed at encouraging citizens to demand accountability from their justice system and to raise awareness of various measures which can protect the human rights of citizens.

Will Smiley, Class of 2014

After growing up in Middleton, Wisconsin, Will Smiley studied history and mathematics at Hillsdale College in Michigan. He then worked on Capitol Hill for a year, before returning to graduate school to earn an MA in Middle Eastern history from the University of Utah, where he was awarded several federal Foreign Language and Area Studies fellowships. Admitted to Yale Law School in 2008, Will received a three-year deferral in order to accept a Gates Cambridge

Scholarship, which provided full funding for him to pursue a PhD in Middle Eastern Studies at the University of Cambridge, which he received in October 2012.

Since beginning his legal studies, Will has pursued his interest in international legal issues by working as a legal team member, and, in the 2012-2013 school year, as a student director of the Iraqi Refugee Assistance Project (IRAP). IRAP provides legal representation to Iraqi refugees seeking to resettle in the US and elsewhere. In the summer of 2012, Will continued working with IRAP as a summer intern, based in Istanbul, Turkey; he was responsible for establishing IRAP's presence in that country, working with NGOs and individual refugees while conducting legal research for IRAP's ongoing work in the United States.

While at Yale Law School, Will has also been involved in the Temporary Restraining Order project; he also serves as an articles editor for the *Yale Journal of International Law*, and is a graduate affiliate of Saybrook College at Yale. After graduation in 2014, Will hopes to pursue clerkship opportunities, followed by a career combining international affairs and law, perhaps in private practice or in government.

Jessica So, Class of 2014

Jessica So is a second-year student at Yale Law School. She grew up in San Francisco and graduated from Duke University with a degree in Political Science. At Yale, Jessica is a member of the Lowenstein International Human Rights clinic and a co-director of the Extraordinary Chambers in the Courts of Cambodia Project. She is also a member of the Yale Visual Law project, which is currently making documentary films on immigration detention and community policing.

During the summer of 2012 Jessica worked for the UNDP in Nepal for the Support for Participatory Constitution Building in Nepal Project. Its mandate was to assist the Constituent Assembly in drafting Nepal's new constitution. She researched and wrote memos on federalism, identity politics, and state restructuring in Nepal's constitutional transition. Specifically, she looked at the reasons why consensus around state restructuring broke down. Jessica also worked on Nepal's proposed Bill of Rights and suggested revisions in light of the International Convention on Civil and Political Rights.

Canel Trouillot, Class of 2014 emailed 4/11 for update

Canel was born in Baltimore, Maryland to an anthropologist and a lawyer, both from Haiti. She grew up between a small village in the South of France, Haiti, and Chicago. As an undergraduate at Columbia University, Canel majored in Anthropology. Though she came to law school with a strong interest in teaching comparative international law upon graduation, she has developed an equally strong interest in international corporate work. Canel currently serves as the Scholarship Chair of Yale Law Women and as both Development Editor and Features Editor on the *Yale Journal of International Law*. During the summer of 2012, Canel served as a stagiaire at the European Court of Human Rights in France.

Alaina Varvaloucas, Class of 2014

Alaina Varvaloucas focuses on immigration, detention, and international human rights law at Yale Law School. She graduated from college with a political science degree, and then worked

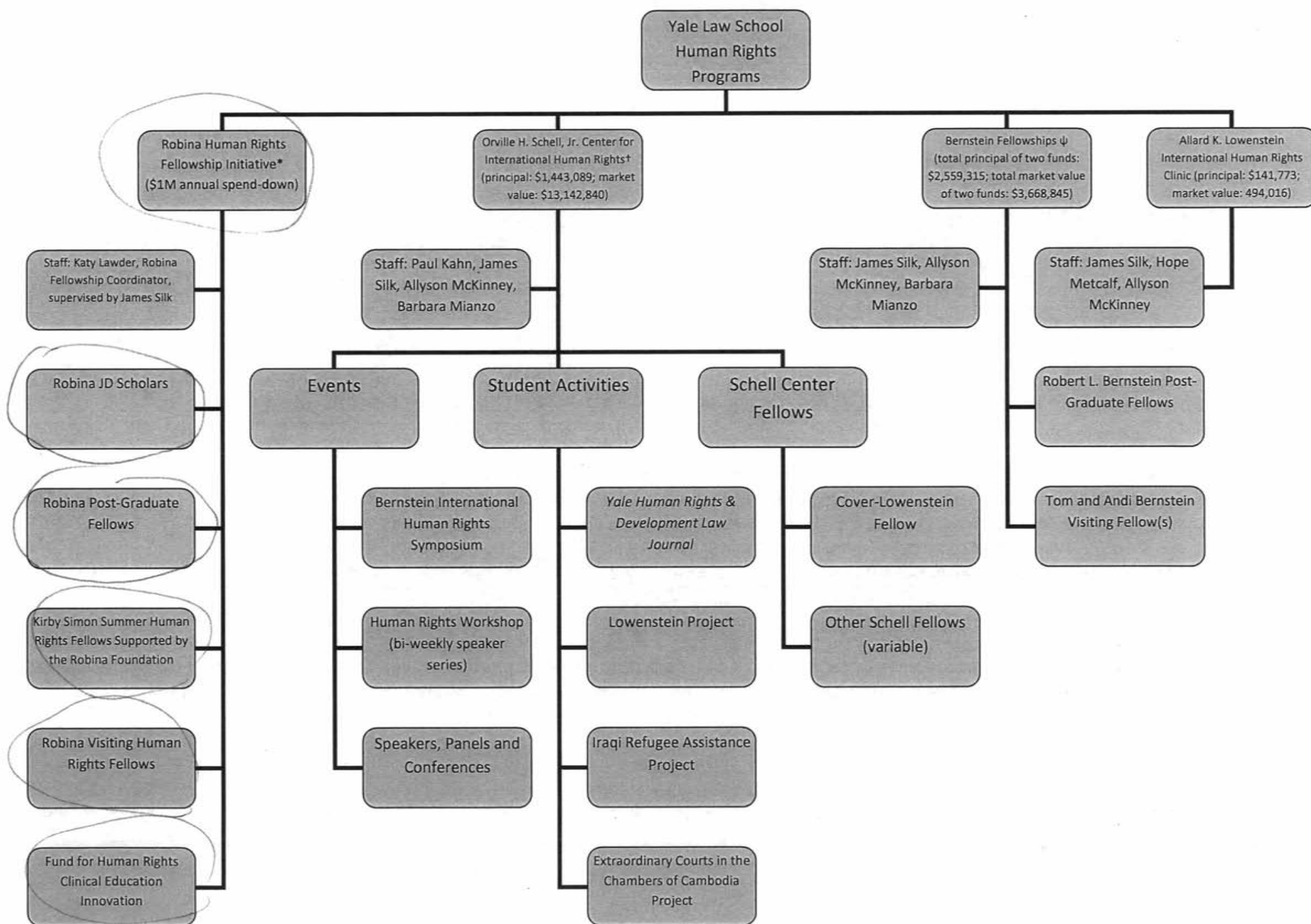
as a researcher and journalist in several countries across Africa. She participates in two clinics, one which provides direct client services in immigrant communities and one which does human rights projects. During the summer of 2012, Alaina worked for an immigration organization and then the Center for Policy Alternatives, reporting from Sri Lanka on militarization. After graduation, she plans on doing public interest work, either through direct client services or through impact litigation.

Mary Yanik, Class of 2014

Mary Yanik is a second year law student. She graduated from University of Maryland, College Park, where she coordinated campus campaigns supporting low wage workers fighting for their rights in the U.S. and abroad. She has previously worked for United Students Against Sweatshops as a regional organizer, worked for Service Employees International Union, Local 32BJ organizing food service workers, and currently advocates for immigrant workers as a member of the Worker and Immigrant Rights Advocacy Clinic at Yale Law School.

During the summer of 2012, Mary worked at the Worker Rights Consortium in Bangladesh where she interviewed over 50 garment workers about harassment, wage theft, and work hours in factories and researched working conditions in Export Processing Zones to prepare findings for a final report

Components of the Yale Law School Human Rights Programs



Components of the Yale Law School Human Rights Programs

* The Robina Foundation Human Rights Initiative has been supported by a gift of \$1,000,000 annually since May 2008. The Robina Initiative provides comprehensive support for individuals interested in human rights in all stages of their careers, from first-year law students to those pursuing post-graduate fellowships. The goal of the Robina Initiative is to foster and support a commitment to international human rights, by leveraging the robust international human rights community that already exists at the Law School.

† The Schell Center is supported by the Orville H. Schell, Jr. Center Endowment Fund (est. 1988), which has a principal of \$1,443,089 and a market value of \$13,142,840 as of June 30, 2011. The Fund's annual income distribution in 2011-12 is \$638,113. The Schell Center's activities are also supported by the Vivien Wei-Ying U Fund for Human Rights (est. 1998), which has a principal of \$180,724 and a market value of \$361,976 as of June 30, 2011. The Wei-Ying U Fund's annual income distribution in 2011-12 is \$17,575.

ψ The Bernstein Fellowships are supported by two separate endowment funds. The Robert L. Bernstein Post-Graduate Fellowships are funded by the Robert L. Bernstein Fellowship Endowment Fund (est. 2001), which has a principal of \$1,759,315 and a market value of \$2,835,248 as of June 30, 2011. The Robert L. Bernstein Fund's annual income distribution in 2011-12 is \$137,657. The Tom and Andi Bernstein Visiting Fellowship(s) are supported by the Tom and Andi Bernstein Fund for Human Rights Endowment Fund (est. 2008), which has a current principal of \$800,000 and a market value of \$833,597 as of June 30, 2011. The Tom and Andi Bernstein Fund's annual income distribution in 2011-12 is \$40,473. This Fund's principal will continue to be added to in the next several years.

‡ The Allard K. Lowenstein International Human Rights Clinic is supported by the Allard K. Lowenstein Endowment Fund (est. 1996), which has a principal of \$141,773 and a market value of \$494,016 as of June 30, 2011. The fund's annual income distribution in 2011-12 is \$23,986. The Lowenstein Clinic's budget is supplemented by Yale Law School general funds.

Report on the Binger Center for New Theatre

Completed February 22, 2013

This past fall our five-person committee was invited to the Binger Center for New Theater to evaluate the impact of the Robina Foundation support on the programming of the new Binger Center at its five year mark. On December 6 and 7, 2012 we spent two days meeting with various stakeholders in the Binger Center, including its staff, and faculty and students of the Yale School of Drama. Since our two-day meeting we have also done follow-up interviews with artists who have worked at the Binger Center, and theater partners who have received support from the enhancement fund to support subsequent productions of plays commissioned through the Center. This report is both a summary of what we heard and an assessment of the programming based on our various perceptions and expertise in the field of the development and production of new theater.

Report Methodology:

In all of our meetings with various stakeholders we made it clear that their opinions and perceptions would be kept confidential and that we would not specifically identify individuals in the report. The exception to this is where the information in the report comes directly from Binger Center staff, James Bundy, Jennifer Kiger, and Amy Boratko who helped shape our understanding of the goals and objectives of the Center.

The committee's process included downloading all of our notes from meetings and interviews into a joint document. The committee chair took responsibility for organizing the notes into this report and then the report was sent to every committee member for feedback, editing, changes, etc.

The report structure includes:

1. A brief overview of the grant proposals to the Robina Foundation that provides a frame for our understanding of what was proposed to the Foundation.
2. A summary of what we heard from the key Binger Center staff elucidating the goals and objectives of the programming and definitions of success from their vantage point at this five-year mark.
3. A summary of what we heard from the Yale School of Drama Faculty about the work of the Binger Center.
4. A summary of what we heard from the students of the Yale School of Drama about their interaction with the work of the Binger Center.
5. A summary of the interviews we had with artists and partners who have benefitted from the resources of the Binger Center.
6. An overview from the committee.
7. Recommendations from the committee.

The Committee:

The Committee is made up of five people with a diversity of experience and expertise, some with no history with Yale Rep or the Drama School and some with direct working experience in both contexts in addition to two committee members who are alumni of the Drama School.

Polly Carl (Committee Chair)—Director/Editor, HowlRound: A Center for the Theater Commons, Emerson College

Emilya Cachapero—Director of Artistic Programs/ ITI-US, Theatre Communications Group

John Glore—Associate Artistic Director, South Coast Repertory

Leisl Tommy—Freelance Director

Doug Wright—Playwright

THE REPORT:**Overview of Original Proposals:**

As a committee we looked closely at some of the original language from the proposals using the frame of the mission of the Robina Foundation, and considered the evolution of that language from 2007 to 2012. Below we quote the key sections of the grants that guided our understanding of the proposed goals and objectives of the Binger Center for New Theatre.

Mission Statement for the Robina Foundation:

The Robina Foundation, a Minnesota-based private grantmaking foundation, seeks to positively impact critical social issues by encouraging innovation and financially supporting transformative projects of its four institutional partners.

Original Proposal from November 6, 2007:

Objectives include: "Mobilizing the talents, resources, and creative imaginations of young playwrights and stage professionals based on three propositions:

1. That with the strategic investment in the training and commissioning of plays, it will be possible to introduce innovation while ensuring the highest quality of production.
2. That it is imperative to attract and engage more diverse audiences that reflect the nation's changing demographics;
3. And that a key to enhancing the long-term vitality of live theatre lies in strengthening the regional stages through premieres and the showcasing of new talent. "

Two program components:

1. The establishment of a fund at the Center to commission new works for the stage—to raise the number of new plays for regional stages/ and encourage young playwrights.
2. The introduction of new writing-centered, collaborative, and integrated workshops, laboratories, and short courses to the Yale School of Drama curriculum. These will be focused on different genres, initially on musical theatre.

“Center will provide young playwrights with the time, resources, and support needed to create new plays....the Center will serve as a model for the training of professionals at other schools and provide a pipeline for new talent and new works.”

Revised Proposal April 13, 2012

“Yale now seeks to establish, in partnership with the Robina Foundation, the financial stability that will enable the Center to fire the American theatrical imagination for generations to come. . . to serve as a model for new theatrical productions around the country.

“The mission of the Center for New Theatre is to commission, develop, and produce new work for the stage, cultivating the talents of playwrights and other theatre artists.

“The Center will address the critical needs of the field by providing:

1. Meaningful compensation for writers.
2. Artist-centered processes.
3. Significant opportunities for production.
4. Multiple venues for interaction: classes, retreats, readings, workshops, residencies, and productions bring other theatre artists together at every stage of professional development.

“Expected Impact:

“We believe that this model—meaningful financial and artistic support of playwrights in combination with robust production opportunities and the fostering of community among artists—holds the highest promise for promoting the next great age of American playwriting.”

Summary from Meetings with the Staff of the Binger Center

Most of the following summary comes from conversations with James Bundy and Jennifer Kiger and additional contributions from Amy Boratko, Victoria Nolan, and Deborah Berman.

James Bundy began by framing the history of Yale Rep that led to the programmatic

priorities for the Robina Foundation proposal stated above. The frame for him included:

- A pressure to produce plays in a leadership role as Yale Rep productions reflect on how the Yale School of Drama is perceived.
- Acknowledging that their core competency over the past decade has been to identify and develop interesting writers.
- Addressing the big question he faced when he arrived at Yale—why would a playwright choose to do a play at Yale Rep when the royalty payouts were low, and given its proximity to NYC and the impact of the review as a New York review? This was part of the reason they focused on the need to commission writers in a substantial way and have put so many resources toward raising the commissioning amount.

Dean Bundy articulated what he thought success looked like if the Robina Foundation money was being leveraged toward the biggest impact:

- Giving the artist the widest possible audience they can find, multiple productions, and the ability to leverage other work because of the support they get from Yale.
- The extent to which the process contributes to the artistic growth of the artist, though less quantifiable, is just as important.
- Encouraging more adventurous work in the field at large.
- Inspiring others to create similar models.
- Using the enhancement fund, what Bundy described as the “most innovative tool they have,” as a form of risk capital to inspire others to do more new plays.

We spent most of the meetings with staff getting clear about how the programming works, how playwrights are chosen, and how development and production of the work comes about.

Day to day operations are much like those of a large regional theater when it comes to looking for and identifying new plays and strong voices they want to work with. Commissioned artists are chosen by Bundy and Kiger based on their long-term relationships with playwrights and their sense of who they consider the more innovative voices in the field. The literary office of the Binger Center assists in the process accepting unsolicited scripts and scripts from agents wading through a large pile of plays with the help of the YSD dramaturgy students.

The development path for the commissioned plays is driven by the needs of the artist and the project. One thing we heard consistently from all of the Binger Center staff: the artists making the work must drive its development. For this reason, and because of limited rehearsal space at Yale, most of the development work happens in New York City and not in New Haven. As most of the artists are in New York and

the collaborators are there as well, it is more convenient to the artists to work in New York. As a result, during the development of the work, YSD students are much less likely to be involved or able to access the process of the play's evolution in its earlier stages.

Yale Rep does not have a role in selecting playwrights for the YSD playwriting program so there isn't any direct relationship between the Binger Center commissioning program and the playwrights of the YSD.

We asked a question about how risk and innovation around the work was assessed, as the Binger Center staff and the Robina Foundation used both terms in defining the purpose of the support. And we heard risk defined this way by both Jennifer Kiger and Amy Boratko:

- Risk is assessed in relationship to the artist, not the audience. They work with artists to define the question of risk,
- In terms of how artistic risk-taking impacts audience engagement, there is less effort put here given that ticket sales do not drive their budget or their artistic decision making. They have begun to implement some post-show talk backs, but focus is not on preparing audience around risk.

We recognized as we got to the end of our two-day visit that we were still not clear on the relationship between what we perceived as three entities involved in the Robina Foundation proposal: Yale Rep, the Binger Center, and Yale School of Drama.

Dean Bundy clarified it for us this way:

- The Binger Center is a program and not a place. The word "Center" was primarily used as an academic word, to suggest a place to which funds would go—to create the idea of a community with potential donors, a place to create a rallying cry for money with the goal of ultimately creating an endowment.
- The primary resources of the fund are used to commission, develop, and produce new work.
- Bundy acknowledged that it might be inferred that these resources would be used to develop a curriculum around new play production but that isn't the case here. Faculty have methodology for teaching new play production but that is not run through the Binger Center and it is not the role of the Rep to shape how faculty will work.
- The branding challenge is how to best put Yale Rep out there as a professional theater.
- Robina Foundation is funding work that was already happening at Yale Rep and the funds make sure it will happen more deeply and in perpetuity. So the Binger Center isn't a new program but really a way of endowing existing practice.

At this point we asked Dean Bundy and Jennifer Kiger a series of questions:

What would be the most forward thinking way to integrate students and professionals and should Binger Center have a role in that? Is there a new exemplary practice for Binger Center within the YSD?

- Bundy reiterated here the autonomy of the faculty.
- Emphasized their interest in keeping the focus on the work and that feels strange for example to advertise the program, sees it as a template, not a model.

How they would define their audience?

- Bundy talked about the process of getting plays from writers they liked and getting those plays out and produced in other theaters.
- Their audience is probably the 50 largest theaters in the US

How they would define success on a national level?

- Success would be encouraging other communities to find their Robina Foundation to endow their practice—called their mission a “subversive elitist practice.”

We asked about communication between Binger Center and the faculty, and possible collaboration with commissioned artists and the faculty. Could there be a course on devised work for example when the recently commissioned Rude Mechanicals ensemble was in town?

- Not much has been done to integrate artists when they are in the middle of the development process, but when they are in a Yale Rep production then there is a lot of focus on integration.
- Bundy thought the communication overall was good.

Bundy then turned the tables and asked us to consider: What outcomes are we (Yale Rep) not using that we should be to measure success?

Summary of the Meeting with YSD Faculty

This meeting started with a very strange vibe, almost oppositional before anything was actually said. When we reiterated the confidential nature of the meeting then things seemed to be a little more free flowing. Part of the initial resistance was the general feeling from the faculty that the Robina support was not a conversation they felt a part of. For example, it was mentioned that the faculty learned about the gift at the same time the general public did.

The start of the conversation focused on the extra work that Binger Center was causing from the production side of things, particularly as they were getting into

more of the world of new musicals. The school didn't have the machine in place for that and a lot of extras were landing on existing staff as a result.

There was a general level of consensus that the caliber of new work has improved with the infusion of the Robina money and that the Rep was now attracting more exciting artists and that this is great for students. The faculty is most aware of how the Robina money impacts the productions at Yale Rep and they saw it as a boon for the design students in particular to get to work on such high quality plays with high quality artists. Everyone felt this had less impact for playwrights at YSD.

The best example of integration between the Binger Center and YSD was the summer musical which also includes YIMT.

The biggest concern from the faculty was the lack of communication (as perceived by the faculty) between the two entities, and missed opportunities for student engagement as a result. They didn't feel like there was a formal mechanism for communication between YSD and the Binger Center and as a result they had little sense of what artists had been commissioned and when they would be on campus, or when the development of the work was taking place.

They also expressed concern about how better integration could happen. One faculty member stated that they responded to this grant like they respond to everything else: there's a lot going on here. This led to an explanation of how things are scheduled within the YSD and concern that there is no room in the schedule for anything new; that to fit visiting artists from the Binger Center into the schedule for example would mean not doing something else. They have proven methodologies that they want every student who comes through Yale to experience, so integrating and creating new opportunities is a challenge.

That said, a couple of the faculty were more eager to take advantage of artist residencies. They expressed a desire for a space for visiting artists to work and to be accessible to students, and to find ways to connect the playwrights at YSD to the work of the Binger Center.

In asking the faculty about what they perceived to be the mission of the Binger Center, they didn't feel it had much to do with YSD but rather that the development of new work for the industry in general was the primary goal.

In a follow-up conversation after our meetings at Yale, we asked about the relationship between the Yale Institute for Music Theatre (YIMT) and the Binger Center, we learned that this is the first year YIMT will be integrated into the Binger Center and it's the only Binger Center program with a separate artistic director. It is scheduled in early June as a way to avoid conflicts with other programs. There has been a very strong interaction with the drama school, particularly stage managers and designers, but like with YSD much less interaction with the playwriting students.

Overall in our conversations with the faculty both in-person and via email, we heard a particular concern for finding ways to integrate the YSD playwriting students into the activities of the Binger Center, and a desire generally for more transparency and increased communication between the Binger Center and the faculty.

Summary of the Meeting with YSD Students

Most of the students didn't know about the Binger Center until they received the email about the 18 million dollar grant. Notably, Binger Center as a name didn't really resonate with the group, but dollar amount did. Students did say the size and nature of the grant conferred additional prestigious status upon the school, and they felt a trickle-down benefit from that, but that this is connected to public perception of the school, not practices within it.

Students reported that most of their interaction with the Binger Center is informal—they have one or two-hour conversation with the artists who come through town and these conversations are very inspirational.

Many of the students talked with great enthusiasm about Boot Camp. This seems to be the only event in which students and commissioned Binger playwrights mingle, exchange ideas, and cross-pollinate. It's also interesting to note that it occurs four or five days before the semester begins, so as not to interfere with the rigorous calendar mentioned by the faculty.

Playwrights expressed the greatest frustration in being able to connect to Yale Rep productions, as this is how the students come into contact with the programming of the Binger Center. Playwrights desire more access and training around the business side of playwriting and the real world challenges of getting work produced, and feel like they could gain a lot from more interaction with the professional arm of Yale. The group did speak highly of Jennifer Kiger and her willingness to meet and talk about the profession and engage the individual work of the playwrights.

Like the faculty, the students realize that more in-depth interaction with the Binger Center would have to be integrated into the curriculum; otherwise their schedules don't permit more involvement. But they would love to see "pop-up" master classes by visiting artists, more focus and learning opportunities around devised work, and access to the play development process and the pre-production process as part of their training.

Summary from Interviews with Collaborating Artists and Theaters

As a Committee we talked with a number of commissioned artists and theaters that benefitted from enhancement funds. In all cases we promised confidentiality so we will not mention specific names but summarize the responses from those interviews.

From Commissioned Artists

We heard from all the commissioned artists we talked to that the commission was a significant “shot in the arm” to the artists’ careers and to their ability to engage and focus on the specific project. There was great praise for the Yale Rep staff and their commitment to the work, especially when the play went into full production, in other words when it wasn’t a commission that was ultimately passed on. We heard responses like “when you fall in love, you never take it for granted,” conveying the sentiment that Yale Rep is a true artistic home for some of the artists involved.

We did hear from more than one artist that they didn’t receive as much support for their development process as they had hoped. They felt that the staff seemed to be “overwhelmed” or “stretched too thin,” and that communication was not as transparent and free flowing as they had hoped. That said, even those artists acknowledged the importance of the commission in their careers. And not surprisingly, these artists were very nervous about talking openly for fear of being perceived as “ungrateful” and risking the loss of future opportunities with Yale Rep.

From Theaters That Received Enhancement Funding

All of the theaters we talked to had a similar story. They had chosen to work with the artists and produce the plays based on their own relationships. They did not credit Yale Rep with bringing these artists to their attention. And everyone we talked to said they had decided to produce the work before they were aware of the enhancement funding (important to note here that we didn’t talk to everyone who received enhancement funding). But that said, those we talked to report that the enhancement funding—that went to improving design or extending the rehearsal process—had an undeniably positive impact on the final production. There was praise for the expertise of Vicki Nolan and gratitude for the invaluable insights about budget and other production challenges Yale Rep was able to provide due to their familiarity with the work.

Overview and Assessment from the Committee

It’s important to note here that though some of the committee members have worked at Yale Rep, none of us came into the process with much information about the Binger Center or any preconceived notions about the programming. For all of us this evaluation has been a learning process that has involved listening and then thoughtful reflection.

All of us were very impressed by the staff of the Binger Center and the stalwart commitment to artists and to the artistic process.

From our vantage point the Binger Center seems well on its way to achieving the first of its stated goals; it has commissioned excellent writers who have produced compelling work; it has helped those works get produced in admirable fashion; playwright compensation has increased; and finally, for the most part, the artists involved speak very highly of their experience working with the Rep. The synergy between James Bundy, Jennifer Kiger, and Amy Boratko makes for an acutely

intelligent and passionate artistic team—deeply responsive to the needs of the artists whose work they undertake to support.

In this respect the Binger Center is clearly an example of a “best practice” in the field of new play development. And we recognize that this has been the objective of the Binger Center. As we attempted to understand the goals, we went back as a group and focused on what Dean Bundy expressed as the primary purpose of the Binger Center—to endow the new play development activity that was already happening at Yale Rep for the sake of a higher level of new-play production on the Rep’s stage. From our vantage point that goal is being achieved at the highest level.

That said there was consensus among the committee that the other stated goal of the Binger Center -- “student enrichment” -- at present seems more elusive. There seems to be a dominant notion that if exciting things are happening at the Binger Center, the students will benefit by association.

And it’s true, to the extent that students were benefiting from new-play production at the Rep before the Binger Center came along, presumably they will continue to do so. Arguably they will have an enriched experience through exposure to better productions of new work that has had the benefit of artist-centered development.

But all of us wondered if this was enough? It’s crucial to note that student playwrights feel most divorced from both the Binger Center and the Rep, and there was an uncomfortable irony there for the committee members as the Binger Center is so focused on creating positive experiences for playwrights as a core part of the mission. We worried that some (not all) of the faculty see the activities of the Binger Center as a potential intrusion into their current curricula, rather than an opportunity to further inform and enrich it.

One of the stated goals of the Binger Center is to have an impact on the production of new work across the nation and this raised two questions for us:

1. How might the Binger Center model improve integration between professional theater and training programs?
2. And how can the enhancement funds of the Binger Center be more effectively used to leverage national impact?

We all saw, as Dean Bundy articulated, the enhancement fund as the most innovative piece of the Robina Foundation funding, and were excited to think about how it could be used in a more innovative fashion.

We particularly admire the Binger Center’s desire to make playwriting a tenable profession and wondered how this model might spread: could the Binger Center have a larger impact on the field in this respect and what would that take?

Two things we noted in this regard: The Playwriting Chair at the Yale School of Drama is the only chair without any formal affiliation or title at the Rep; and other than commissioned artists, there are no playwrights actually advising or participating in Binger Center operations or decision making. Is this prudent in what is essentially a heavily funded playwriting initiative?

Recommendations:

The following recommendations are offered based on our overview and assessment.

1. For all of us we felt the impact of an investment this size should be felt more clearly in the lives of the students of the YSD, especially on the playwriting programming. This investment calls out for an exploration of ways to improve the intersection between the professional theater and the pedagogical infrastructure that supports it.
2. Given that supporting playwriting and playwrights is such a focus of the Binger Center we suggest creating an advisory position to the Binger Center to be held by a professional playwright. This voice seems to be missing in the current staffing configuration and could help foster a deeper relationship between the YSD playwrights and the Binger Center.
3. The investment of the Robina support was primarily to deepen and preserve activities that were already happening at Yale Rep. The support is to ensure excellence. To the degree that Robina and the Rep seek to make this funding innovative—to support new practices and behaviors—we recommend reconsidering how the enhancement support is made public, and whether it might be used in ways to encourage productions of new plays from Yale Rep commissions that could not happen without such support.
4. Because the size of this investment in the American theater is so substantial, we encourage you to find ways to report your activities and your learning around these activities to the field more regularly. Are you creating a model for other regional theaters? Are you ensuring a more vibrant future for the field? This is such an important project and one that can benefit others through sharing outcomes.

It was an honor for all of us to participate on this committee. We admire your commitment to fostering new voices and new projects with the kind of financial support that can sustain careers.

Dean's Response to the Committee Report:

I am deeply grateful to the members of the committee for their thoughtful and aspirational assessment and recommendations. Their holistic consideration of programming, pointed assessments, and willingness to push for better outcomes for the Binger Center, all represent exactly the kinds of input that the Center needs at its five-year anniversary. All of their feedback is important to consider, but the purpose of this document is to respond to the four key recommendations at the end of the report.

Recommendation #1: Make the investment in the Binger Center more clearly felt in the lives of students; explore ways to improve the intersection of professional theatre and pedagogical infrastructure.

This is an extremely important task, subject to constant innovation and reassessment through curricular and program review. We have introduced new course work in playwriting, directing, and dramaturgy for 2012-13 that begins to bring processes of working on new plays into the first year for students in those disciplines, with greater reference to professional practice; in 2013-14, Jennifer Kiger, Director of New Play Programs of the Binger Center, will serve as a Lecturer in the Playwriting program, and Sarah Ruhl, a commissioned playwright and Associate Artist at Yale Rep, will join the YSD faculty full time.

In a conservatory encompassing many perspectives and aesthetics, there will always be faculty who find the work of the Binger Center more or less relevant to their own pedagogy. This report has made it clear that YSD faculty's understanding of the Binger Center is spotty, and where faculty are either misguided or resentful, there is significant opportunity to improve the Center's positioning in our own institution. We will seek opportunities to provide more contextual information about the Binger Center to the faculty in the year to come.

One challenge we continue to address is how to expose YSD playwriting students to the activities of the Binger Center. Other departments at the School intersect with the Binger Center through new play production; students in every other discipline of training except playwriting are offered opportunities in their discipline to work on productions at Yale Rep. Given that there are no plans to produce student work within the Yale Rep subscription season, we acknowledge the difference in the intersection between pedagogy and professional experience for our playwriting students.

In the past, some YSD playwrights have served as assistant directors on Yale Rep productions and found the experience invaluable; we will pursue more such opportunities to bring them into direct contact with Binger Center-supported work at Yale Rep. The Binger Center's staff and the Chair of the Playwriting program are discussing appropriate ways for the departments to work together and for the Binger Center to provide professional support and field engagement to playwriting

students. In addition, the Binger Center can and does commission some playwrights after their graduation from the School—the Center's staff are in a unique position to know these writers' work and to know them as theatre collaborators, and this benefits both the Binger Center and the Playwriting program.

Recommendation #2: Create an advisory position to the Binger Center to be held by a professional playwright.

At this point, we believe we have made a key hire that in form, if not in title, substantively addresses this recommendation, which is also focused on YSD students. We have invested in bringing Sarah Ruhl, a commissioned writer, to the YSD faculty full time, and believe that this will make a significant difference in the students' transition to the professional world. Sarah, an Associate Artist at Yale Rep, is very direct with us about our institutional aims, as are many other writers with whom we work. The Center does collect feedback about our programming and the industry from commissioned writers. We regard this dialogue as important and plan to maintain it.

Recommendation #3: Reconsider how enhancement support is made public.

We are currently pursuing major stories on the Binger Center in national publications that we believe will be the best vehicle for publicizing the enhancement fund. Given the relatively small sample size of available plays and subsequent productions, it is difficult to discern a particular trend in the use of enhancement support. We do know that the first—and best—indicator of a play's future life is the quality of the work itself. We will assess to the best of our ability how much enhancement funding has generated new productions or has augmented productions that may have happened without additional support. We believe the management of the fund will become more complex as more commissioned writers submit their scripts, and we will ramp up our communications about the fund with both writers and agents as this occurs.

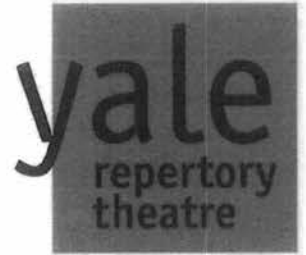
Recommendation #4: Find ways to report your activities and learning to the field more regularly.

We do believe we have created an important model for the field, and that the field is appropriately aware of our philosophy, practice, and funding; as noted above, we continue to pursue national publicity. That said, there are a limited number of institutions in a position to capitalize commissioning and production significantly: Berkeley Rep consulted with us before establishing their Ground Floor project, subsequently, several ideas at the core of the Binger Center appeared also in their program and its publicity. Binger Center staff members attend regular and extraordinary convenings and conferences with other field professionals.

Currently, the strongest advertisement of the Binger Center's success has been the work itself—the productions of Yale-commissioned plays that have garnered

national attention. We recognize the importance of communicating the Binger Center's scope and scale to the industry. However, we strive to do this while maintaining the flexibility and privacy at the core of the Binger Center's philosophy. Our artists value the ability to develop work away from industry pressures and outside of the public spotlight. Our challenge is to find the appropriate method to communicate the Center's activities, and successes, while preserving that privacy.

*File
yale drama*



October 8, 2012

Ms. Penny Hunt
Executive Director
The Robina Foundation
4900 IDS Center
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Minneapolis, MN 55402

JAMES BUNDY,
ARTISTIC DIRECTOR

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Dear Penny,

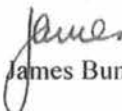
It is my pleasure to inform you and the Board that we will convene the first independent Review Committee to evaluate the programs of the Binger Center for New Theatre on December 6 and 7, 2012, in New Haven. The purpose of the review process is to evaluate the Center's mission, strategy, and programming within the context of the evolving landscape of new play development, production, and dissemination in the American theatre. The Committee's report will assess the strengths and weaknesses of the program at the time of the review and present recommendations for any enhancements and/or course corrections. I have asked the Review Committee to submit the full report to me by April 30, 2013.

I have invited five distinguished leaders in the American theatre to serve on the first Review Committee: Polly Carl (Director of the Center for the Theater Commons at Emerson College and editor of *HowlRound*), Emily Cachapero (Director of Artistic Programs, Theatre Communications Group), John Glore (Associate Artistic Director, South Coast Repertory), Liesl Tommy (director) and Doug Wright (playwright). We have included their biographies for your review. These professionals bring a diversity of artistic background and experience to the Review Committee, representing new play development organizations, producing organizations, funders, and individual artists. We will coordinate with the Review Committee so that they can speak with the Binger Center's artistic staff, currently commissioned and recently produced artists, and Yale Rep's administrative staff, as well as key professionals from outside the Yale community. In addition, to help provide an understanding of the relationship between the Binger Center and the School of Drama, we will facilitate meetings for the Review Committee and our playwriting faculty and students.

All of us here are eager to work with the Review Committee and to receive their thoughtful assessment of the Binger Center's initiatives. Polly Carl has agreed to serve as chair, and she will convene the group via telephone conference in November as preparation for their December site visit to Yale. I hope that Peter Karoff will be able to join me for the beginning of that call, as his point of view and deep understanding of the context of the Robina Foundation gift will add so much to this first conversation. We are delighted that the Review Committee will be with us in New Haven on December 6, when we gather with President Levin and Provost Salovey at the reception for the Robina Board: it will be an opportunity for the full Board to meet the committee members.

I am looking forward to speaking with you and Peter within the month and, of course, to welcoming the Board to Yale in December.

Yours,


James Bundy

Emilya Cachapero is the Director of Theatre Communications Group's Artistic Programs and International Theatre Institute-US. She has been active in the US arts community for more than 30 years. Ms. Cachapero oversees TCG's grant programs, international programs, and selected special projects. She is a member of the Executive Board and Council of ITI Worldwide, and as lead producer for ITI's New Project Group (NPG), she produced *House-Home*, an eleven-country collaboration that was performed in Xiamen, China, in 2011; *IfIDENTITY*, a ten-country collaboration that was performed in Madrid in 2008; and *The Borges Project*, a ten-country collaboration performed in Manila in 2006. In addition to her current responsibilities with TCG and ITI-US, Ms. Cachapero has been a US National Commissioner to UNESCO since 2008. Prior to joining TCG in 1991, she served as general manager for the Concordia Chamber Symphony; associate director of the Non-Traditional Casting Project in New York; conservatory administrator for American Conservatory Theater in San Francisco; and chair of the artistic committee for the Asian American Theater Company in San Francisco. She was instrumental in creating the San Francisco Ethnic Dance Festival and was its founding producer for the first two years of the program. Her writing has been published in *American Poetry Review* and several poetry anthologies. Ms. Cachapero received her Bachelor of Arts in creative writing from San Francisco State University and an honorary MFA from American Conservatory Theater. She is an alumna of the James P. Shannon Leadership Institute.

Polly Carl is the director of the Center for the Theater Commons at Emerson College and the editor of and frequent contributor to the online journal *HowlRound*. Her work at the Center is focused on promoting practices for 21st-Century theater making based on the core principle that theater is for everyone. She produces, dramaturgs, commissions, writes, and consults. She spent two years as Director of Artistic Development at Steppenwolf Theatre and served eleven years at the Playwrights' Center in Minneapolis—seven as Producing Artistic Director. She regularly moderates and sits on panels, serves on numerous committees and boards, and her PhD in Comparative Studies in Discourse and Society is from the University of Minnesota.

John Glore has been SCR's Associate Artistic Director since 2005, following five years as resident dramaturg for L.A.'s Center Theatre Group. He was SCR's literary manager from 1985 to 2000. His producing responsibilities include overseeing the Theatre for Young Audiences series, co-directing the annual Pacific Playwrights Festival, supervising the work of SCR's literary department, and providing producing support to the artistic directors on all SCR shows. He has served as dramaturg on more than 100 SCR productions, workshops, and readings. His ongoing collaboration with Culture Clash has included co-writing new adaptations of two plays by Aristophanes, *The Birds* (co-produced by SCR and Berkeley Repertory Theatre in 1998) and *Peace* (at the Getty Villa in 2009); and serving as dramaturg on four other Culture Clash productions. His own plays have been produced at SCR, Arena Stage, Actors Theatre of Louisville, Berkeley Repertory Theatre, and other theatres across the country. His adaptation of *A Wrinkle in Time* debuted at SCR in 2010 and has since moved on to multiple productions across the country.

Liesl Tommy's directing credits include *Ma Rainey's Black Bottom* and *Ruined* (Huntington Theatre); *Peggy Pickett Sees the Face of God*, a world premiere by Roland Schimmelpfennig (Luminato Festival/Volcano Theatre); *The Piano Lesson* (Yale Repertory Theatre); *Eclipsed*, a world premiere by Danai Gurira (Yale Repertory Theatre, Woolly Mammoth Theatre Company, and McCarter Theatre); *Angela's Mixtape*, a world premiere by Eisa Davis (Synchronicity Performance Group and New Georges); *The Good Negro*, a world premiere by Tracey Scott Wilson (The Public Theatre/NYSF, Sundance Theatre Institute, and Dallas Theater Center); *A History of Light*, a world premiere by Eisa Davis (Contemporary American Theatre Festival); *Yankee Tavern* and *Stick Fly* (CATF); *A Christmas Carol* (Trinity Repertory Company); *In the Continuum* (Playmakers Repertory Company); *Flight* (City Theatre); *A Stone's Throw*, a world premiere by Lynn Nottage (Women's Project); and *Bus and Family Ties* (Cristian Panaite Play Company) for the Romania Kiss Me! Festival. Ms. Tommy was awarded the NEA/TCG Directors Grant and the New York Theatre Workshop Casting/Directing Fellowship and is a New York Theatre Workshop Usual Suspect. She has also been a guest director and teacher at The Juilliard School, Trinity Rep/Brown University's MFA Directing and Acting Program, and New York University's Tisch School of the Arts. She is a native of Cape Town, South Africa.

Doug Wright received Tony and Drama Desk nominations for his book for the Broadway musical *Grey Gardens*. In 2004, he was awarded the Pulitzer Prize, a Tony Award for Best Play, the Drama Desk Award, a GLAAD Media Award, an Outer Critics Circle Award, a Drama League Award, and a Lucille Lortel Award for his play *I Am My Own Wife*. Earlier in his career, Mr. Wright won an Obie Award for outstanding achievement

in playwriting and the Kesselring Award for Best New American Play for *Quills*. He went on to write the screenplay adaptation; the film was named Best Picture by the National Board of Review and nominated for three Academy Awards. His screenplay was nominated for a Golden Globe Award and received the Paul Selvin Award from the Writer's Guild of America. For director Rob Marshall, Doug penned the television special *Tony Bennett: An American Classic*, which received seven Emmy Awards. For career achievement, Mr. Wright was cited with an award from the American Academy of Arts and Letters and the Tolerance Prize from the KulturForum Europa. He is a member of the Dramatists Guild, the Writer's Guild of America, East, the Screen Actors Guild and the Society of Stage Directors and Choreographers. Directing credits include *Kiki and Herb: Pardon Our Appearance* in Washington DC, Philadelphia, and London, and his own adaptation of August Strindberg's *Creditors* at the La Jolla Playhouse. Acting credits include the films *Little Manhattan* and *Two Lovers*, and the television show *Law & Order*. His most recent Broadway credit was *The Little Mermaid* for the Walt Disney Company, and his next will be the new musical *Hands on a Hard Body*, written with Amanda Green and Trey Anastasio. He lives in New York with his partner, singer/songwriter David Clement.

**Robina Foundation
2013 Board Meeting Dates**

DATE (2013)	PLACE/TIME
February 25-27, 2013 (Mon, Tues, Wed) New York City 5 East 66 th Street, NYC 10065 Phone: 212-737-7100 Website: www.lotosclub.org	New York City – The Lotos Club Monday, February 25 – 6:30 p.m. Dinner (7 a.m. to 10:30 a.m. Continental Breakfast in Grill Room) Tuesday, February 26 – 8:00 a.m. – 4:00 p.m. Tuesday, February 26 – 6:00 p.m. Dinner Wednesday, February 27 – 8:00 a.m. to 12 noon
May 14, 2013 (Tuesday) Conference Call	9:30 a.m. to 11:30 a.m. (CDT)
August 12-14, 2013 (Mon, Tues, Wed) Annual Meeting Minneapolis, Minnesota	Minneapolis, MN Monday, August 12 – 6:00 p.m. Dinner (CDT) Tuesday, August 13 – 8:00 a.m. to 4:00 p.m. (CDT) Tuesday, August 13 – 6:00 p.m. Dinner Wednesday, August 14 – 8:00 a.m. to 12 noon (CDT)
November 12, 2013 (Tuesday) Conference Call	10:00 a.m. to 12 noon (CST)

**Robina Foundation
2014 Board Meeting Dates**

DATE (2014)	PLACE/TIME
March 3-5, 2014 (Mon, Tues, Wed) Yale University Lodging: The Study	Yale University Monday, March 3 – 6:30 p.m. Dinner (EST) Tuesday, March 4 – 8:00 a.m. – 4:00 p.m. (EST) Tuesday, March 4 – 6:00 p.m. Dinner (EST) Wednesday, March 5 – 8:00 a.m. to 12 noon (EST)
May 13, 2014 (Tuesday) Conference Call	10 a.m. to 12 noon (CDT)
August 11-13, 2014 (Mon, Tues, Wed) Annual Meeting Minneapolis, Minnesota Lodging: The Minneapolis Club	Minneapolis, MN Monday, August 11 – 6:00 p.m. Dinner (CDT) Tuesday, August 12 – 8:00 a.m. to 4:00 p.m. (CDT) Tuesday, August 12 – 6:00 p.m. Dinner Wednesday, August 13 – 8:00 a.m. to 12 noon (CDT)
November 13, 2014 (Thursday) Conference Call	10:00 a.m. to 12 noon (CST)

From: Penny Hunt <pennhunt@gmail.com>
Subject: CFR / Council of Councils Annual Conference



Date: March 19, 2013 10:16:24 AM CDT

To: Gordy Aamoth <gaamoth@msn.com>, Susan Berresford <berresu43@gmail.com>, Kathleen Blatz <kathleenblatz@msn.com>, Tom Crosby <tcrosby@tcrosbylaw.com>, Peter Karoff <pkaroff@TPI.ORG>, Steve Schroeder <schröder@medicine.ucsf.edu>

Cc: Nancy Gilberg <ngilberg@robinafoundation.org>

1 Attachment, 1.9 MB

Greetings,

Gordy and I attended last week's second annual conference of CFR's Council of Councils, which is part of the IIGG initiative funded by the Robina Foundation. Since we attended last year as well, we were able to compare the two sessions. I've attached the agenda for the meeting along with the bios of attendees. (Undoubtedly, more information than you want!)

As you can see from the agenda, designated participants presented their views on a fairly wide range of topics. A robust Q & A followed each of the presentations. In addition to the panel presentations, CoC conference attendees heard several keynote speakers: David Lipton, *First Deputy Managing Director, International Monetary Fund*; Michael Froman, *Deputy Assistant to the President and Deputy National Security Adviser for International Economic Affairs*; and Timothy Geithner, *former Secretary of the Treasury and now Distinguished Fellow, Council on Foreign Relations*. Needless to say, the remarks of each of the keynote speakers were interesting and stimulated considerable discussion among CoC participants.

Several observations about the CoC and the conference:

- 3 new councils were added to the CoC: councils from Egypt, India, and Nigeria. (One of CFR's goals was to add councils from Africa as well as from India.) Participants now total 22.
- With the exception of the representative from Russia who spoke only once, all of the participants seemed fully engaged and added their views to the discussions.
- Participants reported that they had been in contact with people they met at the first conference and had benefited from bilateral discussions as a result of these new connections.
- Richard expressed the view that this year's conference was better than last year's: the pre-conference papers were better, and the discussions were richer. Others agreed with this assessment.
- Stewart and Richard reported some changes in the publications of the CoC and plans for the CoC on the website.
- Participants were very interested in CFR's "Global Governance Report Card" and would like to be involved in the ratings.
- The timing, number, content and location of full CoC meetings and regional meetings were of great interest to participants. CFR agreed to review the options and discuss various options with CoC members.
- All seemed to agree with the representative from Australia that the CoC represents enormous ambition and potential.
- Robina's funding of the CoC was recognized by CFR several times. Participants also expressed their appreciation.

Gordy and I profited from conversations with participants during the coffee breaks and dinners. Gordy asked several participants on the importance of the fact that CFR pays for the cost of participation. This will undoubtedly be an issue going forward.

The issue that generated perhaps the most interest, in part because governance structures are new and/or not in place was the topic of "Global Internet Governance." Richard and Jim Lindsay met with Gordy and me to express their enthusiasm for including work in this area as part of IIGG. According to Richard, this is an area

where CFR's work could have a far-reaching effect. CFR is going to provide us with their ideas about how CFR could approach this work.

Needless to say, I suspect, I personally appreciated the opportunity to observe the conference. I know Gordy did, too.

Let me know if you have questions or would like more information.

Warm regards,
Penny



[CoC Annual....pdf \(1.9 MB\)](#)

Penny A. Hunt
Executive Director

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COUNCIL OF COUNCILS

An Initiative of the Council on Foreign Relations



*Sunday, March 10, 2013
7:00 p.m. to 9:30 p.m.*

*Monday, March 11, 2013
8:15 a.m. to 9:30 p.m.*

*Tuesday, March 12, 2013
8:30 a.m. to 2:00 p.m.*

The 2013 Council of Councils Annual Conference

*This meeting, and the broader Council of Councils initiative,
is made possible by the generous support of the Robina Foundation.*

This meeting, and the broader Council of Councils initiative, is made possible by the generous support of the Robina Foundation.

Council of Councils Mission Statement

The defining foreign policy challenges of the twenty-first century are global in nature. To help direct high-level international attention and effective policy responses to these threats and opportunities, the Council on Foreign Relations (CFR) has created a Council of Councils (CoC). The CoC is composed of twenty-four major policy institutes from some of the world's most influential countries. It is designed to facilitate candid dialogue and consensus building among influential opinion leaders from both established and emerging nations, with the ultimate purpose of injecting the conclusions of its deliberations into high-level foreign policy circles within members' countries.

This conference is not-for-attribution, unless otherwise noted. Participants are welcome to make use of the information received at the meeting, but neither the identity of the speakers nor that of any other participant may be revealed, nor may one cite a CFR meeting as the source of the information. Use of personal recording devices and cameras is prohibited.

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Sunday, March 10, 2013

7:00–9:30 p.m. Cocktail Reception, Opening Dinner, and Welcoming Remarks **Restaurant Nora**
Richard N. Haass, President, Council on Foreign Relations (United States) 2109 R Street, NW
Gallery Entrance
Washington, DC

Monday, March 11, 2013

8:15–8:45 a.m. Light Breakfast

8:45–9:00 a.m. **Review of Council of Councils in 2012** **Rockefeller-Peterson Room**
Stewart M. Patrick, Senior Fellow and Director of the International Institutions and Global Governance Program, Council on Foreign Relations (United States)

Review of Council of Councils activities in 2012, followed by a short assessment of progress in global governance reform over the past twelve months.

9:00–10:30 a.m. Session One **Rockefeller-Peterson Room**
Climate Change: Multilateral Approaches for the Future

Panelists: **Susanne Droege**, Head of Global Issues Research Division, German Institute for International and Security Affairs (Germany)

Michael A. Levi, David M. Rubenstein Senior Fellow for Energy and the Environment, Council on Foreign Relations (United States)

David Runnalls, Distinguished Fellow, Center for International Governance Innovation (Canada)

Chair: **Robin Niblett**, Director, Chatham House (United Kingdom)

Guiding Questions: What are the most effective governance frameworks for addressing climate change? What did the recent United Nations Framework Convention on Climate Change (UNFCCC) Conference of Parties suggest about the strengths and limitations of the process in bringing about meaningful international action? Which “minilateral” forums hold the most promise for improving climate governance when it comes to mitigation and adaptation efforts? What are the prospects of mobilizing promised international financial assistance to advance these goals?

10:30–11:00 a.m. Coffee Break

11:00 a.m.–12:30 p.m. Session Two **Rockefeller-Peterson Room**
Development: Setting New Goals and Establishing New Frameworks

Panelists: **Elena Lazarou**, Coordinator, Center of International Relations, Getulio Vargas Foundation (Brazil)

Rohinton P. Medhora, President, Center for International Governance Innovation (Canada)

Yul Sohn, Dean and Professor, Graduate School of International Studies, Yonsei University, East Asia Institute (South Korea)

Chair: **Andres Rozental**, Founder, Mexican Council on Foreign Relations (Mexico)

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Guiding Questions: How effective is the current multilateral architecture for advancing global development? How can one build common ground on development approaches between the traditional donor community (including Organization for Economic Cooperation and Development states, the World Bank, and the International Monetary Fund) and emerging donors like China, India, Brazil, and the Gulf states? What new international goals and targets should be negotiated to advance global development beyond 2015, when the Millennium Development Goals are set to expire? How can global development agencies better leverage other, often more important resource flows, including foreign investment, trade, and remittances?

12:30–2:00 p.m. Lunch and Keynote Speaker **First Floor Conference Room**
The Evolution of the IMF in the Global Financial System
Speaker: **David Lipton**, First Deputy Managing Director, International Monetary Fund
Presider: **Richard N. Haass**, President, Council on Foreign Relations (United States)
**This session will be on-the-record.*

2:00–3:30 p.m. Session Three **Rockefeller-Peterson Room**
Revitalizing Trade: Global, Regional, or Plurilateral Approaches?

Panelists: **Barry Desker**, Dean, S. Rajaratnam School of International Studies (Singapore)
Thierry de Montbrial, Founder and President, French Institute of International Relations (France)
Jaime Zabłudovsky, President, Mexican Council on Foreign Relations (Mexico)
Chair: **Richard N. Haass**, President, Council on Foreign Relations (United States)

Guiding Questions: Is the era of comprehensive global trade agreements under the auspices of the World Trade Organization (WTO) essentially dead? If so, what role remains for the WTO? Should we see the growing trend toward bilateral, regional, and plurilateral (e.g., Trans-Pacific Partnership) free trade agreements as benign and even valuable, or do these developments pose downsides, risking the diversion and fragmentation of global trade? At a global level, what sectors (e.g., investment, public procurement) might be most ripe for narrower multilateral agreements, at least among a core set of countries?

3:30–4:00 p.m. Coffee Break

4:00–5:30 p.m. Session Four **Rockefeller-Peterson Room**
Setting Rules for Outer Space

Panelists: **Memduh Karakullukçu**, President, Global Relations Forum (Turkey)
Gilead Sher, Senior Research Fellow, Institute for National Security Studies (Israel)
Stefano Silvestri, President, Institute of International Affairs (Italy)
Chair: **Stewart Patrick**, Senior Fellow and Director of the International Institutions and Global Governance Program, Council on Foreign Relations (United States)

Guiding Questions: As the outer space domain becomes more congested, competitive, and contested, are current global governance mechanisms prepared to respond? What are the risks and benefits of

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recent proposals for a new international space treaty or, less ambitiously, a code of conduct governing outer space activities (including for mitigation of space debris and collision avoidance)? Are new international legal rules and other frameworks needed to prevent a militarization of space?

5:30–6:45 p.m.	Free Time (Business Center with Wi-Fi available)	Members Lounge
7:00–9:30 p.m.	Cocktail Reception/Dinner and Keynote Speaker The Obama Administration's Global Economic Priorities Speaker: Michael Froman , Deputy Assistant to the President and Deputy National Security Adviser for International Economic Affairs Introduction: Richard N. Haass , President, Council on Foreign Relations (United States)	Vidalia Restaurant 1990 M Street, NW Washington, DC

Tuesday, March 12, 2013

8:30–9:00 a.m.	Light Breakfast	
9:00–10:30 a.m.	Session Five Global Internet Governance	Rockefeller-Peterson Room
	Panelists: Ronaldo Lemos , Founder of the Center for Technology and Society, Getulio Vargas Foundation (Brazil) Andrea Renda , Senior Research Fellow, Center for European Policy Studies (Belgium) Adam Segal , Maurice R. Greenberg Senior Fellow for China Studies, Council on Foreign Relations (United States) Gancheng Zhao , Senior Fellow and Director of South Asia Studies, Shanghai Institute for International Studies (China) Chair: Michael Fullilove , Executive Director, Lowy Institute for International Policy (Australia)	
	Guiding Questions: What are the advantages and disadvantages of the existing Internet governance structure? Could the United Nations, either now or in the future, offer a credible alternative to current, ostensibly private arrangements to regulate the Internet? What sovereign control should individual states have over the Internet? What international steps or treaties are needed to ensure cybersecurity? Should Internet governance balance security considerations with human rights and civil liberties concerns?	
10:30–11:00 a.m.	Coffee Break	
11:00 a.m.–12:30 p.m.	Session Six Wrap-Up: Where Do We Go from Here? Chair: Richard N. Haass , President, Council on Foreign Relations (United States)	Rockefeller-Peterson Room
	Guiding Questions: What lessons can be applied from last year to make the CoC more effective in the coming year? Moving forward, how would the membership like to see the CoC develop? Have the CoC regional conferences proven to be useful platforms? Have the members of CoC managed to	

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facilitate multilateral coordinated efforts at the official level on any of these issues? What improvements or changes would the membership like to see in the coming year?

12:30–2:00 p.m.

Lunch and Keynote Speaker

Rockefeller-Peterson Room

A Conversation with Timothy Geithner

Speaker: Timothy Geithner, Distinguished Fellow, Council on Foreign Relations

Presider: James M. Lindsay, Senior Vice President, Director of Studies, and Maurice R. Greenberg Chair, Council on Foreign Relations (United States)

Participant Biographies

Bola A. Akinterinwa

Bola A. Akinterinwa is the director general of the Nigerian Institute of International Affairs (NIIA). Before this, he served as acting director general of NIIA from 2010 to 2011. He has been a research fellow at NIIA since 1985, and has received three letters of commendation from the management of the institute for his scholarship and patriotic activities. Akinterinwa served as special assistant to two ministers of foreign affairs and as minister of the Interior between 2003 and March 2010. Akinterinwa is a member of several professional organizations. He was the treasurer of the Nigerian Society of International Affairs and the assistant secretary of the Nigerian Society of International Law. He is also a member of the Nigerian Political Science Association and African Association of Political Science. Akinterinwa served in 1984 as an embassy translator at the Embassy of Nigeria in Paris, and as a Ford Foundation fellow at the University of Maryland Foreign Policy Process in 1989. Akinterinwa is an editorial page editor and Monday columnist of the Nigerian newspaper *ThisDay*. He has written the paper's Sunday column, "Vie Internationale," since 2007. At NIIA, Akinterinwa was a member of the editorial board from 1989 to 1994, and editor of the *Nigerian Journal of International Affairs* from 1994 to 1999. He is the editor of ten books, and author of five books and over fifty chapters in books and articles in various journals of international affairs. He is the secretary of the board of trustees of the Celestial Church of Christ Worldwide and a recipient of the Ile-Oluji National Merit Award. Akinterinwa, a *sorbonnard*, studied international studies at the School of Advanced International Studies, Paris, international law at the Institute of Advanced International Studies of the University of Paris 2, Panthéon-Assas, and contemporary international relations and diplomatic history at the University of Paris 1, Panthéon-Sorbonne, France. He received his degrees with distinctions.

Oladiran Bello

Oladiran "Ola" Bello is the program head of the Governance of Africa's Resources Programme at the South African Institute of International Affairs (SAIIA). Before joining SAIIA, he worked for several organizations including the United Nations in New York, FRIDE in Madrid, Management Systems International in Washington, DC, Merchant International Group London, and Arthur Andersen LLP Chicago. His research interests include resource governance, conflict, security and development in Africa and EU-Africa relations. Bello is a regular commentator in print media and also appears on major news channels including al-Jazeera, TVE Spain, TV Intereconomia Spain, and CNBC. Bello has lectured on development cooperation and EU-Africa relations in BSc and MA programs at the Universidad CEU San Pablo in Madrid, ESSCA in France, and the Diplomatic Academy in Vienna. Bello holds a first-class BSc degree from the Obafemi Awolowo University, Ile-Ife, and received both his MPhil and PhD degrees in international relations from the University of Cambridge.

Barry Desker

Barry Desker is the dean of the S. Rajaratnam School of International Studies, Nanyang Technological University (NTU), and the director of defense and strategic studies at NTU. He is the inaugural Bakrie professor of Southeast Asia policy. Desker is a member of the Presidential Council for Minority Rights, Singapore. Desker was the chief executive officer of the Singapore trade development board from 1994 to 2000, after serving in the foreign service since 1970. He was the ambassador of Singapore to Indonesia from 1986 to 1993, deputy secretary and director of the policy, planning, and analysis division of the Singapore Ministry of Foreign Affairs from 1984 to 1986, and deputy permanent representative to the United Nations in New York from 1982 to 1984. Desker is also nonresident ambassador of Singapore to the Holy See, nonresident ambassador of Singapore to Spain, and chairman of Singapore Technologies Marine. He was educated at the University of Singapore, University of London, and Cornell University.

Susanne Droege

Susanne Droege is the head of the global issues division at the German Institute for International and Security Affairs (SWP) in Berlin, Germany. She has specialized in energy, climate, and international economics, and has long-standing

work experience on trade and the environment. Droege advises the German parliament, the German government, and international organizations on climate and energy policy issues. Her recent research focuses on the European Union's and other countries' emissions trading schemes, energy-intensive industries, carbon leakage and embedded carbon, and the United Nations Framework Convention on Climate Change (UNFCCC) climate negotiations. Droege has published a wide range of books, articles, and policy papers. Before joining SWP in 2006, Droege worked for the German Institute for Economic Research (DIW Berlin) and the Leipzig Graduate School of Management. Between 2008 and 2012 she acted as project leader in the Climate Strategies network. Droege serves as a member to a number of scientific advisory boards, including the Oeko-Institute Berlin, GIZ, and the UNEP Global Environment Outlook GEO-5. Droege studied economics at the Free University of Berlin and the University of Warwick, UK.

Xiao Fang

Fang Xiao is the deputy director of the Center for European Studies at the Shanghai Institutes for International Studies (SIIS). She is also a visiting fellow with the Freeman Chair in China Studies at the Center for Strategic and International Studies (CSIS) starting in January 2013. She joined SIIS in 2005 as the deputy director of Department of Research Management and International Exchanges. Her academic interests include the European neighborhood policy and European relations with East Asia. Fang obtained her BA from Wuhan University in 2002, her MA from the University of Birmingham in 2004, and her PhD from the Shanghai International Studies University in 2009.

Michael Fullilove

Michael Fullilove is the executive director of the Lowy Institute for International Policy. He has been associated with the Lowy Institute since its establishment. Fullilove wrote the feasibility study for the institute in 2002 and has served as director of the global issues program since 2003. He has also worked as a visiting fellow in foreign policy at the Brookings Institution in Washington, DC, as an adviser to Prime Minister Paul Keating, and as a lawyer. He remains a nonresident senior fellow at Brookings. Fullilove writes on Australian foreign policy, U.S. foreign policy, and global issues in publications including the *New York Times*, *Financial Times*, *Washington Post*, *Daily Beast*, *Washington Quarterly*, *National Interest*, *Foreign Affairs*, and for the Australian press. He is a media commentator and speaker both in Australia and abroad. His new book, *Rendezvous with Destiny: How Franklin D. Roosevelt and Five Extraordinary Men Took America into the War and into the World*, will be published in July 2013. Fullilove graduated in arts and law from the Universities of Sydney and New South Wales, with dual university medals. He also studied as a Rhodes scholar at the University of Oxford, where he received an MA and a PhD in international relations.

Ettore Greco

Ettore Greco is the director of the Institute of International Affairs (IAI) and is the head of the institute's transatlantic program. Greco worked as a visiting fellow at the Brookings Institution from January 2006 to July 2007. He has taught at the University of Parma and the University of Bologna. From 2000 to 2006, he worked as correspondent for the Economist Intelligence Unit. From 1993 to 2000, he directed IAI's program on Central and Eastern Europe. Greco served as the deputy director of IAI from 1997 to 2008. He has also worked as a freelance journalist since 1988. Greco is the author of a number of publications on the EU's institutions and foreign policy, transatlantic relations, and the Balkans.

Thomas Gomart

Thomas Gomart is both the vice president for strategic development and the director of the Russia/NIS center at the French Institute of International Relations (IFRI). Gomart's academic and professional background has been closely related to post-Soviet space. As Lavoisier fellow at the Moscow State Institute of International Relations, visiting fellow at the European Union Institute for Security Studies in Paris, and the Marie Curie fellow in the department of war studies at King's College in London. From 2002 to 2010 he lectured on international affairs at the Special

Military School of Saint-Cyr Coëtquidan. He is the editor of the trilingual electronic collection *Russie.Nei.Vision* and belongs to the editorial boards of *Politique étrangère* and *la Revue des Deux Mondes*. Gomart received his EMBA at HEC and his PhD in history at the University of Paris 1, Panthéon-Sorbonne.

Richard N. Haass

Richard N. Haass is president of the Council on Foreign Relations, a position he has held since 2003. From January 2001 to June 2003, Haass was director of policy planning for the Department of State, where he was a principal adviser to Secretary of State Colin Powell. Confirmed by the U.S. Senate to hold the rank of ambassador, Dr. Haass also served as U.S. coordinator for policy toward the future of Afghanistan and U.S. envoy to the Northern Ireland peace process. For his efforts, he received the State Department's Distinguished Honor Award. Haass has extensive additional government experience. From 1989 to 1993, he was special assistant to President George H.W. Bush and senior director for Near East and South Asian affairs on the staff of the National Security Council. In 1991, Dr. Haass was awarded the Presidential Citizens Medal for his contributions to the development and articulation of U.S. policy during Operations Desert Shield and Desert Storm. Previously, he served in the Departments of State (1981–85) and Defense (1979–80) and was a legislative aide in the U.S. Senate. Haass was also vice president and director of foreign policy studies at the Brookings Institution, the Sol M. Linowitz visiting professor of international studies at Hamilton College, a senior associate at the Carnegie Endowment for International Peace, a lecturer in public policy at Harvard University's John F. Kennedy School of Government, and a research associate at the International Institute for Strategic Studies. Haass is the author or editor of eleven books on American foreign policy and one book on management. His next book, *Foreign Policy Begins at Home: The Case for Putting America's House in Order*, will be published by Basic Books in May 2013. A Rhodes scholar, Haass holds a BA from Oberlin College and an MPhil and a DPhil from Oxford University. He has received honorary degrees from Hamilton College, Franklin & Marshall College, Georgetown University, Oberlin College, Central College, and Miami Dade College.

Memduh Karakullukçu

Memduh Karakullukçu is the vice chairman and president of the Global Relations Forum, managing partner at Kroton Consulting, and the founding partner of the online legal informatics initiative, Kanunum.com. His advisory work specializes in higher education and technology policy and the analysis of international economic and political affairs. He has served as senior adviser to the chairwoman of Turkish Industrialists' and Businessmen's Association (TÜSİAD) from 2007 to 2010. Previously, Karakullukçu was the founding managing director of Istanbul's leading science park, Istanbul Technical University (ITU) ARI Teknokent, an innovation community of one hundred technology companies. During this period, Karakullukçu also served as the senior adviser to the president of ITU, the coordinator of the law technology and policy program, and the strategic adviser at the university's Center for Satellite Communications. He was also a member of the academic staff at ITU. Karakullukçu worked as a specialist in structured finance at the London and Istanbul offices of an international investment bank from 1992 to 1994. His previous academic work includes research commissioned by the International Monetary Fund (IMF) and the World Bank on the dynamics of Turkish debt markets. He has presented his work on technology and innovation policy at various international forums. Karakullukçu received his BS in electrical engineering and economics at MIT, his MSc in finance at the London School of Economics, and his JD at Columbia University. He is a member of the New York State Bar.

Sönmez Köksal

Sönmez Köksal is a retired career diplomat who has served as ambassador of Turkey in France and Iraq and as permanent delegate to the Council of Europe. He was undersecretary of state in charge of the Turkish National Intelligence Organization from 1992 to 1998. Köksal has served in several posts at the Turkish Ministry of Foreign Affairs, including as deputy director general in charge of multilateral economic relations, deputy permanent delegate to the European Economic Community, director of the Middle East and Africa department, and director of the policy

planning department. Until recently, Köksal was president of the board of trustees of the Istanbul Commerce University and a member of the academic staff at Işık University. He is currently a member of the Wise Men Center for Strategic Studies in Istanbul. Köksal is a graduate of the faculty of political sciences of Ankara University.

Yasushi Kudo

Yasushi Kudo is founder and representative of the Genron NPO, a nonpartisan, nonprofit think tank. As head of the think tank, he has been regularly conducting evaluations of each major political party's election pledges and of incumbent administrations' performances. He has also served on a number of advisory committees in the Japanese government and private organizations. In Asia, Kudo established an influential high-level, private-sector channel of dialogue known as the Tokyo-Beijing Forum in 2005, and conducts an annual public-opinion poll of Japanese and Chinese citizens. Before the foundation of the Genron NPO, Kudo was an editor of *Financial Business*, a monthly magazine specializing in financial business, and *Debate: Toyo Keizai*, Japan's leading issue-oriented magazine. In November 2012 he assumed the position of editor in chief of an interactive web magazine, *Discuss Japan-Japan Foreign Policy Forum*, which was launched to disseminate viewpoints and arguments related to Japanese foreign policy.

Sergey Kulik

Sergey Kulik is the director for international development at the Institute of Contemporary Development. He is also a member of the scientific council of the Security Council of the Russian Federation and the Council for Foreign and Defense Policy. His former positions include director of the department for relations with the EU, office of the Russian president; deputy director of the foreign policy department of the Russian president; head of the arms control center at the Institute for U.S. and Canadian Studies, Russian Academy of Sciences; and project leader at the Stockholm International Peace Research Institute (SIPRI).

Elena Lazarou

Elena Lazarou is the head of the Center for International Relations at the Getulio Vargas Foundation (FGV), where she is an assistant professor of international relations. Her interests include European studies, foreign policy analysis, and regional integration. Her current research focuses on the impact of the crisis of the Euro on the EU's external relations, EU-Brazil relations, and Brazil-Turkey relations. She also coordinates a pilot program on think tanks and foreign policy in Brazil funded by the Ford Foundation and FGV's European studies group, which is financed by the Brazilian Science and Technology Council (CNPq). Lazarou has held postdoctoral research positions at POLIS/University of Cambridge and the London School of Economics and Political Science. His previous positions include head of the Euro-Mediterranean Observatory, Hellenic Center for European Studies-EKEM from 2009 to 2010, research associate at the Center for International Policy Research and the University of Sheffield from 2007 to 2008, and visiting scholar at Columbia University and New York University in 2005. She is also affiliated with the Hellenic Foundation for European and Foreign Policy (ELIAMEP) and is visiting professor at Sciences Po Grenoble. Her most recent publications include *A Paradigm in Trouble? The Effects of the 2010 Euro-crisis on the European Model for Regional Integration in South America*, published in 2012, and *The EU's Doctrine of Multilateralism*, published in 2013. Lazarou received a PhD in international relations from the University of Cambridge in 2008.

Yong Wook Lee

Yong Wook Lee is associate professor in the department of political science and international relations at Korea University. He served as a visiting scholar at the University of Tokyo's Institute of Social Science, lecturer at the University of Southern California School of International Relations, Freeman fellow at the Watson Institute for International Studies and the East Asian studies department at Brown University, and assistant professor in both the School of International and Area Studies and the department of political science at the University of Oklahoma, where he was faculty associate at the Institute for U.S.-China Issues. His recent English publications include *The*

Japanese Challenge to the American Neoliberal World Order: Identity, Meaning, and Foreign Policy; Regional Financial Solidarity without the United States: Contested Neoliberalism in East Asia; and Synthesis and Reformulation of Foreign Policy Change: Japan and East Asian Financial Regionalism. He is currently working on a book on East Asian financial regionalism. Lee received his BA in East Asian languages and cultures from the University of Kansas and his PhD in international relations from the University of Southern California.

Ronaldo Lemos

Ronaldo Lemos is an internationally respected Brazilian scholar and commentator on copyright and information technology policy. He is the founder of the Center for Technology and Society at the Fundação Getulio Vargas (FGV) law school, where he is also head professor of intellectual property law. He is also the project lead of Creative Commons Brazil. Lemos is a founder of the collaborative website Overmundo.com, for which he received the Prix Ars Electronica Golden Nica in the category of digital communities. In 2011, Lemos joined the Center for Information Technology Policy at Princeton University as a fellow. Lemos was one of the creators of the Marco Civil, a draft legislation for regulating the Internet in Brazil, protecting civil rights, privacy, and net neutrality currently in Congress. He serves as a member of the board of Access Now!, an international nonprofit, human rights, public policy group dedicated to an open and free Internet, and a member of the Council for Social Communications, a government body created by the Constitution of Brazil to support Congress in connection with freedom of expression. He has published five books and numerous articles. Lemos holds law degrees from the University of Sao Paulo and Harvard University.

Michael A. Levi

Michael A. Levi is the David M. Rubenstein senior fellow for energy and the environment at the Council on Foreign Relations (CFR) and director of CFR's program on energy security and climate change. He is an expert on climate change, energy security, arms control, and nuclear terrorism. Before joining CFR, Levi was a nonresident science fellow and a science and technology fellow in foreign policy studies at the Brookings Institution. Prior to that, he was director of the Federation of American Scientists' strategic security project. Levi is author of the forthcoming book *The Power Surge: Energy, Opportunity, and the Battle for America's Future*. His previous books are *On Nuclear Terrorism* and, with Michael O'Hanlon, *The Future of Arms Control*. He was project director for the CFR-sponsored Independent Task Force on Climate Change, chaired by former governors Tom Vilsack and George Pataki. His recent writings include a major study on the global politics and economics of energy innovation, *Energy Innovation: Driving Technology Competition and Cooperation Among the U.S., China, India, and Brazil*. Levi has testified before Congress and presented expert scientific evidence to the National Academy of Sciences on climate change and nuclear security. His essays have been published in *Foreign Affairs*, *Foreign Policy*, *Nature*, and *Scientific American*, among others. His op-eds have appeared in the *New York Times*, *Washington Post*, *Wall Street Journal*, and *Financial Times*. Levi previously wrote a monthly online column on science and security for the *New Republic*, and served as a technical consultant to the critically acclaimed television drama *24*. He currently writes the CFR blog *Energy, Security, and Climate*. Levi holds a BSc in mathematical physics from Queen's University (Kingston) and an MA in physics from Princeton University. He holds a PhD in war studies from the University of London (King's College), where he was the SSHRC William E. Taylor fellow.

James M. Lindsay

James M. Lindsay is senior vice president, director of studies, and Maurice R. Greenberg chair at the Council on Foreign Relations (CFR). Before returning to CFR in 2009, Lindsay was the inaugural director of the Robert S. Strauss Center for International Security and Law at the University of Texas at Austin, where he held the Tom Slick chair for international affairs at the Lyndon B. Johnson School of Public Affairs. From 2003 to 2006, he was vice president, director of studies, and Maurice R. Greenberg chair at CFR. He previously served as deputy director and senior fellow in the foreign policy studies program at the Brookings Institution. From 1987 until 1999, he was a

professor of political science at the University of Iowa. From 1996 to 1997, Lindsay was director for global issues and multilateral affairs on the staff of the National Security Council. He has also served as a consultant to the United States Commission on National Security/21st Century (Hart-Rudman Commission) and as a staff expert for the United States Institute of Peace's congressionally mandated Task Force on the United Nations. Lindsay's book with Ivo H. Daalder, *America Unbound: The Bush Revolution in Foreign Policy*, was awarded the 2003 Lionel Gelber Prize, named a finalist for the Arthur S. Ross Book Award, and selected as a top book of 2003 by the *Economist*. He has also contributed articles to the op-ed pages of many major newspapers, including the *New York Times*, *Washington Post*, and *Los Angeles Times*. He writes the blog The Water's Edge, which discusses the politics of American foreign policy and the domestic underpinnings of American global power. Lindsay holds an AB in economics and political science from the University of Michigan and an MA, MPhil, and PhD from Yale University.

Rohinton Medhora

Rohinton Medhora joined the Center for International Governance Innovation (CIGI) as president in 2012 after having served on CIGI's international board of governors since 2009. He is the former vice president of programs at the International Development Research Center (IDRC). At IDRC, Medhora led the initiatives on micro impacts of macroeconomic and adjustment policies, and trade, employment and competitiveness. He is also a former director of IDRC's social and economic policy programs. He joined IDRC in 1992 from the faculty of economics at the University of Toronto. Medhora's fields of expertise include monetary and trade policy, aid effectiveness, and international economic relations. He has published extensively on these issues in professional and nontechnical journals, and has produced two books: *Finance and Competitiveness in Developing Countries* and *Financial Reform in Developing Countries* (coedited with José Fanelli). He is currently coediting books on development thought and practice and Canada's relations with Africa. Medhora earned his BA, MA, and PhD at the University of Toronto where he majored in economics, specializing in monetary policy, international finance, and development economics.

Thierry de Montbrial

Thierry de Montbrial is president of the French Institute of International Relations (IFRI), which he founded in 1979. He is professor emeritus at the Conservatoire National des Arts et Métiers. In 2008, he launched the World Policy Conference. He has been a member of the Académie des Sciences Morales et Politiques of the Institut de France since 1992 and is a member of a number of foreign academies including the Russian Academy of Sciences. Thierry de Montbrial chaired the department of economics at the Ecole Polytechnique from 1974 to 1992. He was the first chairman of the Foundation for Strategic Research from 1993 to 2001. Entrusted with the creation of the policy planning staff at the French Ministry of Foreign Affairs, he was its first director, a position he held from 1973 to 1979. He has authored seventeen books, several of them translated in various languages, including most recently *Action and Reaction in the World System: The Dynamics of Economic and Political Power*. He is a commander of the Légion d'Honneur, grand officier of the Ordre national du Mérite, and has been awarded other state honors by the French and several foreign governments. He serves on the board or advisory board of a number of international companies and institutions. Thierry de Montbrial is a graduate of the Ecole Polytechnique and the Ecole des Mines, and he received a PhD in economics from the University of California at Berkeley.

Robin Niblett

Robin Niblett became the director of Chatham House (the Royal Institute of International Affairs) in January 2007. Before joining Chatham House, from 2001 to 2006, Niblett was the executive vice president and chief operating officer of the Washington-based Center for Strategic and International Studies (CSIS). During his last two years at CSIS, he also served as the director of the CSIS Europe program and its Initiative for a Renewed Transatlantic Partnership. Niblett is the author of the Chatham House reports *Playing to its Strengths: Rethinking the UK's Role in a Changing World* and *Ready to Lead? Rethinking America's Role in a Changed World*, and editor and contributing author to *America and a Changed World: A Question of Leadership*. He is also the author and contributor to a number of CSIS

reports on transatlantic relations and is contributing author and coeditor with William Wallace of the book *Rethinking European Order*. Niblett is a frequent panellist at conferences on transatlantic relations. He has testified on a number of occasions to the House of Commons Defence Select Committee and Foreign Affairs Committee as well as U.S. Senate and House subcommittees on European affairs. Niblett is a nonexecutive director of Fidelity European Values Investment Trust. He is a council member of the Overseas Development Institute and a vice-chairman of the World Economic Forum's Global Agenda Council on Europe. He received his BA in modern languages and his MPhil and DPhil from New College, Oxford.

Ogaba Danjuma Oche

Ogaba Danjuma Oche is the acting director of the research and studies department of Nigerian Institute of International Affairs (NIIA). Oche lectured in the department of political science at the University of Jos in Nigeria from 1989 to 1994 and became a research fellow at NIIA in 1994. His research areas include history, comparative politics, public administration, and international relations. His current areas of research include Nigeria's international relations and foreign policy, international organizations, conflict studies, democratization processes, terrorism, and security issues. Oche's publications include "United Nations Peacekeeping in Africa: Issues and Problems" published in the *African Journal of Peace and Conflict Studies*, and *From Dispute to Dialogue: Essays on Conflict and Conflict Resolution*. He is currently the editor of the *Nigerian Forum*, editor in chief of the journal *Management Review Limited (MRL)*, and previously edited *Nigeria in the Global Arena: Past, Present and the Future*. Oche received a BA in history and political science at Ahmadu Bello University (ABU), an MA in political science and an MPA from the University of Kansas, and a PhD in political science from ABU.

Stewart M. Patrick

Stewart M. Patrick is senior fellow and director of the International Institutions and Global Governance program at the Council on Foreign Relations (CFR). His areas of expertise include multilateral cooperation in the management of global issues; U.S. policy toward international institutions, including the United Nations; the challenges posed by fragile, failing, and postconflict states; and the integration of U.S. defense, development, and diplomatic instruments in U.S. foreign and national security policy. Patrick is the author of the book *Weak Links: Fragile States, Global Threats, and International Security*, and he writes the CFR blog The Internationalist. From February 2005 to April 2008, he was a research fellow at the Center for Global Development. He directed the center's research and policy engagement on the intersection between security and development, with a particular focus on the relationship between weak states and transnational threats and on the policy challenges of building effective institutions of governance in fragile settings. He also served as a professorial lecturer in international relations and conflict management at Johns Hopkins University's Paul H. Nitze School of Advanced International Studies. From September 2002 to January 2005 Patrick served on the secretary of state's policy planning staff, with lead staff responsibility for U.S. policy toward Afghanistan and a range of global and transnational issues. His portfolio included conducting analysis and providing recommendations for U.S. policies on weak and failing states, postconflict reconstruction, development, refugees and migration, international law enforcement, and global health affairs. He joined the staff as an international affairs fellow at CFR. Prior to government service, Patrick was a research associate at the Center on International Cooperation at New York University (NYU) from 1997 to 2002. In that capacity, he designed and ran two multischolar research programs on postconflict reconstruction and on multilateralism and U.S. foreign policy. He also taught U.S. foreign policy at NYU as an adjunct professor of political science. He received his BA from Stanford University and his PhD in international relations and two MAs from Oxford University, where he was a Rhodes scholar. He is the author, coauthor, or editor of five books and the author of numerous articles and chapters on the subjects of multilateral cooperation, state-building, and U.S. foreign policy.

Lia Valls Pereira

Lia Valls Pereira is the coordinator of the Center for Studies of the External Sector at the Brazilian Institute of Economics (IBRE) of the Getulio Vargas Foundation (FGV) in Brazil, a position she has held since 2010, after serving other roles in the same institution such as director of the Center for Governmental Studies. She is also professor of macroeconomics, international economics, and international relations at the Rio de Janeiro State University (UERJ), where she has been teaching since 1984. Previously, from 1977 to 1979, she also taught at the Pontifical Catholic University of Rio de Janeiro (PUC/RJ). Her most recent research has been focused on issues related to the governance of the International Monetary Fund and the World Trade Organization, along with the role played by the BRIC countries. She is also investigating the impacts of China in the Brazilian exports bundle. From 1986 to 1990 Pereira was the research director of the Foreign Trade Studies Center Foundation (FUNCEX) also in Brazil. Her main publications and research studies are concentrated in the areas of international economics, political economy of international relations, international organizations, and trade agreements. She has worked as consultant to the United Nations, the Department for International Development, and several private and public institutions in Brazil. In recognition for her studies to the Brazilian foreign trade minister on the effects of trade agreements in the Brazilian economy, she received the "Ordem do Rio Branco" medal. Pereira holds an MA from the Getulio Vargas Foundation, an MPhil from the University of Cambridge, and a Phd from the Federal University of Rio de Janeiro, all in economics.

Andrea Renda

Andrea Renda is a senior research fellow at the Center for European Policy Studies (CEPS), where he manages the regulatory affairs program. He also manages the CEPS digital forum. Renda has lectured since 1997 at LUISS Guido Carli University in Rome. Since 2006, he has also lectured at the Erasmus University of Rotterdam in the European Master in Law and Economics program at the University of Stockholm and at the College of Europe in Bruges. In 2012, he became part-time professor at the European University Institute in Florence and was awarded the Morris Tabaksblat visiting chair on private actors and globalization, an endowed chair funded by the Hague Institute for the Internationalization of Law. Renda is a consultant for a number of institutions, including the European Commission, the European Parliament, the OECD, the United Nations and the World Bank. He specializes in regulatory reform, law and economics, cost-benefit analysis of legislation, telecommunication and cyberspace law, antitrust, and regulation. He is a member of the editorial board of the international peer-reviewed journals *Telecommunication Policy* and the *European Journal of Risk Regulation*. Renda is a member of the scientific boards of the International Telecommunications Society and EuroCPR. He is a member of the European Association of Law and Economics, a founding member of the Italian Association of Law and Economics, and a member of the Institute of International Affairs (IAI), where he directs the global outlook program dedicated to international economics. Renda is the author of several publications, including *Impact Assessment in the EU: The State of the Art and the Art of the State* and *The Net and the Internet*. Renda earned a BA in economics from LUISS Guido Carli University, Rome, in 1995 and his LLM with distinction from the University of Hamburg in 1996. He holds a PhD in law and economics from the Erasmus University of Rotterdam.

Andrés Rozental

Andrés Rozental was Mexico's ambassador to the United Kingdom from 1995 to 1997. He was a career diplomat for more than thirty-five years, serving his country as deputy foreign minister from 1988 to 1994, ambassador to Sweden from 1983 to 1988, permanent representative of Mexico to the United Nations in Geneva from 1982 to 1983, and in various responsibilities within the Mexican foreign ministry and abroad. Since 1994, he has held the lifetime rank of eminent ambassador of Mexico. Currently, Rozental holds nonexecutive board positions in several multinational corporations in Brazil, the United States, France, Canada, and Mexico. He is president of his own consulting firm, Rozental & Asociados, which specializes in advising multinational companies on their corporate strategies in Latin America. He is also active in a number of nongovernmental organizations and projects relating to global governance,

migration policy, climate change, Latin American politics, and the democracy promotion. He is a senior nonresident fellow at the Brookings Institution and has been on the operating board of Canada's Center for International Governance Innovation (CIGI) in Waterloo since 2011. He is also a senior policy adviser to Chatham House in London. Rozental is the author of four books on Mexican foreign policy, several chapters in edited volumes on international affairs, and numerous articles on a variety of topics. He has been a foreign policy adviser to Presidents Vicente Fox and Felipe Calderón, and is a frequent contributor to both Mexican and foreign media. Rozental received his professional degree in international relations from the Universidad de las Américas in Mexico and his MA in international economics from the University of Pennsylvania.

David Runnalls

David Runnalls is a distinguished fellow of the Center for International Governance Innovation (CIGI). He is also a fellow of sustainable prosperity and visiting professor of geography at the University of Ottawa. Runnalls served as president of the International Institute for Sustainable Development for eleven years before stepping down in 2010. He is chair of the International Center for Trade and Sustainable Development and a member of the advisory council for Export Development Canada, the Council for Sustainable Development Technology Canada, and the committee for the Business Network for Sustainability. He is also a member of the trade and investment task force of the China Council for International Cooperation on Environment and Development, the CIDA Advisory Committee on Evaluation, and of the board of the Pembina Institute. Runnalls has served as co-chair of the China Council Task Force on WTO and Environment. He was the Leopold fellow at the Yale School of Forestry and Environmental Studies and a member of the federal External Advisory Committee on Smart Regulation (EACSR). He served as chair of the adjudication panel for the ALCAN Prize for Sustainability. Runnalls has served as senior adviser to the president of the International Development Research Center (IDRC) in Ottawa, Canada, and to the administrator of the United Nations Development Program. He was the director of the Environment and Sustainable Development Program at the Institute for Research on Public Policy in Ottawa. He worked with Barbara Ward to found the International Institute for Environment and Development and directed both its London and Washington offices. Runnalls was the Canadian Board member of the International Union for Conservation of Nature (IUCN) for six years and the chair of the committee for the World Conservation Congress in 1996. He served as a member of the boards of the World Environment Center, the International Institute for Environment and Development (IIED), and Pollution Probe.

Daniela Schwarzer

Daniela Schwarzer is currently Fritz Thyssen fellow at the Weatherhead Center for International Affairs, Harvard University (2012–2013). She is also a nonresident fellow of the Transatlantic Academy of the German Marshall Fund. Schwarzer is currently on leave from her position as head of the European integration division at the German Institute for International and Security Affairs, Stiftung Wissenschaft und Politik (SWP) in Berlin. She joined SWP in 2005 and became head of the division in 2008. Since 2011 she has been scientific adviser to the Center for Strategic Analysis of the French prime minister. From 2010 to 2011 she was an adviser to the Polish EU presidency. Previously, in 2007 and 2008, Schwarzer was a member of the Europe working group of the Whitebook Commission on Foreign and European Policy in the French Foreign Ministry. From 1999 to 2004 Schwarzer worked on the team founding the *Financial Times Deutschland* and later served as its editorialist and France correspondent. Between 1996 and 1999 she was desk officer for political research and later head of the department at a business association in Paris. Schwarzer teaches in the European studies MA program of the three Berlin Universities and in the MPP program of the Hertie School of Governance, Berlin. She holds a PhD from Freie Universität Berlin, co-supervised by the London School of Economics.

Adam Segal

Adam Segal is the Maurice R. Greenberg senior fellow for China studies at the Council on Foreign Relations (CFR). An expert on security issues, technology development, and Chinese domestic and foreign policy, Segal currently leads

the Cyberconflict and Cybersecurity initiative. His recent book, *Advantage: How American Innovation Can Overcome the Asian Challenge*, looks at the technological rise of Asia. He is a research associate of the National Asia Research Program and was the project director for the CFR-sponsored Independent Task Force on Chinese Military Modernization. Before coming to CFR, Segal was an arms control analyst for the China project at the Union of Concerned Scientists. There, he wrote about missile defense, nuclear weapons, and Asian security issues. He has been a visiting scholar at the Massachusetts Institute of Technology's Center for International Studies, the Shanghai Academy of Social Sciences, and Tsinghua University in Beijing. He has taught at Vassar College and Columbia University. Segal is the author of *Digital Dragon: High-Technology Enterprises in China*, as well as several articles and book chapters on Chinese technology policy. His work has appeared in the *Financial Times*, *Economist*, *Wall Street Journal*, *Foreign Policy*, and *Foreign Affairs*. He currently writes for the CFR blog Asia Unbound. Segal has a BA and PhD in government from Cornell University and an MA in international relations from Tufts University's Fletcher School of Law and Diplomacy.

Gilead Sher

Gilead Sher is the former head of bureau and policy coordinator of Israeli prime minister Ehud Barak. He served as chief and co-chief negotiator from 1999 to 2001 inter alia at the Camp David summit and the Taba talks. Sher is a senior research associate at the Institute for National Security Studies (INSS) in Tel Aviv. His research focuses on decision-making, security policy, the peace process, regional dynamics, and processes in the Middle East. In charge of establishing a center for negotiations and conflict resolution at the INSS, Sher is also writing a book on preemption of internal conflicts. He is also a senior founding partner of Gilead Sher & Co. Sher was a visiting professor on conflict resolution and negotiations at the Wharton School of the University of Pennsylvania from 2001 to 2011 and teaches at Tel Aviv University. He is the founding co-chairman of the movement Blue White Future. A colonel (res.), former brigade commander, and deputy division commander in the Israel Defense Forces (IDF), Sher also served as a military judge and defense counsel. His involvement in peace efforts started during the tenure of the late prime minister Yitshak Rabin, when he headed the negotiation project at the planning division of the IDF and served as delegate to the talks on the interim agreement from 1994 to 1995. Since then, he has been directly involved in both official and track-two negotiations and projects dealing with the Arab-Israeli conflict. His book *The Israeli-Palestinian Peace Negotiations, 1999–2001: Within Reach* was published in 2006. He publishes extensively in the Israeli and foreign press and is often consulted by foreign decision-makers, diplomats, government ministers, and senior officials. Sher was appointed Chevalier de l'Ordre National du Mérite by the president of France, Jacques Chirac, for his efforts to bring peace to the Middle East. He is a former board member at the Association for Civil Rights in Israel, a former president of the Israel Shotokan Karate Association (Fifth Dan), and a member of the Council for Peace and Security.

Stefano Silvestri

Stefano Silvestri has been the president of the International Affairs Institute since 2001. He has been a lead writer for *Il Sole 24 Ore* since 1985. Between January 1995 and May 1996, he served as undersecretary of state for defense. Silvestri was an adviser to the undersecretary of foreign affairs for European matters in 1975 and a consultant to the office of the prime minister under various governments. He continues to act as a consultant both for the Italian Ministry of Foreign Affairs and the ministries of defense and industry. As a professional journalist, he has been a special correspondent and columnist for *Globo* in 1982 and a member of the Economic Policy Committee of Europe in 1979, and has contributed articles on foreign and defense policy to numerous national daily papers. He was professor for Mediterranean security issues at the Bologna Center of Johns Hopkins University from 1972 to 1976, and worked at the International Institute for Strategic Studies in London from 1971 to 1972. He is currently a member of the administrative council of the Italian Industries Federation for Aerospace, Defence and Security (AIAD), and of the Trilateral Commission.

Yul Sohn

Yul Sohn is dean and professor of the Graduate School of International Studies at Yonsei University. He also serves as director of Underwood International College at Yonsei. Before joining the faculty at Yonsei, Sohn served as professor and director at Chung-ang University's Institute for International Studies, foreign scholar at the University of Tokyo's Institute of Social Science, and visiting professor at Waseda University. He has also served on a number of government advisory committees including the Ministry of Foreign Affairs and Trade, Korea National Diplomatic Academy, and Presidential Commission on Northeast Asian Cooperation Initiatives. His research interests are Japanese politics and foreign policy, international political economy, and East Asian regionalism. Sohn's recent academic publications include "Japan's New Regionalism: China Shock," "Universal Values and East Asian Community," "Attracting the Neighbors: Soft Power Competition in East Asia," and "Securitizing Trade: The Case of the Korea-US FTA." He received his undergraduate degree from Seoul National University and PhD in political science from the University of Chicago.

Naoko Takahashi

Naoko Takahashi has served as development director of the Genron NPO since February 2012. She is responsible for fundraising, outreach, and public affairs, to develop active relationships with funders, donors, press, and board members. She has more than fifteen years of experience in nonprofit management for diverse civil society organizations around the world. She completed a one-year fellowship through the Japan Foundation in 2002 to research the role of nonprofit management in the United States. Takahashi spent over twenty years in the business sector, mainly in public relations and communications for global companies and government subsidiaries in the Japanese market. Prior to joining the Genron NPO, she conducted the communications division in ING Insurance Japan, a subsidiary of ING Group.

Jaime Zabłudovsky

Jaime Zabłudovsky started his professional career in 1984 at the economics research office of Mexico's central bank, Banco de México. A year later he joined the economics council for the president of Mexico. From 1988 to 2001, Zabłudovsky played a principal role in all major initiatives that have transformed Mexico into a chief player in the international trade arena. He acted as Mexican deputy chief negotiator in the NAFTA negotiations. In 1994 he became deputy secretary for international trade negotiations and developed Mexico's trade negotiating strategy at the World Trade Organization, Organization for Economic Cooperation and Development, Asia-Pacific Economic Cooperation, and Free Trade Area of the Americas. He also overviewed the implementation and administration of the the North American Free Trade Agreement, and the Mexican free-trade agreements (FTAs) with Chile, Costa Rica, Bolivia, Colombia, and Venezuela. Zabłudovsky led Mexican trade negotiations with Nicaragua, Honduras, Guatemala, El Salvador, and Israel, as well as bilateral investment treaties negotiations with Germany, France, Switzerland, Netherlands, Spain, Austria, Belgium, Luxemburg, and Argentina. From 1998 to 2001, as Mexican ambassador to the EU and chief negotiator for the Mexico-EU FTA, he led the Mexican team in negotiating the first transatlantic free trade agreement. As of 2005, he is a founding partner and vice president of IQOM Inteligencia Comercial, where he has advised governments, major international institutions, leading corporations and business associations on issues related to foreign investment in international trade in goods and services. He currently serves as president of the Mexican Council on Foreign Affairs (COMEXI), and is on the boards of VERTICE Digital Advertising and Cala de Ulloa real estate development, the Mexican subsidiary of Brinks, Aseguradora Peña Verde, México Evalua, the Mexican Institute for Competitiveness (IMCO), and the advisory board of Accenture México. He is the president of the Mexican Friends of the Hebrew University of Jerusalem. In February 2007 he was named executive president for the Mexican Council of the Consumer Goods Industry, which represents the leading manufacturers of consumer goods in the country. Zabłudovsky majored in economics at the Mexican Institute of Technology and earned his PhD in economics at Yale University.

Marcin Zaborowski

Marcin Zaborowski has been director of the Polish Institute of International Affairs (PISM) since July 2010. Prior to that, Zaborowski directed the transatlantic program at the European Union Institute for Security Studies (EUISS) in Paris, where he dealt with transatlantic relations, U.S. foreign policy, EU common security and defense policy, and EU enlargement. He was a lecturer in international relations at the University of Birmingham and Aston University in the UK from 2001 to 2005, and coordinator and director of the transatlantic program at the Center for International Relations in Warsaw from 2002 to 2004. Zaborowski holds a PhD in European politics and an MA in international studies from the University of Birmingham. He is also a graduate of the Adam Mickiewicz University in Poznan, Poland. He is a former fellow with NATO's academic program (1999–2000) and a visiting fellow with EUISS (2004).

Gancheng Zhao

Zhao Gancheng is senior fellow and director of the Center for Asia-Pacific Studies at the Shanghai Institutes for International Studies (SIIS). Prior to this, he was the director of the Institute of International Strategic Studies and the Center for South Asia Studies, both affiliated with SIIS. Gancheng specializes in the study of China's South Asia policy, focusing on China-India relations. He also focuses on China's relations with developing countries and on Chinese political and security issues with neighboring countries. Gancheng published two monographs in 2004 and 2009, and has coauthored six books on China's foreign policy and China's development in the international system. His papers have been published in journals both in China and abroad. He actively participates in the development of media programs on China's international engagements. Gancheng graduated from Shanghai Foreign Language College and received his MA from the Paul H. Nitze School of Advanced and International Studies at Johns Hopkins University.

Keynote Speaker Biographies

Michael Froman

Michael Froman is the deputy assistant to the president of the United States and deputy national security adviser for international economic affairs. He is responsible for coordinating policy on international trade, investment, energy, climate, and development issues. He serves as the U.S. sherpa for the G20 and G8 summits, and staffs the president for the Asia-Pacific Economic Cooperation (APEC) summits. In addition, he is the chair of the Major Economies Forum on Energy and Climate, a group of the largest industrial and emerging economies that have been working through issues related to the Copenhagen negotiations. He is also the U.S. government co-chair of the Transatlantic Economic Council, the U.S.-India CEO Forum, and the U.S.-Brazil CEO Forum. Before his second White House tour, Froman served in a number of roles at Citigroup, including managing partner, infrastructure and sustainable development investments; chief operating officer of Citi Alternative Investments (CAI); president and CEO of CitiInsurance, Citigroup's international insurance business; director of emerging markets strategy; chief of staff of the Office of the Chairman; and chief operating officer of the Internet Operating Group. Prior to joining Citigroup, Froman was a senior fellow at the Council of Foreign Relations and a resident fellow at the German Marshall Fund. In the 1990s, Froman spent seven years in the U.S. government. He served as chief of staff and as deputy assistant secretary for Eurasia and the Middle East at the U.S. Department of the Treasury under Secretary Robert E. Rubin. He also worked at the White House, where he served as director for international economic affairs at the National Security Council and National Economic Council. Froman received his BA in public and international affairs, summa cum laude, from Princeton University; his PhD in international relations from Oxford University; and his JD, magna cum laude, from Harvard Law School, where he was an editor of the *Harvard Law Review*.

Timothy F. Geithner

Timothy F. Geithner was the seventy-fifth secretary of the treasury. He played a central role in formulating U.S. domestic and international economic policy during President Obama's first term. He was a principal architect of the president's strategy to avert economic collapse and to reform the financial system, while also tackling a broad set of international economic challenges. He served in this position from January 26, 2009, through January 25, 2013. Geithner previously served as president and chief executive officer of the Federal Reserve Bank of New York between 2003 and 2009. He first joined the Department of the Treasury in 1988 and worked in a variety of positions in three administrations. From 1999 to 2001, Geithner served as undersecretary of the treasury for international affairs, under Secretaries Robert E. Rubin and Lawrence H. Summers. He was director of the policy development and review department at the International Monetary Fund from 2001 until 2003. In 2001, he was also a senior fellow at the Council on Foreign Relations in Washington, DC. Previously, he worked for Kissinger Associates, Inc. Geithner earned his undergraduate degree in government and Asian studies from Dartmouth College. He was awarded an MA in international economics and East Asian studies from the Johns Hopkins School of Advanced International Studies.

David Lipton

David Lipton assumed the position of first deputy managing director of the International Monetary Fund (IMF) on September 1, 2011. Prior to this, he was special adviser to the managing director of the IMF starting on July 26, 2011. Before joining the fund, he was special assistant to the president of the United States, and served as senior director for international economic affairs at the National Economic Council and National Security Council at the White House. Previously, Lipton was a managing director at Citi. Prior to joining Citi in May 2005, he was at Moore Capital Management for five years, and before that he spent a year at the Carnegie Endowment for International Peace. Lipton served in the Clinton administration at the Treasury Department from 1993 to 1998, including as assistant secretary and undersecretary of the treasury for international affairs. Before that, he was a fellow at the Woodrow Wilson Center of Scholars. From 1989 to 1992, Lipton worked as an economic adviser to the governments of Russia, Poland, and Slovenia. Lipton began his career with eight years on the IMF staff. He received a BA from Wesleyan University in 1975 and an MA and a PhD from Harvard University in 1982.