



Boyd Briefs: May 12, 2016

From Dean Dan

Tomorrow we celebrate our [2016 Commencement](#). It is an exciting day at the UNLV William S. Boyd School of Law, and we are proud to congratulate all of our graduates. This year we welcome Judge Richard Boulware as our commencement speaker.

[Judge Boulware](#), a longtime friend of the law school, was nominated to the U.S. District Court for the District of Nevada by President Obama in 2014 where he filled the seat vacated by another longtime friend and supporter, Judge Philip Pro. In 2015, Judge Boulware was nominated by President Obama to serve on the U.S. Sentencing Commission, an independent agency of the judicial branch that sets sentencing guidelines for the nation's federal courts. Prior to taking the bench, he was a trial attorney in the Federal Public Defender's Office in Las Vegas and in the Federal Defenders Office of New York in New York City. Judge Boulware received a special President's Award from the national president of the National Bar Association in 2011, the Medal of Justice award from the State Bar of Nevada in 2012, and the Dedicated Service award from Nevada Attorneys for Criminal Justice in 2013. He has served on numerous nonprofit boards and community committees focused on education reform and other issues facing disadvantaged, indigent, or at-risk individuals.

The ceremony will recognize the outstanding achievements of our students and mark a new milestone—the graduating class will bring the total of Boyd alumni to more than 2,000. The commencement also marks the graduation of the law school's first [LL.M. in Gaming Law and Regulation](#) students. For a full list of our graduates and award winners, please see the announcement [here](#).

Boyd School of Law 2016 Commencement

Friday, May 13, 2016 | 10:00 a.m.
[UNLV Artemus W. Ham Concert Hall](#)

Join in the celebration — send your congrats and share your graduation photos on [Facebook](#), [Twitter](#) or Instagram using [#UNLVLaw](#).



Tonight we celebrate the accomplishments of UNLV alumni who represent the ideals of higher learning and serve as inspiration for generations of students to follow. Congratulations to Joe Cain '01 who will receive the William S. Boyd School of Law Alumnus of the Year Award during this evening's UNLV [2016 Annual Alumni Awards](#). Joe, who is featured below, was selected by Boyd's Alumni Chapter Board to be one of 18 individuals honored at the event. A member of our Charter Class, Joe has remained engaged with the law school in a variety of roles, including serving as co-chair of our Law Fund to help drive our law school's structured giving and engagement programs for our growing alumni base.

Dan

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FACULTY SPOTLIGHT: Rebecca Scharf

Rebecca Scharf teaches and writes in a range of fields, from privacy and technology to family law to lawyering process. Before joining Boyd, Professor Scharf worked as an attorney conducting class action impact litigation at the National Center for Law and Economic Justice and providing legal services to the poor at The Legal Aid Society, both in New York City.

What's the most important thing you are working on right now? I am currently working on an article that examines privacy rights in the context of unmanned aerial systems (a.k.a. drones). That this is a significant issue can be seen in a statement by Senator Dianne Feinstein during a U.S. Judiciary Committee Hearing that "the greatest threat to the privacy of Americans is the drone."

Privacy issues abound in the areas of trespass as well as the expectations of privacy that individuals retain in the face of law enforcement surveillance. The complicated amalgamation of surveillance technology that is already available within UAVs along with their ability to hover, fly at varying altitudes and airspace, and stay aloft for extended periods of time allows them to track movements of large numbers of individuals at once, recording scores of data to be retained indefinitely. Therefore, while providing potential benefits for law enforcement, UAVs present real threats to the individual's expectation of privacy. It is exhilarating to be on the cutting edge of thinking about technology that is such an amalgam of other technologies and helping determine which legal construct applies.

How have your scholarly interests affected your teaching? In preparation for a presentation at Stanford Law School titled, "The Importance of Increasing Student Autonomy in a Legal Writing Classroom," I studied the literature discussing the importance of autonomy in the context of self-determination theory, a theory which at its most basic discusses the internal versus external sources for individual motivation. Studies of self-determination theory in the law school setting emphasize the importance of creating "autonomous support" for students in law school. Such support works both to increase student mental health generally and to increase student motivation, which studies found declined precipitously over the course of law school. When I teach legal writing, I do not require students to employ a particular process. Instead, I encourage them to follow their own process and record it in a log along with a reflection piece about how that particular process worked and whether they would make the same or different choice the next time. This reflection and autonomy increase the student's internal motivation to perform research well rather than focusing on the external motivation of satisfying a professor.

What have you read or viewed recently that has made a real difference to you? I recently watched the HBO documentary *Confirmation* about Anita Hill's testimony and role in Clarence Thomas's confirmation hearings. It brought me back to my first months as a lawyer for the Legal Aid Society in the South Bronx when I was watching the actual

confirmation hearings on television. Anita Hill was such a pivotal figure in my personal and professional development. I had gone against the advice of everyone I knew when I turned down a Big Law job in Boston to work in a harrowing and dangerous corner of the South Bronx. Anita Hill's courage to do the right thing in such a public forum with so much personal risk at stake was inspiring beyond measure and reinforced my decision to do what I believed to be the right thing. And I was thrilled when she later became University Professor of Social Policy, Law, Gender and Women's Studies at my alma mater, Brandeis University.



STUDENT SPOTLIGHT: Kimie Beverly

Tell us about your longtime work with the National Federation of the Blind (NFB). I currently serve as the president of the NFB in Nevada. The NFB has 52 affiliates around the country, one in each state, the District of Columbia, and Puerto Rico. I oversee the programs, services, and legislative initiatives in Nevada. We have the largest scholarship program in the country and a smaller program in Nevada for students who are blind and visually impaired. We also operate "Newslines," a free service for blind people that allows them to call a number that will read the latest magazines and news articles to them.

How has your previous advocacy for the blind carried over into your work as a Boyd Public Interest Fellow? Working with the NFB has helped me identify numerous issues that confront people with disabilities in Nevada related to education, employment, and raising a family. My experience as a Public Interest Fellow has taught me that Nevada needs attorneys who can advocate for clients with these issues.

What has been the most memorable experience of your time in law school? My most memorable experience in law school was submitting my last final exam for my entire law school career for Professor Sandino's Environmental Quality Law. It reminded me about all the previous exams I studied for at Boyd over the years and felt like an end to a chapter in my life.

You graduate May 13. What are your plans thereafter? I would like to join NFB's national office, where I would have the opportunity to work with the United States Senate and House of Representatives on bills related to disability. Then I would like to come back to Nevada and work for an office that specializes in public interest work so that I can represent people with disabilities in the state.



ALUMNI SPOTLIGHT: Joe Cain '01

Joe Cain '01 is general counsel of Fine Properties, LLC, which operates several affiliated businesses, including: the Lev Restaurant Group (dba Coffee Bean & Tea Leaf, Jamba Juice, Daily Kitchen, i♥burgers, and Lobster ME); Fifth Street Gaming (Downtown Grand, Silver Nugget Casino, Lucky Club Casino, and The Golden Tiki); and various real estate holdings.

What inspired you to go to Boyd? Not knowing exactly what I wanted to do, a legal education attracted me as a potential springboard for many different career paths. As someone who is curious about how the world works, law school was compelling because lawyers are involved with organizing and administering almost every aspect of our society at the highest levels.

What drew you to your current role as a partner and general counsel

what drew you to your current role as a partner and general counsel for the various companies you are involved with and what do you like most about your work there? I work with a great group of people and that makes all the difference. I'm also a big picture person and find my role as a sounding board involved with strategy and all major decisions concerning our various ventures to be very rewarding.

What do you enjoy in your off hours? I like hanging out with my family and our new Vizsla puppy and really enjoy being outside, especially in the mountains. I also play the guitar and like to play and sing various country, Bob Dylan and Neil Young songs and keep going even after my daughter has rolled her eyes at me and begged me to stop.

Where do you see yourself (and your firm/company/business) in 10 years? Doing what I am doing now, although hopefully the ventures and projects we are currently working on have blossomed into something much larger and my colleagues and I can rest on our laurels a bit more and feel proud about what we created. I also look forward to reaching a point where I can take more time off for ski trips and some exotic travel like I had the chance to do in my younger years.



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