

# Attorneys to Discuss Potential for Legal Action Surrounding Universities and Lack of Explicit Antisemitism Policies

PENSACOLA, FL, U.S.A., December 14, 2023 /EINPresswire.com/ -- A group of attorneys is working to resolve whether cause exists for a lawsuit against university presidents and administration based on their lack of policy regarding antisemitism and racism. The issue will be discussed during a January webinar presented by [Levin Papantonio Rafferty](#) (LPR) law firm.

"We aim to dissect this critical question from a non-political, entirely rational, perspective," said LPR Senior Partner [Mike Papantonio](#). "We don't know if there's a lawsuit here, but we're going to approach the possibility from every angle--constitutional, statutory, Civil Rights Act of 1983, or even harassment.

"A call for genocide is fundamentally wrong, and it sends this country backward by leaps and bounds. If grounds for civil action exist, we will not hesitate to build a legal monument on that foundation," Papantonio added.

According to Papantonio, the group of attorneys will analyze the issue the same as they would in any case, starting with identifying the conduct and then determining whether that conduct rises to a lawsuit.

Attorney Benjamin Schenk, of San Diego law firm Fell Law, and Attorney Frederick Schenk, a Partner with San Diego law firm CaseyGerry, are two additional legal minds behind this collaborative effort.

Benjamin explained that convening the seminar in January will enable law firms to explore the



Harvard University has faced backlash for its failure to confront antisemitism on campus. A group of attorneys will meet in January to discuss whether consequences for Harvard and other universities that lack antisemitism policies could extend to civil lawsuits.



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*MIKE PAPANTONIO, SENIOR  
PARTNER, LEVIN PAPANTONIO  
RAFFERTY*

legal basis for lawsuits against universities that lack policies for antisemitism and racism.

"The facts we're seeing may even represent cases of first impression as applied to various theories of liability," Benjamin said, meaning that, potentially, the legal issue or question of law here has not been ruled on by a court that has jurisdiction over the case--in which case there would be no legal precedent.

"We are witnessing an epochal moment in our nation's history when it comes to the line between speech and conduct on college campuses," Benjamin added. "For decades, universities have adopted and enforced rules of conduct they claimed were designed to inculcate a safe, secure, and peaceful academic environment for all students.

"Yet, for far too long, those same universities have been silent — or worse—when it comes to applying their own standards to protect the safety of their Jewish students."

Frederick explained why the issue has raised interest in circles within the legal profession.

"When university administrators consistently fail to issue permits for Jewish groups of students to assemble; when they fail to properly enforce their own time, place, and manner restrictions for speech; and when they fail to investigate threats made and batteries committed by their own students against others because of their shared ancestry or ethnic heritage, they not only open themselves up to potential liability under various federal and state laws, but they also permit a culture of illiberalism and targeted fear to take root," Frederick said.

"For those reasons, trial lawyers across the country are paying close attention and now actively engaged on this issue," he added.

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