

PUBLICATIONS

J. Herbie DiFonzo and Ruth Stern, *INTIMATE ASSOCIATIONS: THE LAW AND CULTURE OF AMERICAN FAMILIES* (U. Mich. Press 2013); *Breaking the Mold and Picking Up the Pieces: Rights of Parenthood and Parentage in Nontraditional Families*, 51 *FAM. CT. REV.* 104 (2103) (with Ruth Stern).

Mitchell Gans, *The Public Policy Doctrine: Drawing the Line Between Permissible and Impermissible Tax-Savings Clauses*, 80 *TENN. L. REV.* 655 (2013); *New Alaska Law Will Enhance Nationwide Estate Planning — PART 1*, 40 *EST. PLAN.* 3 (2013); *New Alaska Law Will Enhance Nationwide Estate Planning — PART 2*, 40 *EST. PLAN.* 20 (2013).

Susan Fortney, *Law as a Profession: Examining the Role of Accountability*, 40 *FORDHAM URB. L.J.* 177 (2012); *Adopting Law Firm Management Systems to Survive and Thrive: A Study of the Australian Approach to Management-Based Regulation of Law Firms*, 10 *U. ST. THOMAS L. J.* 152 (2012) (with Tahlia Gordon).

Eric M. Freedman, “New Frontiers in American Capital Punishment Litigation,” in *HUMAN RIGHTS AND CIVIL RIGHTS IN THE 21ST CENTURY* (Springer Verlag, Amsterdam, 2014) (Yves Haeck et al., eds); *Enforcing the ABA Guidelines in Capital State Post-Conviction Proceedings After Martinez*

and *Pinholster*, 41 *HOFSTRA L. REV.* 591 (2013).

Monroe Freedman, *Professional Discipline of Death Penalty Lawyers and Judges*, 41 *HOFSTRA L. REV.* 603 (2013); *The Unconstitutionality of Electing State Judges*, 26 *GEORGETOWN J. L. ETHICS* 217 (2013) (reprinted in *THE ROMANIA JUDGE’S FORUM REVIEW* vol.IV (2013) (Romanian and French translation).

Joanna Grossman contributed columns to *Justia’s Verdict*: “De Facto Parentage and the Rights of Former Stepparents”; “Sperm Donors on the Large and Small Screen”; “Hawaii Comes Full Circle on Same-Sex Marriage”; “ENDA and the Rainbow Workforce”; “The Pregnancy Discrimination Act Reaches Advanced Maternal Age”; “Same-Sex Weddings at the Jersey Shore”; “California Allows Children to Have More than Two Legal Parents”; “Last Rights and the Battle Over Huguette Clark’s Will” (with Lawrence M. Friedman); “Playing ‘Too Womany’ and the Problem of Masculinity in Sport”; “Falling Dominoes”; “And They Shall Call Him. . . ?”

Richard Neumann, *Osler, Langdell, and the Atelier: Three Tales of Creation in Professional Education*, 10 *LEGAL COMM. & RHETORIC: JALWD* 151 (2013).

James Sample, *The Last Rites of Public Campaign Finance?*, 92 NEB. L. REV. 349 (2013).

Andrew Schepard and Sharon Press, *Cross-Fertilization: Family ADR to Civil ADR*, 20 NO. 1 DISP. RESOL. MAG. 9 (2013).

Courtney Selby, Darin Fox & Darla Jackson, *OKLAHOMA LEGAL RESEARCH* (Carolina Academic Press 2013).

Barbara Stark, *International Law from the Bottom Up: Fragmentation and Transformation*, 34 U. PA. J. INT'L L. 687 (2013).

COMMENTARY

Ronald Colombo's scholarship earned him an invitation to post an article on *Constitution Daily*, December 2013.

J. Herbie DiFonzo was interviewed about the Family Law with Skills Course he co-teaches with Prof. Andrew Schepard as part of the *Educating Tomorrow's Lawyers* series, Oct. 2, 2013, at <http://educatingtomorrowlawyers.du.edu/resources/herbie-difonzo-family-law-with-skills-course>. Professor DiFonzo also authored the article "The New Jurisprudence of Parenting: From Sole Custody to Shared Parenting, Family News and Views," Fall 2013, at <http://afccny.org/wp-content/uploads/2013/11/AFCC-Issue-1-Final.pdf>.

Eric M. Freedman published *Solution to Rampant Gerrymandering Resides Within the States* in *THE NATIONAL LAW JOURNAL*.

Leon Friedman was interviewed on WCBS-2 TV on November 7, 2013, concerning the reach of the First Amendment in a case involving a photographer's pictures of a woman's underwear. Professor Friedman also authored two articles in the *Huffington Post*: "The Myth of States' Rights," and "The Legal Problems of the Mambo Kings."

Mitchell Gans authored two pieces on *Leimberg* online, titled "Davidson Estate and SCINs" and "The Supercharged Credit Shelter Trust is Alive and Well."

Eric Lane authored an article titled *Send More Lawyers to Congress* in the *NEW YORK LAW JOURNAL*.

PRESENTATIONS

Alafair Burke delivered a lecture, "Cognition and Prosecution," to the Louisiana District Attorneys Association, on November 22.

Professor Burke also addressed the New York District Attorney Association on prosecutorial discretion with the Best Practices Committee, on November 15.

Robin Charlow and Grant Hayden participated in and organized a panel at Hofstra, *Voting Rights Under Attack? Threats and Opportunities*, as part of Hofstra's Day of Dialogue on October 23.

Ronald Colombo addressed the Nassau County Bar Association on current issues in financial fraud on November 13.

Professor Colombo also presented his paper, "Religious Liberty and the Business Corporation," at the Henry Kaufman Forum on Religious Traditions and Business Behavior at the University of Maryland's School of Business on November 1.

Susan Fortney presented on the process involved in developing and implementing model rules of professional responsibility and disciplinary enforcement at The International Workshop on Legal Ethics and Professional Responsibility in Oslo, Norway, on November 25.

Professor Fortney also conducted a faculty workshop at Touro Law School on October 23, presented at a training session for the Professional Regulation Division of the Law Society on October 24, and presented her research and recommendations to the Professional Discipline Committee of the New York City Bar Association on October 16.

Eric M. Freedman spoke at a panel on Criminal Law Enforcement versus the Free Press at the Federalist Society's National Lawyers Convention on November 15. Professor Freedman was also a panelist and conference director for the Law School symposium on October 21 commemorating the 10th Anniversary of the ABA Penalty Representation Guidelines.

Monroe Freedman discussed his book, "HOW CAN YOU REPRESENT THOSE PEOPLE?" at: Books & Books, Coral Gables, Fla. on September 28, the American Board of Criminal Lawyers in Atlanta, Georgia on October 12, the NPR on October 22, and the Georgetown Law Center on October 28.

Professor Freedman spoke on a panel at a Hofstra Law School Symposium on his book on October 9.

Leon Friedman spoke at a PLI conference on civil rights litigation on October 31 in New York City. Professor Friedman also spoke on the Supreme Court's business decisions at Touro Law School on November 1.

Linda Galler was a featured panelist at the 12th Biennial Parker C. Fielder Oil and Gas Tax Conference in Houston, Texas, on November 22. Professor Galler also spoke on Ethical Issues in International Tax Practice as a featured panelist on Friday, December 13 at the 26th Annual Institute on Current Issues in International Taxation, which was jointly sponsored by The George Washington University Law School and the Internal Revenue Service in Washington, D.C.

Mitchell Gans, gave an ACTEC presentation on "The New Medicare Tax: Complexity" on October 6. Professor Gans also presented on the "Validity of Prenuptial Agreements: Recent Challenges at the American Academy of Matrimonial Lawyers" on October 24.

Scott Glick gave a presentation, "Cybersecurity and the Fourth Amendment," at the Earle Mack School of Law at Drexel University on November 26.

Joanna Grossman gave the keynote address at a Grinnell College symposium on the legacy of Title IX on September 18. She also participated in a New York City Bar Association roundtable on *The*

Pregnancy Discrimination Act: Gains, Losses and Next Steps on October 24.

Michael Haber gave introductory remarks and spoke about rebuilding concerns for Sandy-impacted homeowners at the Nassau County Building Inspectors Conference on Sandy Issues, Hofstra Law School, on November 7.

Susan Joffe delivered a presentation, "Tell Me What You Found: Preparing Students to Effectively Deliver Oral Reports," at the Legal Writing Institute One-Day Preparing Practice-Ready Students Workshop at Touro Law Center on December 5.

Julian Ku presented on a panel "Argentina v. Holdout Creditors: Applying the Rule of Law to Resolve Debt Default," at the Cato Institute on December 11. Professor Ku also moderated a panel, "International, Federal, State and Local Governmental roles in Energy and NGOs non-profits roles," with Professor James Sample at Columbia University's School of International and Public Affairs on September 13.

In addition, Professor Ku spoke at a seminar, "Argentina's Proposal for U.S. Supreme Court Review," sponsored by Emerging Markets Trade Association on September 30.

Katrina Kuh delivered two lectures, "Toward a Theory of Environmental Privacy" and "Climate Adaptation in Environmental Review," at the University of Utah College of Law on September 4-5.

Theo Liebmann served on the faculty for a program entitled "Immigrant Youth

in Family Court: A Discussion with Lawyers and Judges on Special Immigrant Juvenile Status" at NYCLA's Continuing Legal Education Institute on November 18.

Professor Liebmann also spoke on the "Ethical Practice" panel at a conference Representing Immigrant Youth: Ethics and Other Emerging Topics in Special Immigrant Juvenile Practice at Fordham University on December 6.

Irina Manta served as a panelist on the topic of the law and technology of robotic negligence at the NYU Drones & Aerial Robotics Conference on October 12.

Professor Manta presented her paper, "Intellectual Property and the Presumption of Innocence," at the IP, Meet the Constitution Junior Scholars Workshop that she helped to organize at Columbia Law School on October 18.

Professor Manta also served as an invited speaker at the Junior Intellectual Property Scholars Workshop and discussed her paper, "Intellectual Property and the Presumption of Innocence," at Florida State University College of Law on December 6.

Alan Resnick presented a paper, "Safe Harbors Designed to Protect Financial Markets by Prohibiting a Bankruptcy Trustee from Avoiding Certain Fraudulent Transfers in Connection with Securities Contracts: Does Implied Federal Preemption Prohibit Creditors From Avoiding Such Transfers Under State Law?" at the 39th Annual Lawrence P. King and Charles Seligson Workshop on Bankruptcy & Business

Reorganization at New York University School of Law on September 19.

James Sample presented a draft of his forthcoming *Nebraska Law Review* article, “The Last Rites of Public Campaign Financing?” at a faculty workshop at Touro Law School on October 2.

Professor Sample also moderated a panel, “International, Federal, State and Local Governmental roles in Energy and NGOs non-profits roles,” with Professor Ku at Columbia University's School of International and Public Affairs on September 13.

Andrew Schepard spoke at a conference, “Advanced Issues in Child Custody: Evaluation, Litigation and Settlement,” at the 2013 Conference of the Association of Family and Conciliation Courts and the American Academy of Matrimonial Lawyers on September 27.

QUOTED IN

Robin Charlow, Glen Cove OKs Location of Political Signs, *Newsday*, Aug. 30.

Mitchell Gans, Estate of Davidson, Tax Notes, August 23.

Monroe Freedman, praised by Alan Dershowitz in Dershowitz's book *TAKING THE STAND: MY LIFE IN THE LAW* (2013): “[When I was clerking for Chief Judge David Bazelon of the U.S. Court of Appeals for the D.C. Circuit in 1962], the trial court appointed a lawyer named Monroe Freedman [to represent an indigent criminal defendant]. I was

blown away by Freedman's eloquence, erudition, and command of the record, and his ability to further his argument while responding to hard questions. I remember thinking, ‘I want to be like this guy,’ and wondering whether I could ever be that good. I tried to follow in his large footsteps, but I'm not sure I ever made as good an oral argument as he did that day back in 1962.”

Michael Haber, Hofstra Law Gets \$1 Million to Expand Storm Counseling, *New York Law Journal*, December 4.

Susan Joffe, Lawyers Line Up On Unpaid-Intern Buffet, *Long Island Business News*, Aug. 30.

Stefan Krieger, Farmingdale: Affordable Housing, Payments in Lawsuit's Settlement, *Newsday*, Jan. 13.

CITATIONS

Miriam Albert, 16 TUL. J. TECH. & INTELL. PROP. 141; 63 DUKE L.J. 89; 50 SAN DIEGO L. REV. 469.

Alafair Burke, PROSECUTION COMPLEX (2012); 54 B.C. L. REV. 1667; 50 AM. CRIM. L. REV. 575; 2013 SING. J. LEGAL STUD. 50; 89 NOTRE DAME L. REV. 425; 11 OHIO ST. J. CRIM. L. 217; 42 SW. L. REV. 817.

Robert A. Baruch Bush, 2012 J. DISP. RESOL. 335; 15 CARDOZO J. CONFLICT RESOL. 243; 15 CARDOZO J. CONFLICT RESOL. 23; 13 PEPP. DISP. RESOL. L.J. 131; 13 PEPP. DISP. RESOL. L.J. 205.

Juli Campagna, 30 HOFSTRA LAB. & EMP. L.J. 591.

Robin Charlow, 102 KY. L.J. 1; 112 MICH. L. REV. 489; 99 VA. L. REV. 1327; 51 HOUS. L. REV. 1; 2013 COLUMBIA BUS. L. REV. 906; 11 N.WESTERN. J. TECH. & IP 559; *State v. Saintcalle*, 309 P.3d 326 (2013) (en banc).

Ronald Colombo, 66 OKLA. L. REV. 327; 21 GEO. MASON L. REV. 157; 21 GEO. MASON L. REV. 59; 118 PENN ST. L. REV. 1; 35 CARDOZO L. REV. 309; 51 HOUS.L.REV.1.

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Janet Dolgin, 9 GEO. J. GENDER & L. 115; 5 GEO. J. GENDER & L. 677; 2 GEO. J. GENDER & L. 1; 36 SUFFOLK TRANSNAT'L L. REV. 527; 47 U.C. DAVIS L. REV. 121; 82 FORDHAM L. REV. 1053; 9 J.L. ECON. & POL'Y 685; 12 WHITTIER J. CHILD & FAM. ADVOC. 39; 13 GEO. J. GENDER & L. 615.

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Daniel Greenwood, 35 CARDOZO L. REV. 309; 51 HOUS. L. REV. 1; 2013 MICH. ST. L. REV. 39.

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James Hickey: 22 TUL. J. INT'L & COMP. L. 1, 72 MD. L. REV. 773, 45 TEX. TECH L. REV. 1041.

Fred Klein: PROSECUTION COMPLEX (2012).

Julian Ku: 2 BRIT. J. AM. LEGAL STUD. 533, 59 MCGILL L.J. 95, 23 IND. INT'L & COMP. L. REV. 429, 38 VT. L. REV. 155, 21 U. MIAMI BUS. L. REV. 281, 82 FORDHAM L. REV. 827; 127 HARV. L. REV. 308, 74 OHIO ST. L.J. 559, 28 MD. J. INT'L L. 146, 28 MD. J. INT'L L. 107, 39 N.C. J. INT'L L. & COM. REG. 171, 8 DUKE J. CONST. L. & PUB. POL'Y 81, 34 U. PA. J. INT'L L. 859, 28 MD. J. INT'L L. 208, 28 AM. U. INT'L L. REV. 905, 27 EMORY INT'L L. REV. 447, 54 HARV. INT'L L.J. 459, 12 J. INT'L BUS. & L. VI, 45 N.Y.U. J. INT'L L. & POL. 1287, 53 VA. J. INT'L L. 499, 53 VA. J. INT'L L. 575, 91 WASH. U. L. REV. 59, 2013 WIS. L. REV. 265, 31 BERKELEY J. INT'L L. 207, 31 BERKELEY J. INT'L L. 210, 31 BERKELEY J. INT'L L. 236, 31 BERKELEY J. INT'L L. 291, 31 BERKELEY J. INT'L L. 307.

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19 HASTINGS W.-N.W. J. ENV. L. & POL'Y 463, 162 U. PA. L. REV. 59, 36 SEATTLE UNIV. L. R. 1855.

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Irina Manta: 98 MINN. L. REV. 455, 15 N.C. J. L. & TECH. 101.

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Ashira Ostrow: 25 GEO. INT'L ENVTL. L. REV. 449, 47 U.C. DAVIS L. REV. 63, 40 ECOLOGY L.Q. 583, 70 WASH. & LEE L. REV. 1981.

Alan Resnick: 113 COLUM. L. REV. 2191, 107 NW. U. L. REV. 1881, 87 AM. BANKR. L.J. 405, 99 VA. L. REV. 1235, 68 BUS. LAW. 1039, 101 CAL. L. REV. 1641, 82 FORDHAM L. REV. 937, 22 J. BANKR. L. & PRAC. 6 ART. 2, 38 DEL. J. CORP. L. 637, 2013 UTAH L. REV. 63, 18 BARRY L. REV. 191, 66 OKLA. L. REV. 287, 62 U. KAN. L. REV. 1, 88 TUL. L. REV. 21.

James Sample: 49 WILLAMETTE L. REV. 501, 26 GEO. J. LEGAL ETHICS 217.

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Barbara Stark: 36 SUFFOLK TRANSNAT'L L. REV. 671, 35 CARDOZO L. REV. 511.

HONORS, APPOINTMENTS AND OTHER ACKNOWLEDGMENTS

Barbara Barron was the program director for the NITA Securities and Exchange Commission Evidence Skills Program, on November 19, and for the National Institute for Trial Advocacy's Deposition Program for the Social Security Administration New York Regional Office, October 23. Professor Barron was also part of a three-person team that conducted a NITA deposition skills course at Sterne Kessler, on November 20-22, and was the co-director for the NITA Boston Trial Skills program December 2- 7. Professor Barron also conducted a two-day distance learning skills course in Macedonia, on October 23, 2013.

Robin Charlow joins the Board of Directors of the Federal Defenders of New York.

J. Herbie DiFonzo is serving as Co-Reporter (with Prof. Marsha Kline Pruett) for the *Shared Parenting Project* of the Association of Family & Conciliation Courts. Professor DiFonzo

helped to facilitate a "Think Tank" of 35 professionals in several disciplines who met in Chicago, Illinois in January to discuss issues in and problems with contemporary joint custody. In connection therewith, Professor DiFonzo presented on *Joint Custody Laws and Policies in the Fifty States*.

Monroe Freedman's book, *How Can You Represent Those People?*, was published on August 12 and sold out the first day. The publisher, Palgrave/Macmillan, wrote: "The incredible early success of the book is, frankly, unprecedented for us." The book was also identified by Ralph Nader in a blog post, Ten Books to Provoke Conversation in the New Year.

In addition, the University of Georgia School of Law reprinted Professor Freedman's article, *An Ethical Manifesto for Public Defenders*, and distributed it to participants attending a conference entitled: Honoring Gideon's Promise, Rallying Gideon's Army Conference.

Mitchell Gans has been reappointed to the Advisory Committee to New York State Legislature on Reform of Trust Law on which he continues to serve as Academic Chair to the Committee. He also continues to serve as Academic Editor of ACTEC Journal.

Joanna Grossman served as an expert witness on interstate marriage recognition law in *Obergefell v. Wymyslo*, 2013 U.S. Dist. LEXIS 156934, a federal court case challenging Ohio's refusal to recognize same-sex marriages validly celebrated in other states. Citing her affidavit, the district court ruled that Ohio could not constitutionally refuse recognition to

same-sex marriages while granting it to other prohibited types of marriages.

Irina Manta's article *The Puzzle of Criminal Sanctions for Intellectual Property Infringement* has been reprinted in *INTELLECTUAL PROPERTY AND DIGITAL CONTENT* (Richard S. Gruner ed., 2013). Additionally, her review of the book, *13 WAYS TO STEAL A BICYCLE: THEFT LAW IN THE INFORMATION AGE* was listed on SSRN's Top Ten download list for the Property, Land Use & Real Estate Law eJournal and for the Young Scholars Law eJournal. Professor Irina Manta was also featured on CrimProf Blog for the same book review.

James Sample and Monroe Freedman took part in filing an amicus brief with the Second Circuit in support of the motion for reconsideration en banc of the court's decision to remove Judge Shira Scheindlin from the "stop and frisk" cases in November. James Sample was also appointed to the American Judicature Society's Editorial Committee by Texas Court of Appeals Justice Martha Hill Jamison.

Andrew Schepard received an award for Distinguished Achievement in Disputed Resolution and gave a keynote speech at the Forensic Division Annual Fall Conference co-sponsored by the Forensic Psychology Division of the New York State Psychological Association and the Dispute Resolution Section of the New York State Bar on September 22.

Mitchell Gans assisted in drafting the Budget Bill recently submitted by Governor Cuomo with respect to taxation of trusts as part of the New York State Bar Association Task Force on Income Taxation of Nonresident Trusts.

Theo Liebmann successfully argued a case in the Second Department, *Matter of Karen C.*, 2013 NY Slip. Op. 07170 (2nd Dept. 11/6/13).

Stefan Krieger successfully settled a long-running federal anti-discrimination lawsuit filed by nine Latino residents against the Village of Farmingdale. The settlement was heralded by housing activists as important progress toward curbing housing discrimination throughout the region.

PRO BONO SERVICE