

HOFSTRA LAW FACULTY NEWS

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PUBLICATIONS

Janet Dolgin, *BIOETHICS AND THE LAW* (Aspen 2005) (with Lois Shepherd)

Eric M. Freedman, *Mend It or End It? The Revised ABA Capital Defense Representation Guidelines as an Opportunity to Reconsider the Death Penalty*, 2 OHIO STATE JOURNAL OF CRIMINAL LAW 663 (2005)

Mitchell Gans, *Quadpartite Will: Decoupling and the Next Generation of Instruments*, 32 ESTATE PLANNING 3 (April 2005)

Mitchell Gans, *The Application of Circular 230 in Estate Planning*, 107 TAX NOTES 61 (April 4, 2005)

Joanna L. Grossman, *Fear and Loathing in Massachusetts: Same-Sex Marriage and Some Lessons from the History of Marriage and Divorce*, 14 BOSTON UNIVERSITY PUBLIC INTEREST LAW JOURNAL 87 (2004)

Joanna L. Grossman, columns in *FINDLAW'S WRIT: The Supreme Court's New Age Discrimination Ruling*, April 19; *Discrimination and Retaliation*, (with Deborah Brake) April 5; *When Parentage Turns on Anatomical Sex*, March 8; *Will Non-Resident Couples Be Able to Marry in Massachusetts?*, March 1; *A Manhattan Judge Validates Gay Marriage*, February 8.

Stefan Krieger, *Teaching Problem-Solving Lawyering: An Exchange of Ideas*, 11 CLINICAL LAW REVIEW 485 (2005) (with Mark Neal Aaronson)

Theo Liebmann, *'Nicholson': Defining*

'Neglected Child,' Taking Child from Parents, NEW YORK LAW JOURNAL (March 14, 2005) (with Andrew Schepard)

Linda McClain, *Deterring 'Irresponsible' Reproduction Through Welfare Reform*, in FEMINISM CONFRONTS HOMO ECONOMICUS (Cornell University Press 2005)

Linda McClain, *Bend It Like Beckham and Real Women Have Curves: Constructing Identity in Multicultural Coming-of-Age Stories*, 54 DEPAUL LAW REVIEW 701 (2005)

Mark Movsesian, *When Worlds Collide*, in FIRST THINGS 34 (February 2005) (reviewing ORHAN PAMUK, SNOW)

Stuart Rabinowitz, *The Perfect Laboratory is in Our Own Backyard*, NEWSDAY (April 10, 2005) (editorial)

Andrew Schepard, *'Nicholson': Defining 'Neglected Child,' Taking Child from Parents*, NEW YORK LAW JOURNAL (March 14, 2005) (with Theo Liebmann)

Roy D. Simon, *SIMON'S NEW YORK CODE OF PROFESSIONAL RESPONSIBILITY ANNOTATED* (Thomson West 2005 ed.)

Roy D. Simon, columns in *NEW YORK PROFESSIONAL RESPONSIBILITY REPORT: Fighting Abuse of Confidentiality Orders*, April; *Final Exam on Conflicts: Short Question, Long Answer*, March; *The Puzzle of Prospective Clients*, February

Barbara Stark, *The Future of the Fourteenth Amendment and International Human Rights Law: The Black Heritage Trail*, 13 TEMPLE

POLITICAL AND CIVIL RIGHTS LAW REVIEW
557 (2004)

Barbara Stark, A Career in International Family Law, *in* GUIDE TO CAREERS IN INTERNATIONAL LAW (ASIL 2005)

Michelle Wu, Why Print and Electronic Resources are Essential to the Academic Law Library, 97 LAW LIBRARY JOURNAL 233 (2005)

PRESENTATIONS

Matt Bodie gave the first annual invited author's lecture for the Georgia Law Review in Athens, Georgia on February 7.

Robin Charlow presented "The Elusive Meaning of Religious Equality" at the Law, Culture, and Humanities conference in Austin, Texas on March 11.

Nora Demleitner gave a presentation, entitled "The School Board Scandal: Sentencing of the Culprits," at Roslyn High School in New York on February 7. At St. Thomas University School of Law on April 7, she gave a distinguished lecture on "Sentencing in the United States" and taught a short course on Women's and Children's Human Rights.

David Diamond gave a presentation, "Federal Litigation – The First Half," as part of a Nassau County Bar Association program on federal courts in April.

Janet Dolgin discussed the physician-patient relationship during grand rounds at Albert Einstein School of Medicine and Maimonides Medical Center, both in March. She delivered a lecture on medical jurisprudence at Nassau University Medical Center in February. She also gave a paper at a bioethics conference at

Cumberland School of Law in March.

Eric Freedman appeared on a panel at "The Great Writ: Developments in the Law of Habeas Corpus," a symposium held at Cornell Law School on April 2. He also spoke about the war on terror and the rule of law as part of the International Scene Lecture Series of the Hofstra Cultural Center on March 9.

Monroe Freedman gave the Tabor Lecture at Valparaiso Law School, entitled "An Ethical Manifesto for Public Defenders," on March 17. The same day, he gave a bench-bar lecture there about judicial ethics. He made a presentation to the American Board of Criminal Lawyers on "Jury Nullification," and a presentation to the N.Y. State Mental Health Lawyers on "Ethical Problems in Representing Incompetent Clients." Freedman conducted two faculty workshops at Hofstra, one about "Triage by Criminal Defense Lawyers" and one, with Roy Simon, about teaching ethics in law school classes. He also gave a presentation at Cardozo Law School, entitled "Law and Justice," on February 17.

Linda Galler gave a presentation on Revised Circular 230 at the Annual Tax Lawyering Workshop held at New York Law School on April 20.

Mitchell Gans made a presentation to the American College of Trusts and Estates Counsel (ACTEC) on February 23 about installment sales to grantor trusts. At the same meeting, he also spoke about the validity of Circular 230 in the trusts-and-estates context. He spoke about family limited partnerships at the Association of the Bar of the City of New York on April 6.

Joanna Grossman gave a faculty workshop on "The Portability of Marriage" at the University of North Carolina School of Law

on March 24.

Lawrence Kessler taught in the New England Deposition Program of NITA in April. Also, as a Litigation Training Consultant for the New York State Attorney General's Office, he gave a CLE lecture on expert witnesses.

Linda McClain presented "Should Family Law and Policy Move Beyond Marriage" at the University of Minnesota Law School on February 28. She also presented "Constitutionalism, Judicial Review, and Progressive Social Change" at the Maryland/Georgetown Discussion Group in Constitutional Law on March 4-5. McClain presented a paper, entitled "Child, Family, and state in Religious Stances and Human Rights Instruments: A Preliminary Comparison," at the Feminism & Legal Theory Conference at Emory Law School in April. In addition, she gave a presentation on abstinence-only sex education policies to a Feminist Legal Theory seminar at Columbia Law School on April 12.

Alan Resnick gave a presentation, "The Future of the Doctrine of Necessity and Critical Vendors Orders in Chapter 11," at a symposium at Boston College Law School on April 22.

Andrew Schepard gave a presentation, entitled "Through the Generations: A Panel for Law Students," to the Association of the Bar of the City of New York on February 16. He gave invited testimony on "Mediation and ADR in Divorce Disputes" before the Matrimonial Commission of the New York State Office of Court Administration on February 18. Schepard chaired the first interdisciplinary conference on Family Law Education Reform in Racine, Wisconsin on March 3-5. He also moderated a panel entitled "International Relocation: A Children's Rights Perspective" before the 4th World Congress on

Family Law and Children's Rights in Cape Town, South Africa on March 21.

Norman Silber gave a presentation, "The Future of Consumer Protection in Light of its Past," at a conference on consumer protection in the information economy at the University of Washington Law School on March 4. He participated in a group discussion about his recent book, *With All Deliberate Speed* in Washington, D.C. on March 27. In addition, he made a presentation about his book to the government classes at Bronx High School of Science on February 18.

Roy Simon co-convoked a Hofstra faculty workshop, with Monroe Freedman, about teaching ethics by the pervasive method.

Barbara Stark gave a lecture, "The Limits of Divorce Reform for the Protection of Children," at Louisiana State University on March 16. She also moderated a panel, "The Gender Jurisprudence of the Rwandan Tribunal," at a conference she co-chaired at New England School of Law on April 2. Stark participated in a conference on Women in War at Harvard Law School on April 8. She gave a presentation, entitled "Rhetoric, Religion and Human Rights: 'Save the Children!'" at a Feminist Legal Theory Workshop at Emory Law School on April 16. In addition, she gave a lecture on gender and globalization to the International Law Society at Hofstra Law School on April 20.

Vern Walker presented a paper, entitled "A Default-Logic Model of Factfinding for United States Regulation of Food Safety," at Maastricht University in the Netherlands in February.

Lauris Wren gave a lecture at the University of Wisconsin-Madison on March 4 about providing legal services to immigrants and

undocumented individuals.

BROADCAST APPEARANCES

Alafair Burke appeared on Court TV's Catherine Crier Live on March 1 to discuss the arrest of the BTK serial killer. She was interviewed on March 17 on Good Day New York about current celebrity trials. She was also interviewed by WHUR-DC radio on April 7 about the Michael Jackson trial.

Robin Charlow appeared on WRIV radio's morning show on March 22 and TV55 on March 24 and 25 to discuss the Terri Schiavo case.

Nora Demleitner appeared on WNBC on April 25 to discuss the use of Taser Stunguns by police in a recent killing in Suffolk County.

QUOTED IN

Alafair Burke: Experts Say Testimony Hurt, *Newsday*, December 14

Robin Charlow: Awaiting a Judge's Ruling, *Newsday*, March 22

Eric Freedman: R.I.P. Terry Schiavo, *The Marshfield News*, April 1; Schiavo Lesson on Judiciary Trump Card, *The New York Times*, March 24; Rehnquist to Keep Working at Home, *Los Angeles Times*, February 19; Outsourcing Torture: The Battle Over "Extraordinary Rendition," *The New Yorker*, February 16

Joanna Grossman: Sexual Harassment: An Unspoken Problem, *St. Petersburg Times*, April 24; Does Culture Clash with Image?, *St. Petersburg Times*, March 30; Courts Have

Mixed Reactions to Right to Sexual Privacy Ruling, *The Dallas Morning News*, March 14; City Likely to Appeal Court's Decision, *Newsday*, February 5

Julian Ku: It's Bush v. Texas in Convict Clash, *San Antonio Express-News*, March 13

Andrew Schepard: When Wedlock Is a Deadlock, *Newsday*, April 22

Norman Silber: Nationwide Deployment of Electronic Check Processing Will Be Implemented Slowly, *Long Island Business News*, April 1; Charity Appeals that Lacked Appeal, *The New York Times*, February 11

Roy Simon: Education or Marketing? Firm's Campaign Targets Long Islanders to Join Vioxx Litigation, *New York Law Journal*, March 15; Ethical Issues in Settlement Negotiations, *New York Law Journal*, March 14

David Yellen: Circuits Wrestle with Fallout from *Booker*, *The Legal Intelligencer*, February 22

CITATIONS

Matt Bodie: 13 Cornell J.L. & Pub. Pol'y 599; 105 Colum. L. Rev. 319; 73 U. Cin. L. Rev. 95; 32 Pepp. L. Rev. 671

Alafair Burke: 37 Conn. L. Rev. 67; 21 Hofstra Lab. & Emp. L.J. 349

Baruch Bush: 18 Temp. Int'l & Comp. L.J. 343; 11 Tex. Wesleyan L. Rev. 7; 37 Cornell Int'l L.J. 263; 80 Notre Dame L. Rev. 553; 80 Notre Dame L. Rev. 681; 2004 J. Disp. Resol. 303; 7 J. Health Care L. & Pol'y 395; 6 Cardozo J. Conflict Resol. 1; 6 Cardozo J.

Conflict Resol. 19; 10 Harv. Negot. L. Rev. 69

Robin Charlow: 31 Syracuse J. Int'l L. & Com. 227; 85 B.U. L. Rev. 155

Nora Demleitner: Jeremy Travis, But They All Come Back: Facing the Challenges of Prisoner Reentry (The Urban Institute Press 2005); 17 Fed. Sent. R. 11; 89 Minn. L. Rev. 571; 24 St. Louis U. Pub. L. Rev. 169; 25 B.C. Third World L.J. 81; 10 Buff. Hum. Rts. L. Rev. 215; 10 Buff. Hum. Rts. L. Rev. 399; 11 Geo. J. on Poverty L. & Pol'y 435; 5 Chi. J. Int'l L. 763; 38 Creighton L. Rev. 611; 38 U.C. Davis L. Rev. 599; 38 U.C. Davis L. Rev. 609; 38 U.C. Davis L. Rev. 747; 42 Harv. J. on Legis. 1; 74 Miss. L.J. 1; 54 Emory L.J. 271; 27 W. New Eng. L. Rev. 41; 36 Colum. Hum. Rts. L. Rev. 173

David Diamond: 32 Pepp. L. Rev. 647

Herbie DiFonzo: 24 St. Louis U. Pub. L. Rev. 113; 2 Geo. J.L. & Pub. Pol'y 449; 83 Or. L. Rev. 1035; 38 Fam. L.Q. 733

Janet Dolgin: 57 Stan. L. Rev. 825; 16 Yale J.L. & Feminism 193; 61 J. Mo. B. 22; 38 Fam. L.Q. 623; 2005 Colum. Bus. L. Rev. 1; 14 Cornell J.L. & Pub. Pol'y 1; 56 Mercer L. Rev. 759

Eric Freedman: 21 Santa Clara Computer & High Tech. L.J. 289; 35 Rutgers L.J. 1327

Monroe Freedman: 10 Harv. Negot. L. Rev. 69; 41 Idaho L. Rev. 85; 83 N.C. L. Rev. 411; 32 Pepp. L. Rev. 411; 32 Pepp. L. Rev. 519; 55 Case W. Res. L. Rev. 127; 26 Cardozo L. Rev. 1409; 18 Geo. J. Legal Ethics 365; 38 Suffolk U. L. Rev. 367; 14 Widener L.J. 365; 35 Seton Hall L. Rev. 613; 90 Iowa L. Rev. 475; 153 U. Pa. L. Rev. 1057; 24 St. Louis U. Pub. L. Rev. 271; 105 Colum. L. Rev. 583; 23 Yale L. & Pol'y Rev. 225

Leon Friedman: 90 Cornell L. Rev. 419; 37 Conn. L. Rev. 233; 92 Geo. L.J. 871; 36 Loy. U. Chi. L.J. 177; 44 Washburn L.J. 31; 35 Rutgers L.J. 1267; 46 Wm. & Mary L. Rev. 1177

Scott Fruehwald: *Dammarell v. Islamic Republic of Iran*; *Nichols v. Citigroup Global Markets, Inc.*; 38 Creighton L. Rev. 449; 88 Marq. L. Rev. 693; 54 Duke L.J. 221

Linda Galler: 153 U. Pa. L. Rev. 1057; 53 Kan. L. Rev. 149; 58 SMU L. Rev. 3; 61 Wash. & Lee L. Rev. 1903

Mitchell Gans: *Estate of Bongard v. Commissioner*, 124 T.C. No. 8 (March 15, 2005); 6 Fla. Tax Rev. 757; 58 Tax Law. 93

John Gregory: 2 Geo. J.L. & Pub. Pol'y 469

Joanna Grossman: Theresa Beiner, *Gender Myths v. Working Realities* (NYU Press 2005); 32 Harv. C.R.-C.L. L. Rev. 391; 46 Wm. & Mary L. Rev. 1031; 13 Am. U. J. Gender Soc. Pol'y & L. 219; 21 Hofstra Lab. & Emp. L.J. 591; 34 N.M. L. Rev. 461; 83 Tex. L. Rev. 1173; 36 Rutgers L.J. 289

Grant Hayden: 27 San Diego Justice J. 57; 56 Mercer L. Rev. 793; 21 Hofstra Lab. & Emp. L.J. 753

Jay Hickey: 19 Nat. Resources & Env't 9; 11 Buff. Envtl. L.J. 149

Bernie Jacob: 2004 U. Ill. L. Rev. 829

Stefan H. Krieger: 41 San Diego L. Rev. 1741; 30 Man. L.J. 353; 35 McGeorge L. Rev. 637; 13 Am. U. J. Gender Soc. Pol'y & L. 161; 11 Clinical L. Rev. 335; 11 Clinical L. Rev. 369

Julian Ku: 30 Queen's L.J. 260; 12 Tulsa J.

Comp. & Int'l L. 163

Eric Lane: 21 Hofstra Lab. & Emp. L.J. 325; 25 Pace L. Rev. 49; 10 B.U. J. Sci. & Tech. L. 326; 21 Hofstra Lab. & Emp. L.J. 715

Linda McClain: 55 Case W. Res. L. Rev. 127; 32 Harv. C.R.-C.L. L. Rev. 513; 8 J. Gender Race & Just. 327; 24 Pace L. Rev. 527

Mark Movsesian: 13 Wm. & Mary Bill Rts. J. 1; 37 Conn. L. Rev. 155; 5 Chi. L. Int'l L. 625; 107 W. Va. L. Rev. 443; 91 Va. L. Rev. 451

Richard K. Neumann, Jr.: 41 San Diego L. Rev. 1741; 30 Man. L.J. 353; 13 Am. U. J. Gender Soc. Pol'y & L. 161; 11 Clinical L. Rev. 335; 11 Clinical L. Rev. 369; 56 Mercer L. Rev. 729

Alan Resnick: 78 Am. Bankr. L.J. 339; 21 Bankr. Dev. J. 19; 43 Brandeis L.J. 1; 5 Wyo. L. Rev. 207; 12 Am. Bankr. Inst. L. Rev. 441

Andrew Shepard: 153 U. Pa. L. Rev. 921; 57 Me. L. Rev. 13; 83 Or. L. Rev. 945

Norm Silber: 90 Cornell L. Rev. 279; 72 U. Chi. L. Rev. 209; 40 Wake Forest L. Rev. 295; 90 Iowa L. Rev. 601; 99 Am. J. Int'l L. 298

Roy Simon: 57 SMU L. Rev. 1385; 22 Yale J. on Reg. 1; 18 Geo. J. Legal Ethics 291; Joel Cohen, Outside Counsel: Ethics Rules and Legal Fees, N.Y. L.J., March 7; Anthony E. Davis, The Intersection of Professional Responsibility and Technology, N.Y. L.J., March 7; Terence E. Smolev & Lisa A. Perillo, Testamentary Capacity and the Effects of Medication, N.Y. L.J., February 14

Barbara Stark: 7 N.Y. City L. Rev. 315; 14 Transnat'l L. & Contemp. Probs. 655

Vern Walker: 36 Colum. Hum. Rts. L. Rev. 173; 53 Emory L.J. 1887; 45 Va. J. Int'l L. 1

David Yellen: 54 Emory L.J. 271; 105 Colum L. Rev. 583

HONORS, APPOINTMENTS AND OTHER ACKNOWLEDGMENTS

Eric Freedman submitted invited testimony to the Constitution Subcommittee of the House Judiciary Committee for a hearing on a proposal to amend federal habeas corpus statutes for the benefit of Terri Schiavo. He also signed an amicus brief on behalf of a prisoner in *Mayle v. Felix*, currently before the Supreme Court.

Leon Friedman received the Stuart Rabinowitz Outstanding Faculty Award from the Hofstra Law School Alumni Association.

Scott Fruehwald was appointed to the Legal Writing Institute's Conference Scholarship Committee.

Mitchell Gans was installed as the first Steven A. Horowitz Distinguished Professor of Tax Law on April 20. He was also appointed to the New York University faculty to teach tax courses relating to trusts and estates in the L.L.M. program. He received an "Excellence in Writing Award" from the Probate and Property Section of the ABA.

Linda McClain was installed as the Rivkin Radler Distinguished Professor of Law on March 3.

Alan Resnick was named chair of a subcommittee of the Advisory Committee on Bankruptcy Rules of the Judicial Conference of the United States, which is charged with

drafting procedural rules to implement the newly enacted bankruptcy legislation.

Norman Silber was appointed Chair of the External Relations Committee of the American Council of Consumer Interests.

Roy Simon was appointed to the ABCNY Task Force on the Role of the Lawyer in Corporate Governance in March.

David Yellen was appointed Dean of Loyola University of Chicago's School of Law.