

PUBLICATIONS

Matthew T. Bodie, The Potential for State Labor Law: The New York Greengrocer Code of Conduct, 21 HOFSTRA LABOR & EMPLOYMENT LAW JOURNAL 183 (2003)

Matthew T. Bodie, The Story Behind the New York City Greengrocer Code of Conduct: A Conversation with Patricia Smith, 6 REGIONAL LABOR REVIEW 19 (Spring/Summer 2004)

Alafair S. Burke, MISSING JUSTICE (Henry Holt 2004)

Robert A. Baruch Bush, One Size Does Not Fit All: A Pluralistic Approach to Mediator Performance Testing and Quality Assurance, 19 OHIO STATE JOURNAL ON DISPUTE RESOLUTION 965 (2004) (special series)

Robert A. Baruch Bush, Transformative Mediation: Changing the Quality of Family Conflict Interaction, *in* DIVORCE AND FAMILY MEDIATION (J. Folberg, A. Milne & P. Salem, eds., Guilford Press, 2004) (with Sally G. Pope)

Nora V. Demleitner, Risk Assessment: Promises and Pitfalls, 16 FEDERAL SENTENCING REPORTER 161 (2004)

J. Herbie DiFonzo, Juvenile Justice: Back to the Future?, 42 FAMILY COURT REVIEW 673 (2004) (book review)

Linda Galler, ABA Section of Taxation Report of the Task Force on Judicial Deference, 57 TAXLAWYER 717 (2004) (with Irving Salem and Ellen P. Aprill) (reprinted in 104 TAX NOTES 1231 (Sept. 13, 2004))

Linda Galler, Spotlight On Committees: Committee on Teaching Taxation, ABA SECTION OF TAXATION NEWS QUARTERLY (Spring 2004)

Linda Galler, *Mead* and Tax Law, ADMINISTRATIVE & REGULATORY LAW NEWS (Summer 2004) (with Irving Salem and Ellen Aprill)

Mitchell M. Gans, Possible Strategy to Make Fuller Use of Each Spouse's Exemption, PROBATE PRACTICE (July 2004)

Mitchell M. Gans, Estate Tax Decoupling, NEW YORK LAW JOURNAL (June 25, 2004)

Joanna L. Grossman, Job Security Without Equality: The Family and Medical Leave Act of 1993, 15 WASHINGTON UNIVERSITY JOURNAL OF LAW AND POLICY (2004)

Joanna L. Grossman, columns in FINDLAW'S WRIT: Is Britney Spears Legally Married?, Sept. 27; The "Girlie Men" Slur and Similar Insults: How They Show the Persistence of Sex-role Stereotypes, Sept. 14 (with Linda McClain); California's Grandparent Visitation Statute: Why the State Supreme Court Upheld It, Sept. 3; When a Man Dies, Can Children Subsequently Conceived with His Sperm Collect Survivors' Benefits?, Aug. 10; The Proposed Marriage Protection Act: Why it May Be Unconstitutional, July 27; As the Federal Marriage Amendment Fails in the Senate, Recent and Older Examples in Legal History Provide Insight, July 15; The Supreme Court's Ruling on Employer Liability for Sexual Harassment That Results in "Constructive Discharge": Why It's a Disappointment, June 22; The End of "Ladies Night" in New Jersey, June 15

Grant M. Hayden, *The False Promise of One Person, One Vote*, 102 MICHIGAN LAW REVIEW 213 (2003)

James E. Hickey, Jr., *Challenges to Security Council Monopoly Power Over the Use of Force in Enforcement Actions: The Case of Regional Organizations*, 10 IUS GENTIUM 75 (2004)

James E. Hickey, Jr., *The Public Utility Holding Company Act of 1935*, in MAJOR ACTS OF CONGRESS (Macmillan 2004)

James E. Hickey, Jr., *Localism, History, and The Articles of Confederation*, 9 IUS GENTIUM 1 (2003)

Jeffery Knight, *Second Reel: A Retired Cravath Partner Turns Auteur*, THE AMERICAN LAWYER (Sept. 2004)

Theodor S. Liebmann, *The High Stakes in Temporary Removal Determinations*, NEW YORK LAW JOURNAL (July 9, 2004) (with Andrew Schepard)

Linda C. McClain, column in FINDLAW'S WRIT: *The "Girlie Men" Slur and Similar Insults: How They Show the Persistence of Sex-role Stereotypes*, Sept. 14 (with Joanna Grossman)

Mark L. Movsesian, THE WORLD TRADE CONSTITUTION (Chinese trans. Zhang Baosheng & Thomas Y. Man, 2004) (with John O. McGinnis)

Andrew Schepard, *The Model Standards of Practice for Family and Divorce Mediation in DIVORCE AND FAMILY MEDIATION: MODELS, TECHNIQUES, AND APPLICATIONS* (J. Folberg, A. Milne and P. Salem, eds., Guilford Press, 2004)

Andrew Schepard, *Kramer vs. Kramer Revisited—Requiring Lawyers to Discuss ADR*, NEW YORK LAW JOURNAL (Sept. 10, 2004)

Andrew Schepard, *The High Stakes In Temporary Removal Determinations*, NEW YORK LAW JOURNAL (July 9, 2004) (with Theodor S. Liebmann)

Norman I. Silber, *Nonprofit Fundraising and Consumer Protection*, 15 STANFORD LAW & POLICY REVIEW 519 (2004) (with Ely Levy)

Roy D. Simon, *What Partners Want from New Associates*, NEW YORK LAW JOURNAL (August 20, 2004)

Roy D. Simon, columns in NEW YORK PROFESSIONAL RESPONSIBILITY REPORT: *Depositions of Opposing Counsel—Developing Law (Part I)* (Sept. 2004); *Willful Infringement Litigation—Waiver & Work Product Protection—Part II* (August 2004); *Willful Infringement Litigation—Waiver & Work Product Protection—Part I* (July 2004); *Privilege and Adverse Inferences in Patent Infringement Litigation* (June 2004)

PRESENTATIONS

Baruch Bush taught a four-day mediation skills seminar at Latrobe Law School in Melbourne, Australia, in July. He also presented a lecture there, entitled "From Settlement to Transformation: Developments in North American Mediation over the Past Decade."

Nora Demleitner gave a presentation, entitled "A New Start? Foreign Convictions, Sentencing and Collateral Sanctions," at a conference on "The Legal Barriers to Reentry in Ohio: The ABA Collateral Sanctions in Theory and Practice," at the University of Toledo College of Law in September. She also presented "The Growing Gap Between Citizen and Non-Citizen Offenders: The Re-entry Movement Meets Re-entry Offenses," at the Immigration Law Teachers' Workshop at the University of Maryland School of Law in June.

J. Herbie DiFonzo co-coordinated the Family Law Education Forum at the Association of Family and Conciliation Courts Conference in San Antonio on May 14, a meeting that focused on ways to improve the teaching of family law.

Janet Dolgin lectured to a group of residents at Nassau University Medical Center on “The Sterilization of Women: Ethical Concerns” in June.

Eric Freedman taught an advanced habeas corpus session at the New York City Bar Association’s annual death penalty defense training program on July 14. He also gave a presentation to the National Security Task Force of the New York City Bar Association on the pro bono efforts that would be required to implement the Supreme Court’s recent rulings about detainees at Guantanamo Bay. In September, he gave a habeas presentation to the pro se clerks of the second circuit and a telephone presentation to the death penalty clinic at Washington & Lee Law School.

Leon Friedman gave a PLI presentation on August 8 about terrorism cases decided during the Supreme Court’s last term. He also gave a presentation to the National Association of Former U.S. Attorneys about recent criminal procedure cases on August 29.

Linda Galler presented “Ethical Problems in Federal Tax Practice” at the Internal Revenue Service Estate & Gift Tax Continuing Legal Education Seminar and gave a paper on “Ethics in Tax Practice” to the New York Tax Study Group, both in June. In September, she presented “Judicial Deference to Administrative Pronouncements in the Tax Area,” to the American College of Tax Counsel Board of Regents and “In Pursuit of Tax Shelter Promoters – How Many Arrows Does OPR Have in Its Circular 230 Quiver?,” to the ABA Section of Taxation Committee on Standards of Tax Practice.

Mitchell Gans gave a presentation for ALL-ABA on family limited partnerships on June 29.

Joanna Grossman participated in a roundtable, “What Makes a Parent?,” at Cardozo Law School in New York on June 17-18. She also presented a paper, entitled “Fear and Loathing in Massachusetts: Same-Sex Marriage and Some Lessons from the History of Marriage and Divorce,” at a conference on “The Meaning and Implications of *Goodridge v. Department of Public Health*” at Southern New England School of Law on June 11.

Bernie Jacob delivered his paper “Aristotle and the Graces” at a faculty workshop at Hofstra on August 30.

Theo Liebmann and **Lauris Wren** delivered a lecture entitled “The Role of the Family Court in Special Immigrant Juvenile Status Cases” to an audience of Family Court judges, court attorneys and law guardians on September 22.

Alan Resnick presented “The Formulation of a Chapter 11 Plan of Reorganization” at the NYU Bankruptcy and Reorganization Workshop on September 14.

Andy Schepard gave a presentation entitled “Top Ten Ideas for Reforming New York’s Child Custody Dispute Resolution System” at the New York County Lawyers Association on June 21.

Roy Simon moderated a New York State Bar Association program on Ethics and Professionalism in New York City on June 18.

Norm Silber participated in conference, “Who Guards the Guardians? Monitoring and Enforcement of Charity Governance” at Chicago-Kent Law School on September 10.

Barbara Stark participated on a panel, entitled “International Perspectives on Divorce,” at the International Society for Family Law Conference in Beijing, China, in July.

Vern Walker participated as an expert at a workshop on “Risk, Uncertainty, and Dissent – Dealing With ‘Chancy’ Science and ‘Chancy’ Society,” held in Seville, Spain, on June 25-26.

David Yellen spoke about the Supreme Court’s decision in *Blakely v. Washington* on August 16 at the annual conference of the National Association of Sentencing Commissions and again on September 14 at the National Press Club in Washington.

BROADCAST APPEARANCES

Matt Bodie was interviewed on WLIE radio about John Edwards’ being chosen as John Kerry’s running mate on July 6, about Martha Stewart’s sentence on July 19, and about criminal charges against officers of Computer Associates on September 24.

Alafair Burke was interviewed about her new mystery novel by Linda Wertheimer on the Weekend Edition of All Things Considered on June 13. She also appeared on Court TV’s Catherine Crier Live on August 6 to discuss problems with the prosecution’s case against Scott Peterson, a man charged with murdering his wife and unborn son.

Eric Freedman participated in an interactive web session on CourtTV.com about the 9/11 Commission report on July 24. He was interviewed about the Marriage Protection Act on July 22. He was also interviewed by Channel 5 on June 24 about a case declaring the death penalty unconstitutional in New York.

Leon Friedman appeared on the local edition of CBS News in September to discuss the Pelosi murder trial and in October to discuss terrorism.

Theo Liebmann was interviewed by WCBS-AM Radio on July 10 about training for lawyers who represent children.

Norm Silber was interviewed on WNYC on July 31 about a pending lawsuit against the Greek Orthodox Church. He was also interviewed on Public Radio International’s Marketplace on August 4 about potential wrongdoing by credit counseling services.

Roy Simon was interviewed on August 26 by the local edition of CBS News about the efforts of a convicted murderer from Long Island to obtain a new trial.

QUOTED IN

Matt Bodie: Audiovox Subsidiary to Pay Its Top Executive \$16 Million, *Long Island Business News*, August 20

Alafair Burke: Crime Writer Follows in Dad’s Footsteps, *Deseret Morning News*, June 20

Robin Charlow: Willkommen! Bienvenue! Mind if We Smoke?, *The New York Times*, September 19

Nora Demleitner: Federal Punishment Rules Are Sentenced to Limbo, *San Antonio Express-News*, July 1

Eric Freedman: Bowing to an Extradition Deal, U.S. Will Forgo Death Penalty, *The New York Times*, June 19; They Can’t Be Put to Death, *Newsday*, June 25; Justices Say Death

Row Inmate with Low IQ Deserves Appeal, *Los Angeles Times*, June 25; Death Penalty: Court Roster May Be Key to Its Future, *The New York Times*, June 26; Lawyers File Suits to Set Categories in Detainee Cases, *The Wall Street Journal*, July 6; Eyes on Tankleff Case, *Newsday*, July 25; In First Rulings, Military Tribunals Uphold Detentions of 4, *The New York Times*, August 14; Detainee Lawyers Decry U.S. Stance, *National Law Journal*, August 23

Monroe Freedman: Web Ad for Lawyer Linked to Competitor Spurs Dispute, *The Courier-Journal*, July 6; Indigent Defense Services Blasted, *The National Law Journal*, July 12; In Wake of Corruption Investigation, *Newsday*, August 13; Sentencing Tops High Court's New Term, *Legal Times*, September 27

Julian Ku: Sosa, *National Review Online*, July 21

Eric Lane: At Capitol, System Leads Some to Exit, *The Times Union*, September 19

Andy Schepard: Looking to Lessen the Angst in Divorce, *The Times Union*, June 21

Norm Silber: Grasso Wants Suit Moved to U.S. Court, *The Washington Post*, June 18; Grasso Sues NYSE, Reed for \$50 Million, *The Washington Post*, July 21

Roy Simon: Prosecutor Called Unfit to Review L.I. Slaying, *The New York Times*, August 27; City Lawyers Criticize Federal Judge Over Ruling, *The New York Times*, September 24

CITATIONS

Matt Bodie: 82 N.C. L. Rev. 835; 5 Transactions 211

Baruch Bush: 108 Penn St. L. Rev. 929; 19 Touro L. Rev. 773; 5 Cardozo J. Conflict Resol. 59; 5 Cardozo J. Conflict Resol. 65; 5 Cardozo J. Conflict Resol. 87; 5 Cardozo J. Conflict Resol. 97; 5 Cardozo J. Conflict Resol. 117; 5 Cardozo J. Conflict Resol. 147; 5 Cardozo J. Conflict Resol. 187; 25 Hamline J. Pub. L. & Pol'y 235; 58 U. Miami L. Rev. 1225; 19 Ohio St. J. on Disp. Resol. 925; 19 Ohio St. J. on Disp. Resol. 937; 19 Ohio St. J. on Disp. Resol. 965; 19 Ohio St. J. on Disp. Resol. 1005; 2004 J. Disp. Resol. 119; 2004 J. Disp. Resol. 179; 2004 J. Disp. Resol. 229; 10 Psychol. Pub. Pol'y & L. 211; 79 Wash. L. Rev. 881; 18 Notre Dame J.L. Ethics & Pub. Pol'y 571; 4 Pepp. Disp. Resol. L.J. 297

Robin Charlow: 18 Notre Dame J. L. Ethics & Pub. Pol'y 465; 18 St. John's J. Legal Comment. 875

Nora Demleitner: 45 B.C. L. Rev. 255; 29 N.C. J. Int'l L. & Com. Reg. 639; 106 W. Va. L. Rev. 245; 8 J. Gender Race & Just. 153; 78 Tul. L. Rev. 1501; 25 Mich. J. Int'l L. 605; 89 Iowa L. Rev. 1535; 57 Vand. L. Rev. 783; 19 Mich. L. Rev. 1009; 92 Geo. L.J. Ann. Rev. Crim. Pro. 259; 27 Fordham Int'l L.J. 1569; 117 Harv. L. Rev. 2731; 77 S. Cal. L. Rev. 835; 56 Stan. L. Rev. 1597; 89 Iowa L. Rev. 1753

Herbie DiFonzo: 11 Va. J. Soc. Pol'y & L. 307; 18 BYU J. Pub. L. 623; 50 Loy. L. Rev. 407

Janet Dolgin: 56 Rutgers L. Rev. 305; 2004 Utah L. Rev. 57; 18 BYU J. Pub. L. 665; 57 Vand. L. Rev. 965; 67 Alb. L. Rev. 1071; 13 Cornell J.L. & Pub. Pol'y 431; 30 Rutgers Computer & Tech. L.J. 431; 45 B.C. L. Rev. 619; 36 Conn. L. Rev. 1133; 36 Conn. L. Rev. 1163

Eric Freedman: 5 Rutgers J. L. & Relig. 1; 6 U. Pa. J. Const. L. 1116; 2 Geo. J. L. & Pub. Pol'y 109; 79 Notre Dame L. Rev. 1365; 18 St. John's J. Legal Comment. 631; 72 Fordham L. Rev. 2593

Monroe Freedman: 5 Rutgers J. L. & Religion 1; 15 Stan. L. & Pol'y Rev. 381; 37 U.C. Davis L. Rev. 1203; 45 S. Tex. L. Rev. 709; 37 Loy. L.A. L. Rev. 691; 9 RogerWilliams U. L. Rev. 351; 20 Ga. St. U. L. Rev. 617; 29 J. Corp. L. 469; 49 Vill. L. Rev. 725; 10 Wm. & Mary J. Women & L. 569; 2004 J. Disp. Resol. 145; 17 Geo. J. Legal Ethics 541

Leon Friedman: 45 B.C. L. Rev. 307; 47 How. L.J. 627; 38 U.S.F. L. Rev. 499; 72 U. Cinn. L. Rev. 961; 73 Miss. L.J. 639; 50 Loy. L. Rev. 349; 94 J. Crim. L. & Criminology 687; 26 Hous. J. Int'l L. 411; 47 How. L.J. 943

Scott Fruehwald: David Nimmer, Copyright: Sacred Text, Technology, and the DMCA (2004); 79 Chi-Kent L. Rev. 725; 29 Dayton L. Rev. 447; 72 Fordham L. Rev. 1091; 152 U. Pa. L. Rev. 1697; 25 Whittier L. Rev. 497; 18 B.Y.U. J. Pub. L. 273; 20 Ga. St. U.L. Rev. 393

Linda Galler: 17 Geo. J. Legal Ethics 369; 54 Syracuse L. Rev. 739; 36 Conn. L. Rev. 1133

Mitchell Gans: 35 Tex. Tech L. Rev. 871; 24 Va. Tax Rev. 1

John Gregory: 37 Fam. L.Q. 727

Joanna Grossman: 15 Wash. U. J.L. & Pol'y 1; 18 BYU J. Pub. L. 273; 98 Nw. U. L. Rev. 1505; 13 Widener L.J. 759; 19 Ohio St. J. on Disp. Resol. 1167; 2004 BYU Educ. & L.J. 155; 88 Minn. L. Rev. 1598

Grant Hayden: 28 Vt. L. Rev. 343

Jay Hickey: 24 N. Ill. U. L. Rev. 789; 23 Quinnipiac L. Rev. 23

Bernie Jacob: 98 Nw. U. L. Rev. 907

Stef Krieger: 20 Ga. St. U. L. Rev. 841; 22 Quinnipiac L. Rev. 923

Eric Lane: 7 N.Y.U. J. Legis. & Pub. Pol'y 333; 65 Ohio St. L.J. 357; 67 Alb. L. Rev. 1021; 27 U. Seattle L. Rev. 981; 47 How. L.J. 943; 35 Rutgers L.J. 825

Linda McClain: 72 Fordham L. Rev. 1435; 72 Fordham L. Rev. 1537; 72 Fordham L. Rev. 1569; 72 Fordham L. Rev. 1599; 72 Fordham L. Rev. 1629; 72 Fordham L. Rev. 1643; 72 Fordham L. Rev. 2073; 56 Rutgers L. Rev. 305; 10 Cardozo Women's L.J. 501; 6 U. Pa. J. Const. L. 695; 6 U. Pa. J. Const. L. 723; 44 Santa Clara L. Rev. 1029; 10 Wm. & Mary J. Women & L. 459; 13 Cornell J.L. & Pub. Pol'y 289

Mark Movsesian: 7 Chap. L. Rev. 107; 45 Harv. Int'l L.J. 303; 45 Harv. Int'l L.J. 353; 82 Tex. L. Rev. 1989; 19 Lab. Law. 285

Roy Simon: 89 Iowa L. Rev. 1201; 55 S.C. L. Rev. 883; 45 S. Tex. L. Rev. 815; 37 Loy. L.A. L. Rev. 765; 49 Vill. L. Rev. 725; 67 Law & Contemp. Probs. 279; 54 Syracuse L. Rev. 1299; 98 Nw. U. L. Rev. 1129; 17 Geo. J. Legal Ethics 541

Marshall Tracht: 25 Cardozo L. Rev. 1655

Vern Walker: 77 S. Cal. L. Rev. 743; 18 St. John's J. Legal Comment. 593; 31 Fla. St. U. L. Rev. 1041

David Yellen: 117 Harv. L. Rev. 2548; 98 Nw. U. L. Rev. 1129; 71 U. Chi. L. Rev. 1055

HONORS, APPOINTMENTS AND OTHER ACKNOWLEDGMENTS

Baruch Bush completed a research project for the Hewlett Foundation, the "Knowledge Gaps Project," which involved conducting and analyzing interviews with over 50 senior conflict resolution scholars in order to identify open issues and unanswered questions in the field.

Nora Demleitner submitted co-authored testimony, entitled "Go Slow: A Recommendation for Responding to *Blakely v. Washington* in the Federal System," to the Senate Committee on the Judiciary on July 13.

Eric Freedman was named Counsel to the National Coalition Against Censorship and named to the Steering Committee of the ABA Death Penalty Representation Project. His book, *Habeas Corpus: Rethinking the Great Writ of Liberty*, was reviewed at 66 *The Historian* 413 (June 2004).

Mitchell Gans began teaching a course on estate-and-gift-tax valuation at NYU Law School, broadcast to IRS attorneys across the country via satellite.

Jay Hickey was named Vice Chair of two ABA Energy Committees.

Andy Schepard was named Chair of the Nominating and Corporate Governance Committee for the Board of Directors of Greenwich House in New York City.

Barbara Stark was appointed to the Editorial Advisory Board of the Encyclopedia of Human Rights, published by Routledge.

Lauris Wren was featured in “Truly Remarkable Clinic: Hofstra Students Help Desperate Trio Win Political Asylum Through Innovative Legal Program,” *Newsday*, September 2, an article praising her successful work as director of Hofstra’s Political Asylum Clinic.

David Yellen was named co-reporter of The Constitution Project’s sentencing initiative, designed to provide advice and assistance to Congress and the states as they respond to the Supreme Court’s *Blakely* decision.