

PUBLICATIONS

Baruch Bush, Signposts and Crossroads: A Model for Live Action Mediator Assessment, 23 OHIO STATE JOURNAL ON DISPUTE RESOLUTION 197 (2008) (with Dorothy J. Della Noce, James R. Antes, and Judith A. Saul)

Bennett Capers, Crime, Legitimacy, and Testilying, 83 INDIANA LAW JOURNAL 835 (2008)

Bennett Capers, Cross Dressing and the Criminal, 20 YALE JOURNAL OF LAW AND THE HUMANITIES 1(lead article)

Mitchell Gans, The Estate Tax Fundamentals of Celebrity and Control, 118 YALE LAW JOURNAL POCKET PART 50 (2008) (with Bridget J. Crawford & Jonathan G. Blattmachr)

Mitchell Gans, Final Regulations on Estate Tax Inclusion for GRATs and Similar Arrangements Leave Open Issues, 109 JOURNAL OF TAXATION 4 (2008)

Joanna Grossman, columns in FINDLAW'S WRIT: Adoption Rights for Gays and Lesbians in Florida: A Trial Court Rules That the State's Longstanding Ban Must End (Dec. 9, 2008); Why the New Administration Should Focus on Workplace Equality: Some Easy Fixes for Important Problems (Nov. 25, 2008); The Thirtieth Anniversary of the Pregnancy Discrimination Act: Cause for Celebration, but also Reflection on the Progress Yet to be Made (Oct. 28, 2008); And Connecticut Makes Three: The State's Highest Court Declares Same-Sex Marriage Ban Unconstitutional (Oct. 14, 2008); Why A Federal District Court's Decision Is a Victory for Transsexuals' Right Not to Face Employment Discrimination (Sept. 30, 2008); The California Supreme Court Rules That Fertility Doctors Must Make Their Services

Available to Lesbians, Despite Religious Objections (Sept. 2, 2008)

Stefan Krieger, A Clash of Cultures: Immigration and Housing Code Enforcement on Long Island, 36 HOFSTRA LAW REVIEW 1227 (2008)

Julian Ku, Medellin's Clear Statement Rule: A Solution for International Delegations, 77 FORDHAM LAW REVIEW 609 (2008)

Eric Lane, THE GENIUS OF AMERICA: HOW THE CONSTITUTION SAVED OUR COUNTRY, AND HOW IT CAN AGAIN (Bloomsbury USA, paperback ed.) (with Michael Oreskes)

Holning Lau, Human Rights and Globalization: Putting the Race to the Top in Perspective, 102 NORTHWESTERN UNIVERSITY LAW REVIEW 2021 (2008)

Alan Resnick, Letter of Credit as a Landlord's Protection Against a Tenant's Bankruptcy: Assurance of Payment or False Sense of Security?, 82 AMERICAN BANKRUPTCY LAW JOURNAL 497 (2008)

Andrew Schepard, Editorial Note, 46 FAMILY COURT REVIEW 571 (2008)

Andrew Schepard, No Fault Divorce for N.Y.: In the Best Interests of Children, NEW YORK LAW JOURNAL

Norman Silber, Late Charges, Regular Billing, and Reasonable Consumers: A Rationale for a Late Payment Act, 83 CHICAGO-KENT LAW REVIEW 855 (2008)

PRESENTATIONS

Alafair Burke presented "Rethinking Prosecutorial Disclosure" at the Northeast

People of Color Conference at Boston University on September 13.

Bennett Capers presented “Cross Dressing and the Criminal” at the Lavender Law Conference in San Francisco on September 6. On September 13, he presented “Policing, Race, and Place” at the Northeast People of Color Conference at Boston University.

J. Herbie DiFonzo presented “Legal Dilemmas in Forensic Evidence” at the Forensic Science Partnership at the University of Rhode Island, Kingston, RI, in September. In November, he chaired a panel and made a presentation on “Family Law Careers for Law Students” at the Association of Family and Conciliation Courts - New York Chapter Annual Conference.

Eric Freedman presented “From Stewartstown to Guantanamo and Beyond” to The New Hampshire Supreme Court Historical Society. He also gave a CLE presentation, “Overview of Federal Habeas Corpus,” to Second Circuit law clerks on October 16.

Leon Friedman spoke at an event on September 18 discussing Hofstra’s Presidential Conferences in conjunction with the Obama-McCain Presidential debate at Hofstra. On October 1, he spoke at NYU regarding legal problems in book publishing. On October 24, he discussed “Applying for Statutory Attorneys’ Fees, From A to Z” before the New York chapter of the National Employment Lawyers Association. Finally, on October 31, he spoke about attorneys fees before a civil rights program at the Practising Law Institute.

Elizabeth Glazer presented “Transitional Discrimination” (co-authored with Zachary Kramer) as an invited symposium participant at the Temple Political & Civil Rights Law Review symposium on Intersections of Lives and the Law: Critical Perspectives on Legal and Social Challenges. She also presented “Volumes of Hate Speech” at West Virginia University College of Law and Cumberland School of Law (Samford University). Finally, she presented “The Awkward Phase of Antidiscrimination

Law” (co-authored with Zachary Kramer) at the Third Annual Colloquium on Current Scholarship in Labor and Employment Law, in San Diego.

John DeWitt Gregory was a panelist for a program on Teen Animal Cruelty sponsored by the Special Committee on Animal Law of the New York State Bar Association, held at Cardozo Law School on September 15.

Joanna Grossman presented a faculty workshop, “Pregnancy, Work, and Citizenship,” at Vanderbilt Law School on November 18; presented “The Future of Pregnancy Discrimination Claims,” at a symposium, Respecting Expecting: The Thirtieth Anniversary of the Pregnancy Discrimination Act, at Yale Law School, on November 7-8; and presented, “Defining Discrimination: The Problem of Pregnancy,” at the Northeast Regional Law and Society Conference in Amherst, MA, on October 31.

Holning Lau presented “Tailoring Equal Protection to Address Today’s Democratic Deficit” at the University of Virginia School of Law.

Eric Lane guest blogged on the Huffington Post with Michael Oreskes, co-author of their book, “The Genius of America: How the Constitution Saved Our Country and Why It Can Again.”

Theo Liebmann led a program on Immigration Issues Affecting Juveniles in the Court System for the Appellate Division Second Department Law Guardian Training Program in October.

Alan Resnick presented “Critical Vendor Orders in Retail Chapter 11 Cases” and “Formulating and Confirming a Chapter 11 Plan” on September 17 and 18, respectfully, during the 34th Annual New York University School of Law Workshop on Bankruptcy and Business Reorganization.

Norman I. Silber presented “Collapsing Bond Markets and the Nonprofit Debt Crises: Liability, Accountability, and Legal Reform” at the 37th Annual Conference of <http://arnova.org/>

the Association for Research on Nonprofit Organizations and Voluntary Action, in Philadelphia.

Norman I. Silber presented a manuscript, "The Life of Judge Bernard S. Meyer," at New York University's Legal History Colloquium.

Barbara Stark presented "Jam Tomorrow" at the American Society of International Law, Symposium on Redistributive Justice, in November; "The Limits of Redistributive Justice and International Economic Law" at the West Virginia University College of Law, also in November; and "Still Stumbling," a workshop on work/family balance, at the West Virginia Women's Law Caucus in October.

Amy Stein presented "Election 2008 and Beyond: Teaching Students to Become Lifelong Citizens" on October 24 as part of the 32nd Annual Law, Youth & Citizenship Conference.

Vern Walker organized and presented a panel plenary session entitled "Demystifying Scientific Evidence: Categorization and Prediction," at the Annual Conference and Meeting of the National Association of Administrative Law Judiciary, held in New York City, October 12-14, 2008; he also presented a program entitled "Demystifying Scientific Evidence" for the City of New York Administrative Judicial Institute, on December 10, 2008.

BROADCAST APPEARANCES

Barbara Barron twice appeared on NTN, "the PBS of Japan," to discuss the U.S. jury system and its role in death penalty cases, and the trial advocacy training program she runs in Japan.

Joanna Grossman was interviewed by WNYC on October 10 about the Connecticut ruling in favor of same-sex marriage.

Julian Ku appeared on the News 12 television program "Long Island Talks" to discuss the discovery of Ku Klux Klan recruiting posters in

the parking lots of two Long Island Railroad stations.

QUOTED IN

Robin Charlow, *New Rules for Trustees?*, *Lynbrook/East Rockaway Herald*, September 25.

Ron Colombo, *Auditors Make for Likely Targets in Tough Times*, *Securities Law 360*, October 28.

Eric M. Freedman, *Nassau Wall of Shame Defendant Sues*, *Newsday*, October 9; *Pornographer to Serve Nearly 4 Years, Pay Fines*, *St. Petersburg Times*, October 4; *Experts Ask Can U.S. Courts Handle Terrorism Cases*, *Newsday*, November 11.

Joanna Grossman, *Gay Man Takes Bias Suit to Appeals Court*, *Pittsburgh Post-Gazette*, September 28; *If Things Fall Apart, Who Gets the Ring?*, *New York Times*, October 5.

Stefan Krieger, *Beyond Reasonable Doubt*, *Long Island Business News*, December 3; *Bob Schieffer Must Keep Obama and McCain Honest at Debate*, *New York Daily News*, October 15.

Katrina Fischer Kuh, *Group Think*, *The Boston Globe*, November 23.

Eric Lane, *Council Gets a Charge From Vote on Term Limits*, *New York Times*, October 24; *Financial Boom, Financial Bust: What Happened?*, *LA Times*, October 18; *Suburban Democrats Crave State Senate Clout*, *New York Times*, December 15; *The Breakdown of the American Conscience*, *The Stony Brook Press*, December 3; *Rosanna of the Amish: Early Affirmation of the Plain Life*; *Lancaster New Era*, December 1.

Curtis Pew, *Law School Clinics Brace for Investor Claims*, *New York Law Journal*, October 17.

Norman Silber, Worth the Price? Charities think twice about using expensive executive search firms, *The Chronicle of Philanthropy*, December 11.

Roy Simon, N.Y. Adopts New Conduct Rules Aligned With ABA Model, *New York Law Journal*, December 17.

Lauris Wren, Once A Hot Issue, Immigrants Overlooked by Campaigns, *Newsday*, October 21.

CITATIONS

Miriam R. Albert: 57 Emory L.J. 1301, 2008 U. Ill. L. Rev. 557

Alafair Burke: 15 Cardozo J.L. & Gender 169, 83 Ind. L.J. 1035, 32 Law & Psychol. Rev. 109, Nw. U.L. Rev. 1119, 20 Yale J.L. & Feminism 75, 23- Fall Crim. Just. 14, 44 No. 5 Crim. Law Bulletin 2, 69 Ohio St. L.J. 187, 18 Seton Hall J. Sports & Ent. L. 1, 2008 Utah L. Rev. 5, 2008 Utah L. Rev. 89

Baruch Bush: 2008 J. Disp. Resol. 11, 12 Mich. St. J. Med. & Law 359, 23 Ohio St. J. on Disp. Resol. 197, 49 S. Tex. L. Rev. 1047, 94 Cornell L. Rev. 203, 41 Vand. J. Transnat'l L. 1251, 11 Scholar 31, 23 J.L. & Religion 43, 23 Ohio St. J. on Disp. Resol. 231, 23 Ohio St. J. on Disp. Resol. 549, 23 Ohio St. J. on Disp. Resol. 687, 8 Pepp. Disp. Resol. L.J. 243, 8 Pepp. Disp. Resol. L.J. 273

Bennett Capers: 102 Nw. U.L. Rev. 1379

Robin Charlow: 96 Cal. L. Rev. 1259, 39 U. Tol. L. Rev. 755

J. Scott Colesanti: 67 Md. L. Rev. 570

Nora Demleitner: 108 Colum. L. Rev. 1758, 15 Clinical L. Rev. 187, 29 Just. Sys. J. 145, 17 Law & Sexuality 75

J. Herbie DiFonzo: 46 Fam. Ct. Rev. 598, 21 J. Am. Acad. Matrimonial Law. 271, 2008 J. Disp. Resol. 83, 21 J. Am. Acad. Matrim. Law 1, 41 Suffolk U. L. Rev. 445, 24 Touro L. Rev. 31; 2

Substantive Criminal Law s 13.4; 88 B.U. L. Rev. 1327, 1423; Child Custody Prac. & Proc. § 1:1, 24 Am. Jur. Proof of Facts 2d 515, 18 Am. Jur. Trials 341, 34 Am. Jur. Trials 1, Oliphant & Ver Steegh, Work of the Family Lawyer 381, 748 (2d ed.), Rebecca C. Harris, Black Robes, White Coats: The Puzzle of Judicial Policymaking and Scientific Evidence 160-161, N.Y.L.J., Law and Children, 11/13/08, Children and the Law: Rights and Obligations s 8:1, s 11:6, 2007 WL 5542069 (Amicus Curiae brief, Supreme Court of Georgia), 2007 WL 5542072 (Amicus Curiae brief, Supreme Court of Georgia),

<http://law.wlu.edu/sfip/page.asp?pageid=511>

(Washington & Lee, Students for an Innocence Project),

<http://www.thejusticeproject.org/national/solution/improving-forensic-evidence-testing-procedures/>; <http://divorcereformny.org/Documents/Report%20of%20the%20LCADV%20on%20PMI%20Guidelines%208%2708.pdf> (Report of the Lawyers Committee Against Domestic Violence On Post-Marital Income Guidelines)

Janet Dolgin: 6 Cardozo Pub. L. Pol'y & Ethics J. 273, 45 Willamette L. Rev. 41, 97 Geo. L.J. 1, 41 Vand. J. Transnat'l L. 1503, 41 Akron L. Rev. 347, 20 Loy. Consumer L. Rev. 294, 48 Santa Clara L. Rev. 857, 48 Santa Clara L. Rev. 959, 30 W. New Eng. L. Rev. 773

Eric Freedman: 32 Vt. L. Rev. 683, 50 Wm. & Mary L. Rev. 211, 29 Just. Sys. J. 447, 96 Ky. L.J. 669

Monroe Freedman: 83 N.Y.U. L. Rev. 1109, 32 Seattle U. L. Rev. 123, 1 Alb. Gov't L. Rev. 312, 45 Hous. L. Rev. 189, 64 N.Y.U. Ann. Surv. Am. L. 37, 52 N.Y.L. Sch. L. Rev. 535, 2008 Prof. Law. 119, 2008 Prof. Law. 235, 18 No. 4 Prof. Law. 4, 38 Seton Hall L. Rev. 63, 7 Wash. U. Global Stud. L. Rev. 1

Leon Friedman: 94 Cornell L. Rev. 203, 12 Lewis & Clark L. Rev. 599, 57 U. Kan. L. Rev. 213, 17 Wm. & Mary Bill Rts. J. 157, 59 Ala. L. Rev. 507, 43 Gonz. L. Rev. 77

Scott Fruehwald: 94 Va. L. Rev. 1509, 15 Cardozo J.L. & Gender 169

Linda Galler: 8 Hous. Bus. & Tax L. J. 391

Mitchell M. Gans: 118 Yale L.J. Pocket Part 38, 34 ACTEC J. 77, 118 Yale L.J. Pocket Part 50, 23 Akron Tax J. 1

Elizabeth Glazer: 102 Nw. U. L. Rev. 2021

Daniel Greenwood: 60 Me. L. Rev. 129, 57 Emory L.J. 948, 3 J. Bus. & Tech. L. 61, 3 J. Bus. & Tech. L. 97, 52 N.Y.L. Sch. L. Rev. 517, 2008 U. Ill. L. Rev. 599

John Gregory: 21 J. Am. Acad. Matrim. Law. 271, 102 Nw. U. L. Rev. 1623, 18 Alb. L.J. Sci. & Tech. 79, 21 J. Am. Acad. Matrimonial Law. 1

Joanna Grossman: 41 Akron L. Rev. 1059, 15 Cardozo J.L. & Gender 117, 102 Nw. U.L. Rev. 1547, 57 U. Kan. L. Rev. 157, 34 J.C. & U.L. 555, 68 Md. L. Rev. 89, 39 McGeorge L. Rev. 610, 34 Ohio N.U. L. Rev. 1017, 41 Suffolk U. L. Rev. 425, 23 Touro L. Rev. 855, 26 Wash. U. J.L. & Pol'y 459, 8 Wyo. L. Rev. 259, 20 Yale J.L. & Feminism 25, 20 Yale J.L. & Feminism 131

Grant Hayden: 59 Ala. L. Rev. 903, 59 Ala. L. Rev. 1555

James E. Hickey: 19 Vill. Envtl. L.J. 1,

Stefan H. Krieger: 5 J. Ass'n Legal Writing Directors 177, 96 Ky. L.J. 579, 14 Legal Writing: J. Legal Writing Inst. 3, 14 Legal Writing: J. Legal Writing Inst. 249, 23 Ohio St. J. on Disp. Resol. 437

Julian Ku: 77 Fordham L. Rev. 399

Eric Lane: 21 J. Am. Acad. Matrimonial Law. 271, 58 Duke L.J. 177, 34 Ohio N.U. L. Rev. 567, 2008 U. Ill. L. Rev. 1319

Holning Lau: 102 Nw. U.L. Rev. 1379, 9 Rutgers Race & L. Rev. 483, 37 J.L. & Educ. 463, 102 Nw. U.L. Rev. 2021, 4 Stan. J. Civ. Rts. & Civ. Liberties 447, 23 Berkeley J. Gender

L. & Just. 18, 60 Me. L. Rev. 317, 84 N.D. L. Rev. 175, 2008 U. Ill. L. Rev. 71

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Richard K. Neumann, Jr.: 13 Fordham J. Corp. & Fin. L. 89, 15 Clinical L. Rev. 1, 15 Clinical L. Rev. 187, 5 J. Ass'n Legal Writing Directors 1, 5 J. Ass'n Legal Writing Directors 133, 5 J. Ass'n Legal Writing Directors 177, 80-Oct. N.Y. St. B.J. 64, 20 Fla. J. Int'l L. 5, 96 Ky. L.J. 505, 96 Ky. L.J. 579, 14 Legal Writing: J. Legal Writing Inst. 3, 14 Legal Writing: J. Legal Writing Inst. 17, 14 Legal Writing: J. Legal Writing Inst. 127, 14 Legal Writing: J. Legal Writing Inst. 249, 14 Legal Writing: J. Legal Writing Inst. 291, 23 Ohio St. J. on Disp. Resol. 437

Ashira Ostrow: Neighboring Property Owners, s. 8:11; Anderson's American Law of Zoning, s. 14:29 (2008), 6-37 Zoning Law and Practice, Supp. 37-3, DC Zoning Update, available at <http://www.dczoningupdate.org/lowmoderateden/sity.asp?area=lmd>

Alan Resnick: 27-7 Am. Bankr. Inst. J. 10, 82 Am. Bankr. L.J. 497, 24 Bank. Dev. J. 309, 73 Brooklyn L. Rev. 1411, 21 Geo. J. Legal Ethics 703, 36 Hastings Const. L.Q. 131, 2008 Colum. Bus. L. Rev. 610, 24 Emory Bankr. Dev. J. 15, 45 Hous. L. Rev. 901, 91 Marq. L. Rev. 979, 30 W. New Eng. L. Rev. 351

Andrew Schepard: 21 J. Am. Acad. Matrim. Law. 271, 21 J. Am. Acad. Matrim. Law., 207, 23 Ohio St. J. on Disp. Resol. 345, 8 Pepp. Disp. Resol. L.J. 221, 8 Pepp. Disp. Resol. L.J. 243, 2008 Prof. Law. 119

Norman Silber: 83 Chi.-Kent L. Rev. 477, 49 Va. J. Int'l L. 61, 17 Wm. & Mary Bill Rts. J. 157, 83 Chi.-Kent L. Rev. 751, 83 Chi.-Kent L. Rev. 855, 18 Ind. Int'l & Comp. L. Rev. 1

Ronald Silverman: 38 Sw. U. L. Rev. 1, 2008 B.Y.U. Educ. & L.J. 171, 86 N.D. L. Rev. 737

Roy Simon: 620 Annals 161, 102 Nw. U. L. Rev. 1561, 41 Akron L. Rev. 557, 43 Gonz. L. Rev. 327, 2008 Prof. Law. 161, 15 Vill. Sports & Ent. L.J. 175

Barbara Stark: 21 J. Am. Acad. Matrimonial Law. 271, 23 Berkeley J. Gender L. & Just. 83, 21 J. Am. Acad. Matrim. Law. 87

Vern Walker: 39 McGeorge L. Rev. 1025, 19 Vill. Envtl. L.J. 1

Michelle M. Wu: 100 Law Libr. J. 415

HONORS, APPOINTMENTS, AND OTHER ACKNOWLEDGEMENTS

Barbara Barron was featured in Long Island Business News' legal briefs of the week for her appearance on Japanese television.

John DeWitt Gregory, was reelected to continue serving as Vice Chair of the Center on Economic Justice and Law, and as a member of the Center's Nominating, Audit, and Executive Committees.

Katrina Kuh was selected for the Task Force on Global Warming, created by the New York State Bar Association, to address the profound impact climate change is having on the natural environment and ecosystems.

Ashira Ostrow's article "Judicial Review of Local Land Use Decisions: Lessons from RLUIPA," 31 Harv. J.L. & Pub. Pol'y 717 (2008), was highlighted in the November/December issue of PROBATE & PROPERTY, a publication of the Real Property, Trust and Estate Law Section of the American Bar Association.

Barbara Stark served as the Visiting John T. Copenhaver Chair of Law at West Virginia College of Law during the fall semester.

PRO BONO SERVICE

Barbara Barron delivered the keynote address

"Convincing a Jury: Trial Advocacy in the Saiban-In Mixed Jury Trial" during the Japanese Federation of Bar Associations Program in Tokyo, Japan.

Elizabeth Glazer spoke in November as part of Nixon Peabody LLP's Diversity Day on the rights of gay, lesbian, bisexual, & transgendered persons' rights in the workplace.

Norman Silber offered an analysis of recent New York State commercial law and UCC decisions at a December 3 luncheon sponsored by the Corporation Banking & Securities Law and Commercial Litigation committees of the Nassau County Bar Association.