

PUBLICATIONS

Robin D. Charlow, Bad Acts in Search of a Mens Rea--Anatomy of a Rape, 71 *FORDHAM LAW REVIEW* 263 (2002)

Janet Dolgin, The Transformation of American Family Law, 7 *HAMISHPAT* (2002)

Eric M. Freedman, The Fate of the Child Pornography Act of 1996: Digitized Pornography Meets the First Amendment, 23 *CARDOZO LAW REVIEW* 2011 (2002) (symposium edition)

Eric M. Freedman, Reconsidering Capital System, *ABA JOURNAL*, January 2003 (letter)

Monroe H. Freedman, How Diversity Makes a Difference, *NEW YORK TIMES*, December 16, 2002 (letter)

Linda Galler, Problems in Defining and Controlling the Unauthorized Practice of Law, 44 *ARIZONA LAW REVIEW* 773 (2002) (symposium edition)

Mitchell Gans, Deathbed Planning, *TRUSTS AND ESTATES* (December 2002)

John DeWitt Gregory, Defining the Family in the Millennium: The *Troxel* Follies, 32 *UNIVERSITY OF MEMPHIS LAW REVIEW* 687 (2002) (symposium edition)

Joanna Grossman, columns in *FINDLAW'S WRIT*: If Employers Don't Provide Insurance Covering Infertility, Are They Guilty of Sex

Discrimination?, January 28, 2003; Are Law Firm Partners "Employers" for Purposes of Discrimination Law?, December 17, 2002; Must States Follow a Federal Statute Mandating Unpaid Leave for Employees to Care for Sick Family Members and Newborns?, December 3, 2002; What Defines "Business Necessity" in the Discrimination Context?, November 19, 2002; Should Employers Be Held Responsible for Sexual Harassment of Employees by Customers If They Were Aware of It?, November 5, 2002

Joanna Grossman, A Partial Legal Victory Against Continuing Discrimination: The New Supreme Court Ruling in *Amtrak v. Morgan*, *REGIONAL LABOR REVIEW* (Fall 2002)

Joanna Grossman, Do Employers' Efforts Truly Prevent Harassment or Just Prevent Liability?, *EPLI MONITOR* 1 (December 2002)

Grant M. Hayden, Will the New Help America Vote Act Prevent a Repeat of the 2000 Florida Fiasco? Why It's Controversial, *FINDLAW'S WRIT*, November 5, 2002

Grant M. Hayden, Age Discrimination by Employers, *REGIONAL LABOR REVIEW* (Fall 2002) (book review)

Bernard Jacob, An Extended Presence, Interstate Style: First Notes on a Theme from *Saenz*, 30 *HOFSTRA LAW REVIEW* 1133 (2002)

Lawrence Kessler, The Unchanging Face of Legal Malpractice: How the 'Captured' Regulators of the Bar Protect Attorneys, 86 *MARQUETTE LAW REVIEW* 457 (2002)

Linda McClain, The Bush Administration's Plan to Promote Marriage and Why It Takes the Wrong Approach, *FINDLAW'S WRIT*, December 10, 2002

Alan N. Resnick, *BANKRUPTCY LAW MANUAL* (West Group, 5th ed.)

Andrew I. Schepard, Editorial Notes, 40 *FAMILY COURT REVIEW* 460 (2002) (symposium issue)

Andrew I. Schepard, Words: From 'Custody' [Negative], to 'Parenting' [Positive], *NEW YORK LAW JOURNAL*, January 15, 2003

Andrew I. Schepard, Virtual Visitation: Computer Technology Meets Child Custody Law, 18 *LAW GUARDIAN REPORTER* 1 (2002)

Roy D. Simon, *SIMON'S NEW YORK CODE OF PROFESSIONAL RESPONSIBILITY ANNOTATED* (Thompson West 7th ed. 2003)

Roy D. Simon, *REGULATION OF LAWYERS: STATUTES AND STANDARDS* (Aspen 14th ed. 2003) (with Stephen Gillers)

Roy D. Simon, columns in *NEW YORK PROFESSIONAL RESPONSIBILITY REPORT: Checking for Conflicts Under DR 5-105(E)*, November 2002; *Joint Responsibility Under DR 2-107(A)*, December 2002; *Assessing Conflicts Issues Within the Corporate Family*, January 2003

Peter J. Spiro, Political Rights and Dual Nationality, in *RIGHTS AND DUTIES OF DUAL NATIONALS* (David A. Martin & Kay Hailbronner eds., Kluwer 2002).

Vern R. Walker, Uncertainties in Tort Liability for Uncertainty, 1 *LAW, PROBABILITY AND RISK* 175 (2002) (book review)

PRESENTATIONS

Baruch Bush spoke on "Substituting Mediation for Arbitration" at the University of Dayton Law School on November 11. He was an organizer and panelist at a December symposium on Quality Assurance Mediation co-sponsored by the University of Maryland and the Institute for the Study of Conflict Transformation.

Nora Demleitner appeared on a panel on "Human Trafficking: A Modern Form of Slavery" at the AALS annual meeting in January in Washington, where she also moderated a panel on "Comparative Law Approaches to Constitution Building."

Janet Dolgin spoke on reproductive technology and the law at a conference sponsored by the lawyer's division of Hadassah on Jewish Life Cycles, in Manhattan in December.

Eric Freedman moderated a panel on the war on terrorism at a SALT teaching conference held at Fordham Law School in October. He spoke on civil liberties in wartime at Phillips Exeter Academy on December 10.

Linda Galler spoke on "Current Topics in Tax Practice Ethics" at a meeting of IRS estate and gift tax attorneys in Manhattan in November. She moderated a discussion on "What Every Corporate Tax Lawyer (and Student) Should Know About State and Local Tax" at the midyear meeting of the ABA Section of Taxation Committee on Teaching Taxation, of which she is chair.

John Gregory participated in a by-invitation November 16 roundtable on overnight visitation rights for non-custodial parents, co-sponsored by the National Interdisciplinary Conference on Custody Law and the Association of the Bar of the City of New York. On December 10, he

was the presenter at the monthly meeting of the Interdisciplinary Forum on Mental Health and Family Law on the subject of the ALI's principles on the law of family dissolution.

Joanna Grossman was chair of and a discussant on a panel entitled "A Duty of Care: Being Responsible for the Mentally Incapable in the Eighteenth-Century Atlantic World," at the annual meeting of the American Society for Legal History in San Diego in November.

Julian Ku presented a paper entitled "The Peaceful Co-Existence of American Federalism and International Law: The Role of the States in the Implementation of International Law" at a workshop of the American Society of International Law interest group on international law in domestic courts, held at Fordham Law School in December.

Linda McClain presented a paper entitled "Conservative Versus Feminist Sexual Economies: Beyond Abstinence" at a Feminism & Legal Theory Project on "Uncomfortable Conversation," held at Cornell Law School, November 15-16.

Mark Movsesian commented on a paper at a meeting of American Society of International Law's Interest Group on International Law in Domestic Courts at Fordham Law School in December. He gave a presentation, "Rediscovering Williston," at the annual Federalist Society faculty conference in January, where he also moderated a panel on school vouchers. Also in January, he presented a paper on the WTO's enforcement mechanism at a faculty workshop at Notre Dame Law School.

Richard Neumann spoke on a panel entitled "Reflective Practice and Other Strategies for Developing True Expertise in ADR" at the AALS annual meeting in January.

Andy Schepard participated on a panel on Evidence-Based Prevention Programs: Promoting Wellness in Children and Families of Separation and Divorce, at the Fifth International Congress on Parent Education and Access Programs, sponsored by the Association of Family and Conciliation Courts, in Tucson in November, at which he also a presentation on standards of practice for parent education programs.

Peter Spiro moderated a panel on terrorism and the law at a Social Science Research Council workshop in Washington on November 15. He contributed a paper entitled "9/11: The Insinuation of Constitutional and International Norms" to a Georgetown Law Center/PEGS discussion group on War and the Constitution, December 6-7 in Washington. On December 13, he appeared on a panel on international law at the 5th Annual Public Law Conference at Duke Law School. On December 16, he presented a paper on globalization and foreign relations law at a workshop of the American Society of International Law's interest group on international law in domestic courts at Fordham Law School.

Vern Walker made a presentation entitled "Regulating Real but Unquantified Risk" at the Annual Meeting of the Society for Risk Analysis, December 8-11, in New Orleans.

David Yellen spoke at a conference at Yale Law School on the 15th anniversary of the federal sentencing guidelines on November 8. On December 3, he moderated a program at the Nassau Bar Association about "Courts and the Fight Against Terrorism." He delivered the Fourth Hofstra Lecture at Erasmus University entitled, "What Have Three Decades of American Sentencing Reform Brought?," December 10 in Rotterdam.

BROADCAST MEDIA

Robin Charlow was featured on the Mike Siegel show on WLIE talk radio, discussing whether the Augusta golf club, home of the Majors Golf Tournament, illegally or unconstitutionally discriminates by excluding women.

Monroe Freedman was interviewed on ABC-TV, KMGH in Denver, on December 30, discussing the case of two judges who filed false affidavits claiming that they attended CLE classes when they were in fact playing golf.

Eric Freedman was interviewed on WLIE radio on January 13 on the subject of the death penalty.

John Gregory did a live television interview for a December 4 call-in show on the Regional New Network, on the subject of the ALI's Principles of the Law of Family Dissolution.

David Yellen appeared on the *CBS Evening News with Dan Rather* on November 6 on the ouster of SEC Chairman Harvey Pitt, and on the same subject on November 7 on the *CBS Morning News*. Also on November 7, he was interviewed on Wisconsin Public Radio about mandatory sentencing laws. Yellen commented on sentencing for white-collar offenders in the Enron and Worldcom scandals on NPR's *Morning Marketplace Report* on December 26.

QUOTED IN

Eric Freedman: The Sniper Case; Seeking Death Penalty, U.S. May Let Virginia Try 2 First, *New York Times*, November 3; Court Widens Wiretapping in Terror Cases, *Los Angeles Times*, November 19; Local Case Still in Jury Selection, *Journal News*, November 27; Court Says Military May Hold Citizens: Panel Finds Broad Powers For President During Warfare,

Boston Globe, January 9

Leon Friedman: Confession Blew Case to Bits: Experts, *N.Y. Daily News*, December 7; A Value Judgment/Judge Oks Nassau Reassessment Project's Property Value, *Newsday*, December 21; Nassau Overhauls Its Tax System, and Braces for Owner's Appeals, *New York Times*, December 31; Journalism Or Gossip?; A Horse-Whisperer's Tale Trails Dominick Dunne, *New York Times*, January 28

Monroe Freedman: Indiana Court Bars Lawyer For Criticizing An Opinion, *New York Times*, November 3; Long-Ignored Property Finally on Radar Screen -- With \$8 Million Pricetag, *Newsday*, December 15

Mitchell Gans: New Rules Order Companies to Disclose Offshore Moves, *New York Times*, December 13

Joanna Grossman: Dance Studio Accused in Tango Troubles, *Newsday*, November 30; Spouse Loses All Marital Assets for Attack on Wife, women's e-news.com, January 30

Mark Movsesian: LIPA Miffed by Keyspan Error, *Newsday*, December 11

Andy Schepard: Breaking Up Peacefully: A Parent Education Program Tries To Help Divorcing Couples Put Their Children's Interest First, *Newsday*, January 14

Roy Simon: Lawyer Disqualified on Conflict In Suffolk County Divorce Action, *New York Law Journal*, January 29

Peter Spiro: Court Dismisses Claims of Slave Laborers, *New York Times*, January 22

CITATIONS

Matt Bodie: 46 How. L.J. 49

Baruch Bush: 50 UCLA L. Rev. 69; 9 Clinical L. Rev. 157; 2002 Mo. L. Rev. 473; 86 Marq. L. Rev. 457; 56 U. Miami L. Rev. 873; 56 U. Miami L. Rev. 909; 68 Brooklyn L. Rev. 1; 18 Ohio St. J. on Disp. Resol. 27; 2 J. Disp. Resol. 241; 2 J. Disp. Resol. 367

Nora Demleitner: 36 U.C. Davis L. Rev. 297; 81 Or. L. Rev. 1; 2002 Utah L. Rev. 107; 51 Emory L.J. 963; 51 Emory L.J. 1131; 2002 Wis. L. Rev. 1045

Janet Dolgin: 2002 Hous. J. Health L. & Pol'y 241; 36 Law & Soc'y Rev. 257; 91 Ky. L.J. 1; 41 Fam. Ct. Rev. 77; 220 F. Supp. 2d 1142 (S.D. Cal.)

Eric Freedman: 36 Suffolk U. L. Rev. 1; 27 Law & Soc. Inquiry 967; 100 Mich. L. Rev. 2062; 70 Geo. Wash. L. Rev. 1

Monroe Freedman: 151 U. Pa. L. Rev. 1; 30 Fla. St. U.L. Rev. 25; 46 How. L.J. 1; 80 Wash. U. L. Q. 589; 77 Tul. L. Rev. 91; 11 Am. U.J. Gender Soc. Pol'y & L. 101; 11 Am. U.J. Gender Soc. Pol'y & L. 117; 44 Ariz. L. Rev. 537; 44 Ariz. L. Rev. 829

Leon Friedman: 81 Tex. L. Rev. 305; 30 Cap. U.L. Rev. 499; 5 U. Pa. J. Const. L. 58; 31 Sw. U. L. Rev. 575; 102 Colum. L. Rev. 2324; 2002 Utah L. Rev. 107

Scott Fruehwald: 30 Fla. St. U.L. Rev. 137; 2002 U.S. Briefs 42

James Garland: 11 Am. U.J. Gender Soc. Pol'y & L. 13 (2003); 2003 WL U.S. Sup. Ct Briefs 152352 (petitioner's brief, Lawrence v. Texas)

Linda Galler: 116 Harv. L. Rev. 467

John Gregory: 36 Suffolk U. L. Rev. 31; 41

Fam. Ct. Rev. 14; 41 Fam. Ct. Rev. 77

Joanna Grossman: 47 Vill. L. Rev. 1139

Stef Krieger: 9 Clinical L. Rev. 293

Julian Ku: 77 N.Y.U.L. Rev. 1612; Philip Trimble, United States Foreign Relations Law (Foundation 2002)

Eric Lane: 43 B.C. L. Rev. 783; 151 U. Pa. L. Rev. 311

Linda McClain: 39 Hous. L. Rev. 667; 26 Seton Hall Legis. J. 459; 63 Ohio St. L.J. 1285; 97 Nw. U.L. Rev. 1; 11 Am. U.J. Gender Soc. Pol'y & L. 13

Mark Movsesian: 71 Fordham L. Rev. 761; 151 U. Pa. L. Rev. 311; 43 B.C. L. Rev. 863; 6 Sing. J. Int'l & Comp. L. 436; Dynamic Statutory Interpretation (Philip Frickey ed. 2002)

Richard Neumann: 9 Clinical L. Rev. 293; 6 Empl. Rts. & Employ. Pol'y J. 129, 36 U.C. Davis L. Rev. 331

Alan Resnick: 36 Loy. L.A. L. Rev. 337; 55 Ark. L. Rev. 473; 71 Fordham L. Rev. 1063; 10 Am. Bankr. Inst. L. Rev. 511; 10 Am. Bankr. Inst. L. Rev. 569; 10 Am. Bankr. Inst. L. Rev. 643; 10 Am. Bankr. Inst. L. Rev. 673; 308 F.3d 1038 (9th Cir.); 284 B.R. 32 (S.D.N.Y.); 2002 Bankr. LEXIS 1406 (D.N.M.); 285 B.R. 420 (9th Cir.); 2003 U.S. Dist. LEXIS 730 (E.D.N.Y.); 287 B.R. 47 (D. Md.); 2003 Bankr. LEXIS 10 (1st Cir.); 286 B.R. 862 (D. Minn.)

Andy Schepard: 75 Temple L. Rev. 271; 10 Va. J. Soc. Pol'y & L. 5

Norm Silber: 9 Wid. L. Symp. J. 129; 35 Vand. J. Transnat'l L. 1105

Peter Spiro: 50 Buffalo L. Rev. 931; 63 Ohio

St. L.J. 1285; 77 N.Y.U.L. Rev. 1612; 151 U. Pa. L. Rev. 311; 58 N.Y.U. Ann. Surv. Am. L. 283; 58 N.Y.U. Ann. Surv. Am. L. 295; 58 N.Y.U. Ann. Surv. Am. L. 357; 58 N.Y.U. Ann. Surv. Am. L. 377; 73 U. Colo. L. Rev. 1139; 3 Chi. J. Int'l L. 477; 30 Hofstra L. Rev. 1133; 43 Va. J. Int'l L. 319; 36 U.C. Davis L. Rev. 1; 81 Or. L. Rev. 97; 81 Or. L. Rev. 131; 43 Va. J. Int'l L. 1

Marshall Tracht: 71 Fordham L. Rev. 1063

Vern Walker: Leben & Verhoeven, eds., *Le Principe De Précaution: Aspects De Droit International et Communautaire* (L.g.d.j. Diffuseur, Paris, 2002)

HONORS AND APPOINTMENTS

Nora Demleitner was elected chair of the AALS section on comparative law.

Eric Freedman's book on habeas corpus was listed as one of the "Twelve Books of Christmas" as a "late gift" recommendation in *Legal Times*.

Monroe Freedman has been named a member

of the Panel of Academic Contributors to the eighth edition of *Black's Law Dictionary*.

Linda Galler was appointed to the ABA Section of Taxation Professional Services Committee.

Larry Kessler was awarded a 2002 Pro Bono Award from the Legal Aid Society of New York City as an "Outstanding Volunteer" who has provided exceptional service to low income and disenfranchised New Yorkers.

Richard Neumann was named as the first recipient of the Thomas F. Blackwell Memorial Award by the AALS and the Association of Legal Writing Directors, for leadership in the field of legal writing.

Norm Silber's book, *A Corporate Form of Freedom*, was reviewed by Chicago-Kent's Evelyn Brody in the Summer 2002 edition of the *Hofstra Law Review*.

Peter Spiro was named to the Outreach Committee of the American Society of International Law.