

PUBLICATIONS

Matthew T. Bodie, Aligning Incentives with Equity: Employee Stock Options and Rule 10b-5, 88 IOWA LAW REVIEW 539 (2003)

Matthew Bodie, Labor Relations in the New Century: A Conversation with NLRB Regional Director Celeste Mattina, REGIONAL LABOR REVIEW, Spring/Summer 2003

Robert A. Baruch Bush, Clarifying the Theoretical Underpinnings of Mediation: Implications for Practice and Policy, 3 PEPPERDINE DISPUTE RESOLUTION LAW JOURNAL 39 (2002) (symposium edition) (with Dorothy J. Della Noce and Joseph P. Folger)

Robert A. Baruch Bush, Changing the Quality of Conflict Interaction: The Principles and Practice of Transformative Mediation, 3 PEPPERDINE DISPUTE RESOLUTION LAW JOURNAL 67 (2002) (symposium edition) (with Sally Ganong Pope)

Robert A. Baruch Bush, Substituting Mediation for Arbitration: The Growing Market for Evaluative Mediation, and What It Means for the ADR Field, 3 PEPPERDINE DISPUTE RESOLUTION LAW JOURNAL 111 (2002) (symposium edition)

Nora V. Demleitner, Immigration Threats and Rewards: Effective Law Enforcement Tools in the "War" on Terrorism?, 51 EMORY LAW JOURNAL 1059 (2002) (symposium edition)

J. Herbie DiFonzo, Let's Hope We Do Better

in Iraq than We Did in Cuba, HISTORY NEWS NETWORK, March 3, 2003

Janet Dolgin, The Ideological Context of the Disability Rights Critique, 30 FLORIDA STATE UNIVERSITY LAW REVIEW 343 (2003) (symposium edition)

Eric M. Freedman, Hamdi and the Case of the Five Knights, LEGAL TIMES, February 3, 2003

Scott Fruehwald, Individual Justice in Mass Tort Litigation: Judge Jack B. Weinstein on Choice of Law in Mass Tort Cases, 31 HOFSTRA LAW REVIEW 323 (2002)

Victor Futter, Norman Redlich: Man of Many Talents, EXPERIENCE (Winter 2003) (with E. Nobles Lowe)

James Garland, Breaking the Enigma Code: Why the Law Has Failed to Recognize Sex as Expressive Conduct Under the First Amendment, and Why Sex Between Men Proves That It Should, 12 LAW & SEXUALITY 160 (2003)

John DeWitt Gregory, PROPERTY DIVISION IN DIVORCE PROCEEDINGS: A FIFTY STATE GUIDE (Aspen Publishers 2003) (with Janet Leach Richards & Sheryl Wolf)

John DeWitt Gregory, Family Privacy and the Custody and Visitation Rights of Adult Outsiders, 36 FAMILY LAW QUARTERLY 163 (2002), *reprinted in* The Best Articles Published by the ABA, 20 GP SOLO 22 (March 2003)

Joanna Grossman, The Culture of Compliance:

The Final Triumph of Form Over Substance in Sexual Harassment Law, 26 HARVARD WOMEN'S LAW JOURNAL 1 (2003)

Joanna Grossman, columns in FINDLAW'S WRIT: Is the Tort of Wrongful Seduction Still Viable? February 11; Should a Surviving "Spouse" in a Same-Sex Couple Be Permitted to Sue for Wrongful Death? February 25; the Future of Title IX, the Federal Statute Concerning Gender Equality in Athletics, March 11; Does Discrimination Against Gay Men and Lesbians Count as Sex Discrimination? March 25; The Women of Harvard Law's Class of '64, March 28; What Should Happen When Sexual Harassment Victims Don't File Prompt Complaints? April 8; When an Employee Is Not Formally Fired, but Effectively Forced to Leave, Is Her Employer Automatically Liable for Sexual Harassment? April 22, 2003

Julian Ku, Choosing Between Constitutional and International Law: Why the United States May Have Good Reason To Ignore the Recent World Court Order, FINDLAW'S WRIT, February 12, 2003

Theo Liebmann, Confidentiality, Consultation, and the Child Client, 75 TEMPLE LAW REVIEW 821 (2002)

Theo Liebmann, Legal Concepts of Childhood, 41 FAMILY COURT REVIEW 277 (2003) (book review)

Linda McClain, Back to Marriage, or to Servitude?, NEWSDAY, April 13, 2003

Andrew I. Schepard, Law and Children: Arbitration in Child Custody Disputes, NEW YORK LAW JOURNAL, March 13, 2003

Andrew I. Schepard, Editorial Notes, 41 FAMILY COURT REVIEW 129 (April 2003)

Roy D. Simon, New SEC Rules Establish Standards of Professional Conduct for Attorneys, NEW JERSEY LAW JOURNAL, March 31, 2003

Roy D. Simon, columns in NEW YORK PROFESSIONAL RESPONSIBILITY REPORT: Personal Representatives: Waiving the Attorney-Client Privilege After Death, February 2003; Proposed SEC Standards – Round Two for the SEC Bar, March 2003; How Nonlawyers Can Create Conflicts for Lawyers, April 2003

Peter Spiro, Baghdad: Last Stop for Bush Administration's Preemption Doctrine, FINDLAW'S WRIT, April 12, 2003

Peter Spiro, SARS: Challenges at the Border and in the Backyard, FINDLAW'S WRIT, April 29, 2003

PRESENTATIONS

Matt Bodie presented a paper entitled "Questions about the Efficiency of Employment Arbitration Agreements" at a conference on the Role of Contract in the Modern Employment Relationship at Texas Wesleyan University Law School on March 7.

Alafair Burke delivered the annual law review lecture at the University of North Carolina Law School on March 19, entitled "Rational Actors, Self-Defense, and Duress: Making Sense, Not Syndromes, Out of the Battered Woman."

Robin Charlow lectured as a visiting scholar the week of April 25 at the University of Helsinki, on "Religious Freedom under the American Constitution and Statutes" and "Equal Protection and Affirmative Action."

Nora Demleitner conducted a faculty workshop at Roger Williams Law School on Sex Offender Commitment and

Sicherungsverwahrung: Proposing Changes in Sex Offender Sentencing. In April she taught a mini-course in “International and Comparative Women's Human Rights” in the St. Thomas LL.M. in Intercultural Human Rights in Miami.

Janet Dolgin participated on a panel on the legal-social parameters of the Israeli movement “Women of the Wall” at the sixth annual conference of the Association for the Study of Law, Culture, and the Humanities on March 7 in New York. In April, she delivered a paper to the Health and Nutrition Sciences Program at Brooklyn College on stem-cell research and therapeutic cloning entitled “Embryonic Discourse.”

Eric Freedman served as the representative of the Association of the Bar of the City of New York at a meeting of the ABA House of Delegates in Seattle, February 10-11. He taught classes on constitutional and criminal law issues at Oceanside and Jamaica high schools on March 18 and May 1.

Monroe Freedman delivered the keynote address on criminal defense ethics at a February 15 meeting of the American Board of Criminal Lawyers. On April 4, he gave the Presidential Lecture to the Louisville Bar Association on conflicts of interest. On April 11, he gave the keynote address at a University of Miami Law School ethics conference, entitled “A Plea for Frivolous Arguments.” On April 25, he was a speaker at a symposium on Freedman & Smith, *Understanding Lawyers' Ethics* (2002) at the University of the District of Columbia.

John Gregory served as moderator of the panel discussion “Families in Legal and Political Theory” at the Law School’s conference on Marriage, Democracy and Families on March 14.

Joanna Grossman was the chair and a

presenter on a panel on Marriage, Divorce, and Gender Equality at the sixth annual conference of the Association for the Study of Law, Culture, and the Humanities on March 7 in New York. She moderated the panel on Current Policy Initiatives to Promote Marriage at the Conference on Marriage, Democracy, and Families on March 14. She participated on a panel on Confronting Obstacles, Why a Feminist Law Journal?, at Columbia Law School on April 4.

Larry Kessler and **Barbara Barron** served as team leaders in the Boston Deposition Program of the National Institute for Trial Advocacy, April 25-27.

Linda McClain participated in panels entitled “Inside the Black Box: Sources of Civil Society,” and “Gender Equality and Public Policy” at the sixth annual conference of the Association for the Study of Law, Culture and the Humanities on March 7 & 8. On March 14, she moderated a panel at the Law School’s conference on Marriage, Democracy, and Families, of which she was also the primary organizer. She also participated in invitation-only policy seminars on “Rights to Care?,” sponsored by the Roosevelt House Public Policy Institute, Hunter College, on March 5 and April 10.

Mark Movsesian presented a paper entitled “Rediscovering Williston” at a faculty workshop at the University of San Diego Law School in April.

Andy Schepard conducted a March 19 faculty workshop at Touro Law School on Children, Courts and Custody: Interdisciplinary Models for Divorcing Families. On April 4, he made presentations entitled “Therapeutic Justice and Problem-Solving Courts” and “From ‘Zealous’ to ‘Competent’: A Dialogue on Representing Divorce Clients at the Maryland Divorce Roundtable Conference, sponsored by the Administrative Office of the Courts of Maryland.

On April 11, he spoke at the Tri- State Meeting on High Conflict Divorce and Child Custody Disputes on the subject of the Nassau County Model Child Custody Court Pilot Project.

Peter Spiro delivered a paper entitled "International Trumps" at a Stanford Law Review Symposium on Treaties, Enforcement, and U.S. Sovereignty on February 25.

BROADCAST MEDIA

Robin Charlow appeared on CBS News in a story on surreptitious videotaping and the NYS eavesdropping statute in April.

Peter Spiro was interviewed on the April 1 edition of the Osgood File on CBS News Radio on the laws of war as applied to the conflict in Iraq. On April 30, he was interviewed on the Voice of America on legal aspects of the SARS crisis.

QUOTED IN

Robin Charlow. Smoking Semantics: Nassau Legislators Hope to Tie Up Loophole, *Long Island Press*, April 14

Nora Demleitner. Den Amerikanern ist das Urteil noch zu lasch, *Handelsblatt*, Feb. 20; Attorneys Analyze Strategy, *The Jewish Week*, May 2

Eric Freedman: Suit Highlights Conflicts in Rights for Same-Sex Partners, *New York Law Journal*, February 18; ABA Adopts Guidelines for Capital Cases, *Los Angeles Times*, February 18; New Standards Proposed for Capital-Case Lawyers, *Baltimore Sun*, February 19; Justices Stress Inmate's Right To Press Appeal, *New York Times*, February 26; Death Penalty Jury Selected, *Journal News*, March 28

Leon Friedman: Tax Bill Surprises, *Newsday*, March 2; Token Measures Won't Stop The Spread Of SARS In U.S., *Investor's Business Daily*, April 14

Monroe Freedman: Judicial System Crashes Down On Critical Lawyer, *Indianapolis Star*, February 11; Judges Mix With Politics, *New York Times*, February 22

Eric Lane: City Council's Term Extension Thwarted, *New York Law Journal*, March 20

Malachy Mahon: Hofstra's School of Law Has Impacted Long Island Legal Community, *Long Island Business News*, March 21

Alan Resnick: Bankruptcy Bill Set to Resurface, *Investment Dealers Digest*, February 10; Turnaround Specialist in Charge at Allou, *Newsday*, April 11

Roy Simon: Lawyer Suing Gun Makers Seeks Testimony of Opposing Counsel, *New York Times*, February 19; Long Island Law Firm Links with NYC Tax Certiorari Firm, *Long Island Business News*, February 28; State Bar Takes Hard Look at Conduct Code, *New York Law Journal*, March 31; NY State Bar to Consider Overhaul of Ethics Rules, *Daily Record* (Rochester), April 7; Auto Insurer Targets Claim Fraud; State Farm Gives Cameras to Drivers, *Bergen County Record*, April 17

Peter Spiro: Islamic Jihad Cases Are A Test Of 2 Legal Areas, *Tampa Tribune*, February 22; Public Opinion Effort Leans on Rules of War, *New York Times*, March 26; Iraq Chaos No Surprise, But Too Few Troops to Quell It, *Washington Post*, April 14; Insurers Take Holocaust Law to High Court, *Legal Times*, April 21

David Yellen: Practical Skills Training Will

Programs Suffer If Bar Exam Becomes Harder to Pass?, *New York Law Journal*, April 29

L.J. 7; 56 Vand. L. Rev. 497

Scott Fruehwald: 59 N.Y.U. Ann. Surv. Am. L. 283

CITATIONS

Baruch Bush: 83 B.U.L. Rev. 147; 3 Pepp. Disp. Resol. L.J. 1; 3 Pepp. Disp. Resol. L.J. 11; 5 N.Y. City L. Rev. 203

Linda Galler: 22 Va. Tax Rev. 105; 44 Ariz. L. Rev. 521

Nora Demleitner: 101 Mich. L. Rev. 179; 4 N.C. J.L. & Tech. 1; 6 J. Gender Race & Just. 381; 70 Geo. Wash. L. Rev. 475; 26 Fordham Int'l L.J. 721; 30 Fordham Urb. L.J. 401

Mitchell Gans: 22 Va. Tax Rev. 187; 56 SMU L. Rev. 551; 56 SMU L. Rev. 601; 83 B.U.L. Rev. 401

David Diamond: 46 N.Y.L. Sch. L. Rev. 249

John Gregory: 36 Val. U.L. Rev. 505

Herbie DiFonzo: 32 U. Mem. L. Rev. 687; 27 Iowa J. Corp. L. 567; 25 U. Ark. Little Rock L. Rev. 261

Joanna Grossman: 9 Wm. & Mary J. of Women & L. 119, 68 Brooklyn L. Rev. 457; 39 Willamette L. Rev. 557

Janet Dolgin: 32 U. Mem. L. Rev. 563, 32 U. Mem. L. Rev. 643; 43 Santa Clara L. Rev. 569; 55 Fla. L. Rev. 603; 30 Fla. St. U.L. Rev. 237

Grant Hayden: 12 B.U. Pub. Int. L.J. 73; 35 Conn. L. Rev. 215, 5 U. Pa. J. Lab. & Emp. L. 335

Eric Freedman: 41 Brandeis L.J. 85; 5 U. Pa. J. Const. L. 405; 63 U. Pitt. L. Rev. 837;

Danielle Holley: 43 Santa Clara L. Rev. 131

Monroe Freedman: 11 Cornell J. L. & Pub. Pol'y 603; 16 Geo. J. Legal Ethics 91; 11 Wash. U. J.L. & Pol'y 83; 81 Tex. L. Rev. 405; 33 U. Mem. L. Rev. 1; 62 Md. L. Rev. 288; 39 Stan. J Int'l L. 1; 50 UCLA L. Rev. 721; 27 N.Y.U. Rev. L. & Soc. Change 507; 16 Geo. J. Legal Ethics 259; 12 Int'l Legal Persp. 185; 74 U. Colo. L. Rev. 1; 39 Idaho L. Rev. 321; 39 Idaho L. Rev. 399

Lawrence Kessler: 4 J. App. Prac. & Process 577

Leon Friedman: 11 Cornell J. L. & Pub. Pol'y 481; 37 U. Rich. L. Rev. 751; 67 J. Air L. & Com. 1213; 27 Am. Indian L. Rev. 1; 33 Cal. W. Int'l L.J. 1; 31 Sw. U. L. Rev. 575; 70 Geo. Wash. L. Rev. 570; 18 J. L. & Politics 387; 34 N.Y.U. J. Int'l L. & Pol. 797; 4 San Diego Int'l

Julian Ku: 52 DePaul L. Rev. 627; 88 Iowa L. Rev. 343; 103 Colum. L. Rev. 403

Eric Lane: 11 Wash. U. J.L. & Pol'y 11; 28 Dayton L. Rev. 1; 56 Vand. L. Rev. 395

Linda McClain: 76 Am. Bankr. L.J. 347

Mark Movsesian: 52 DePaul L. Rev. 579; 36 Vand. J. Transnat'l L. 37; 36 Vand. J. Transnat'l L. 95; 10 Cardozo J. Int'l & Comp. L. 1; 10 Cardozo J. Int'l & Comp. L. 305; 45 Ariz. L. Rev. 83; 43 Santa Clara L. Rev. 495; 39 Stan. J Int'l L. 1; 70 U. Chi. L. Rev. 403; 44 Harv. Int'l L.J. 221; 78 N.Y.U.L. Rev. 30

Richard Neumann: 13 La Raza L.J. 119; 4 J. App. Prac. & Process 417; 38 Tulsa L. Rev.

159; 38 Tulsa L. Rev. 167; 2002 U. Ill. L. Rev. 819; 5 N.Y. City L. Rev. 115; 35 Conn. L. Rev. 91

Alan Resnick: 29 Hastings Const. L.Q. 439; 31 Hofstra L. Rev. 23; 27 Am. Indian L. Rev. 177; 32 U. Mem. L. Rev. 789; 24 Whittier L. Rev. 663

Andy Schepard: 9 Wm. & Mary J. of Women & L. 145

Ron Silverman: 44 Wm and Mary L. Rev. 737; 9 Rich. J.L. & Tech. 5

Peter Spiro: 55 Ark. L. Rev. 1149; 35 Cornell Int'l L.J. 355; 41 Colum. J. Transnat'l L. 397; 112 Yale L.J. 1011; 16 Geo. Immigr. L.J. 835; 28 Yale J. Int'l L. 1; 103 Colum. L. Rev. 403; 44 Harv. Int'l L.J. 221

Vern Walker: 13 Duke Env L & Pol'y F. 1; Echols, Food Safety and the WTO: the Interplay of Culture, Science and Technology (2001)

HONORS AND APPOINTMENTS

Alafair Burke was awarded the University's 2003 Stessin Prize.

John Gregory was appointed by the Association of the Bar of the City of New York

to a term as a member of the House of Delegates of the New York State Bar Association.

Monroe Freedman was unanimously elected an Honorary Fellow of the American Board of Criminal Lawyers.

Richard Neumann has been appointed to the ABA Standards Review Committee of the Section of Legal Education and Admission to the Bar, which writes and revises law school accreditation standards.

Andy Schepard was appointed to the Executive Committee of the Section on Family and Juvenile Law of the Association of American Law Schools.

Roy Simon has been named Chief Reporter for the New York State Bar Association's Committee on Standards of Attorney Conduct, which will be undertaking a comprehensive review of the New York Code of Professional Responsibility over the next two years.

Vern R. Walker served as an expert reviewer and consultant for the European Science and Technology Observatory's project entitled "Science in Trade Disputes Related to Potential Risks: Comparative Case Studies" (February 2003).