

PUBLICATIONS

Alafair Burke, JUDGMENT CALLS (Henry Holt & Co. 2003)

Robin D. Charlow, Free Speech in the Sky, *reprinted in* A RHETORIC OF ARGUMENT (Jeanne Fahnestock & Marie Secor eds., 3d ed. McGraw-Hill 2003)

Nora Demleitner, Fifteen Years of Federal Guidelines Reviewed at the Yale Conference: What Would Success Mean?, 15 FEDERAL SENTENCING REPORTER 151 (February 2003)

J. Herbie DiFonzo, Legislating in the Shadow of Nature, 11:3 THE GOOD SOCIETY 84 (2002)

Eric M. Freedman, HABEAS CORPUS: RETHINKING THE GREAT WRIT OF LIBERTY (NYU Press paperback ed. 2003)

Leon Friedman, Constitutional Limits to the Fight Against Terrorism, 19 TOURO LAW REVIEW 97 (2003) (symposium edition)

Mitchell Gans, *Strangi*: A Critical Analysis and Planning Suggestions, TAX NOTES, September 1, 2003

Joanna Grossman, columns in FINDLAW'S WRIT: A New Lawsuit by a Female Athlete Tests Title IX's Protection Against Pregnancy Discrimination, May 6; Vermont Civil Unions: Will Sister States Recognize Them?, May 20; A Victory for Families, but Hardly a Panacea, June 3; A Recent Supreme Court Decision Makes It

Easier for Plaintiffs to Proceed When Discrimination is One Motive, But Not the Only One, June 17; The Consequences of Lawrence v. Texas, July 8 (posted on cnn.com and reprinted in the Gay & Lesbian Review); Saving Title IX, July 15; Whose Surname Should a Child Have?, August 12, 2003

Theresa Hughes, Laying Down the Law, REPRESENT, July/August 2003

Jeffery R. Knight, A Summer Job Survival Guide: Ten Strategies to Increase the Odds of Getting a Permanent Offer, LMAGAZINE, June 2003

Jeffery R. Knight, Winning Waves, IP LAW & BUSINESS, August 2003

Eric Lane, Problem Solving Courts and Therapeutic Jurisprudence: Due Process and Problem-Solving Courts, 30 FORDHAM URBAN LAW JOURNAL 955 (2003) (symposium edition)

Linda C. McClain, The Place of Marriage in Democracy's Formative Project, 11:3 THE GOOD SOCIETY 50 (2002) (symposium edition)

Richard K. Neumann, Jr., Conflicts of Interest in *Bush v. Gore*: Did Some Justices Vote Illegally?, 16 GEORGETOWN JOURNAL OF LEGAL ETHICS 375 (2003)

Andrew I. Schepard, Law and Children: Parenting Coordinators for High Conflict Parents, NEW YORK LAW JOURNAL, May 8, 2003

Andrew I. Schepard, Editorial Notes, 41 FAMILY COURT REVIEW 285 (2003)

Roy D. Simon, Motions to Disqualify: Is Laches a Defense, NEW YORK LAW JOURNAL, August 22, 2003

Roy D. Simon, columns in NEW YORK PROFESSIONAL RESPONSIBILITY REPORT: Lawyer Liability to Third Parties, June 2003; The Attorney-Client Privilege and Public Relations Firms, July 2003; The 'But For' Standard in Transactional Legal Malpractice Cases, August 2003

Peter J. Spiro, Treaties, International Law, and Constitutional Rights, 55 STANFORD LAW REVIEW 1999 (2003) (symposium edition)

Peter J. Spiro, *Crosby* as Weigh Station, 21 BERKELEY JOURNAL OF INTERNATIONAL LAW 146 (2003) (symposium edition)

Vern R. Walker, The Myth of Science as a 'Neutral Arbiter' for Triggering Precautions," 24 BOSTON COLLEGE INTERNATIONAL AND COMPARATIVE LAW REVIEW 197 (2003) (symposium edition)

PRESENTATIONS

Nora Demleitner moderated a panel on "Practice and Procedure under the Guidelines" at the Twelfth Annual National Seminar on the Federal Sentencing Guidelines, in May in Miami.

Eric Freedman chaired an all-day CLE program for death-penalty defense lawyers held at the Association of the Bar of the City of New York on July 1, at which he also made a presentation on habeas corpus. He made presentations on ABA guidelines for defense counsel in capital

cases as well as on computer resources at the annual meeting for capital defense counsel convened by the NAACP Legal Defense and Education Fund, in Virginia, July 18-20.

Monroe Freedman spoke at the Association of the Bar of the City of New York on May 8 on the professional responsibilities of the criminal defense lawyer, and participated in two roundtables at a meeting of the American Board of Criminal Lawyers on June 19 in Banff, Canada.

Leon Friedman was on the faculty of an ALI-ABA program on employment discrimination and civil rights actions, in Boston on May 8. He spoke on recent developments in the Supreme Court at the annual meeting of the National Association of Former U.S. Attorneys, in Las Vegas on May 10. On May 21, he made a presentation on recent developments in copyright litigation at a PLI seminar on trademark law in New York. He also served on the faculty of the fifth annual PLI Supreme Court Review on August 6 in New York.

Mitchell Gans lectured on deference at the annual meeting of the ABA, section on taxation, in May. He also lectured at the Orange County, California, Estate Planning Council on the *Strangi* case in July.

Joanna Grossman chaired a panel on "The Legal Construction of Family: Marriage, Divorce, and Social Policy," at the annual meeting of the Law and Society Association, in Pittsburgh on June 6. She participated on a panel at the North American Regional Conference of the International Society of Family Law, in Eugene on June 27.

Grant Hayden gave a paper entitled "The End of One Person, One Vote: Interpersonal Utility Comparisons and a Unified Theory of Voting

Rights,” at a panel on Constitutional Theories and Studies, at the annual meeting of the Law and Society Association in Pittsburgh in June.

Theresa Hughes gave a presentation entitled “Professionalism in Context: Adapting and Balancing Perspectives” at the American Association of Law Schools, Section on Clinical Education, in Vancouver on May 16.

Linda McClain presented a chapter from her book in progress, *The Place of Families*, at the Feminist Sexual Ethics Project First Annual Colloquium, May 21-22, Brandeis University. She gave a paper entitled “Struggles over Teaching Sexual and Reproductive Responsibility” at a panel of the 20th Summer Workshop, Feminism and Legal Theory Project, June 26-28, at the University of Wisconsin-Madison.

Andy Schepard made a presentation on the American Law Institute’s approximation presumption at the Association of Family and Conciliation Courts Convention, in Ottawa in June.

Peter Spiro presented a paper entitled “Who’s Afraid of Global Courts” at an interdisciplinary workshop on international tribunals at the Rockefeller Foundation’s Study Center in Bellagio, Italy, May 19-23. On June 11, he spoke to the international environmental law committee of the Association of the Bar of the City of New York on the subject of non-governmental organizations. On July 3, he participated in an international legal theory workshop at the University of Amsterdam. He participated on a panel on the accountability of NGO’s at a joint meeting of the American and Dutch societies of international law at The Hague on July 4.

BROADCAST MEDIA

Alafair Burke was featured in a half-hour interview on July 23 on the Leonard Lopate show on National Public Radio.

Robin Charlow was a guest on a special extended version of Court TV’s “Face-Off” on May 27, providing live commentary on the trial in a case involving a religious exemption from a driver’s license photo requirement and on a preliminary hearing concerning media access to proceedings in the Scott Peterson homicide case. On June 23, she was interviewed on channel 55 regarding the University of Michigan affirmative action case decisions

QUOTED IN

Nora Demleitner: Attorneys Analyze Strategy, *Jewish Week*, May 2

Herbie DiFonzo: Just Now Married; Finding Your Life Partner in Your 40s and 50s, *Newsday*, August 2

Eric Freedman: Palmer Raids Redux: The Pursuit of Immigrants in America After Sept. 11, *New York Times*, June 8; Tribunals Move From Theory to Reality, *New York Times*, July 4; New Standards in Death Cases High Court Rules on Effective Counsel, *National Law Journal*, July 14; Defending Those Who Defend Terrorists, *New York Times*, July 27; Where Are They Now?, *The Volokh Conspiracy*, June 3

Leon Friedman: Hate-Crime Case to Go Forward, *Newsday*, June 24

Monroe Friedman: Judge Had Conflict, His Critics Say, *Newsday*, July 15

James Garland: Legal Scholars Question Whether Sodomy Ruling Will Affect Military Gay Ban, *AScribe Newswire*, June 26

John Gregory: The Changing World of Marital Law, *Financial Advisor Magazine*, July 2003

Eric Lane: To Make Sense of Albany, You Have to Turn Everything on Its Head, *The New Yorker*, May 19; Albany Power Struggle: Pataki, on Losing Side, in Unfamiliar Territory, *Newsday*, May 21

Mark Movsesian: The Court of Foreign Affairs, *U.S. News & World Report*, June 23

Andy Schepard: Victims Advocate Headed to Law School, *Journal News*, July 12

Peter Spiro: For OLC, a Contrarian in Step With Bush, *Legal Times*, May 5; U.S. Courts' Role In Foreign Feuds Comes Under Fire, *New York Times*, August 3

David Yellen: A New 'Old Hand' Leads Nassau County's Bar, *New York Times*, June 15; Judge Martin Leaves Bench Critical of Sentencing Rules, *New York Law Journal*, August 15

CITATIONS

Alafair Burke: 103 *Colum. L. Rev.* 749; 26 *Harv. Women's L.J.* 217

Baruch Bush: 39 *Idaho L. Rev.* 399; 8 *Harv. Negotiation L. Rev.* 81; 8 *Harv. Negotiation L. Rev.* 201; 70 *Tenn. L. Rev.* 63; 70 *Tenn. L. Rev.* 221; 18 *Ohio St. J. on Disp. Resol.* 391; 37 *U.S.F.L. Rev.* 627; 2003 *J. Disp. Resol.* 1; 2003 *J. Disp. Resol.* 61; 28 *Queen's L.J.* 665; 3 *Pepp. Disp. Resol. L.J.* 449; 36 *Ind. L. Rev.* 425; 11

Cardozo J. Int'l & Comp. L. 239; 44 *S. Tex. L. Rev.* 81; 38 *Harv. C.R.-C.L. L. Rev.* 321; 24 *Hamline J. Pub. L. & Pol'y* 225

Robin Charlow: 56 *Vand. L. Rev.* 395; 52 *Emory L.J.* 557

Nora Demleitner: 4 *Wm. Mitchell L. Rev.* 1287; 52 *DePaul L. Rev.* 849; 30 *Fordham Urb. L.J.* 1215; 21 *Berkeley J. Int'l L.* 62; 28 *N.C.J. Int'l L. & Com. Reg.* 847; 55 *Baylor L. Rev.* 603; 11 *Cardozo J. Int'l & Comp. L.* 467; Legomsky, *Immigration and Refugee Law and Policy* (2003 Supp.)

David Diamond: 50 *UCLA L. Rev.* 959

Herbie DiFonzo: 14 *Stan. L. & Pol'y Rev* 85

Janet Dolgin: 55 *Fla. L. Rev.* 603; 30 *Fla. St. U.L. Rev.* 237; 116 *Harv. L. Rev.* 2052; 47 *St. Louis L.J.* 423; 47 *St. Louis L.J.* 517; 33 *Seton Hall L. Rev.* 511; 2003 *Wis. L. Rev.* 115; 9 *Mich. J. Gender & L.* 261; 88 *Iowa L. Rev.* 865; 32 *Seton Hall L. Rev.* 583; 18 *Berkeley Women's L.J.* 61; 53 *Syracuse L. Rev.* 995; 18 *Wis. Women's L.J.* 77; 31 *Cap. U.L. Rev.* 439; 5 *J. L. Fam. Stud.* 1

Eric Freedman: 13 *Alb. L.J. Sci. & Tech.* 273; 8 *Buff. Hum. Rts. L. Rev.* 147; 45 *Ariz. L. Rev.* 251; 2003 *Wis. L. Rev.* 309; 64 *U. Pitt. L. Rev.* 263; 77 *St. John's L. Rev.* 225; Yackle, *Federal Courts: Habeas Corpus* (Foundation 2003); *State v. Breton*, 264 *Conn.* 367 (dissent)

Monroe Freedman: 74 *U. Colo. L. Rev.* 1; 39 *Idaho L. Rev.* 321; 9 *Clinical L. Rev.* 579; 9 *Clinical L. Rev.* 783; 2003 *Fordham L. Rev.* 1187; 2003 *Fordham L. Rev.* 1397; 75 *Temple L. Rev.* 821; 77 *Tul. L. Rev.* 527; 34 *St. Mary's L. J.* 737; 34 *St. Mary's L. J.* 795; 107 *Dick. L. Rev.* 785; 34 *Loy. U. Chi. L.J.* 815; 71 *Fordham L. Rev.* 2395; 30 *Pepp. L. Rev.* 591; 38 *Tulsa*

L.J. 669, 30 Fordham Urb. L.J. 843; 81 Neb. L. Rev. 1320; 64 Ohio St. L.J. 249; 21 Yale L. & Pol'y Rev. 301; 50 UCLA L. Rev. 1189; 35 Conn. L. Rev. 1223; 44 S. Tex. L. Rev. 31; 44 S. Tex. L. Rev. 127; 52 Emory L.J. 1053; 52 Emory L.J. 1065

Leon Friedman: 34 N.Y.U. J. Int'l L. & Pol. 797; 4 San Diego Int'l L.J. 7; 56 Vand. L. Rev. 497; 71 UMKC L. Rev. 77; 81 N.C.L. Rev. 1927; 21 Berkeley J. Int'l L. 288; 8 Vill. L. Rev. 763; 9 Wash & Lee L. Rev. 1309; 97 A.J.I.L. 245

Scott Fruehwald: 29 Hastings Const. L.Q. 721; 36 U.C. Davis L. Rev. 993; 59 Wash. & Lee L. Rev. 1203; 2003 A.L.R. Fed. 2; McDougal, American Conflicts Law (2003 Supp.)

Linda Galler: 44 Ariz. L. Rev. 521; 22 Va. Tax Rev. 589; 43 Santa Clara L. Rev. 699, 53 Syracuse L. Rev. 737

Mitchell Gans: 83 B.U.L. Rev. 401

John Gregory: 116 Harv. L. Rev. 2052; 52 Cath. U.L. Rev. 81; 88 Iowa L. Rev. 865

Joanna Grossman: 36 Vand. J. Transnat'l L. 527; 10 Sports Law. J. 155

Grant Hayden: 57 U. Miami L. Rev. 1

Danielle Holley: 76 S. Cal. L. Rev. 799; 7 Tex. Forum Civ. Lib & Civ. R. 187; 19 Harv. BlackLetter J. 55

Bernie Jacob: 34 U. Tol. L. Rev. 425

Larry Kessler: 52 Emory L.J. 1201; 11 J.L. & Pol'y 525

Stef Krieger: 9 Clinical L. Rev. 579; 9 Clinical L. Rev. 783

Julian Ku: 43 Va. J. Int'l L. 675; 38 Tex. Int'l L.J. 527; 38 Tex. Int'l L.J. 557; 55 Stan. L. Rev. 1557; 55 Stan. L. Rev. 1697

Eric Lane: 56 Vand. L. Rev. 395; 81 Tex. L. Rev. 1443; 78 N.Y.U.L. Rev. 875; 88 Cornell L. Rev. 1199; 55 Stan. L. Rev. 2029; Kroeger, Passing: When People Can't Be Who They Are (PublicAffairs 2003)

Linda McClain: 55 Fla. L. Rev. 603; 47 St. Louis L.J. 517; 24 Women's Rights L. Rep. 27; 71 Fordham L. Rev. 1789; 112 Yale L.J. 1641; 14 Yale J.L. & Feminism 333; 91 Calif. L. Rev. 967; 77 St. John's L. Rev. 225; The Cambridge Companion to Rawls (Freeman ed., Cambridge University Press 2003); West, Re-Imagining Justice (Ashgate 2003)

Mark Movsesian: 78 N.Y.U.L. Rev. 30; 116 Harv. L. Rev. 2075; 55 Stan. L. Rev. 1105; 24 U. Pa. J. Int'l Econ. L. 1; 1 DePaul Bus. & Comm. L.J. 481; 151 U. Pa. L. Rev. 1417; 52 Duke L.J. 485; 34 Law & Pol'y Int'l Bus. 109; 55 Stan. L. Rev. 1557; 21 Berkeley J. Int'l L. 825; 43 Va. J. Int'l L. 959; 81 Tex. L. Rev. 2055

Richard Neumann: 9 Clinical L. Rev. 579; 9 Clinical L. Rev. 783; 9 Clinical L. Rev. 835; 2003 Fordham L. Rev. 1299; 105 W. Va. L. Rev. 471; 8 Scribes J. Legal Writing 61; 38 Gonz. L. Rev. 89; 38 Gonz. L. Rev. 129; 3 Margins 125; 14 Yale J.L. & Feminism 219; 36 Suffolk U. L. Rev. 681; 76 Temple L. Rev. 69; 33 N.M.L. Rev. 49; 28 Yale J. Int'l L. 505; 10 Asian L.J. 65

Alan Resnick: 24 Whittier L. Rev. 663, 31 Hofstra L. Rev. 745; 78 Wash. L. Rev. 429; 19 Bank. Dev. J. 287; 11 Am. Bankr. Inst. L. Rev. 131; 11 Am. Bankr. Inst. L. Rev. 197; 2003 Det. C.L. Rev. 315; 25 Sydney L. Rev. 223; 50 UCLA L. Rev. 1189

Andy Schepard: 9 Wm. & Mary J. of Women & L. 145; 75 Temple L. Rev. 821; 79 N. Dak. L. Rev. 59; 71 UMKC L. Rev. 623; 14 J. Law. & Pub. Pol'y 137 ; 77 St. John's L. Rev. 291

Norm Silber: 1 DePaul Bus. & Comm. L.J. 361; 36 U.C. Davis L. Rev. 1145

Ron Silverman: 54 Hastings L.J. 695

Marshall Tracht: 97 Nw. U.L. Rev. 1165

Peter Spiro: 97 A.J.I.L. 38; 54 Rutgers L. Rev. 1101; 52 DePaul L. Rev. 849; 24 Mich. J. Int'l L. 549; 21 Berkeley J. Int'l L. 159; 22 J. NAALJ 429; 27 Wm. & Mary Envtl. L. & Pol'y Rev. 137; 64 U. Pitt. L. Rev. 105; 55 Rutgers L. Rev. 87; 52 Duke L.J. 485; 26 Harv. J.L. & Pub. Pol'y 239; 21 Berkeley J. Int'l L. 213; 38 Tex. Int'l L.J. 405; 38 Tex. Int'l L.J. 527; 44 B.C. L. Rev. 545; 55 Stan. L. Rev. 1557; 55 Stan. L. Rev. 1921; 55 Stan. L. Rev. 1963; 53 Syracuse L. Rev. 923; 2003 Wis. L. Rev. 273; 43 Va. J. Int'l L. 1111

Vern Walker: 10 Ind. J. Global Leg. Stud. 247; 27 Wm. & Mary Envtl. L. & Pol'y Rev. 13 ; 27 Wm. & Mary Envtl. L. & Pol'y Rev. 137; 34 Colum. Human Rights L. Rev. 575; 28 Queen's

L.J. 455; Asian-Pacific L. & Pol'y J. 245; 26 B.C. Int'l & Comp. L. Rev. 171

David Yellen: 4 Wm. Mitchell L. Rev. 1287; 40 Am. Crim. L. Rev. 87; 52 Emory L.J. 557

HONORS AND APPOINTMENTS

Mitchell Gans was appointed to the Estates and Surrogate's Courts Committee of the Association of the Bar of the City of New York.

John Gregory has been appointed to the *Family Law Quarterly* Board of Editors of the ABA Section of Family Law. He was appointed to the Committee on Matrimonial Law of the Association of the Bar of the City of New York.

Mark Movsesian is visiting professor of law at Notre Dame University Law School for the fall semester.

David Yellen has been named to the board of directors of the Fund for Modern Courts.