

FOR THE RECORD

Rutgers School of Law - Camden

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MICHAEL CARRIER published two law review articles entitled “Two Puzzles Resolved: Of the Schumpeter-Arrow Stalemate and Pharmaceutical Innovation Markets” in the *IOWA LAW REVIEW* in 2008, and “Against Cyberproperty” (with Greg Lastowka), in the *TECHNOLOGY LAW JOURNAL* in 2008.

Michael also completed his manuscript, *Innovation for the 21st Century: Harnessing the Power of Intellectual Property and Antitrust Law*, forthcoming in 2009 by OXFORD UNIVERSITY PRESS.

Michael presented a chapter from his book at Penn, Minnesota, Cardozo, and Temple law schools. Finally, he spoke at the inaugural meeting of the Rutgers IP Club and the Presidential election Open Forum sponsored by the RUTGERS JOURNAL OF LAW AND PUBLIC POLICY.

VICTORIA CHASE spoke at “A Dialogue About Persuasion in Legal Writing and Lawyering,” a conference jointly hosted by Rutgers School of Law – Camden and University of Wyoming College of Law in September in celebration of the second edition of Michael R. Smith’s book *Persuasion in Legal Writing*. Her presentation, Ethos at Trial, focused on teaching students to enhance their credibility before judges in the courtroom by evincing character traits

that are highly valued by other lawyers and judges.

ROGER CLARK has continued to be deeply involved in the development of the International Criminal Court. He participated in meetings of the Court’s Special Working Group on the Crime of Aggression in New York in June and in The Hague in November. He spoke on various aspects of the work and early decisions of the Court, and on efforts to empower it to exercise jurisdiction over the crime of aggression, in Ireland, Austria, Samoa and Belgium, as well as at the headquarters of the Court in The Netherlands.

Roger also spoke at events in Newark marking the 60th anniversary of the adoption of the Genocide Convention and in Camden marking the anniversary of the adoption of the Universal Declaration of Human Rights.

In addition to various publications on the ICC, his article entitled “The Military Commissions Act of 2006: An Abject Abdication by Congress,” appeared in the fall 2008 issue of the RUTGERS JOURNAL OF LAW & PUBLIC POLICY.

Notwithstanding assorted leg ailments, Roger managed to run (slowly) in seven countries (and Hawaii) this year.

PERRY DANE published the following articles in 2008: “*West Virginia State Board of Education v. Barnette*” in the ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES; “Flags in Context: A Discussion of Design, Genre, and Aesthetics” in RAVEN: A JOURNAL OF VEXILLOLOGY; and “Sad Time: Thoughts on Jurisdictionality, the Legal Imagination, and *Bowles v. Russell*” in NORTHWESTERN UNIVERSITY LAW REVIEW COLLOQUY.

This past fall, Perry was asked to join the Scriptural Reasoning Project sponsored by the Rabbi Myer and Dorothy Kripke Center for the Study of Religion & Society at Creighton University in Omaha, Nebraska. The project consists of twelve scholars (five Christian, four Muslim, and three Jewish) who will be meeting periodically over the next several years to read, discuss, and write commentaries on each other’s foundational scriptural texts relating to central themes such as justice, redemption, and covenant. The goal is to produce a set of essays that will be presented at the 2010 meeting of the American Academy of Religion, and then published as an edited volume. He joined the group for its meeting at Creighton University in December.

Perry presented his paper on same-sex marriage titled “A Holy Secular Institution” in April 2008 at the Fourth Biennial Symposium on Religion and Politics, (Panel on Church and State in the American Setting) sponsored by the Paul B. Henry Institute of Calvin College in Grand Rapids, Michigan.

In November, Perry presented a follow-up paper on same-sex marriage, titled “Nature, Equality, and Same-Sex Marriage,” at the Conference on “The Family: Searching for Fairest Love,” Panel on Legal and Ethical Issues Related to Same-Sex Marriage sponsored by the Notre Dame Center for Ethics and Culture of the University of Notre Dame in South Bend, Indiana.

Perry was an invited participant in the Conference on Free Will, Responsibility, and Coercion in the Talmud, Co-Sponsored by the Gruss Chair in Talmudic Civil Law at Harvard Law School and the Institute of Jewish Law at the Boston University School of Law, and held at the Harvard Law School in May 2008.

In June 2008, Perry gave a talk on “The Sacred Cluster” as part of a Shavuot Study Session at the Suburban Jewish Community Center - Bnai Aaron in Havertown, Pennsylvania.

Perry was the “course planner” and chair of a Pennsylvania Bar Institute Public Policy Program in November on “The Intersection of Law, Religion, and Family.” In addition to organizing and chairing the panel, he also presented his own talk on the complicated intersections of the secular and religious dimensions of American marriage.

Perry was appointed to the Editorial Board of the JOURNAL OF TEXTUAL REASONING.

KIM FERZAN presented “Beyond the Special Part” (co-authored with Larry Alexander) in March 2008 at Boston University’s faculty workshop series.

Kim and Doug Husak (New Brunswick-Philosophy) co-organized a Rutgers Institute for Law & Philosophy conference in May 2008 on “The Evolution of Criminal Law Theory.” For this conference, Kim wrote a commentary entitled, “Arson and the Special Part” which was published in the peer-edited CRIMINAL LAW & PHILOSOPHY.

This summer Kim wrote, “Justification and Excuse” for the OXFORD HANDBOOK ON THE PHILOSOPHY OF CRIMINAL LAW (Dolinko & Deigh, eds.), and presented her work in September 2008 at a roundtable for handbook participants sponsored by the University of Illinois Law School’s Institute for Law and Philosophy.

Kim has also authored two book review essays. “Justifying Killing in Self-Defence” (with Arlette Grabczynska) will appear in the JOURNAL OF CRIMINAL LAW & CRIMINOLOGY, and “The Structure of Criminal Law” was solicited by CRIMINAL JUSTICE ETHICS.

Kim has signed a contract for her co-edited book, *Criminal Law Conversations*, with OXFORD UNIVERSITY PRESS. She authored several small contributions for the volume.

Kim was asked to serve on the New Jersey Supreme Court’s Committee on Evidence for the 2008-2010 term, and has also been appointed Associate Graduate Faculty at the Philosophy Department in New Brunswick.

STEVE FRIEDEL’s second edition of his casebook, *Admiralty and Maritime Law in the United States*, was published in August by CAROLINA ACADEMIC PRESS. The book was co-authored along with David Robertson and Michael Sturley.

JOANNE GOTTESMAN’s article entitled “Avoiding the ‘Secret Sentence’: A Model for Ensuring that New Jersey Criminal Defendants are Advised About Immigration Consequences Before Entering Guilty Pleas” will be published this spring in the SETON HALL LEGISLATIVE JOURNAL.

NATALIE HULL, along with Peter Hoffer, won the American Society of Legal Writers’ 2008 Scribes Book Award for their series *Landmark Law Cases & American Society*, which is published by the UNIVERSITY PRESS OF KANSAS. The Series is lauded for being “consistently informative, creative, and easily accessible and understandable to the non-lawyer and scholarly.” Natalie and Peter received the award at a luncheon on August 9th at the Harvard Club in New York. Justice Scalia was the speaker.

HARRIET KATZ’s article entitled “Counseling Externship Students” will be published in the CLINICAL LAW REVIEW in 2009. CLINICAL LAW REVIEW is a peer-reviewed publication published by NYU. Harriet presented on the topic of counseling externship students at the externship conference “Externship 4: A Bridge to Practice” in February 2008. She did a presentation on the topic of working with

adjuncts in skills education at the annual Clinical Section conference in May 2008. Harriet also presented on mentoring clinical/legal writing faculty scholarship at the Legal Writing Institute in July 2008.

EVE BISKIND KLOTHEN has won the prestigious Father Robert Drinan Award. It is one of two annual awards given by the AALS to acknowledge outstanding contributions to pro bono and public service by law schools and legal educators. The award was presented to Eve at the AALS Annual Meeting on January 8th in San Diego.

ARTHUR LABY published “Hedge Funds and Their Advisors” in the RUTGERS LAW JOURNAL. The article is a Foreword to a Symposium on Private funds.

In October, Arthur presented a draft paper entitled “Insider Trading and the Fairness Bias” at the at the Midwest Law & Economics Association Annual meeting.

In January, Arthur will hold a public discussion regarding the current financial crisis with Peter Wallison of the American Enterprise Institute, a transcript of which will be published in the RUTGERS JOURNAL OF LAW & PUBLIC POLICY.

GREG LASTOWKA has had his article entitled “Google’s Law” published

in the BROOKLYN LAW REVIEW. The article considers whether trademark law can be used to regulate Google’s search engine. In June, the BOSTON GLOBE ran a feature story that included some of Greg’s arguments. According to a later interview in an Australian online newspaper, Eric Schmidt (Google’s CEO) “takes issue” with Greg’s claims.

Greg is still working on his book on virtual worlds and law. In the spring and summer of 2008, he presented overviews of the book at an anthropology conference at UC Irvine and at a legal conference organized in Berlin. During the fall, he presented portions of the book at law conferences held at Washington & Lee, American University and Vanderbilt.

Greg will be visiting at Columbia University in Spring 2009, where he will be teaching trademark law and a seminar on law and virtual worlds.

LEGAL ANALYSIS, WRITING, AND RESEARCH DEPARTMENT organized the first conference in the new law school building. Held on September 19th, “A Dialogue About Persuasion in Legal Writing and Lawyering,” brought together legal writing and clinical professors to talk about persuasion in terms of logos, pathos and ethos. The meeting was a joint venture of Rutgers-Camden School of Law and the University of Wyoming College of Law. Dean Jerry Parkinson of Wyoming College of Law was among the conference speakers and attendees as well as Professor Michael R. Smith, whose textbook inspired the conference.

J.C. LORE recently published an article entitled “Shackling Children in Juvenile Court: The History, The Debate and Recent Trends” in the U.C. DAVIS JOURNAL OF JUVENILE LAW & POLICY in summer 2008. A second article entitled “Protecting Children Against Pre-Trial Self Incrimination Through the Creation of a Pre-Trial Child/Service Provider Privilege” has been accepted by the UNIVERSITY OF LOUISVILLE LAW REVIEW and will be published in the spring.

J.C. gave a presentation at the AALS Conference in May on Clinical Education entitled “Whether and to What Extent We Should Teach Trial Advocacy Skills as Part of the Classroom Component of Live-Client Based Clinical Programs.” Additionally, in November, he moderated a panel entitled “Gang Prevention Through Targeted Outreach” at the New Jersey Governor’s Conference on Delinquency Prevention.

Recently, J.C. has been quoted several times in area news outlets regarding juvenile curfew laws, and he published an editorial in the PHILADELPHIA INQUIRER entitled “The United States Should Revisit Life Terms for Juveniles.” J.C. also has been asked to consult with a documentary film producer who is creating a film about the United States sentencing policy, particularly the sentencing of children to life without the possibility of parole.

Additionally, J.C. has been asked to consult with the New Jersey Office of the Public Defender and the Office of the Child Advocate in developing and

implementing strategies to end the practice of shackling children in juvenile courts.

JOHN OBERDIEK has published *Arguing About Law*, a new 600+ page anthology on legal philosophy with ROUTLEDGE as part of its *Arguing About Philosophy* series. The anthology covers eleven different topics ranging over the central debates in philosophy of law, and was edited with Aileen Kavanagh of the University of Leicester, UK.

John’s article entitled “Towards a Right Against Risking” was accepted for publication by the JOURNAL OF LAW AND PHILOSOPHY.

In October, John organized a conference under the auspices of The Institute for Law and Philosophy called “Human Rights in Theory and Practice” to commemorate the 60th anniversary of the Universal Declaration of Human Rights. Participants included the likes of Joseph Raz, James Griffin, and Thomas Pogge, as well as our own Roger Clark, Phil Harvey, Beth Stephens, and Linda Bosniak, and drew over 100 registered attendees.

In November, John presented his paper, “Choice, Value, and the Perfection of Distributive Justice” to the Legal Theory Workshop at the University of Toronto Faculty of Law.

John will chair the AALS Section on Jurisprudence’s panel “Authority and Obligation” in January at the AALS 2009 Annual Meeting in San Diego.

DENNIS PATTERSON has been appointed to the Chair in Legal Theory and Legal Philosophy at the European University Institute in Florence. Starting in September of 2009, Dennis will teach in Florence for five years (all initial EUI appointments are for a term of five years). Dennis will continue to teach at Rutgers-Camden during the summer months and will return to the law school full-time after his term in Florence.

SARAH RICKS was appointed by City of Philadelphia Mayor Michael Nutter as a Commissioner on the Philadelphia Commission on Human Relations (PCHR), which enforces Philadelphia's anti-discrimination laws governing employment, housing, public accommodations, and the delivery of City services.

Sarah authored "Reflections on the Twentieth Anniversary of Founding the Yale Journal of Law and Feminism" published in the *YALE JOURNAL OF LAW AND FEMINISM* [forthcoming 2009].

Sarah presented "Teaching the Culture(s) of Law Practice and Cheating in the Legal Writing Course" at the Delaware Valley Legal Writing Consortium Semi-Annual Meeting at Penn Law School in November, and "Publishing Books in LRW and Beyond: How We Did It, and How You Can Do It, Too" at the Legal Writing Institute in Indianapolis in July.

At the Law School in November, she presented on "The Future of Law School

Casebooks." In October, she did a guest talk on "Effective Brief Writing: Four Key Concepts" to the Hunter Moot Court class and moderated a Women's Law Caucus Discussion on "Election 2008: Female Candidates and America's Reaction."

RUTH ANNE ROBBINS is the new president of the Legal Writing Institute, an organization with over 2,100 members worldwide. Her term lasts through 2010. She was one of the two principal organizers of LWI's 13th Biennial Conference, attended by 650 legal writing faculty from across the country. The conference was held in July at Indiana University School of Law – Indianapolis. Ruth Anne has recently published an article entitled "An Introduction to Applied Storytelling and to this Symposium" in the *JOURNAL OF LEGAL WRITING* in 2008. The article is based on her opening address presented at a conference on Applied Legal Storytelling, held in London last year. She was recently invited to join the Board of Directors of the *JOURNAL OF THE ASSOCIATION OF LEGAL WRITING DIRECTORS*, a journal that publishes scholarly pieces designed for the practitioner audience.

SHEILA RODRIGUEZ authored an article entitled "Using Feedback Theory to Help Novice Legal Writers Develop Expertise" which will be published in the *UNIVERSITY OF DETROIT MERCY LAW REVIEW*. Sheila presented this paper at the 13th Biennial Conference of the Legal Writing Institute in July.

ROBERT SACHS' article entitled "Videotaping Accident Demonstrations at Discovery Depositions" was published in FOR THE DEFENSE in December 2008.

MEREDITH SCHALICK presented a workshop entitled "Legislative Legal Writing: Why the Newest Frontier Should Be Explored" at the Biennial Conference of the Legal Writing Institute in Indianapolis in July 2008.

Meredith also provided training to students and faculty involved with the "Bridging the Gap" interdisciplinary medical, legal and social work program at Drexel University about the legal needs of at-risk populations. She presented a workshop entitled "Understanding the Court and Legislative Process: Finding Opportunities for Youth Impact" at the New Jersey Statewide Youth Summit sponsored by the Administrative Office of the Courts and Office of the Public Defender. She also gave a lecture on current federal and state child welfare law for Rutgers School of Social Work students pursuing their MSW with a family violence concentration.

At the Law School, Meredith provided training to students participating in the Children's SSI Project and the Rutgers-LEAP Pro Bono Legal Referral Project. She also moderated a panel about careers working in the child welfare system for the Public Interest Career Symposium this past October.

Finally, Meredith is opening a new clinic for Rutgers in January 2009 where third-year law students will represent children in abuse and neglect proceedings in Family Court in Camden.

RAY SOLOMON has agreed to serve as acting executive dean for the professional schools at Rutgers-Camden. In this capacity, he will have general oversight of the School of Business while continuing to serve as dean of the School of Law.

BOB WILLIAMS did several television interviews and spoke about state constitutions, and processes for their change, at a program organized by the League of Women Voters in Honolulu, Hawaii, in September. The program was part of the preparation for the November, 2008 referendum on whether to hold a state constitutional convention in Hawaii. The voters soundly rejected the convention proposal.

Bob is preparing an *amicus curiae* brief, on behalf of himself and other professors of state constitutional law, in the California case challenging the validity of Proposition 8, which purports to overturn the California Supreme Court decision finding a right to same-sex marriage.