

FOR THE RECORD

Rutgers School of Law - Camden

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JOHN BECKERMAN continues to serve as a member of two committees of the Supreme Court of New Jersey – the Civil Practice Committee (which is chaired by the Honorable Jack M. Sabatino, J.A.D., adjunct professor and former Rutgers School of Law faculty member) and the Committee on Minority Concerns. He recently participated in an American Bar Association accreditation site inspection of Elon University School of Law in Greensboro, North Carolina.

John also wrote a review of a body of scholarship in connection with the personal decision of a candidate for promotion and tenure at another law school.

He also serves as a member of the Development Committee of Samaritan Hospice.

MICHAEL CARRIER's article, "Unraveling the Patent-Antitrust Paradox," published in the UNIVERSITY OF PENNSYLVANIA LAW REVIEW, was cited several times in a 2010 U.S. Supreme Court opinion addressing the standards for patentable subject matter. Justice John Paul Stevens (joined by Justices Stephen Breyer, Ruth Bader Ginsburg, and Sonia Sotomayor) concluded that methods of doing business should not be patentable, relying in part on Michael's argument that

other, non-patent based incentives were responsible for innovation in the field.

Michael published "A Real-World Analysis of Pharmaceutical Settlements: The Missing Dimension of Product-Hopping" in the FLORIDA LAW REVIEW. He also published "Innovation for the 21st Century: A Response to Seven Critics" in the ALABAMA LAW REVIEW.

In September, Michael was quoted in FORBES and the AMERICAN LAWYER on the issue of pharmaceutical settlements. He also was quoted in articles in the PHILADELPHIA INQUIRER on Google and on the pharmaceutical industry.

He testified before The National Academies' Board on Science, Technology, and Economic Policy (STEP) in October as part of its hearings on the "Impact of Copyright Policy on Innovation in the Digital Era." In November, he submitted comments to the Department of Commerce in response to its inquiry on Copyright Policy, Creativity, and Innovation in the Internet Economy. Michael presented a talk on Pharmaceutical Life Cycle Management Strategies at the meeting of the New Jersey Intellectual Property Law Association.

ROGER CLARK celebrated his 70th birthday in June on his way back

from the Review Conference on the International Criminal Court in Kampala, Uganda. He represented the Government of Samoa, pro bono, there. The Review Conference completed the definition of aggression for the purposes of the Court's exercise of jurisdiction over that crime. This issue had been left over when the Court was created in 1998.

In the fall, he gave keynote addresses at major conferences on International Criminal Law in Melbourne and Noosa Heads in Australia. While he was in Australia, he also spoke at the Universities in Tasmania, Sydney and at Bond University in Queensland.

His first thoughts on the ICC Review Conference appeared in the AUSTRALIAN INTERNATIONAL LAW JOURNAL and the GOETTINGEN JOURNAL OF INTERNATIONAL LAW in Germany. He also published a chapter in a book issued as a tribute to Navi Pillay, the UN High Commissioner for Human Rights. Roger's doctoral dissertation, written at Columbia Law School in 1968, argued for the creation of such an office. The UN finally created the office in 1993.

Roger dogged out a few (possibly final) miles on a gimpy knee in Camden, Kampala, London, Lisbon, Istanbul, Salzburg, the Loire Valley, as well as Australia and New Zealand.

PERRY DANE is a full-time resident Fellow at the Tikvah Center for Law & Jewish Civilization at NYU School of Law. His year-long project is entitled

“‘Hanging By a Thread’: Toward a Jurisprudence of Jewish Law.”

Perry gave two talks - one on “Religious Symbols, Religious Culture, and Religious Liberty: The European Conundrum” and the other on “Chagall’s Crucifix” - as an invited participant at a conference on “Law and Religion” held at Balliol College, Oxford University in Oxford, England, and organized by the Oxford Society for Law and Religion, Focus on FORB, the Strasbourg Consortium, the Centre for Christianity and Culture at Regent’s Park College, the Human Rights Implementation Centre at the University of Bristol, the House of St. Gregory and St. Macrina, Brunel Law School of Oxford Brooks University, the International Consortium for Law and Religion Studies at the University of Milan, and the International Center for Law and Religion Studies at Brigham Young University.

He presented a paper on “Nature, Equality, and Same-Sex Marriage” as an invited participant at the First Annual Law and Religion Roundtable, held at Brooklyn Law School in Brooklyn, New York. He presented a paper on “The Challenge of Change in Jewish Law” at the Religious Legal Theory Conference held at St. John’s University School of Law in Queens, New York.

Perry spoke on “Notes on a Jurisprudence of Jewish Law” held at the Tikvah Center for Law and Jewish Civilization at NYU Law School. He also gave a “22 Washington Square North Fellows’ Talk” on “The Same-Sex Marriage Debate in Civil Law, and Its Religious Dimensions”

to participants in all the centers and programs housed in the building in which the Tikvah Center is Located.

He spoke on “Separation of Church and State: Perspectives on the ‘Law of Love, Peace, and Liberty’” at the Renaissance Lecture Series in Manchester, New Jersey. He also spoke on “The Complicated Dynamics of Religious Equality” at a Continuing Legal Education Presentation sponsored by the Religious Observers Affinity Group at the law firm of Proskauer Rose LLP, in New York City.

Perry was appointed to the Scientific Committee for the 24th International Congress of Vexillology, which will be held in Washington, DC in August 2011.

JAY FEINMAN’s recent speaking engagements include the Bad Faith Insurance Litigation Group at the American Association for Justice Annual Meeting in Vancouver, the inaugural Richard G. Halpern Memorial Lecture for the Academy of Trial Advocacy, the keynote address at a conference in Chicago on “The Next Crisis: Managing the Risk That Your Insurance Doesn’t Work,” the First Party Claims Conference in Warwick, R.I., and the Iowa Association for Justice Annual Meeting.

DAVID FRANKFORD completed an invited essay entitled “At Least We’re Still Free to Choose to Die at Home: A CLASS Act” to be published in 2011 in a special issue, *Critical Essays on Health Care Reform*, of the JOURNAL OF HEALTH

POLITICS, POLICY AND LAW (JHPPL). Continuing his almost decade and a half stint as an editor of some sorts for JHPPL, he has retired as an Associate Editor to take up his new duties as the Special Editor of a new Special Section, “Behind the Jargon.”

Finally, with coauthors Sara Rosenbaum, Rand Rosenblatt and Sylvia Law, he continues to work on a revision of the textbook, *Law and the American Health Care System*.

ANN FREEDMAN, along with Victoria Chase and Sally Goldfarb, participated in a lunch hour panel discussion entitled “It’s All About Power & Control: Intimate Partner Violence and Reproductive Choice” sponsored by Law Students for Reproductive Justice, the Family Law Society & the American Constitution Society. The panel addressed the intersection of these areas, and practical ways to confront these issues when they arise in a clinical setting.

STEVE FRIEDEL spoke about the use of Jewish law in Israel’s courts at a conference on Jewish Law in Netanya, Israel, over the summer. The paper, “The Role of Jewish Law in a Secular State,” will be published by the JEWISH LAW ASSOCIATION.

Steve also wrote two articles on admiralty. One, published in the JOURNAL OF MARITIME LAW AND COMMERCE, deals with a marine insured’s right to a jury trial even when the insurer sues “in admiralty”

for a declaratory judgment. The other, “The Joy of Teaching Admiralty,” will be published in a symposium issue by the ST. LOUIS UNIVERSITY LAW REVIEW. He also completed his annual updates of his contribution to *Benedict on Admiralty*.

SALLY GOLDFARB has been working with lawyers, law professors, advocacy organizations, and federal government officials to draft amendments to the Violence Against Women Act. In recognition of her continuing efforts to improve the legal system’s response to violence against women, Sally was invited to a ceremony at the White House in October to commemorate Domestic Violence Awareness Month. Speakers at the event included President Obama, Vice President Biden, and baseball manager Joe Torre, who spoke about growing up with an abusive father and creating the Safe at Home Foundation to combat domestic violence.

The GEORGETOWN JOURNAL OF GENDER AND THE LAW recently published Sally’s reflections on the process of drafting and passing the Violence Against Women Act. In November, she participated in a panel discussion sponsored by Law Students for Reproductive Justice and other student groups on the impact of domestic violence on reproductive rights.

JOANNE GOTTESMAN and Judge Pedro Jimenez, Jr. presented a mandatory training for all Criminal Division judges at New Jersey Judicial College in November. The training focused on the immigration

consequences of criminal dispositions and the professional responsibility of judges in the wake of the U.S. Supreme Court’s opinion in *Padilla v. Kentucky*.

HARRIET KATZ published “Toward a New World of Externships: Papers from Externships 4 and 5” in the CLINICAL LAW REVIEW with Alexander Scherr, an overview and analysis of themes presented in a symposium of articles about new ideas in legal externship. Professors Katz and Scherr had co-chaired program planning for a national conference at which these papers were presented.

ARTHUR LABY participated in a conference in October at Boston University Law School entitled The Rose of Fiduciary Law and Trust in the 21st Century. His paper, “Revisiting Advisers’ Federal Fiduciary Duty Under *SEC v. Capital Gains Research Bureau*,” will appear in the BOSTON UNIVERSITY LAW REVIEW. He presented an earlier version of this paper at the Temple University School of Law Faculty Colloquium. Arthur also participated in a forum in Washington, DC called Exploring the Fiduciary Standard in a Brokerage Environment. His paper, “Studying Regulatory Harmonization at the SEC,” will appear in early 2011 in the BOSTON UNIVERSITY ANNUAL REVIEW OF BANKING & FINANCIAL LAW.

During the fall semester, Arthur gave three talks in Europe. The first, “Liability of Asset Managers in the United States,” was

a presentation to the International Working Group on the Liability of Asset Managers at Radboud University in the Netherlands. The Working Group is preparing a comparative study on the law of asset managers to be published by OXFORD. Arthur is co-authoring the U.S. contribution. The second, "Insider Trading Law in the United States," was a presentation at the University of Regensburg in Germany. The third was a review and analysis of antitrust enforcement in the United States, delivered to representatives of German industry.

Toward the end of the fall semester, Arthur moderated a panel in New York sponsored by the Institutional Investor Educational Foundation on the new whistleblower provisions of Dodd-Frank. He also participated in an AARP Public Policy Innovation Roundtable discussion on harmonizing the law of brokers and advisers. Also, he took part in the third annual Mutual Fund Roundtable at Boston University School of Law.

Arthur also spoke on a PLI panel in New York entitled "What the Proposed Uniform Standard of Care May Mean for Advisers." The panel was part of a conference on Fundamentals of Investment Adviser Regulation. Earlier this year, Arthur was elected to membership in the American Council on Germany and has attended several of the Council's events.

DENNIS PATTERSON continues on leave at the European University

Institute in Florence. In the Fall, 2010 term, Dennis participated as an invited guest at three conferences: Copenhagen (EU Legal Methodology, Bologna (the work of Robert Alexy), and Berlin (Natural Kinds, Vagueness and Law).

SARA RICKS authored *Current Issues in Constitutional Litigation: A Context and Practice Casebook* (CAROLINA ACADEMIC PRESS 2010) and *Teacher's Manual*. The book's website is <http://constitutionallitigation.rutgers.edu/>.

She authored a book chapter, "Constitutional Research," to be included in Suzanne Rowe, Editor, *Federal Legal Research* published by CAROLINA ACADEMIC PRESS in 2011.

The district court in *Perez v. City of Philadelphia*, cited Sarah's article "The Perils of Unpublished Non-precedential Federal Appellate Opinions: A Case Study of the Substantive Due Process State-Created Danger Doctrine in One Circuit" which appeared in the WASHINGTON LAW REVIEW.

Sarah was nominated for inclusion in a study of teaching: Michael Hunter Schwartz, Gerry Hess and Sophie Sparrow, *What the Best Law Teachers Do* (HARVARD UNIVERSITY PRESS 2010).

Sarah is a Commissioner on the Philadelphia Commission on Human Relations, which in 2010 held 11 public hearings on intimidation in the Philadelphia public schools based on race, national origin, gender, disability, religion,

sexual orientation, and gender identity. Hearings were covered by TV, radio, newspapers, and blogs. The commission will issue a report in 2011.

BOB WILLIAMS helped organize and spoke at a conference on state constitutional law in September at Penn State. His paper entitled “Tentative Thoughts on Researching and Teaching Comparative Subnational Constitutional Law” will be published in the PENN STATE LAW REVIEW.

With his political science colleague, Alan Tarr, Bob organized the annual meeting of the International Association of Centers for Federal Studies. Their Center for State Constitutional Studies hosted the 3-day conference in September in Philadelphia, culminating in a dinner at the National Constitution Center on Constitution Day.

In October, Bob spoke at a news conference at the National Press Club in Washington, D.C. concerning the November referenda on whether to call state constitutional conventions in four states.

Bob spoke at Widener Law School in November on “Why State Constitutions Matter.”

Also in November, he participated in a telephonic debate, organized by the Federalist Society, concerning the authority of New Jersey’s Chief Justice to elevate an Appellate Division judge to fill a vacancy on the Supreme Court. Earl Maltz and Ed Hartnett of Seton Hall also participated in the debate.

At the invitation of the Supreme Court of Mexico, Bob gave a lecture in Guadalajara in December, entitled “Why State Constitutions Matter in the United States and Mexico.” The lecture, translated into Spanish, was carried by videoconference throughout Mexico.

Bob organized, chaired, and presented a paper “Tentative Thoughts on Researching and Teaching Comparative Subnational Constitutional Law” at a workshop at the World Congress of the International Association of Constitutional Law in Mexico City in December. The workshop concerned state constitutions in the US and other federal countries.

Once again, Bob served as coauthor and local counsel for the Association of American Law Schools’ amicus brief before the New Jersey Supreme Court on litigation where a disgruntled litigant seeks access to the Rutgers Newark Environmental Law Clinic’s files under the Open Public Records Act.