

FOR THE RECORD

Rutgers School of Law - Camden

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JOHAN BECKERMAN submitted an invited statement to the United States Senate Judiciary Committee for its December hearing on “Has the Supreme Court Limited Americans’ Access to Courts.”

MICHAEL CARRIER published “Unsettling Drug Patent Settlements: A Framework for Presumptive Illegality” in the MICHIGAN LAW REVIEW and “The Rule of Reason in the 21st Century” in a symposium issue of the GEORGE MASON LAW REVIEW.

In June, Michael participated in a panel hosted by the Center for American Progress entitled “Low-Cost Solutions to Health Care Through Generic Competition.” The panel, consisting of pharmaceutical company CEOs and Senate counsel, responded to an address by Federal Trade Commission Chairman Jon Leibowitz.

In August, he presented “Pioneering Peer-to-Peer and Other Disruptive Dual-Use Technologies” at the 9th Annual Intellectual Property Scholars Conference, held at the Cardozo School of Law and co-sponsored by Stanford, Berkeley, and DePaul law schools.

In September, Michael participated in the symposium, “Lawyers, Drugs and Money: A Prescription for Antitrust Enforcement

in the Pharmaceutical Industry,” hosted by the University of San Francisco School of Law and American Antitrust Institute.

Michael’s book, *Innovation for the 21st Century: Harnessing the Power of Intellectual Property and Antitrust Law*, was the subject of a business column in the PHILADELPHIA INQUIRER and was reviewed on blogs in the U.S., China, Japan, and the United Kingdom.

Finally, Michael was quoted in New Jersey, national, and international publications on issues ranging from the pharmaceutical industry to the Pirate Bay to crowdsourcing.

ROGER CLARK has been busy on the lecture circuit all year. He spoke on assorted issues in International Criminal Law in New Zealand, Austria, The Netherlands and Canada, as well as at Washington University in St Louis, Texas Tech School of Law, Kean State University, and John Jay College of the City University of New York.

In Salzburg, Austria, he appeared on a program with Bianca Jagger who was speaking on behalf of her Commission on the Future about our obligations to future generations.

Roger and Ellen Podgor delivered the manuscript to the third edition of their casebook *International Criminal Law* to LexisNexis.

He published several articles and book chapters around the world, including “Negotiating Provisions Defining the Crime of Aggression, its Elements and the Conditions for ICC Exercise of Jurisdiction Over It,” in the EUROPEAN JOURNAL OF INTERNATIONAL LAW.

With the help of many friends and some total strangers, Roger persuaded the American Law Institute to withdraw Section 210.6 of the Model Penal Code, the section which has provided the intellectual underpinning for the Supreme Court’s cases upholding capital punishment since the 1970s.

PERRY DANE’s article entitled “A Holy Secular Institution,” discussing the religious dimensions of civil marriage, and its relevance to the debate over same-sex marriage, appeared in the EMORY LAW JOURNAL. He also published “Joseph Henry Beale, Jr.,” in THE YALE BIOGRAPHICAL DICTIONARY OF AMERICAN LAW and “Some Class Day Thoughts on Law, Religion, Rutgers, and the RJLR” in the Alumni Newsletter of the RUTGERS JOURNAL OF LAW AND RELIGION.

Perry presented a paper on “Some General Puzzles of Autonomy and Jurisdiction” at a “Conference of Experts” on “Religious Autonomy” sponsored by the International

Center for Law and Religion Studies at Brigham Young University and Central European University, held at Central European University in Budapest, Hungary. He presented a paper entitled “Prophets in the Public Square,” at the Hamline Law School Journal of Law and Religion’s 19th Annual Symposium, “the Global Economic Crisis, Law and the Religious Traditions,” Panel on “Regulating Markets through Law and the Religious Traditions” held at Hamline University School of Law in Saint Paul, Minnesota.

Perry Dane also presented a paper on “The Natural Law Challenge to Choice of Law,” at a Conference on Ethics in Public and Private International Law, Panel on Ethics in Private International Law, sponsored by the International Legal Theory Interest Group of the American Society of International Law, with the assistance of Pepperdine University School of Law and the University of Baltimore School of Law, held at Tillar House, the headquarters of the American Society of International Law, and the Cosmos Club, both in Washington, DC. Final versions of the papers presented at the conference will be collected in a book published by CAMBRIDGE UNIVERSITY PRESS.

Perry participated in a panel discussion on Same-Sex Marriage and the proposed Respect for Marriage Act of 2009, H.R. 3567 on “Larry Kane: Voice of Reason,” broadcast by COMCAST NETWORK CN8. He spoke on “The American Theology of Church-State Separation” at a panel discussion on Separation of Church and

State co-sponsored by the RUTGERS JOURNAL OF LAW AND RELIGION and the Rutgers-Camden Chapter of the Federalist Society, at Rutgers School of Law - Camden.

He has been appointed to the Devereaux Cannon Grant Committee of the North American Vexillological Association.

Perry participated in the 75th Anniversary reunion of the Yale Political Union, of which he was a Party Chair, Floor Leader, and Speaker (presiding office) when he was a student in Yale College.

JAY FEINMAN's most recent article, in a symposium dedicated to the memory of Professor Richard Speidel, "The Insurance Relationship as Relational Contract and the 'Fairly Debatable' Rule for First-Party Bad Faith" was published in the SAN DIEGO LAW REVIEW.

KIM FERZAN's co-edited book, *Criminal Law Conversations*, was published by OXFORD UNIVERSITY PRESS in July 2009. She also spent the summer completing "A Planet By Any Other Name" which will be published by the MICHIGAN LAW REVIEW.

In June, Kim taught the NJ expert and confrontation updates for a NJICLE course, "Rules of Evidence: Update 2009."

Kim and Larry Alexander presented "Beyond the Special Part" at the Conference on the Philosophical

Foundations of Criminal Law at Rutgers-Newark Law School in September.

In October, Kim participated in a roundtable on the Philosophical Foundations of Tort Law at the University of San Diego School of Law, and in November, Kim co-organized a roundtable on Ignorance of the Law for the Rutgers-Camden Institute for Law and Philosophy.

In December, Kim participated in a mini-symposium on her co-authored book, *Crime and Culpability*, held by the University of Pennsylvania Law School.

STEVE FRIEDEL's latest article entitled "Some Observation about Jewish Law in Israel's Supreme Court" was published in the WASHINGTON UNIVERSITY GLOBAL STUDIES LAW REVIEW.

In May, Steve attended a conference on human dignity and shame punishment in Jewish law at the Harvard Law School.

Over the summer, Steve published revisions to those parts of *Benedict on Admiralty* for which he is responsible.

JILL FRIEDMAN presented "Street Law: Engaging Urban Youth" at the American Bar Association's 2009 National Law-Related Education Leadership Conference in Chicago in October.

Jill gave a demonstration lesson with Craig Livermore of NJ LEEP, on the

Fourth Amendment and reported on best practices in law-related education for disadvantaged young people.

Also in October, along with Rebecca Baehr, Jill presented at the Equal Justice Works Conference and Career Fair in Washington, DC. “Using Pro Bono to Launch a Public Interest Career: Working with Clients Across Socio-Economic Divides” introduced and reinforced skills and sensitivities for working with clients living in poverty. It was designed to help students and law school professionals to be more effective in their pro bono and public interest work and to recognize how pro bono work in law school can enhance public and private sector career preparation.

SALLY GOLDFARB has three publications forthcoming. She has written a chapter entitled “A Clash of Cultures: Women, Domestic Violence and Law,” which will appear in the book *Gender at the Limit of Rights*. Her article “Viewing the Violence Against Women Act Through the Lenses of Feminist Legal Theory” will be included in a symposium issue of the WOMEN’S RIGHTS LAW REPORTER. THE GEORGETOWN JOURNAL OF GENDER AND THE LAW will publish the proceedings of a symposium on the Violence Against Women Act, including Sally’s paper analyzing the process of drafting and enacting the legislation.

Sally is part of a working group of lawyers and law professors who are currently drafting amendments to the Violence Against Women Act. She also attended a

reception at the home of Vice-President Biden in honor of the Violence Against Women Act’s fifteenth anniversary (and unlike some people who have been in the news recently, she was actually invited).

In October, she participated in a panel discussion on same-sex marriage sponsored by the Democratic Law Students Association, the Federalist Society, and Outlaws.

ELLEN GOODMAN has given talks in the fall on “New Public Media Policy: From Broadcast to Broadband” at Harvard’s Berkman Center, Yale Law School, the Telecommunications Policy Research Conference, and at the New School. She testified on the same topic in connection with the FCC’s Broadband Plan and spoke before the Corporation for Public Broadcasting. In connection with her Ford Foundation grant, she organized and moderated four Ford Foundation convenings on Education and Public Media, Health Care and Public Media, and Sustainability and Public Media. She also provided written testimony to the FCC for its Broadband Plan and consulted with the Broadband team on broadband adoption strategies.

Ellen spoke at GW Law School’s IP Program on stealth marketing. She has been serving as a Fellow at UA’s Center for Social Media and she will teach Advertising Law at Bar-Ilan University in Tel Aviv in December.

JOANNE GOTTESMAN was invited to speak at the New Jersey Judicial College in November as part of a program entitled “*State v. Nunez-Valdez* – What are the Obligations for the Court, Prosecutors and Defense Counsel to Ensure that Defendants Receive Proper Advice on Immigration Consequences in Criminal Proceedings.”

In September, the Administrative Office of the Courts issued a directive which suggested that criminal court judges consult Joanne’s practice guide on the immigration consequences of New Jersey offenses before taking pleas from non-citizen criminal defendants that might be considered Aggravated Felonies under federal immigration law. The directive, which was issued following the New Jersey Supreme Court’s decision in *State v. Nunez-Valdez*, amended the pleas form to include new advisements regarding deportation consequences. In the *Nunez-Valdez* opinion, the Court permitted a defendant to withdraw a plea based on incorrect immigration advice. The case was argued before the New Jersey Supreme Court in the law school’s Archer & Greiner Moot Court Room in March, 2009.

In November, Joanne also presented at a training in Mt. Laurel sponsored by the New Jersey Institute of Continuing Legal Education on “How Municipal and Superior Court Criminal Proceedings Can Impact Immigration Status.” She will be conducting the same training for North Jersey practitioners in February.

DON JOSEPH chaired an all day symposium entitled “Inequality and Work: Facing Barriers, Creating Solutions.” The symposium was presented by the Public Interest Law Center of Philadelphia (PILCOP) on October 1 at the Arch Street Meeting House in Philadelphia. Among the highlights were: the key note address by William Darity, Arts & Sciences Professor of Public Policy, Professor of African and African-American Studies and Economics, Duke University, focusing on gaps in wealth between African Americans and other groups rather than blaming “cultural practices;” and explanations by Sheldon Zedeck, Professor of Psychology; Vice Provost, University of California, of his work as an expert witness in *Ricci v. DeStefano*, the New Haven firefighters case.

HARRIET KATZ is a member of the planning committee for a national conference, Externships 5: Externships Respond to Changing Times, scheduled for March 2010 in Miami, Florida.

She is also serving on the Executive Committee of the University Senate.

ARTHUR LABY’s article, “Reforming the Regulation of Broker-Dealers and Investment Advisers,” will be published in THE BUSINESS LAWYER early next year. During the autumn, Arthur presented the paper at the U.S. Department of the Treasury in Washington and at the Faculty Research Day Colloquium here at Rutgers-Camden.

Last August, he presented a work-in-progress on insider trading and behavioral finance at the Southeastern Association of Law Schools Annual Meeting.

In October, Arthur presented a related paper at a Symposium on Securities Regulation at Villanova Law School, which will be published in the VILLANOVA LAW REVIEW next year. He also participated in roundtable discussions on financial regulatory reform at Brooklyn Law School in October and at Boston University School of Law in November. Last month, Arthur was a guest speaker on the topic of hedge funds and insider trading on NPR's "On Point with Tom Ashbrook."

Arthur was elected to membership in the ALI in September.

GREG LASTOWKA completed the manuscript for his book on law and virtual worlds this fall. He also gave a presentation to the IEEE Library Advisory Committee on Web 2.0 copyright issues and spoke on the "webinar" event on the Digital Millennium Copyright Act organized by the ABA Section of Science and Technology Law. He was invited to present his research on virtual law at the National University of Singapore in December.

DENNIS PATTERSON's book *Law and Truth* has been published in Italian translation. The title is *Diritto e Verità*. Dennis has just finished his first term at the European University Institute in

Florence, where he is on leave for five years.

SARAH RICKS spoke to a Marquette Appellate advocacy class on "The Scope of the Parental Liberty Interest Protected by Substantive Due Process" in October. She drew on her experience litigating this issue in the Third Circuit on behalf of Camden, Newark, and two Pennsylvania cities, and from a chapter in her forthcoming casebook *Current Issues in Constitutional Litigation: Roles of the Courts, Attorneys, Administrators and Legislators* to be published by CAROLINA ACADEMIC PRESS. Also in October, Sarah presented "Procedural Due Process," a chapter of her forthcoming casebook at the Association of Legal Writing Directors Scholars Forum, and presented "Getting Published" on a Panel of the Central States Regional LRW/Lawyering Skills Conference. Both presentations took place at Marquette Law School in Milwaukee.

In May, Sarah presented the "Procedural Due Process" chapter of her forthcoming casebook to the Delaware Valley Legal Writing Consortium. Also in May, she presented at a "Workshop on Innovative Law Teaching and Learning Ideas," a conference limited to the Authors of the Carolina Academic Press Context and Practice Casebook Series at Washburn Law School.

Philadelphia's Mayor Nutter reconvened his Transition Teams in October to comment on presentations by agency heads on their progress in office. Sarah

commented on presentations by the Policy and Fire Commissioners.

Sarah was reappointed Co-Chair of the Joint Scholarship Grant Committee of Association of Legal Writing Directors and the Legal Writing Institute, a position she has held since 2005.

RUTH ANNE ROBBINS was one of the co-organizers of the second LWI Applied Legal Storytelling conference, held in Portland, Oregon in July (she was also a plenary speaker but we smell an inside job).

Last spring she was awarded a teaching grant to develop the related upper level writing course that focuses on narrative and storytelling theories. This summer she completed the third edition of her practitioner treatise, *New Jersey Domestic Violence Practice and Procedure* for the NJ INSTITUTE CONTINUING LEGAL EDUCATION.

Her new article entitled “Conserving the Canvas: reducing the environmental footprint of legal briefs by re-imagining court rules and document design strategies,” will be published in the 2010 volume of J. ALWD.

Ruth Anne is currently working as a member of the site team for the 2010 biennial conference of the Legal Writing Institute and will remain the LWI president until that conference.

SHEILA RODRIGUEZ moderated “The Ethical Animal” panel discussion at

the October 2009 Dialogues on Animality Symposium, an interdisciplinary graduate student conference organized by the University of Pennsylvania’s History of Art Department.

ROBERT SACKS made a presentation in December at the Delaware Valley Legal Writing Conference at Widener Law School in Wilmington, Delaware. The presentation was on the topic of “Having Your Students Not Just Consider the Anticipated Reader, but BE the Anticipated Reader.”

SANDRA SIMKINS’ book entitled *When Kids Get Arrested, What Every Adult Should Know*, was released by RUTGERS UNIVERSITY PRESS in December. She was awarded a new book contract, *Current Issues in Juvenile Justice: A Context and Practice Casebook* (part of the Michael Schwartz Series), to be published in 2011. Sandra presented “Juvenile Indigent Defense Action Network,” at the MacArthur Foundation’s Models for Change National Working Conference in Washington, DC in December.

She co-presented “Juvenile Defense Clinics: The Next Generation” and “The Ins and Outs of Working with Parents” at the Juvenile Defender Leadership Summit in Denver, Colorado in October.

Sandra received a service award for outstanding work on behalf of Camden’s youth from the Camden Mayor’s Youth Council in December.

RICK SINGER completed the fifth edition of *Criminal Law: Examples and Explanations*, and also “revised” Sigel’s *Criminal Law, Multiple Choice Questions on Criminal Law*, both for ASPEN. He also finished a book review of Frase and Sullivan’s *Principles of Proportionality in American Law* for the OHIO STATE CRIMINAL LAW REVIEW. He’s currently working on a piece about two recent U.S. Sup. Ct. decisions on strict criminal liability and statutory interpretation.

RAY SOLOMON served as Chair of the RABA Site Inspection Team of Florida International University School of Law in Miami in November. He is also the Chair of the Committee on the Future of the American Society for Legal History and attended the annual meeting in Dallas.

Ray is currently serving as Chair of the New Jersey Commission on Professionalism.

BETH STEPHENS is working on a Supreme Court case, *Samantar v. Yousuf*, in which a former official of Somalia is claiming immunity in a lawsuit filed by several victims of torture and other egregious abuses in Somalia. The Court will hear argument in the case in March. Meanwhile, Beth’s article analyzing sovereign immunity in human rights cases is on hold, to be finished after the Supreme Court decides this case.

In December 2009, Beth finished an amicus brief in *United States v. Hamdan*,

the first appeal of a military commission conviction arising out of the September 11, 2001 attacks. Drafted with the assistance of four Rutgers law students, the brief argues that Congress’ power to “define and punish” violations of international law is limited to existing, internationally recognized offenses.

Beth spent several months last spring helping prepare for trial in *Wiwa v. Royal Dutch Shell*, a case challenging executions and other abuses in Nigeria. The work ended suddenly in June, on the eve of trial, with a \$15.5 million settlement that the plaintiffs and their legal team welcomed as a great victory. Beth continues to litigate similar cases, including claims against two former high-ranking Bolivian government officials.

BOB WILLIAMS gave the keynote address at a conference at Monmouth University on Lieutenant Governors in October, 2009, preceding the televised debate among the candidates for New Jersey Lieutenant Governor. Bob’s topic was legal issues surrounding Lieutenant Governors and the long debate leading to the establishment of the office here in New Jersey.

Bob gave a lecture in November at the New Jersey Historical Commission’s annual conference entitled “‘The Right of the People Shall Not Be Violated’: The Evolution of Constitutional Rights in New Jersey.” This lecture will be revised, expanded and published in NEW JERSEY HISTORY.

Bob, representing the Association of American Law Schools as local counsel, co-authored an amicus brief in a case before the New Jersey Appellate Division in which a disgruntled defendant seeks the records of the Rutgers-Newark Environmental Law Clinic under the Open Public Records Act.