

FOR THE RECORD

Rutgers School of Law - Camden

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MICHAEL CARRIER published “An Antitrust Framework for Climate Change” in the NORTHWESTERN JOURNAL OF TECHNOLOGY AND INTELLECTUAL PROPERTY. He also published “Provigil: A Case Study of Anticompetitive Behavior” in a symposium issue of the HASTINGS SCIENCE TECHNOLOGY & LAW JOURNAL, with responses by NYU’s Richard Epstein and Michigan’s Dan Crane.

Michael’s book *Innovation for the 21st Century* was reviewed by Greg Lastowka in the MICHIGAN LAW REVIEW. It also was reviewed in the ANTITRUST BULLETIN and featured in a piece in FLYING KITE MEDIA. In promoting his book, Michael has given numerous radio interviews across the country on the high price of prescription drugs and legislation that would send users to jail for forwarding YOU TUBE videos and that could destroy YOU TUBE, FACEBOOK, and numerous other popular websites. Michael also was quoted in publications including REUTERS, the NY POST, FDANEWS, LAW 360, and ARSTECHNICA.

Michael was one of a handful of professors invited to a “One Day Workshop on the Economics of Copyright & the Internet” held at Google. Michael also gave two lectures on anticompetitive conduct in the pharmaceutical industry at the London School of Economics and the Oxford Centre for Competition Law and Policy. Finally, Michael participated in a

panel discussion on “Competition Issues in Global Licensing Strategies: Recent Case Law Developments in the United States and EU,” as part of the 2011 High Technology Summit Conference held at the University of Washington School of Law.

On the topic “Drug Settlements: Patently Anticompetitive?,” Michael debated Dan Crane in the University of Richmond School of Law’s “Evil Twin Debate.” Michael also moderated a panel on gene patents and innovation as part of the inaugural conference of the Rutgers Institute for Information Policy & Law.

Michael has spent much of November and December interviewing technology company CEOs and record label VPs to determine the relationship between digital music, copyright law, and innovation.

ROGER CLARK is closing in on 40 years at Rutgers. He joined the faculty on 1 July, 1972. His recent publications on International Criminal Law appeared as chapters in collaborative books published by OXFORD and CAMBRIDGE UNIVERSITY presses. In between assorted injuries, he won the over-70 sections of 5k races in Marlton on July 4th and in the Community Legal Services Law School Challenge in Philadelphia in the fall.

RUSS COOMBS is currently working on an article entitled “Completing the American DNA Database with Personal and Proxy Consents to Use of DNA in Criminal Investigations.”

PERRY DANE’s article “The Natural Law Challenge to Choice of Law” appeared in *Ethics in International Law*, a volume in *ASIL Studies in International Law Theory* published by CAMBRIDGE UNIVERSITY PRESS.

Perry presented a talk on “The Architecture of Private International Law” as an invited lecturer at the University of Peking School of Transnational Law in Shenzhen, China. He presented a Paper entitled “Modernity, Postmodernity, and the Challenge of Change in Jewish Law” at the International Symposium on Monotheism and Postmodernism at Nanjing University, Nanjing, China. He presented more or less the same paper, with the title “The Challenge of Change in Jewish Law” at the Summer Workshop on Law, Religion & Culture at the University of Colorado Law School.

Here at the Law School, Perry, along with Earl Maltz, was a panelist at “It’s Only a Constitution - A Debate on Constitutional Interpretation,” sponsored by our chapters of the Federalist Society and the American constitution Society. His talk critiqued the interpretive theory of “original public meaning.”

Perry gave a talk on “Some Reflections on Jewish Law and its Relation to Secular Law and Morality” to the Institute of Law of the Chinese Academy Social Sciences in Beijing, China. He presented “King(g) of All the Earth: Thoughts on the

Metaphor of of Kingship in Jewish Thought and Liturgy” at the Tikkun Leil Shavuot of the United Jewish Congregations of Hong Kong in Hong Kong.

Perry wrote the draft for the Amicus Brief submitted by the Jewish Social Policy Action Network (JSPAN) to the United States Court of Appeals for the First Circuit supporting a constitutional challenge to Section 3 of Federal Defense of Marriage Act in *Gill v. Office of Personnel Management and Commonwealth of Massachusetts v. United States Department of Health and Human Services*.

This past fall, Perry received the Law School’s Inaugural Dean’s Award for Scholarly Excellence.

DAVID FRANKFORD is proud to report that the new edition of *Law and the American Health Care System* has been sent to FOUNDATION PRESS. It’s been about three years in the making.

STEVE FRIEDEL’s article entitled “The Joy of Teaching Admiralty Law” was published in a symposium issue in the SAINT LOUIS UNIVERSITY LAW REVIEW.

SALLY GOLDFARB’s chapter entitled “A Clash of Cultures: Women, Domestic Violence, and Law in the United States” is included in the book *Gender and Culture at the Limit of Rights*, which was recently published by UNIVERSITY OF PENNSYLVANIA PRESS.

In October, Sally spoke at the Justice Ruth Bader Ginsburg Symposium on International Women's Rights at Rutgers Law School - Newark. The symposium was part of the annual conference of the National Association of Women Judges and was attended by approximately 200 American judges and 50 judges from other countries. Sally participated in a panel on "Ending Violence Against Women," which was moderated by Visiting Jurist Emerita Deborah Poritz.

Sally has been appointed as a North American regional expert for the Due Diligence Project to Eliminate Violence Against Women, which is part of the human rights program at Northeastern University School of Law.

Sally was asked to advise the United Nations on establishing its workplace policy concerning gender-based violence. She spent two days in December meeting with United Nations officials and others to create a policy designed to prevent violence, hold perpetrators accountable, and protect the rights of victims.

ELLEN GOODMAN spoke at Harvard Law School as part of a conference celebrating the 50th anniversary of Newt Minow's "Vast Wasteland" speech. She also delivered an address to the Free State Foundation on the future of public media policy.

Over the summer, Ellen gave two seminars at the Oxford University Center for "Comparative Media Studies on the Future of Media" and "Public Media Policy for the Digital Age."

Ellen worked with Professors Carrier and

Lastowka to launch the Rutgers Institute for Information Policy and Law with a conference on Innovation. In addition, she hosted a RIPL conference on New Jersey Public Media that brought together foundations, journalists, media entities, State officials, and national stakeholders and policymakers to address the future of public media in the state after the sale of the Public Broadcasting System.

Ellen is serving on the Appointments Committee and continues to do work on media policy under her Ford Foundation grant.

JOANNE GOTTESMAN has continued to train judges and criminal defense lawyers about the implications of the U.S. Supreme Court's opinion in *Padilla v. Kentucky*, holding that non-citizen criminal defendants have a 6th Amendment right to advice about the immigration consequences of guilty pleas. She presented on the topic at the Pennsylvania Conference of State Trial Judges in July, and at the Annual Judicial Conference of New Jersey Municipal Court Judges in October. She also conducted a training session for the Camden County Office of the New Jersey Public Defender.

Along with Dean Klothen, Joanne helped to coordinate the successful launch of Citizenship Rutgers in Camden. In spite of a freak October snow storm, students, faculty, staff, and alumni volunteers from across the university still managed to assist over 40 lawful permanent residents in completing their naturalization applications.

HARRIET KATZ worked with Professor Laurie Shanks of Albany Law School, and Professor John Craft of Faulkner Law School, to organize “Interviewing and Counseling: A Teaching Workshop.” The program was held at Albany Law School in mid-November and featured speakers and small group discussions on course design, simulations, grading, rapport and communication issues, and comparisons to how other professions learn and use these skills.

EVE KLOTEN was presented with Philadelphia Volunteers for the Indigent Program’s Founder’s Award at their 30th Anniversary Gala in March.

In May, Eve spoke at the annual ABA/NLADA Equal Justice Conference in Las Vegas. Her workshop, “Helping Former Inmates Start Over: Pro Bono Re-Entry Projects,” highlighted the Law School’s Federal Prisoner Re-Entry Pro Bono Project.

Eve spoke at the Pennsylvania Re-entry Summit at Widener Law School’s Law and Government Institute. Her panel addressed “Best Re-entry Practices and Policies.”

Eve, along with Joanne Gottesman, helped to coordinate the successful launch of Citizenship Rutgers in Camden. Notwithstanding unprecedented October sleet and snow, students, faculty, staff, and alumni volunteers from across the university still managed to assist over 40 lawful permanent residents in completing their naturalization applications.

KATI KOVACS joined the faculty and attended the AALS Workshop for New Law School teachers in June.

In July, Kati attended the Summer Workshop on Law, Religion & Culture at the University of Colorado Law School, which focused on indigenous religion.

In August, she was invited to attend the Conference on the Impact of Climate Change on Tribal Resource Management at the University of Georgia. The OREGON LAW REVIEW accepted Kati’s article entitled “Leveling the Deference Playing Field” for publication this winter.

ARTHUR LABY was an invited commentator at a conference at Wharton on International Financial Regulation last summer. In September, he gave a talk in Washington, DC, entitled “Common Law Antecedents of Fiduciary Disclosure” at a conference on “Crafting Effective Disclosure - Is It Possible,” sponsored by The Institute for the Fiduciary Standard.

In November, Arthur moderated a panel in New York for the German-American Lawyers Association on Conflicts of Ethics in Transnational Engagements. Also in November, he presented a work-in-progress entitled Extraterritorial Securities Regulation After *Morrison v. National Australia Bank* and the Dodd-Frank Act, at the UNIVERSITY OF PENNSYLVANIA JOURNAL OF BUSINESS LAW Symposium.

Arthur and a co-author finalized a book chapter on the liability of asset managers to be published in a collection of comparative studies by OXFORD UNIVERSITY PRESS.

Arthur was appointed to the Investment Management Regulation Committee of the New York City Bar Association, to the Public Policy Council of the Certified Financial Planner Board of Standards in Washington DC, and to the Museum Committee of the SEC Historical society, also in Washington.

GREG LASTOWKA has been on leave during the fall semester and has been busy writing and speaking. His article entitled “Trademark’s Daemons” is forthcoming in the HOUSTON LAW REVIEW.

Greg’s book chapter “Minecraft as Web 2.0” is forthcoming in a book on amateur creativity. His book chapter entitled “Virtual Law” is forthcoming in the *Oxford Handbook of Virtuality*. He has also completed some initial work on a forthcoming book review and his next book, *Amateur Hour*, which will focus on amateur creativity and copyright law.

Greg has presented this semester at Penn, Georgetown, and Washington & Lee.

JOHN OBERDIEK participated in a symposium on “The New Private Law” at Harvard Law School in October, and will be publishing an article entitled “Method and Morality in the New Private Law of Torts,” deriving from that event in the HARVARD LAW REVIEW FORUM, which is the on-line appendix to the HARVARD LAW REVIEW.

In November, John presented “The Moral Significance of Risking” at the University of Pennsylvania’s Law and Philosophy Colloquium. That paper, which is

forthcoming in *Legal Theory*, forms the basis of a chapter in his book, *Imposing Risk*, which he plans to complete during the upcoming semester. He also completed an annotated bibliography on the normative foundations of philosophy of law for OXFORD BIBLIOGRAPHIES ONLINE, OXFORD UNIVERSITY PRESS’S new online research tool for the social sciences and humanities.

Finally, John has been shepherding the articles presented at the Institute for Law and Philosophy’s symposium on Amartya Sen last spring through to publication in the RUTGERS LAW JOURNAL.

DENNIS PATTERSON gave a lecture at ITAM in Mexico City on the topic of his 1996 book, *Law and Truth* (OUP). The lecture was in conjunction with other global scholars on the topic of Law and Truth and it is part of a major research effort by ITAM, Mexico’s leading law school. Dennis also gave a talk on “The Philosophical Foundations of EU Law” at a conference on EU Law at the University of Copenhagen in November. The lecture will be part of a book published by Oxford University Press in 2012. Finally, Dennis gave a lecture at the University of Amsterdam on the theory of International Law. Dennis’s topic was “Transnational Law.” The lecture will be part of a book to be published by Cambridge UP.

SARAH RICKS’s book *Current Issues in Constitutional Litigation: A Context and Practice Casebook* (CAROLINA ACADEMIC PRESS 2011) was selected for the Book Talk feature of the American Constitution Society website. The book was favorably reviewed by Professor

Aderson François in *THE LAW TEACHER* and by Professor Mitchell Rubenstein on the Adjunct Law Professor blog. Sarah's chapter entitled "Constitutional Research" in *Federal Legal Research* will be published by CAROLINA ACADEMIC PRESS in 2012.

Sarah presented "Developing Course Materials to Give Context to a Litigation Clinic: Materials for a Section 1983 Constitutional Clinic" at the AALS Conference on Clinical Legal Education in Seattle, WA.

In July, Sarah presented "Introduction to Legal Methods" at Philadelphia Diversity Law Group Boot Camp for Incoming Law Students. Also in July, she presented "Implementing Carnegie and Best Practices: Challenging Students to Develop Practical Skills and Professional Identity" at South Eastern Association of Law Schools in Hilton Head, South Carolina. She presented "Precedent and Stare Decisis in a Common Law System" to Chinese judges, (Court of Appeals for the Third Circuit, Philadelphia) at Temple Law School Judicial Education Program in October.

In September, Sarah presented "Research and Writing for a Real Client: A Hybrid Clinical/Writing Course" at the Central States Legal Writing Conference at John Marshall School of Law in Chicago and at the Legal Writing Institute One-Day conference at Temple Law School in December.

Sarah was appointed Chair of Section 1983 Subcommittee of the ABA Civil Rights Litigation Committee.

SHEILA RODRIGUEZ authored an article, "Letting Students Teach Each Other: Using Peer Conferences in Upper-Level Writing," which will be published in the *FLORIDA COASTAL LAW REVIEW*.

SANDRA SIMKINS presented a paper entitled "Responding to the Legal Needs of Children" at the OJJDP National Conference this past October in Washington, D.C. Also in October, she presented her papers "Showcase Presentation, Juvenile Defense Post-Disposition Initiative" and "Appeals and Post Disposition Advocacy," at the National Juvenile Defender Summit in Seattle, Washington.

Sandra did a presentation in December at the 6th Annual Models for Change National Working Conference in Washington, D.C. entitled "Do You Really Know What Goes on Behind the Walls?"

ALLAN STEIN presented a paper at a University of South Carolina symposium in October on Personal Jurisdiction in the 21st Century. Allan's paper, an assessment of the recent Supreme Court decision in *Goodyear Dunlop v. Brown*, which significantly constrained the use of general jurisdiction in the state courts, will be published in a forthcoming issue of the *SOUTH CAROLINA LAW REVIEW*.

BETH STEPHENS is involved in preparations for a Supreme Court case, *Kiobel v. Royal Dutch Petroleum Corporation*, in which the Court will decide whether corporations can

be sued for international human rights violations in U.S. federal courts. With support from the students in her International Human Rights Advocacy and Litigation course, she is helping to draft an amicus brief to be submitted to the Court on behalf of Nuremberg scholars, analyzing the treatment of corporations by the Allies in post-World War II Germany. She is also writing a chapter for a book, *Business and Human Rights*, to be published next year by the American Bar Association, and updating her chapter, "Suing for Torture," for *International Litigation*, another ABA book, first published in 2005.

Beth continues to write and speak about the common law immunity of foreign government officials sued for human rights violations. Her article entitled "Abusing the Authority of the State: Denying Foreign Official Immunity for Egregious Human Rights Abuses" will appear shortly in the *VANDERBILT JOURNAL OF TRANSNATIONAL LAW*, and she spoke about immunity this semester at Harvard, Stanford and Santa Clara law schools.

ALEC WALEN's article entitled "A Punitive Precondition for Preventive Detention: Lost Status as an Element of a Just Punishment" appeared in the *SAN DIEGO LAW REVIEW* in December. His article "Transcending, But Not Abandoning, the Combatant-Civilian Distinction: A Case Study," appeared in the *RUTGERS LAW REVIEW* in December.

Alec presented a paper "Reflections on Theorizing About the Moral Foundations of the Law: Using the Laws Governing Detention as a Case Study" at a

Symposium on the Ethicalization of Law in Freiburg, Germany in September.

ROBERT WILLIAMS was a Visiting Scholar at the Community Law Centre, University of the Western Cape, in Cape Town, South Africa during September, October, and November 2011.

He co-authored a paper on unfunded mandates and a comment on a Constitutional Court decision on provincial legislative competence. He also participated in a process of legal advice with the Western Cape Provincial Parliament on the legality of a proposed bill, and gave several faculty seminars. Bob's article entitled "Teaching and Researching Comparative Subnational Constitutional Law" was published in the *PENN STATE LAW REVIEW*.