

Faculty News and Activities

Summer 2005

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- Articles in Texas Law Review ([Zick](#)), George Washington Law Review ([Zick](#)), Washington & Lee Law Review ([Wade](#)), William & Mary Law Review ([Sovern](#)), Hastings Law Journal ([Tebbe](#)), Notre Dame Law Review ([Baynes](#)), Wake Forest Law Review ([Stabile](#)), Tulane Law Review ([Crimm](#)), Georgia Law Review ([Kirgis](#)), Harvard Journal of Law and Public Policy ([Stabile](#)), SMU Law Review ([Cavanagh](#)), Rutgers Law Review ([Baynes](#)), St. John's Law Review ([Boyle](#)), Loyola L.A. Law Review ([Beard](#) and [Kirgis](#)), Albany Law Review ([Barrett](#)), George Washington International Law Review ([Borgen](#)), Buffalo Criminal Law Review ([Chiu](#)), John Marshall Law Review ([Beard](#) and [Boyle](#)), Pace Law Review ([Crimm](#)), Environmental Law ([Weinberg](#)), and Health Matrix ([Crimm](#))

John Q. Barrett, *Professor of Law*



On July 18, 2005, Prof. Barrett presented "*One Good Man*": *The Jacksonian Shape of Nuremberg* at a conference entitled [Judging Nuremberg: The Laws, The Rallies, The Trials -- Returning to Courtroom 600 on the 60th Anniversary of the Nuremberg Trials](#). The conference, which was hosted by the Touro Law Center, was held in Nuremberg, Germany. On July 14, 2005, Prof. Barrett also spoke at the [Harry S. Truman Library & Museum](#) about Nuremberg Prosecutor Robert H. Jackson. On July 11, Prof. Barrett spoke at the annual [Jackson Society](#) dinner at the [Robert H. Jackson Center](#) in Jamestown, NY. On the same day, he introduced [Professor Geoffrey Stone](#), who delivered the [inaugural Robert H. Jackson Lecture on the Supreme Court](#) at the [Chautauqua Institution](#) in Chautauqua, NY.

In addition, Prof. Barrett's article [Albany in the Life Trajectory of Robert H. Jackson](#) was published at 68 Albany L. Rev. 513 (2005).

[Profile of Prof. Barrett](#) • [Publications](#)

Leonard M. Baynes, *Professor of Law; Director, Ronald H. Brown Center for Civil Rights and Economic Development*



In August 2005, Dean Mary Daly appointed Prof Baynes to be the first Director of the Ronald H. Brown Center for Civil Rights and Economic Development. In that capacity, Prof. Baynes will be primarily responsible for furthering the Brown Center's mission to engage in "legal studies, research and projects focusing on issues that affect the lives of underrepresented people while simultaneously educating law students to be leaders on issues of racial, economic and social justice." In that vien, Prof. Baynes organized the Brown Center's September 7, 2005, conference on [*The LSAT, U.S. News & World Report, and Minority Admissions*](#). Over the summer, Prof. Baynes organized the Brown Center's inaugural [*Summer Law School Prep Program*](#), which is designed to introduce law school and the study of law to low income students who are members of groups that are traditionally underrepresented in legal education. In its first year, the Summer Law School Prep Program brought forty college sophomores to the school for a week of instruction in Criminal Law, Constitutional Law, International Law, Immigration Law, Legal Writing, Professional Responsibility, and LSAT Review.

In addition, Prof. Baynes' article [*Making the Case for a Compelling Governmental Interest and Re-Establishing FCC Affirmative Action in Programs for Broadcast Licensing*](#) was recently published at 57 Rutgers L. Rev. 235 (2004), and his *Introduction* to a symposium entitled *Racial Justice in the New Millennium* was published at 80 Notre Dame L. Rev. 243 (2004).

[Profile of Prof. Baynes • Publications](#)

Joseph J. Beard, *Professor of Law*



Prof. Beard's article *Everything Old is New Again: Dickens to Digital* was published over the summer at 38 Loyola L.A. L. Rev. 19 (2004) as part of a symposium entitled *Intellectual Property at the Crossroads: The Use of the Past in Intellectual Property Jurisprudence*.

[Profile of Prof. Beard • Publications](#)

Christopher J. Borgen, *Assistant Professor of Law*



Prof. Borgen recently participated in a 10-day fact-finding mission to [Moldova](#), a former Soviet republic located between Romania and Ukraine. The mission's purpose was to meet with Moldovan leadership and with leaders of the so-called Transnistrian Moldovan Republic or "TMR," a breakaway region in eastern Moldova, and to subsequently prepare a report on the international legal issues concerning this secessionist conflict. Accompanying Prof. Borgen on the mission were chairman of the Bar Association's Committee on European Affairs Mark Meyer '71, Seton Hall University School of Law Professor Elizabeth F. Defeis '58, former New York State Attorney General Robert Abrams, Second Circuit Judge Barrington D. Parker, Jr. For a full description of the mission, including photos, see this [article](#).

In addition, Prof. Borgen's article [*Resolving Treaty Conflicts*](#) was published at 37 George Washington Int'l L. Rev. 573 (2005).

[Profile of Prof. Borgen • Publications](#)

Robin A. Boyle, Assistant Professor of Legal Writing



Prof. Boyle was honored by the University with the 2005 Faculty Outstanding Achievement Award. In addition, in July 2005, Prof. Boyle presented at two different conferences at Northwestern University School of Law in the same week. On July 21, 2005, at the [Teaching Contract Drafting Conference](#) held at Northwestern, Prof. Boyle ran a workshop entitled "Teaching Contract Drafting to Upper Level Students." Two days later, also at Northwestern, Prof. Boyle presented at the [Association of Legal Writing Directors Biannual Conference Teaching Lawyers of and for the 21st Century](#). Prof. Boyle's presentation was entitled "Using Computer Technology to Help Students with Diverse Learning Styles."

Prof. Boyle also saw her article *Applying Learning Styles Theory in the Workplace: How to Maximize Learning-Styles Strengths to Improve Work Performance in Law Practice* published at 79 St. John's L. Rev. 97 (2005). In addition, her most recent article, *Law Students with Attention Deficit Disorder: How to Reach Them, How to Teach Them*, was accepted for publication by the John Marshall Law Review.

[Profile of Prof. Boyle • Publications](#)

Edward D. Cavanagh, Professor of Law



Prof. Cavanaugh's article *FTAIA and Empagran: What Next?* was accepted for publication by the [SMU Law Review](#). On July 28, 2005, Prof. Cavanaugh testified before the [Antitrust Modernization Commission](#) on a panel discussing Damages Multiplier, Attorneys' Fees, and Prejudgment Interest. In addition, Prof Cavanaugh was recently named Co-chair of the newly created [ABA Antitrust Section](#) Committee on Ethics and Compliance. He also received a 2004-2005 Teaching Award for his Antitrust course.

[Profile of Prof. Cavanagh • Publications](#)

Elaine M. Chiu, Assistant Professor of Law



Prof. Chiu's article [The Role of Motive in the Criminal Law](#) was published at 8 Buffalo Criminal L. Rev. 653 (2005).

[Profile of Prof. Chiu • Publications](#)

Nina J. Crimm, Professor of Law



Prof. Crimm's article *Post-September 11 Fortified Anti-Terrorism Measures Compel Heightened Due Diligence* was published at 25 Pace L. Rev. 203 (2005). In addition, her article *Fiduciary Duties Contained in Federal Tax Laws Effectively Promote National Healthcare Policies and Practices?* was published at 15 Health Matrix 125 (2005), and her article *Democratization, Global Grant-Making, and the Internal Revenue Code Lobbying Restrictions* was published at 79 Tulane L. Rev. 587 (2005). Prof. Crimm has also been appointed as an advisor on Muslim philanthropy for the Nonprofit Sector and Philanthropy Program at the Aspen Institute.

[Profile of Prof. Crimm • Publications](#)

Mary C. Daly, *Dean and John V. Brennan Chair of Law and Ethics*



Dean Daly was appointed to the New Deans Seminar Planning Committee of the [ABA Section of Legal Education and Admissions to the Bar](#).

[Profile of Dean Daly](#) • [Publications](#)

Vincent M. Di Lorenzo, *Professor of Law*



Prof. Di Lorenzo received a 2004-2005 Teaching Award for his Property I and Property II courses.

[Profile of Prof. Di Lorenzo](#) • [Publications](#)

Ann L. Goldweber, *Assistant Professor of Clinical Education; Director of Clinical Education*



Prof. Goldweber helped organize a conference entitled *An Interdisciplinary Approach to Elder Abuse Prevention and Intervention*, which was held on May 20, 2005 at St. John's Manhattan campus. The purpose of the conference was to bring together professionals from different disciplines to exchange information about ways to prevent elder abuse. Prof. Goldweber presented on a panel devoted to predatory lending.

[Profile of Prof. Goldweber](#) • [Publications](#)

David L. Gregory, *Professor of Law*



Prof. Gregory was a frequent media commentator on the Northwest Airlines machinists strike, being featured in the New York Times, on the NBC Nightly News, on the Today Show, on AP Radio, and on WBUR in Boston. Prof. Gregory also spoke at a conference at the Association of the Bar of the City of New York entitled *The NLRA at 70: Where It Is and Where It Should Go*.

[Profile of Prof. Gregory](#) • [Publications](#)

Lawrence Joseph, *Rev. Joseph T. Tinnelly, C.M., Professor of Law*



Prof. Joseph's fourth book of poetry, *Into It* was published by Farrar, Straus and Giroux in September. An early review of the book in Publisher's Weekly describes it as Joseph's "strongest book of verse," filled with "a dizzying mix of abstractions, urban details and nuggets of historical fact." A [review](#) in the San Francisco Chronicle described it as a "fiercely articulate new book of poems" by "a law professor who understands law, business and politics from the bottom up and the top down." Farrar, Straus has also published a collection of Prof. Joseph's three previous books of poetry under the title [Codes, Precepts, Biases, and Taboos: Poems 1973-1993](#). A list of Prof. Joseph's upcoming poetry readings is available [here](#).

[Profile of Prof. Joseph](#) • [Publications](#)

Paul F. Kirgis, Professor of Law



Prof. Kirgis saw two articles published this summer. The first, entitled [*A Legisprudential Analysis of Evidence Codification: Why Most Rules of Evidence Should not be Codified - But Privilege Law Should Be*](#) was published at 38 Loyola L.A. L. Rev. 809 (2004) as part of a symposium entitled *Federal Privileges in the 21st Century*. The second, entitled [*The Right to a Jury Decision on Sentencing Facts after Booker: What the Seventh Amendment Can Teach the Sixth*](#), was published at 39 Georgia L. Rev. 895 (2005).

[Profile of Prof. Kirgis • Publications](#)

Michael A. Perino, Professor of Law



Prof. Perino was selected to present his paper, [*Strategic Decision Making in Federal District Courts: Evidence from Securities Fraud Actions*](#), at the Sixth Session of the [Stanford/Yale Junior Faculty Forum](#) hosted at Stanford University on May 27-28, 2005. Henry B. Hansmann (Yale Law School) and Eric L. Talley (University of Southern California Law School) commented on the paper, which was one of two papers selected in the area of Corporate and Securities Law. Each year, the Stanford/Yale Junior Faculty Forum brings together promising young scholars from around the country to present their work to each other and to accomplished scholars in their fields. Prof. Perino will also be presenting his *Strategic Decision Making* paper at workshops at Cornell and Seton Hall this fall. In addition, Prof. Perino presented his current work-in-progress, an examination of attorneys' fees in securities class actions, at Cardozo Law School's summer working papers lunch series. Prof. Perino also appeared on National Public Radio in July, commenting on the twenty-five year sentence of Bernard Ebbers, the former CEO of WorldCom.

[Profile of Prof. Perino • Publications](#)

Rosemary C. Salomone, Kenneth Wang Professor of Law



Prof. Salomone received the St. Vincent de Paul Teacher-Scholar Award, the University's highest award bestowed on a faculty member, at the 2005 Law School Commencement. This prestigious award is given annually to a professor who has established a long record of continued excellence in teaching and scholarly achievements, both within and outside the classroom. As the St. Vincent de Paul Teacher-Scholar, Prof. Salomone delivered an address at the University's Faculty Convocation on August 29, 2005. The text of her address, entitled "Teaching and Scholarship: The Incontestable Synergy," is available [here](#). For a more detailed description of Prof. Salomone's scholarship and accomplishments, see this [extended profile](#).

In May, Prof. Salomone gave a presentation entitled [*Single-Sex Education: A Solution to the Crisis Confronting Boys in America*](#) at a conference sponsored by the [Philanthropy Roundtable](#) on [*Lost Boys: Why Schools Keep Failing Boys of Color and How We Can Save Them*](#). In June, she gave a presentation on *Family Choice and the "New" Immigrants* at a colloquium on *School Choice and Educational Vouchers* at the

Christian Brothers Retreat and Conference Center in Napa, California. In addition, her book, *Same, Different, Equal: Rethinking Single-Sex Schooling* was published in paperback by Yale University Press in May.

[Profile of Prof. Salomone](#) • [Publications](#)

Michael A. Simons, *Associate Dean for Faculty Scholarship, Professor of Law*



Prof. Michael Simons was recently appointed by Dean Mary Daly to the newly created position of [Associate Dean for Faculty Scholarship](#). In that position, Prof. Simons will be broadly responsible for facilitating and coordinating faculty scholarly activities, for publicizing faculty scholarship, and for promoting productivity and excellence in faculty scholarship.

[Profile of Prof. Simons](#) • [Publications](#)

Jeff Sovern, *Professor of Law*



Prof. Sovern's article [Towards a New Model of Consumer Protection: The Problem of Inflated Transaction Costs](#) was accepted for publication by the [William & Mary Law Review](#).

[Profile of Prof. Sovern](#) • [Publications](#)

Susan J. Stabile, *Professor of Law*



Prof. Stabile had two articles published recently: *State Attempts to Define Religion: The Ramifications of Applying Mandatory Prescription Contraceptive Coverage Statutes to Religious Employers* was published at 28 Harvard J.L. & Pub. Pol'y 741 (2005); and [Using Religion to Promote Corporate Responsibility](#) was published at 39 Wake Forest L. Rev. 839 (2004). Prof. Stabile also received a 2004-2005 Teaching Award for her Catholic Social Thought and the Law seminar.

[Profile of Prof. Stabile](#) • [Publications](#)

Nelson Tebbe, *Assistant Professor of Law*



Prof. Tebbe's article [Free Exercise and the Problem of Symmetry](#) was published at 56 Hastings L.J. 699 (2005).

[Profile of Prof. Tebbe](#) • [Publications](#)

Cheryl L. Wade, *Dean Harold F. McNiece Professor of Law*



Prof. Wade's article "We Are An Equal Opportunity Employer": *Diversity Doublespeak* was published at 61 Wash. & Lee L. Rev. 1541 (2005). Prof. Wade also received a 2004-2005 Teaching Award for her Race and Corporate Law seminar.

[Profile of Prof. Wade](#) • [Publications](#)

G. Ray Warner, Professor of Law; Director, L.L.M. in Bankruptcy Program



Prof. Warner spoke at the [American Bankruptcy Institute's 7th Annual New York City Bankruptcy Conference](#) in May 2005, where he critiqued Prof. Lynn Lopucki's recent book *Courting Failure: How Competition for Big Cases is Corrupting the Bankruptcy Courts*. Prof. Warner also received a 2004-2005 Teaching Award for his Secured Transactions course.

[Profile of Prof. Warner](#) • [Publications](#)

Philip Weinberg, Professor of Law



Prof. Weinberg moderated a panel discussion at the Association of the Bar of the City of New York entitled [Clear Track Ahead? Mass Transit Improvements & Funding for New York](#) on May 3, 2005. In addition, his article *Eminent Domain for Private Sports Stadiums: Fair Ball or Foul?* was published in 35 Environmental L. 311 (2005).

[Profile of Prof. Weinberg](#) • [Publications](#)

Timothy Zick, Associate Professor of Law



Prof. Zick's article [Speech and Spatial Tactics](#) was accepted for publication by the [Texas Law Review](#), and his article [Space, Place, and Speech: The Expressive Topography](#) was accepted for publication by the George Washington Law Review

[Profile of Prof. Zick](#) • [Publications](#)

Robert M. Zinman, Professor of Law



Prof. Zinman's article [Precision in Statutory Drafting: The Qualitech Quagmire and the Sad History of § 365\(H\) of the Bankruptcy Code](#) was published at 38 John Marshall L. Rev. 97 (2004). Prof. Zinman also received a 2004-2005 Teaching Award for his Real Estate Workouts course.

[Profile of Prof. Zinman](#) • [Publications](#)

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