

FACULTY NEWS

University of California, Davis School of Law
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BACK TO SCHOOL

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This spring **AFRA AFSHARIPOUR** published the essay “Incorporating ‘Business’ in Business Law Classes” in the **UC Davis Business Law Journal**. She presented a corporate governance paper at Seattle University School of Law and at the Joint WLTC/CAPALF conference in Denver. Her article, “Corporate Governance Convergence: Lessons From The Indian Experience,” is forthcoming in the **Northwestern Journal of International Law & Business**. She has been appointed as an affiliated faculty member for the Middle East/South Asia Studies Program at UC Davis.

DIANE AMANN published an article in the **Harvard Human Rights Journal**. She also participated in (1) a conference co-sponsored by the U.S., Japan, Canada, and Australia/New Zealand international law societies; (2) the third annual meeting of *Réseau ID* (French-American Network on the Internationalization of Law), College de France, Paris, France; (3) a conference entitled “Lacunae and International Humanitarian Law,” at the Institute on International, Comparative, and Area Studies, University of California, San Diego; (4) workshops at the University of California, Berkeley, School of Law; and at the San Francisco



Jurisprudence Café; and (5) a symposium at Harvard Law School. In March, Diane conducted International Law training for U.S. District judges at a conference sponsored by the Federal Judicial Center. She was appointed a member of a task force convened by the American Bar Association’s Section on International Law and the American Society of International Law to examine treaty interpretation rules in light of the Supreme Court’s recent ruling in *Medellín v. Texas*.

ASSOCIATE DEAN FOR ACADEMIC AFFAIRS VIK AMAR published a principal article in a symposium issue of the **Hastings Constitutional Law Quarterly** on the power governors enjoy under the Seventeenth Amendment to appoint people to fill vacancies in the United States Senate (as will occur after this year’s presidential election). The article featured a published response by Professor Sanford Levinson of

the University of Texas School of Law. Vik also completed work on a paper on the weaknesses of Justice Clarence Thomas' use of "originalism" in school speech cases for a symposium on free speech in schools sponsored by the **UC Davis Law Review**, which will publish the essay this fall. He published an essay/book review on constitutional reform processes and the (f)utility of a proposed modern constitutional convention in the peer-reviewed **Election Law Journal**, and penned a dozen or so columns (a few with **ALAN BROWNSTEIN**) this spring for **findlaw.com**, where he is a regular biweekly columnist, as well as a number of (additional) entries for the **Encyclopedia of the Supreme Court of the United States**. He also finished work on **Global Perspectives on Constitutional Law**, an Oxford Press comparative constitutional law reader volume co-edited with Mark Tushnet (Harvard Law School), and a First Amendment/Free Speech Anthology volume from **Prometheus Books**. Along with **JOHN OAKLEY**, he produced a revised edition of the American Civil Procedure volume of Kluwer Law International's **International Encyclopedia of Laws** series. All three books will be published this fall. Vik was quoted in a variety of newspapers and magazines. He also gave presentations at UC Berkeley's Law School, the summer banquet meeting of the American Business Trial Lawyers Association, the Ninth Circuit Judicial Conference in Sun Valley, Idaho, and the American Political Science Association's Annual Conference in Boston.

ANDREA BJORKLUND published a book chapter on Emergency Exceptions

to Investment Obligations in the **Oxford Handbook of International Investment Law**. She gave presentations at the University of Oregon and the University of Cambridge, as well as in Zurich, Montreal, and Rio de Janeiro. Andrea co-chaired the American Society of International Law's annual meeting in Washington, D.C. "The Politics of International Law," and also the Institute for Transnational Arbitration's Annual Workshop in Dallas.

CAROL BRUCH serves as a consultant to an Australian study of relocation by custodial parents and their children. In April, she addressed policy-makers in Canberra, gave a keynote speech at a conference in Adelaide, and lectured to the faculty and a class at Murdoch University in Perth. Carol met with former King Hall visiting Professors Yulo Koishi in Tokyo and Do in Ulsan. Her parental alienation syndrome article was reprinted in a book on German child custody law. Carol's piece on domestic violence cases under the Hague Child Abduction Convention was included in an English collection of family law articles.

ALAN BROWNSTEIN co-authored a book with Professor Leslie Jacobs (McGeorge) entitled **Global Issues in Freedom of Speech and Religious Liberty** which will be published next year, and also co-authored two **Findlaw** articles with **VIK AMAR**. He wrote two short articles for the **Encyclopedia of the Supreme Court of the United States**. In May, Alan spoke on a panel on "Recent Constitutional Controversies over Religious Liberty," at the Law and Religion Conference, Princeton University Program in Law and Public Affairs, and later on a panel on at the State Bar Public Sector

Labor and Employment Conference. He presented his article on "The Nonforum as a First Amendment Category: Bringing Order Out of the Chaos of Free Speech Cases Involving School Sponsored Activities," at the **UC Davis Law Review** Symposium, First Amendment Rights in America's Public Schools and will be published in the upcoming **UC Davis Law Review**. He participated in a conference on "Religion, Citizenship and Multi-Culturalism at Harvard Law School and in a debate on "The Original Understanding of the Establishment Clause," sponsored by Federalist Society. Alan helped to organize a UC Davis Campus Community Program "R U Offended? Why We Defend the Speech We Hate, A First Amendment Symposium," University of California, Davis, February, 2008, Davis, California and spoke (along with **VIK AMAR**) on a panel on "What is the First Amendment," at the program.

In March, **JENNIFER CHACÓN** contributed a chapter to the book (which has since been published) **Immigration, Integration and Security**. Her expert commentary, "Border Searches of Electronic Data," was published by **Lexis** in June. Jennifer was a keynote speaker at the **U.C. Hastings Journal of Race and Poverty** symposium, and she presented her work at the International Studies Association, the Immigration Law Professors' Conference in Miami, the **WPCC/CAPALF** Conference in Denver, and the Law and Society Conference in Montreal. She has been quoted in articles in the **New York Times**, the **Sacramento Bee**, the **Tucson Citizen** and the **Daily Breeze**.

HOLLY COOPER was the discussion leader at the **American Immigration Legal Foundation's** annual Litigation Strategy Meeting on immigration detention issues in **Phoenix, Arizona**. She spoke on two panels at the **American Immigration Lawyers' Association's** annual conference in Vancouver, B.C. and spoke on a panel with the Office of Chief Immigration Judge and Board of Immigration Appeals regarding the recent Immigration Court Procedure Manual that revamped the operating rules in immigration courts nationwide. Holly also spoke on a panel with Deborah Anker (Harvard) regarding **REAL ID** Act, criminal bars to political asylum and sexual orientation asylum claims. Holly also spoke on a panel in San Diego, California regarding recent Ninth Circuit case law on immigration detention and the nuts and bolts of filing a habeas petition for individuals in immigration custody.

KATHERINE FLOREY has two forthcoming articles: "Sovereign Immunity's Penumbra: Common Law, 'Accident' and Policy in the Development of Sovereign Immunity Doctrine," in the **Wake Forest Law Review**, and "State Courts, State Territory, State Power: Reflections on the Extraterritoriality Principle in Choice of Law and Legislation," to be published by the **Notre Dame Law Review**.

BOB HILLMAN published an article on client choice and contractual restraints in the **Hofstra Law Review** and an article on the Milberg indictment and partner accountability in the **Journal of Business & Technology Law**, as well as updates to his **Lawyer Mobility Treatise and Securities Regulation** casebook. He traveled to Liberia and provided ongoing assistance in development of mining and

agriculture sectors. He was interviewed by **National Public Radio** on efforts to improve management accountability.

BILL HING was awarded the Donald Cressey Award by the National Center on Crime and Delinquency, for scholarship related to criminal justice reform. He has joined the board of directors of the Asian American Justice Center in Washington, D.C., a national Asian American civil rights organization. Bill spoke at **Google** headquarters as part of their speaker's series on "Immigration Reform and Presidential Politics."

HOLLY DOREMUS published (1) **Environmental Policy Law: Problems, Cases, and Readings** (5th ed.), with AL LIN, Ron Rosenberg & Thomas Schoenbaum; (2) **Water War in the Klamath Basin: Macho Law, Combat Biology, and Dirty Politics**; (3) "Scientific and Political Integrity in Environmental Policy," in the **Texas Law Review**; (4) "The Challenges of Dynamic Water Management" in the **UCLA Journal of Environmental Law & Policy**; (4) "Data Gaps in Natural Resource Management: Sniffing for Leaks Along the Information Pipeline," in **Indiana Law Journal**; (5) an essay on the environmental jurisprudence of the Roberts Court in the ABA Section on Environment, Energy and Resources newsletter; and (6) two commentaries on the protection of polar bears under the Endangered Species Act for slate.com. She spoke at the Klamath County Museum, at conferences at the University of Colorado Law School, UC Berkeley, UC Berkeley College of Environmental Design, University of Arizona, and University of Texas, and was a keynote

speaker at the Bay Area Conservation Biology Symposium. Holly's spring 2008 environmental law class at Berkeley is now available on **YouTube** and **iTunes** and also at webcast.berkeley.edu.

ED IMWINKELRIED co-authored an amicus brief in *Melendez-Diaz v. Massachusetts*, the U.S. Supreme Court case on the extent to which the Sixth Amendment Confrontation Clause restricts the introduction of crime laboratory reports. He published the following books: (1) **Evidentiary Foundations** (Irish edition); **Colorado Evidentiary Foundations** (2d ed.); (2) **Objections at Trial** (5th ed.); and (3) **California Trial Objections**; (4) supplements to **Federal Evidence Tactics, New York Evidentiary Foundations, Modern Litigation and Professional Responsibility Handbook, and Scientific Evidence**. He also published the following articles: "Internet Theft Is Avoidable," **Judicature** (July-Aug. 2008); "Book Review: Law for the Expert Witness," **Jurimetrics** (Winter 2008); "The Case Against Abandoning the Search for Substantive Accuracy," in **Seton Hall Review**; and "Controlled Substance Analogue Enforcement Act Criminal Defense," in **Southwestern University Law Review**. In early June, Ed moderated two panels at the American Association of Law Schools' Evidence conference in Cleveland. He also spoke at the annual meeting of the California Judges Association.

JOEL DOBRIS spoke on an ABA panel in San Francisco sponsored by the Exempt Organizations Committee of the ABA Tax Section and the Charitable Planning & Organization Group of the Real Property Trusts and Estates Section of the ABA.

DEAN KEVIN JOHNSON

published "Hurricane Katrina: Lessons About Immigrants in the Modern Administrative State," in the **Houston Law Review** (an endowed lecture) and "The Story of *Whren v. United States*: The Song Remains the Same," in **Race and Law Stories** (Rachel F. Moran & Devon Carbado, eds). Kevin also gave talks at UC Berkeley, UC Davis, Notre Dame University (by video conference), the Jean E. and Christine P. Mills Conversation Series on Race, Duke Law School, and at the National Association for Chicana and Chicano Studies annual conference (where he was honored as the 2008 National Association for Chicana and Chicano Studies Scholar of the Year). Also, he has piece forthcoming in the **Yale Law Journal Pocket Part**. Kevin was quoted on immigration and other issues recently in **USA Today**, **San Francisco Chronicle**, **Sacramento Bee**, the **Los Angeles Times** and other publications. He spoke about his latest immigration book to the Oakland Rotary Club and has given recent talks at alumni and bar association events in Sacramento, Stockton, Fairfield, San Francisco, Los Angeles, and San Diego. Over the summer, he put the finishing touches on a Complex Litigation casebook, chapters for a book entitled **Understanding Immigration Law**, and articles to be published in the **California Law Review**, **Indiana Law Journal**, and **Law & Contemporary Problems**.

TOM JOO was invited to comment on a paper by Arizona law professor Jack Chin on the 1886 case, *Yick Wo v. Hopkins.*, Tom's piece will published this fall in the **Illinois Law Review**. He presented a paper at McGeorge and the University of Oregon Law School. In

April, Tom attended the Western Law Teachers of Color & Conference. He moderated a panel on law and history and was the principal commentator on a work-in-progress paper. Tom's book review essay, "Natural Is Not in It: Disaster, Race, and the Built Environment," was published in the **Cleveland State Law Review** this summer.

RAHA JORJANI trained Nevada County public defenders on the immigration consequences of criminal convictions. She helped plan, and participated in, an MCLE program in San Diego on "Challenging Immigration Detention," spoke about immigration detention at an ACLU Conference, and led a community workshop on detention and deportation sponsored by Homies Unidos in Los Angeles. Raha also discussed related issues at the Critical Resistance conference in Oakland, which addressed the Prison Industrial Complex. Raha was quoted in the July/August Edition of **Colorlines Magazine**, and she contributed to a report on Women Immigration Detainees in Arizona, sponsored by the University of Arizona's Southwest Institute for Research on Women.

COURTNEY JOSLIN co-authored **Lesbian, Gay, Bisexual and Transgender Family Law** (with Shannon P. Minter). She participated in the Emerging Family Law Scholars and Teachers Conference, and presented a work-in-progress at the Midwest Family Law Conference, at the University of Indiana School of Law, the Lavender Law Conference (hosted by the National Lesbian and Gay Law Association), and at the University of Arizona – Rogers College of Law. She was a panelist on a program on assisted reproductive technologies at the annual meeting of the Northern California

Chapter of the American Academy of Matrimonial Lawyers. Along with **LISA IKEMOTO**, Courtney spoke about assisted reproductive technology on a Consortium for Women and Research panel.

HOLLIS KULWIN participated on a panel at the American Association of Collegiate Registrars and Admissions Officers' 2008 annual meeting on "The 'Wired Generation': How Communication Technology is Transforming Student Culture."

CARLTON LARSON presented his article, "The Revolutionary American Jury: A Case Study of the 1778-1779 Philadelphia Treason Trials," at the Law and Society conference in Montreal. The article will be published in **SMU Law Review** next year. Carlton moderated a panel at the **UC Davis Law Review** Symposium and was a guest blogger at **PrawfsBlawg** for the month of May. In June, he attended the mid-year meeting of the Association of American Law Schools in Cleveland.

PETER LEE presented a paper entitled "The Evolution of Intellectual Infrastructure" at the Chicago Intellectual Property Colloquium; the paper was subsequently published in the **Washington Law Review**. Peter also supervised a student team participating in the American Intellectual Property Law Association moot court competition. Early this fall, Peter presented "Contracting to Preserve Open Science: The Privatization of Public Policy in Patent Law," at the Intellectual Property Scholars Conference at Stanford Law School as well as at UC Berkeley School of Law.

AL LIN published "Virtual Consumption: A Second Life for Earth?" in the **Brigham Young University Law Review**. He also served as a panelist sponsored by the Journal of International Law and Policy, "Beyond Kyoto: Addressing the Legal Mechanisms to Mitigate Climate Change," and presented a paper "Evangelizing Climate Change," at the May 2008 annual meeting of the Law and Society Association.

AMAGDA PEREZ presented at the following conferences: Statewide AVID Conference for High School Educators and Counselors on College Access and Immigration Benefits, Statewide Chicano/Latino Youth Leadership Conference for High School Juniors and Seniors on Immigration Relief. Amagda co-presented with Eric Cohen, Executive Director of Immigrant Legal Resource Center, on "Naturalization Basics for Community Advocates" and provided naturalization training to King Hall La Raza, HALO, and Immigration Clinic students. Amagda and Kirsten Hill provided training to Safe Quest on immigration relief for victims of crimes and domestic violence. The Immigration Law Clinic, La Raza Law Students, HALO, and CRLAF provided naturalization assistance to approximately 75 applicants from Yolo, Solano, Sacramento, Colusa and Butte counties. Dean **KEVIN JOHNSON** and **CAPPY WHITE**, along with King Hall Alums Santiago Avila-Gomez, Caryn Croswait, Erin Hernandez, Kirsten Hill, Clara Levers, and Mary Waltermire, assisted with providing final review of applications.

LISA PRUITT finished the following: (1) "Latina/os, Locality and Law in the Rural South," **Harvard Latino Law Review** (forthcoming 2009); (2) "The

Forgotten Fifth: Rural Youth and Substance Abuse,” **Stanford Law & Policy Review** (forthcoming 2009) (drug policy symposium); (3) “Gender, Geography & Rural Justice,” **Berkeley Journal of Gender, Law & Justice** (forthcoming 2008); and (4) “Place Matters: Domestic Violence and Rural Difference,” **Wisconsin Journal of Law, Gender & Society** (forthcoming 2008) (symposium celebrating 25th anniversary of the Feminism and Legal Theory Project). Lisa gave presentations at the law schools of the University of Arkansas and UC Berkeley. She was a presenter at the “Law, Culture & Humanities” Conference in Manchester, New Hampshire, and at the Annual Meeting of Law and Society, in Montreal.

DONNA SHESTOWSKY presented her recent scholarship at the annual conference of Law and Society in Montreal. The results of her recent empirical research with Dr. Gail Goodman (UC Davis-Psychology) on adults’ ability to discern the veracity of childrens’ reports of abuse was noted in the press, including the **Tehran Times** and **USA Today**.

DAN SIMMONS published his article, “California Tax Collection, Time for Reform,” in the **Santa Clara Law Review**. He also published a "current developments" article with co-authors Martin McMahon, University of Florida, and Ira Shepard, University of Houston, in the **Florida Tax Review**. Professor Simmons also came out with the sixth edition of his co-authored **Federal Income Tax** casebook and 2008 supplements for **Federal Income Taxation of Business Organizations**, **Federal Income Taxation of**

Corporations, and **Federal Income Taxation of Partnerships and S Corporations**. His article on “Formation of Partnerships and Built in Gain and Loss Property” has been accepted for publication in the **Florida Tax Review** this coming Winter. He spoke on current developments at the winter meeting of the ABA Tax Section. This Fall Professor Simmons is speaking at the New Mexico State Bar Tax Institute, the Montana Tax Institute, the Annual Taxation Conference in Austin Texas, and the California State Bar Tax Section Annual Meeting.

Professor Emeritus **MARTY WEST** was appointed in August as the General Counsel of the American Association of University Professors and will serve for a 2-year term, attending AAUP meetings. During the winter quarter of 2008-09, she will be teaching her undergraduate class, Gender and Law, for the UCD Women’s Studies Program.

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Copies of this newsletter are provided to the law school faculty and senior staff, as well as Joe Martin (King Hall Counselor), and Claudia Morain (Campus News Service). A copy also is posted at

www.law.ucdavis.edu/faculty/faculty_r

[esearch.html](#). For more King Hall news, please be sure to visit <http://www.law.ucdavis.edu/>.