



FACULTY ACTIVITIES – UT LAW

Oct. 1 – Jan. 30, 2006

Volume 3 Issue 2

Published by the UT Law Communications Office,
Jodi Bart, Laura Castro, and Allegra Young, editors

Alexandra Albright

January 10: Alex Albright presented a faculty program, “An Egocentric View: How Blackboard Can Help You,” for the UT Division of Instructional Innovation and Assessment's 2006 Teaching and Learning Colloquium: Ideas That Work.

Susana Alemán

The Travis County Women Lawyers' Association selected Assistant Dean for Student Affairs Susana Alemán as a Pathfinder. Alemán was one of four women to be honored at the 2006 TCWLA Pathfinder's Luncheon on Jan. 18.

William P. Allison

Allison attended the directors meeting for the National Innocence Network in Chicago on Sunday, November 13, 2005. He is a founding board member of this organization.

David Anderson

David Anderson spoke on Freedom of the Press at the National Lawyer's Convention of the Federalist Society in Washington on Nov. 11. The topic was "What Is the Free Press?"

Mark Ascher

In December and January, Ascher corrected and submitted page proofs for the first two volumes of *Ascher & Scott on Trusts*. This is the 5th edition of the classic 12-volume treatise, *Scott on Trusts*. It will be published by Aspen Publishers and is projected to be available for shipment in mid-April.

Lynn Baker

Lynn Baker became an eight-time National Champion in tournament bridge when her team won the Women's Board-a-Match championship in Denver on November 21.

Baker was an invited panelist (with Ernie Young, Mitch Berman, and Jordan Steiker) during the symposium on Calvin Johnson's "*Righteous Anger at the Wicked States: The Meaning of the Founders' Constitution*," on October 28 at the UT Law School.

Mitchell Berman

Co-organized the (roughly) annual conference on conceptual issues in constitutional scholarship at the University of San Diego Law School, Nov. 18-19.

Bernard Black

Invited panelist on The Future of Corporate Governance Research, Financial Management Association annual meeting (Oct. 2005)

Lecture on Takeover defenses: US/UK Experience and Implications for Korea, Korea Corporate Governance Service conference on The Market for Corporate Control and Corporate Governance (Sept. 2005)

Cynthia Bryant

On October 18, Bryant spoke in Austin on Advocacy in Mediation at the 2005 Consumer Protection Annual Meeting of the Texas Attorney General's Office.

On October 21, Bryant spoke on Negotiation Strategies at the first International Conference on Child Support in Montreal.

On October 25, Bryant spoke on Dispute Resolution in Title IV-D Cases at the National Training Conference sponsored by the federal Office of Child Support Enforcement in Washington, D.C.

On November 1, Bryant spoke on Dispute Resolution and Mediation to the Western Interstate Child Support Enforcement Conference in San Diego.

Bryant is co-chair of the Policy Conference of the National Child Support Enforcement Association in Washington, D.C., from January 30 through February 1. During the conference she will moderate panel discussion on Dispute Resolution and the Future of Child Support.

Sarah Buel

Keynote, Expert Witnesses in Domestic Violence Cases Conference, *Pertinent Federal Laws and Rules of Evidence, What's Discoverable* (in Austin, TX, Oct. 6, 2005).

Sole Presenter, National Council of Juvenile & Family Court Judges Tele-Conference, *Liability and Safety Planning for Visitation Centers* (1.5 hrs., Oct. 11, 2005).

Keynote, UT Conference on Gender, Health & Relationships, *Domestic Violence and Public Health Law: Rethinking Ethical Practices* (Austin, Texas, Oct. 21, 2005).

Keynote, UT – San Antonio Women Studies Conference, *Violence Against Women: Theory, Law and Ethics* (San Antonio, Texas, Oct. 24, 2005).

Panel Presentation, UT Women & Gender Studies Seminar, *Activism in Academia: The Pedagogy of Domestic Violence Law* (Austin, Texas, Nov. 2, 2005).

Keynote, Houston Bar Association's Amicus Attorneys Conference, *Discovery, Trial and Experts in Domestic Violence Cases* (Houston, Texas, Dec. 2, 2005).

Keynote, Judicial Council of California Beyond the Bench Conference, *Overcoming Ethical Child Welfare Challenges in Family Violence Cases* (San Diego, Calif., Dec. 16, 2005)

Harvard Medical School Symposium on Domestic Violence for all faculty (2 hours), Sole Presenter: *The Pedagogy of Effective Interventions with Domestic Violence Patients*; then presentation to all first year medical students (2 hours), *Ethical Interventions and Liability Implications for Physicians Handling Domestic Violence Cases* (January 9, 2006).

Charles Childress

October 14: Spoke at a CLE seminar "Advanced Child Protection Proceedings" sponsored by the Austin Bar Association's Court Appointed Family Advocates section and the Center for Child Protection. The topic was Legislative Update, Title 5, Family Code.

Michael J. Churgin

Professor Michael J. Churgin presented a paper on increased cooperation in asylum adjudication by the United States and Canada at the biennial meeting of the Association for Canadian Studies in the United States in St. Louis on November 18, 2005.

Sarah Cleveland

At the 2006 Annual Meeting of the Association of American Law Schools, Cleveland spoke about the international law issues presented by *Spector v. Norwegian Cruise Lines*, which upheld the application of the Americans With Disabilities Act to foreign-flagged cruise ships (Feb. 6, 2006).

She participated on a panel on “Guantanamo Then and Now”, discussing litigation surrounding the United States’ establishment of an HIV detention camp on Guantanamo in the early 1990’s and legal implications for the current Guantanamo detentions. Columbia Law School (Jan. 12, 2006).

She participated on a panel discussing “Storming the Court,” a new book about law student representation of Haitian refugees detained on Guantanamo in the early 1990’s at NYU Law School (Jan. 12, 2006).

Cleveland delivered the paper, “Our International Constitution,” at the faculty workshop, Columbia Law School (Nov. 10, 2005).

She served as a panelist on “The Role of the Executive Branch in International Human Rights Litigation,” at a symposium on human rights litigation under the Alien Tort Statute entitled “25 Years After *Filartiga*: Exploring the Tension Between Accountability and Foreign Policy” Rutgers Law School (Nov. 4, 2005).

She was invited to participate at a Foreign Relations Law workshop at Harvard Law School (Oct. 15, 2005).

Cleveland introduced and commented on the 2005 Rubin Lecture delivered by Mary Robinson, former U.N. High Commissioner for Human Rights and President of Ireland, at Columbia Law School (Oct. 10, 2005)

She delivered the paper “Our International Constitution,” at the Legal Theory Workshop, University of Virginia School of Law (Sept. 30, 2005).

Cleveland presented paper on “Justice Blackmun and the Law of Nations,” at symposium on “Justice Blackmun and Judicial Biography,” Brooklyn Law School (Sept. 16, 2005).

Mechele Dickerson

Dickerson conducted a workshop for bankruptcy judges in San Francisco for the Federal Judicial Center in September 2005.

Dickerson conducted a mock contracts class for the Rocky Mountain BLSA Career Fair and Academic Retreat in September 2005.

Dickerson was a speaker at the UT Bankruptcy Conference in November 2005.

Dickerson was on the creditors' rights panel at the AALS Annual Meeting in January 2006.

John Dzienkowski

John Dzienkowski and Bob Peroni were co-chairs for the 8th Biennial Parker Fielder Oil and Gas Tax Conference, co-sponsored by the U.T. Law School and Office of Chief Counsel of the IRS, in Houston on October 6-7, 2005. This is one of the leading energy taxation conferences and the only one co-sponsored by the IRS.

John Dzienkowski and Bob Peroni jointly taught the professional responsibility/legal ethics and oil and gas taxation components of the Rocky Mountain Mineral Law Foundation's Oil and Gas Law Short Course in Boulder, Colorado on October 20-21, 2005.

Karen Engle

October 19-21, Engle traveled to Washington with Professor Gerald Torres, where she met with Senator Tom Harkin and other friends and former colleagues of career diplomat George Lister, whose papers were recently acquired by the University of Texas. They discussed the creation of an on-line exhibit on Lister and a conference to consider issues raised by his career in the foreign service. Engle and Torres also met with the Washington Office on Latin America and with staff members of the Inter-American Commission on Human Rights to establish ties for a new Human Rights and Latin America Initiative jointly sponsored by the Rapoport Center for Human Rights and Justice and the Lozano Long Institute for Latin American Studies.

On November 3-4, Engle co-hosted a Rapoport Center-Texas International Law Journal Symposium entitled "Representing Culture, Translating Human Rights." She delivered the opening address on November 3 and chaired a panel on asylum on November 4.

On November 5, Engle co-hosted, on behalf of the Rapoport Center, an informal discussion on the future of the UN with Thai Deputy Prime Minister and UN Secretary General Nominee Surakiart Sathirathai. The discussion was co-hosted by the LBJ Library and the LBJ School of Public Affairs, and was held in the Presidential Suite of the LBJ Library.

Elizabeth Frumkin

Elizabeth Frumkin commented on a paper by Professor Jide Nzelibe entitled “The Fable of the Nationalist President and the Parochial Congress” at the Conference on International Law in U.S. Courts, an interest group of the American Society for International Law. The conference was held at Vanderbilt Law School in December.

Frumkin began a three-year term on the Visiting Committee of the University of Chicago Law School and attended the fall Visiting Committee meeting in Chicago.

Frumkin served as a contributing editor of *Black’s Law Dictionary* (West 8th abridged ed.), which was published this fall.

Mark Gergen

Mark Gergen presented Preliminary Draft No. 1, Restatement Third, Torts: Liability for Economic Loss to the Advisers and Consultative Group of the American Law Institute in Philadelphia, October 2005.

Mark Gergen participated as a panelist in two panels on partnership taxation at the 58th Annual University of Chicago Law School Federal Tax Conference, November 2005.

Steven Goode

Speeches:

“Evidence,” State Bar Litigation Update Institute, (Austin, Jan. 20, 2006)

“Evidence Update,” University of Texas Law School Continuing Legal Education, Page Keeton Civil Litigation Conference (Austin Oct. 27, 2005)

“Ruling on Evidence in a High Tech World,” Panel discussion, National Association of Women Judges, 27th Annual Conference, The New Frontier (Houston Oct. 21, 2005)

“Evidence Update,” Dallas Bar Association Bench Bar Conference (Horseshoe Bay Oct. 20, 2005)

Other:

Appointed Dean ad interim

Lino Graglia

Oct 6: Talk to Lakeway Town and Gown, "Understanding Constitutional Law"

Oct 16: Interview, Houston Talk Show "Things That Matter Most"

Oct 17: Interview, Lynn Worley Show, Capital Media Square, Temple, Tx

Oct 19: Debated Robert Levy of the Cato Inst. on the Patriot Act, sponsored by the Federalist Society, UT Law School

Oct 21: CLE Lecture on Federalism to the N. Mex. Bar Assn, Albuquerque, N.M

Oct 27: Federalist Society sponsored talk on "Role of the Supreme Court in the American System of Government" at University of South Dakota Law School, Vermillion, S.D.

Nov 1: Talk to the Dallas Bar Assn on "Judicial Independence," Dallas, Tx

Nov 10: Talk on "Unenumerated Constitutional Rights" at Federalist Society Annual Lawyers Convention, Washington, D.C. Quotes from Graglia's presentation were included in the *New York Times* ' article "Despite Recent Gains, Conservative Group is Wary on Direction of Court," Nov. 11, 2005.

Barbara Hines

1/11/06 Quoted in the *Austin American-Statesman* regarding Attorney General Gonzalez' decision to investigate the conduct of immigration judges after criticism in the press and the circuit courts.

12/ 14 /05 Speaker, Immigration Clinics in U.S.; Department of Political Science, University of La Matanza, Buenos Aires, Argentina

11/2/05 Speaker, Current Immigration Policy, LAMP Society, Austin Texas

10/26/05 Moderator, National Immigration Project seminar, Advanced Defenses to Removability, Portland, Oregon

10/21/05 Panelist, Removing Obstacles to Justice for our Growing Population of Immigrants, National Conference of Women Judges, Houston, Texas

10/06/05 Speaker, Immigration Law and Expert Witnesses, National Center on Domestic and Sexual Violence conference, Trial Run: Expert Witnesses in Domestic Violence Cases, Austin, Texas

Derek Jinks

Jinks presented his paper, "The Applicability of the Geneva Conventions to the Global War on Terror," to the Faculty Forum at the SMU School of Law on October 5, 2005.

Jinks presented his paper, "World Culture and Systems Theory in International Relations Theory," at the International Law Roundtable on The Future of the State in International Law, held at the University of Virginia Law School on October 8, 2005.

Jinks presented his paper "State Socialization and Institutional Design in Human Rights Law" to the Faculty workshop at the Georgetown Law Center on October 11, 2005.

Jinks was a panelist at the "Representing Culture, Translating Human Rights" conference at the University of Texas School of Law on November 3, 2005.

Jinks presented, with his co-author Ryan Goodman, their paper "International Law and State Socialization: Conceptual, Empirical, and Normative Challenges," at the Rapoport Center for Human Rights and Justice Speaker Series at the University of Texas School of Law on November 21, 2005.

Jinks co-authored an Amicus brief with Ryan Goodman and Anne-Marie Slaughter that was submitted to the United States Supreme Court on January 6, 2006 in *Hamdan v. Rumsfeld*, (No. 05-184).

Calvin Johnson

There was a two day symposium to discuss Calvin Johnson's *Righteous Anger at the Wicked States: The Meaning of the Founders' Constitution*, at the law school on Oct 27-28. The political science panel consisted of Professors Walter Dean Burnham (UT Political Science), Sotioris Barber, (Notre Dame), and Keith Whittington (Princeton Political Science). The historians panel consisted of Jack Rakove, (Stanford History Department) (by video link), Jack Greene, (Johns Hopkins History Department), John Kaminski, (Wisconsin History Department), and Robin Einhorn, (Berkeley History Department). The law panel consisted of Lynn Baker, Ernest Young and Mitch Berman, all of UT Law School. More details at http://www.utexas.edu/law/news/2005/092705_book.html

Calvin Johnson submitted a brief to the Supreme Court in *Carabell v. Army Corps. of Engineers*, arguing that Congress had the constitutional power to protect wetlands and clean water, deep within Michigan, by prohibiting building, dumping and filling, under the general power to "provide for the general Welfare and common Defence."

Emily Kadens

Gave talk for Tarlton rare book series on medieval law books—Oct 14.

Presented paper on 17th-century French commercial code commentaries at the American Society of Legal Historians convention—Nov 12.

Susan Klein

Susan Klein was appointed to the State Bar of TX Committee on Pattern Jury Charges, Criminal, for 2005-07.

Douglas Laycock

Douglas Laycock spoke on *Religious Liberty in the New Frontier*, at the 27th Annual Conference of the National Association of Women Judges, in Houston, on October 20.

Laycock moderated a panel of federal judges speaking on *Uphill in the Fifth Circuit: Tips from the Bench*, at the 2005 Conference of the Dallas Bench and Bar, in Horseshoe Bay, on October 21.

He gave a Sesquicentennial Faculty Lecture at the Michigan State University College of Law on October 27. His topic was *The Supreme Court and Religious Liberty*.

He spoke on *The Supreme Court, Religious Liberty, and the Alito Nomination*, at the Biennial Convention of the Union for Reform Judaism, in Houston, on November 17.

He spoke on *Two Problems in the Original Understanding of the Establishment Clause*, at the Columbia Legal Theory Workshop, in New York, on December 12.

He spoke on *The Supreme Court and Religious Liberty*, to the Lakeway Men's Breakfast Club, in Lakeway, on December 14.

He spoke on *The Supreme Court and Religious Liberty* to the Federal Bar Association, in San Antonio, on December 14.

He spoke on *Marriage and the Separation of Church and State*, at a Conference on Same-Sex Marriage and Religious Liberty, sponsored by the Becket Fund, in Washington, D.C., on December 15.

He spoke to the Section on Law and Religion of the Association of American Law Schools, in Washington, on January 8. His topic was *Regulatory Exemptions and the Original Understanding of the Establishment Clause*.

Together with Professor Ernie Young, he spoke to the American Constitution Society on *The Alito Nomination*, in Austin, on January 11.

Laycock cont.

He spoke to the Central Texas chapter of the American Civil Liberties Union, on the status of corporations as legal persons, in Austin, on January 26.

Terri LeClercq

Terri LeClercq received a Lifetime Achievement Award from the Section on Legal Research and Writing at the January AALS meeting. She is the first non-lawyer recognized with this national award. She spoke to attorneys at the City of Austin in December, and edited a report for Texas Gov. Perry from the Criminal Justice Advisory Council, a state-wide group making recommendations for the governor's office once a year. She taught a mid-semester course, Writing for Social Justice, at the University of Nevada--Las Vegas School of Law.

Brian Leiter

Brian Leiter presented a paper on "The Case for Nietzschean Moral Psychology" at the University of Newcastle- upon-Tyne, sponsored by the Political Philosophy Group and the Law School, on December 15, 2005.

On December 8, Brian Leiter gave a talk on "Philosophy of Law: The Current State of Play" at the London School of Economics, jointly sponsored by the Centre for Philosophy of Natural and Social Science and the Faculty of Law.

On December 6, Brian Leiter talked with the faculty and graduate students in the Department of Philosophy at the University of Reading about the Hart/Dworkin debate and the methodology problem in jurisprudence.

On December 2, Brian Leiter gave a presentation on "Toleration and Religion" to the Jurisprudence and Political Theory seminar at Oxford University organized by John Gardner and Tony Honore.

Brian Leiter gave a paper on "Nietzsche's Theory of the Will" to the Department of Philosophy and the Centre for Political Theory at the University of Manchester on November 23, 2005.

Brian Leiter gave a talk on "Nietzsche's Theory of the Will" to the Moral Sciences Club at Cambridge University on October 25, 2005.

Brian Leiter presented a paper on "Why Evolutionary Biology is (so far) Irrelevant to Law" to a faculty workshop at the Florida State University College of Law on September 8, 2005.

Sanford Levinson

Spoke to the American Constitution Society in Houston in January 2006 on the Alito Supreme Court nomination.

Levinson was on a panel at the AALS Annual Meeting in January 2006 on a forthcoming book by Jim Fleming to be published by the University of Chicago Press.

Katherine Litvak

November 16: Presented a paper entitled "The Effects of the Sarbanes-Oxley Act on Stock Prices of Foreign Companies Cross-Listed in the US" to a faculty workshop at the University of Texas McCombs School of Business.

Ronald Mann

Mann presented various aspects of his research on credit cards at UT's bankruptcy CLE in November, at Boalt's law and economics workshop in December, and in January at the Fordham Law School and at the Federal Reserve Bank of Philadelphia.

Finally, he spoke on software patents in general at the annual symposium for the Texas IP journal in January.

Thomas McGarity

On October 24, McGarity spoke on Federal Regulation of PFOA Health Risks at a CLE program on "C-8/PFOA: Science, Risks & Litigation in Philadelphia (PFOA is a chemical precursor for teflon).

On November 4, he presented a paper entitled "Frankenstein Free: Consumer Sovereignty, Federal Regulation and Industry Control in Marketing and Choosing Food in the U.S. at a conference on "Labeling Genetically Modified Food" at the University of Missouri in Columbia, Missouri.

On November 7, he spoke on "Improving the Regulatory Process: A Research Perspective" at a conference on "Regulatory Review at 25: A Review of the Record" at the American Enterprise Institute in Washington, D.C.

Roy Mersky

Professor Mersky hosted a reception and tour of the Jamail Center for Legal Research for the National Conference of Bar Examiners on Friday, October 21, 2005.

On Thursday, October 27, he was an invited guest at the fortieth anniversary program of the National Endowment for the Humanities, sponsored by Humanities Texas and the Lyndon Baines Johnson Library and Museum in cooperation with NEH. Professor Mersky is a former chair of the Texas Committee for the Humanities, which has been renamed, Humanities Texas.

Professor Mersky was reelected chair of the 2005-2006 Scribes (The American Society of Writers on Legal Subjects) Law Review Competition Committee.

Professor Mersky attended the Guadalajara International Book Fair (FIL), November 26-30, as an American Library Association guest of honor. FIL is the largest Spanish-language book event in the world.

Linda Mullenix

Speaker, Litigation and Resolution of Complex Claims, “Class Action Fairness Act – One Year Later;” Arbitration Agreements and Class Actions,” sponsored by Thomson-West Legalworks (San Francisco, California, November 16-17, 2005).

Speaker and panelist, “Asbestos and the Future of Mass Tort Litigation,” at Symposium: Asbestos: Anatomy of a Mass Tort, sponsored by the University of Connecticut School of Law and the Insurance Law Center (Hartford, Connecticut, November 3-4, 2005).

Speaker, Annual Conference on Tort Liability Regimes, “The Class Action Fairness Act of 2005,” sponsored by Munich Re (Munich, Germany, October 26-28th, 2005).

Speaker, “The Morphing of the Mass Tort Landscape – What Factors Have Changed the Business of Mass Torts in Recent Years: The Class Action Fairness Act of 2005,” Wall Street Forum: Mass Tort Litigation (New York City, October 19, 2005).

Faculty Member and panelist, “The Class Action Fairness Act,” the American Bar Association 9th Annual National Institute on Class Actions (Chicago, September 23, 2005 and San Francisco, October 7, 2005).

Speaker, “The Class Action Fairness Act of 2005,” The Federal Bar Association of San Antonio (San Antonio, Texas, September 14, 2005).

Rob Owen

On November 2, Rob Owen was the featured speaker at a meeting of the Pre-Law Society of the undergraduate Plan II Honors program.

Robert Peroni

Peroni was co-chair of an international tax institute held in Washington, D.C. in December 2005 and co-sponsored by the George Washington University Law School and the Internal Revenue Service.

Peroni was the 2006 recipient of the Texas Exes Faculty Teaching Award for excellence in teaching.

Peroni was co-chair of the planning committee and a moderator at the 53rd Annual Taxation Conference sponsored by the U.T. Law School in Austin on November 2-4, 2005.

Peroni was an invited participant at a taxation conference sponsored by the University of Chicago School of Law in Chicago in November 2005.

John Dzienkowski and Bob Peroni were co-chairs for the 8th Biennial Parker Fielder Oil and Gas Tax Conference, co-sponsored by the U.T. Law School and Office of Chief Counsel of the IRS, in Houston on October 6-7, 2005. This is one of the leading energy taxation conferences and the only one co-sponsored by the IRS.

John Dzienkowski and Bob Peroni jointly taught the professional responsibility/legal ethics and oil and gas taxation components of the Rocky Mountain Mineral Law Foundation's Oil and Gas Law Short Course in Boulder, Colorado on October 20-21, 2005.

On October 26, 2005, Bob Peroni was the moderator of a panel sponsored by the Career Services Office at the U.T. Law School, entitled "Careers in Estate Planning and Tax Law."

H.W. Perry

Perry has done some commentary for KUT on the Alito hearings.

William Powers

September 27 th	Hosted a reception for Law School alumni in New York City
October 6 th	Spoke on Enron at Thompson Conference Center in San Antonio
October 14 th	Hosted a reception to honor Senator Rodney Ellis
October 17 th	Hosted a reception for Law School alumni in Los Angeles
October 20 th	Spoke to CLE Oil and Gas Institute in Houston
October 25 th	Presided over the Tex Lezar Memorial Lecture Series lecture in Dallas
October 27 th	Presented the report of the Task Force on Curricular Reform to the General Faculty
October 28 th	Hosted the Keeton Fellows Dinner in Austin
October 29 th	Welcomed parents and reported on the state of the Law School during Parents' Day
October 30 th	Hosted a dinner for new and visiting Law School faculty
November 1 st	Spoke to the Academy of Distinguished Teachers about the Task Force on Curricular Reform
November 4 th	Hosted a reception to honor Jim Sales in Austin
November 4 th	Named sole finalist for University of Texas President by Board of Regents
December 5 th	Named President of the University of Texas by Board of Regents
December 16 th	Honored by the Austin Leadership Forum at the Austin Club

David Rabban

On October 14, Rabban gave the keynote speech at a conference entitled "Pursuing Academic Freedom in a Time of Crisis," sponsored by the School of Law and the Faculty Senate at the University of Nevada, Las Vegas.

As General Counsel of the American Association of University Professors, he attended the fall meetings of its Executive Committee, Council, and Committee on Academic Freedom and Tenure.

On Jan. 4, he gave a talk at a panel of the Association of American Law Schools entitled "Academic Freedom and Law School Clinics: Outside Influences and Interference."

Rabban has been named associate dean for academic affairs at the Law School for the spring semester. He will replace Professor Steven Goode, who will become dean ad interim for the School of Law on Feb. 1, when current Law School Dean William C. Powers Jr., begins his tenure as the university's president.

R. Anthony Reese

In September, an article that Reese co-wrote with Prof. Mark Lemley (of Stanford) on peer-to-peer networks was discussed in Professor Lemley's testimony before the Senate Judiciary Committee.

He presented a paper on "The New Unpublished Public Domain" at the Intellectual Property Speaker Series at Cardozo School of Law in September and at the annual Intellectual Property Works-in-Progress conference at Washington University in October.

He spoke on recent developments in fair use in copyright law at the Intellectual Property Institute of the University of Houston Law Center and the Houston Intellectual Property Law Association in Galveston in October.

He gave guest lectures on intellectual property law in UT graduate courses in the Chemistry and Engineering departments, and the Graduate School's Professional Development program, in October and November.

He taught a mock Copyright class to prospective students as part of UT Law Day in October.

In October, he was selected as a Fellow (one of 5 in law) of the World Technology Network by vote of the WTN's existing Law Fellows.

He was quoted in an article in the (New Jersey) *Star-Ledger* in October on the copying CDs and portable digital music devices.

Reese, cont.

He lectured on Copyright Law in November in the Executive Master's of European Business Law Program of the University of St. Gallen.

David W. Robertson

The Supreme Court of Illinois recently adopted the analysis advocated by David Robertson and Michael Sturley to rule that a defendant is entitled to a jury trial in a state-court action under the Jones Act, 46 U.S.C. app. § 688. See *Bowman v. American River Transp. Co.*, 217 Ill. 2d 75, 838 N.E.2d 949 (2005). The Illinois court rejected a line of federal jurisprudence (including decisions of the Fifth and Ninth Circuits) and overruled a line of prior state decisions, both of which had held that the Jones Act limits jury trial rights solely to plaintiffs. Robertson and Sturley had criticized those cases in two articles, which the *Bowman* court followed: *The Right to a Jury Trial in Jones Act Cases: Choosing the Forum Versus Choosing the Procedure*, 30 Journal of Maritime Law & Commerce 649 (1999), and *Understanding Panama Railroad Co. v. Johnson: The Supreme Court's Interpretation of the Seaman's Elections Under the Jones Act*, 14 University of San Francisco Maritime Law Journal 229 (2001-02).

On January 19, 2006, the U.S. Court of Appeals for the Fifth Circuit reversed itself, withdrew its former opinion, and issued a new opinion in *Holmes v. Atlantic Sounding Company*, adopting the position urged in an amicus curiae brief filed by Prof. David Robertson on his and Prof. Michael Sturley's behalf. The issue in the case was the "vessel" status of the quarterbarge BT-213 (a floating boardinghouse). Robertson and Sturley argued successfully that the quarterbarge is a vessel as a matter of law under the controlling statute and Supreme Court jurisprudence.

John J. Sampson

Professor Jack Sampson, former chair and long-term member of the Pattern Jury Charge Committee: Family Law, met on September 23, 2005, to finalize the 2006 version of the "standard" for jury charges. Sampson attended the meeting of the editorial board of the ABA Family Law Quarterly in San Diego on October 1, 2005, to plan the next 18 months of publications of that often-cited journal. Professor Sampson spoke at the annual Domestic Violence Conference sponsored by Texas A&M International University in Laredo, Texas, on October 6, 2005, and again Professor Sampson spoke on "International Child Support: Today and Tomorrow," on October 6, 2005, and again on October 20, 2005, to the National Child Support Enforcement Association in Montreal, Canada, with an audience of Americans, Canadians, Mexicans, and Australians.. On November 9 and 10, 2005, as the Reporter for the Uniform Parentage Act Professor Sampson met in Chicago with members of the Illinois state legislature to discuss enactment of the uniform act.

Alvaro Santos

On September 19-20, October 17-18 and November 14-15, Santos taught the Clark Byse workshop at Harvard Law School, entitled “Critical Approaches to Law and Development: Assessing Development Projects of Legal and Judicial Reform.”

On September 28, Santos presented a lecture on “The Mexican Federal Judiciary” as guest speaker in Professor Peter Wards’ course on “Politics and Culture of Contemporary Mexico” at UT’s College of Liberal Arts.

On November 5, Santos traveled to New York, invited by the Campaign Team of Dr. Surakiart Sathirathai, Thailand’s Deputy Prime Minister and ASEAN candidate for the post of UN-Secretary General, to participate in a briefing on issues of economic development in Latin America.

On January 26-27, Santos presented a paper on “Comparative Law and Economic Development” at the Seminar “Convergence and Divergence: Comparative Analysis” organized by Chile’s Library of Congress and the Harvard European Law Research Center, in Santiago, Chile.

Wayne Schiess

October 21: Gave a seminar on legal writing to the litigation section of Andrews & Kurth in Dallas.

October 28: Spoke on legal writing at the UT System Legal Conference in Austin.

November 16: Spoke on ethical legal writing for the American Public Power Association Legal Seminar in San Antonio.

January 18: Spoke on ethical legal writing for the Austin Chapter of the J. Reuben Clark Law Society.

Susan Schultz

Susan Schultz, Deputy Director at the CPPDR, has recently been awarded the 2005 Peacemaker Award in Government by the Travis County Dispute Resolution Center. She was chosen for her dispute resolution work with the Texas Sunset Commission and her research assistance to the Dispute Resolution Centers around Texas during the 2005 session. All peacemaker award recipients for 2005 were honored at the 10th Bi-annual Peacemaker Awards ceremony on Thurs., Oct. 20, 2005 at the UT Club President's Room. State Rep., District 49, Elliott Naishtat was the Keynote speaker.

Ronald Sievert

Ronald Sievert worked on investigation for the Iraqi War Crimes trials in Qatar and England. He joined a panel of international law experts from England, Holland, Sweden and Australia at a conference deigned to educate Iraqi Judges and prosecutors on international law and procedures.

Sievert also made presentations on National Security issues to the Texas Infragard Chapter, a government sponsored organization of industries and businesses, and the Association of the United States Army.

Pamela Sigman

Spoke at Nuts and Bolts of Juvenile Law sponsored by the State Bar Juvenile Law Section and the Texas Juvenile Probation Commission on "Chapter 55 Mental Health and Mental Retardation Proceedings " on Aug 22, 2005.

Spoke on "Certification Hearings for Juveniles" and served on a panel "On Ethical Considerations in Representing the Young Client" at the Travis County Juvenile Law Certification Seminar on Dec. 2, 2005.

Charles Silver

Participated for the first time in a meeting of the Grants Subcommittee of the Law School Admissions Council.

Participated in a conference on medical malpractice litigation at Vanderbilt University Law School.

Presented a paper on payments and insurance policy limits in medical malpractice cases at the Georgetown Law Center.

Ernest Smith

Ernest Smith was nominated to serve on the Board of Directors of the Appalachian Mountain Club, which is the oldest conservation/recreation organization in the country, and the annual retreat was held at Cardigan Lodge in New Hampshire on Sept 30 - Oct. 2.

David Sokolow

Sokolow was elected Secretary of the Teaching Methods section of the AALS at the annual meeting in D.C. He will be Vice-President next year, and President the following year.

Jane Stapleton

In October Stapleton participated in a 2-day meeting of the Council of the American Law Institute in New York City and delivered a Faculty Seminar on “Restatements” to the Cardozo Law Faculty NYC.

In November Stapleton delivered a Public Seminar to the Australian Legal Philosophy Students Association on “Causation in Commercial Law” at the Queensland Bar Office.

In December she participated in a 2-day meeting of the Council of the ALI in Philadelphia.

Jordan Steiker

Steiker’s *Harvard Law Review* death penalty article (co-authored with Carol Steiker) was cited by the U.S. Supreme Court (J. Breyer, in dissent) in *Brown v. Sanders*.

Quoted in *The Washington Post*, Dec. 2, 2005, on the state of the American death penalty

Quoted in *The Austin American-Statesman*, Oct 6, 2005, on grant of relief in *Penry* in Texas Court of Criminal Appeals

Michael Sturley

October 3: Attended a meeting in Washington of the United States delegation to Working Group III (Transport Law) of the U.N. Commission on International Trade Law (UNCITRAL). Sturley is the senior advisor on the U.S. delegation to this Working Group.

October 20: Attended a planning meeting in Houston for the 13th Annual Judge John R. Brown Admiralty Moot Court Competition, which will be held in Houston March 30 - April 1, 2006.

October 21: Attended CLE’s 14th Annual Admiralty and Maritime Law Conference in Houston. Sturley delivered a paper, “*Norfolk Southern Railway v. James N. Kirby Pty Ltd.*: The U.S. Supreme Court Decides a Cargo Case.” He also co-authored a paper with David Robertson, “Recent Developments in Admiralty and Maritime Law at the National Level and in the Fifth and Eleventh Circuits.”

November 2-5: Attended the fall meeting of the Maritime Law Association of the United States in Scottsdale, Arizona. Sturley spoke at the CLE program on the current status of the UNCITRAL Transport Law project. He spoke to the Uniformity Committee on the Fifth Circuit’s original panel decision (since reversed on rehearing) in *Holmes v. Atlantic Sounding Company*. And he participated in a panel discussion before the Carriage of Goods Committee on the UNCITRAL Transport Law project.

Sturley, cont.

November 28-December 7: Attended the 16th session of UNCITRAL Working Group III (Transport Law) at UNCITRAL headquarters in Vienna, Austria. Sturley is the senior advisor on the U.S. delegation to this Working Group.

On January 19, 2006, the U.S. Court of Appeals for the Fifth Circuit reversed itself, withdrew its former opinion, and issued a new opinion in *Holmes v. Atlantic Sounding Company*, adopting the position urged in an amicus curiae brief filed by Prof. David Robertson on his and Prof. Michael Sturley's behalf. The issue in the case was the "vessel" status of the quarterbarge BT-213 (a floating boardinghouse). Robertson and Sturley argued successfully that the quarterbarge is a vessel as a matter of law under the controlling statute and Supreme Court jurisprudence.

The Supreme Court of Illinois recently adopted the analysis advocated by David Robertson and Michael Sturley to rule that a defendant is entitled to a jury trial in a state-court action under the Jones Act, 46 U.S.C. app. § 688. See *Bowman v. American River Transp. Co.*, 217 Ill. 2d 75, 838 N.E.2d 949 (2005). The Illinois court rejected a line of federal jurisprudence (including decisions of the Fifth and Ninth Circuits) and overruled a line of prior state decisions, both of which had held that the Jones Act limits jury trial rights solely to plaintiffs. Robertson and Sturley had criticized those cases in two articles, which the *Bowman* court followed: *The Right to a Jury Trial in Jones Act Cases: Choosing the Forum Versus Choosing the Procedure*, 30 Journal of Maritime Law & Commerce 649 (1999), and *Understanding Panama Railroad Co. v. Johnson: The Supreme Court's Interpretation of the Seaman's Elections Under the Jones Act*, 14 University of San Francisco Maritime Law Journal 229 (2001-02).

Gerald Torres

On the fourth Thursday of each month Torres attended the board meeting of the UT Elementary Charter School. He is a founding board member.

October 19-21, Prof. Engle traveled to Washington with Professor Gerald Torres, where she met with Senator Tom Harkin and other friends and former colleagues of career diplomat George Lister, whose papers were recently acquired by the University of Texas. They discussed the creation of an on-line exhibit on Lister and a conference to consider issues raised by his career in the foreign service. Engle and Torres also met with the Washington Office on Latin America and with staff members of the Inter-American Commission on Human Rights to establish ties for a new Human Rights and Latin America Initiative jointly sponsored by the Rapoport Center for Human Rights and Justice and the Lozano Long Institute for Latin American Studies.

November -7 Moderated Panel on Translating Culture at UT Rapoport Center for Human Rights and Justice Center Conference.

November 11-12, Participated in Conference on the Scholarship of Carol Rose at the Yale Law School. Delivered a paper on her use of narrative theory in her writings on takings.

November 14, Chaired Board meeting of the Advancement Project.
<http://www.advanceproj.com/>

November 16-20 – Attended AALS Executive Committee Meeting and conducted membership review of law schools.

December 6 Participated in Board Meeting of Earth Day Network.
<http://www.earthday.net>

December- Appointed to the Board of Justice at Stake:
http://www.utexas.edu/law/news/2005/121405_torres.html

January 2-8 attended AALS annual meeting. Besides attending the executive committee meetings there, Torres was committee chair of the Scholar Papers competition.

Louise Weinberg

Louise Weinberg, who has been on research leave, is at work on her project on "The Supreme Court in the Election of Abraham Lincoln." She presented earlier drafts of the paper at a faculty colloquium at Georgia State on November 7, 2005 and at a faculty colloquium at UT on October 10, 2005. This work grew out of a talk she gave at a conference at UC Irvine on October 27, 2004, on "Presidential Elections and the Supreme Court."

Louise Weinberg will appear in the first part of a PBS documentary history of the Supreme Court, work on which has now been completed. Weinberg has withdrawn her biography of Judge Wyzanski, for whom she clerked, from the Yale Biographical Dictionary of American Law, the editor having refused to remove solecisms introduced by him into her text. Weinberg is planning a possible future project on "The Judicial Review Controversy," the subject of a talk Weinberg presented at a meeting of the UT QUEST group in the Thompson Law Center on January 17, 2006.

Louise Weinberg chaired the Section on Admiralty and Maritime Law at the January 2006 Annual Meeting of the AALS in Washington, D.C., Weinberg's program, "Civil Rights on a Cruise," involved the recent Supreme Court decision in *Spector v. Norwegian Cruise Lines*. With talks by experts on civil rights, international law, disability law, the conflict of laws, and transnational litigation, Weinberg's program more than doubled the usual attendance for this Section. Write-ups of these talks and the transcribed recorded remarks of the speakers, with an introduction by Weinberg, will appear in the October 2006 issue of the *Journal of Maritime Law and Commerce*. Weinberg was able to include in her program of speakers UT's Sarah Cleveland, and on her Executive Committee UT's Ernie Young. Also at the Washington meeting, the Federal Courts Section drew an unprecedented audience of over 500, with a program, "Litigating Terrorism," proposed by Weinberg, and a program Chair also selected by her, Janet Alexander of Stanford. Weinberg was also able to secure the nomination of UT's Larry Sager as Chair-Elect/Program Chair of the Federal Courts Section for 2006-07.

Jay Westbrook

November 10: Westbrook spoke at the annual UT Bankruptcy Conference on Recent Developments and on Empirical Work in Business Bankruptcy.

Michael Widener

Michael Widener gave a talk on illustrated law books, entitled "Picturing the Law", Oct. 5, 2005, to the Rotary Club of Palestine, Texas. On Oct. 11, 2005, Widener was re-elected to a three-year term on the Board of Trustees of the Texas Supreme Court Historical Society.

Ernest A. Young

Presented "Foreign Law and the Denominator Problem" at the *Harvard Law Review* Supreme Court Issue Symposium, November 2004.

Presented "The Conservative Case for Federalism" at the George Washington University Law School's Symposium on the Rehnquist Court, November 2004.

Presented "The Volk of New Jersey?" at the University of Alabama's faculty colloquium, November 2004.

Reviewed Calvin Johnson's *Righteous Anger at the Wicked States* and Philippe Sands' *Lawless World* at UT Law.

Participated in amicus briefs before the U.S. Supreme Court in *Marshall v. Marshall* (defending the probate exception to federal bankruptcy court jurisdiction), and *Gonzales v. Oregon* (challenging the U.S. Attorney General's authority to preempt Oregon's physician-assisted suicide law) .

Filed an amicus brief, along with Ed Dawson '00, in *In re Medellin*, on behalf of the States of Alabama, Montana, Nevada, and New Mexico, challenging the President's authority to order Texas courts to reconsider the death sentence of a Mexican national who had not been notified of his treaty right to speak with the Mexican consulate.

Gave a lunchtime presentation, with Doug Laycock, to the Austin Lawyer's Chapter of the American Constitution Society on the nomination of Samuel Alito to the U.S. Supreme Court.