



FACULTY ACTIVITIES – UT LAW

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Jodi Bart, Laura Castro, and Allegra Young, editors

Bill Allison

Allison attended the National Innocence Network National Conference in Seattle, March 17-19. Texas Center for Actual Innocence is founding organization and Allison is founding member of the board. This will be the last board meeting for Allison as he is retiring from board.

David Anderson

Anderson gave a talk on “Government Secrecy, National Security, and the Media” on March 30 in Austin before LAMP (Learning Activities for Mature Persons).

Anderson gave a paper on “Economic Torts and Defamation” at the Dan B. Dobbs Conference on Tort Law at the University of Arizona on March 4.

Mitch Berman

Berman presented his paper, “Punishment and Justification” at a faculty colloquium at the University of Michigan on March 14, and at the Second Annual International Congress on Law & Philosophy, at UNAM, Mexico City on March 30.

Steve Bickerstaff

Adjunct Professor Steve Bickerstaff has published op-eds on the Texas 2003 congressional redistricting case in the *Austin American-Statesman* and *Dallas Morning News*. The University of Texas Press has accepted his finished manuscript, *Lines in the Stand: The 2003 Congressional Redistricting in Texas and the Fall of Congressman DeLay* for publication. The book should be published later in 2006.

Bernard Black

Henry Hu and Bernard Black, were featured in an article in the March/April issue of *Corporate Control Alert*. “Hedge fund voting: The devil we don’t know,” was written by David Marcus and discusses the professors’ paper, “Hedge Funds, Insiders, and

Decoupling of Economic and Voting Ownership in Public Companies,” which will run in the May issue of the *Southern California Law Review*. Marcus notes that this article is “the first thorough academic analysis” of what Professors Hu and Black call the “new vote buying,” a phenomenon that is now affecting corporate governance throughout the world.

Cynthia Bryant

February 13-14: Spoke on dispute resolution at the National Judicial Task Force on Child Support in Las Vegas.

On March 22, Bryant was appointed by the Texas Supreme Court to a Task Force on Child-Protection Case Management and Reporting. The work of the Task Force is underway; their first meeting occurred on April 20 in Austin. The report is due to the Court in October.

Sarah Buel

Accountability, Power and Politics: Navigating the Troubled Waters of Domestic Violence Legal Advocacy, Washington University School of Law (St. Louis, Missouri, Feb. 8).

Promising Practices in Probation Department’s Responses to Domestic Violence: Law, Policy & Vision, keynote address for the San Diego County Probation Dept. and Courts seminar for 1000 staff (Feb. 13)

Trends, Challenges and Recommendations for Effective Interventions with Family Violence Cases, keynote for Zonta International seminar, (Austin, Texas; Feb. 16)

The Role of Law Schools in Ending Family Violence, talk for Girl’s Law Day at Travis High School, (Austin, Texas; Feb. 25).

Keynote Address, *Accountability, Power & Politics; Navigating the Troubled Waters of Domestic Violence Advocacy*, University of Oregon School of Law; Articles Talk to Faculty, *Do Ask and Do Tell; Rethinking the Lawyer’s Duty to Warn in Domestic Violence Cases*; and lecture to class on *Medical Ethics and Law in Domestic Violence Interventions*. (March 6)

Keynote Address, *Do Ask and Do Tell: Rethinking the Lawyer’s Duty to Warn in Domestic Violence Cases*, University of Cincinnati School of Law Symposium, *The Future of the “Duty to Protect”: Scientific and Legal Perspectives on Tarasoff’s Thirtieth Anniversary*. (March 17)

Keynote Address, *Domestic Violence Law and Ethical Practice for Law Enforcement Officers*, Texas Dept. of Public Safety Training Academy. (March 21)

Keynote Address, *Litigating Against Domestic Violence*, Santa Clara University School of Law; Roundtable Discussion with Faculty and Students, *Domestic Violence Legal Reform Efforts*.(April 10)

Oregon Child Abuse Summit and Family Violence Conference, 4 presentations: (1.) *Trends, Challenges & Promising Practices in Domestic Violence Law*; (2.) *Elder Domestic Violence Law*; (3.) *The Importance of Visitation Centers in Protecting Child & Adult Abuse Victims: Critical Components & Challenging Issues*; and (4.) *Promising Practices in Juvenile & Dependency Courts' Response to Domestic Violence*.(April 19th & 20th)

Samuel Buell

At invitation of appointments committees, presented paper titled "Novel Criminal Fraud" to law faculties at Boston University, Columbia, Harvard, New York University, University of Texas, University of Virginia, Vanderbilt, and Washington University, January to March 2006.

Appointed Associate Professor, Washington University School of Law, St. Louis, MO.

Presented paper titled "Novel Criminal Fraud" at Cardozo Law Review Symposium, "Fraud and Federalism," New York, NY, March 2006.

Paper titled "Novel Criminal Fraud" accepted for inclusion in Yale-Stanford Junior Faculty Forum (blind, peer review by senior scholars in field) and for publication in *New York University Law Review*.

Invited co-author of Legal Commentary Blog for *Houston Chronicle* website, covering trial of former Enron executives, February to May 2006.

Commentary relating to corporate crime and federal criminal law in *New York Times*, *Wall Street Journal*, *USA Today*, National Public Radio, CNBC, *Time*, *Associated Press*, *Chicago Tribune*, *Houston Chronicle*, and other media outlets.

Charles Childress

Childress gave a 3.5 hour CLE presentation on representing children in Bellville on March 21, 2006, at a seminar sponsored by local district judges that handle the Child Protective Services docket. The program included 1.5 hours of legal ethics on rules specifically applicable to these cases. About 25 people, including two judges attended.

Michael Churgin

During March, Professor Michael J. Churgin served on an ad hoc committee to advise Harvard President Larry Summers on a tenured lateral appointment to the Harvard law faculty.

Jeff Civins

Jeff Civins gave an interview on issues relating to EPA's new "all appropriate inquiries" rules, which will affect how environmental due diligence is conducted. This appeared in the February 16, 2006 *BNA Environmental Due Diligence Guide*. Civins was one of three participants in a BNA-sponsored national audio conference on the new rules, which was held on February 21, 2006.

Sarah Cleveland

Participated on panels 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 the legal implications for the current Guantanamo detentions. Columbia Law School (Jan. 2006).

Spoke on panel at the Annual Meeting of the Association of American Law Schools 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 (Jan. 2006).

Participated on a panel on *Human Rights in U.S. Constitutional Litigation* at the 2006 Barnes Symposium on "Legitimacy and Western and Non-Western Views of Human Rights," University South Carolina Law School (Feb. 2006).

Delivered a talk on "The Cambodian Garment Industry: A Test Case for International Labor Rights" at the Human Rights Workshop, Yale Law School (March 2006).

Presented paper on "*Dred Scott* and the Use and Abuse of Foreign Authority" at a symposium marking the 150th anniversary of the *Dred Scott* decision, University of Texas School of Law (March 2006).

John Deigh

Saturday, March 18. Presented a paper "Williams on Practical Reason" at the Bernard Williams Memorial Conference, Jean Beer Blumenfeld Center for Ethics, Georgia State University.

Mechele Dickerson

Dickerson presented her paper, "Race Matters in Bankruptcy Reform," at the Interdisciplinary Perspectives on Bankruptcy Reform Conference at the University of Missouri-Columbia School of Law, Columbia, Missouri, on February 24, 2006

She presented her paper, "Regulating Bankruptcy: Public Choice, Ideology, and Beyond" at the 2006 F. Hodge O'Neal Conference: Regulating Business: Beyond the

Doctrine Symposium at Washington University School of Law, St. Louis, on April 14, 2006

She was a workshop leader for the Federal Judicial Center's training for bankruptcy judges on April 19-20 in Manhattan.

Karen Engle

On April 27, Engle spoke to the United Nations Association in Austin on "The Roles of Human Rights in U.S. Foreign Policy"

On April 13, she presented a paper for the Faculty Colloquium at the University of North Carolina School of Law entitled "Expanding the Bases for Humanitarian Intervention: Considering Some Consequences of 'Calling in the Troops'"

On March 30, she presented a paper in Washington, D.C. at the Annual Meeting of the American Society of International Law on a panel entitled "The Relationship Between *Jus Ad Bellum* and *Jus In Bello*: Past, Present, Future"

On March 3, she was chair and discussant on a panel entitled "Immigration Policy after 9/11: U.S. and European Perspectives" at a conference organized by the University of Texas Center for European Studies.

February 17, she chaired and participated in a roundtable on "The Living Newspaper Project" for a conference at the University of Texas entitled "Abriendo Brecha III: Activist Scholarship Conference on Crisis, Politics & Performance in the Americas"

Mark Gergen

Mark Gergen submitted Preliminary Draft No. 2, Restatement Third, Economic Torts and Related Wrongs to the American Law Institute for review by Advisors and the Members Consultative Groups.

Mark Gergen presented "The Ambit of Duty When Conduct Foreseeably Risks Solely Pecuniary Harm" at a conference at the University of Arizona College of Law on the Economic Torts project. Papers presented at the conference will be published in the *Arizona Law Review*. David Anderson and Jane Stapleton also participated in the conference.

Jack Getman

Getman presented the Rush McKnight Lectures at Case Western Law School: Lecture to Faculty on Legal Education, Public lecture on labor law.

Lino Graglia

Feb 21 — Federalist-American Constitutional Society sponsored debate on “Role of the Supreme Court in the American System of Government” at Baylor University Law School, Waco, TX

March 4 — University of Texas Open House talk on “Understanding Constitutional Law”

March 31 — Delivered the Bradford Lecture at the University of Dallas on “Affirmative Action: Constitutional, Good Social Policy?” Irving, TX

April 10 — Submitted requested written testimony in support of H.R. 5037, the Respect for America’s Fallen Heroes Act, prohibiting demonstrations at Veterans Affairs cemeteries during funeral services for military personnel, to Subcommittee on the Constitution, U.S. House Committee on the Judiciary

Leslie Green

In April, Leslie Green attended the Analytic Legal Philosophy Conference at UCLA, and the Nashville meeting of Test Development and Research Committee of the Law Schools Admission Council. Green has been appointed to the Hauser Global Faculty of the NYU Law School, and will make his first teaching visit to NYU this fall, teaching in the areas of legal theory and sexuality and the law.

Patricia Hansen

Hansen was one of the judges at the final round 2006 Jessup International Law Southwest Regional Moot Court Competition, hosted by The University of Texas School of Law, on February 18.

Barbara Hines

April 24- Quoted in an article in the *Austin American-Statesman* on detaining illegal immigrant families.

April 10-Interviewed on News 8 regarding current immigration proposals
Interviewed on UT School of Journalism Texas Newswatch regarding current immigration proposals

April 4- Speaker on panel, *Perspectives on Immigration and The Undocumented Economy* sponsored by City of Austin Mayor’s Book Club and UT Humanities Institute regarding current immigration issues

March 3- Conference Co-Chair, Immigration Policy post 9/11: U.S. and European Perspectives
Speaker: on panel on Border Issues

March 27- Interviewed by Associated Press on immigration reform.

February 3- Spoke on Evidentiary Issues in Asylum and Ethics in Asylum at ABA/Probar Asylum Conference, South Padre Island

Lonny Hoffman

On February 23, Lonny Hoffman spoke at the *Review of Litigation's* symposium, The Review at 25: Looking to the Future of Litigation, on the certification and sanctions provisions in Rule 11 of the Federal Rules of Civil Procedure.

In March he was appointed by the Texas Supreme Court to the Supreme Court Advisory Committee. The SCAC advises the Court on rules-making policy. On April 14, he participated in the bimonthly meeting in Austin.

His scholarly work on the Class Action Fairness Act was featured in the March 6, 2006 edition of the National Law Journal. He was also quoted in the February 6, 2006 edition of the Texas Lawyer in the article, "Plaintiff Seeks MDL Consolidation in Property Tax Cases" on the state's multi-district litigation rules.

On April 7 he participated in a discussion group among representatives of University of Texas San Antonio, University of Texas El Paso and Pan American University on their pre-law summer programs.

In April, in his capacity as editor of *The Advocate*, the quarterly journal of the Litigation Section of the State Bar of Texas, he published the spring issue of the journal ("Best Of Litigation Update 2006", 34 *The Advocate* 2006).

On April 27, he spoke on the use and role of presuit discovery in civil litigation at the State Bar of Texas Advanced Evidence and Discovery Course (continuing legal education program).

On April 28-29 he participated in the spring conference of the Litigation Council for the State Bar of Texas in Sante Fe, New Mexico. The council is the board of directors for the Litigation Section of the State Bar of Texas. Professor Hoffman is an *ex officio* member of the council.

Henry T. C. Hu

Henry Hu served as a "commentator" (together with Vice Chancellor Leo Strine, Jr. of the Delaware Court of Chancery) with respect to a finance paper presented at the University of Pennsylvania's Institute for Law and Economics' "Corporate Roundtable" on April 28, 2006.

Hu was interviewed on the CNBC television show "Closing Bell with Maria Bartiromo" on March 27, 2006. Ms. Bartiromo asked Hu for his views on a range of matters, including hedge fund regulation, securities analyst independence, short-selling, and the

controversy involving the hedge fund SAC Capital Advisors, Gradient Analytics, and Biovail.

Hu testified before the U.S. Senate Committee on Banking, Housing, and Urban Affairs on Thursday, March 9 at a hearing entitled “A Review of Self-Regulatory Organizations in the Securities Markets.” He discussed the regulatory implications of the New York Stock Exchange’s conversion to a for-profit, publicly held, company. Other members of the six-member panel included John Thain, the Chief Executive Officer of the New York Stock Exchange, and Robert Glauber, Chairman of the National Association of Securities Dealers.

Hu was appointed to the Market Regulation Committee of the National Association of Securities Dealers (the SRO regulating every broker-dealer in the United States conducting a securities business with the public) in the spring of 2006.

A paper co-authored by Hu (with Bernard Black) was the subject of a story in the March-April *Corporate Control Alert*. The story stated that the paper was the “first thorough academic analysis” of the decoupling of economic and voting ownership. (The paper is entitled *Hedge Funds, Insiders, and Empty Voting: Decoupling of Economic and Voting Ownership in Public Companies.*)

On February 3, 2006, Henry Hu co-presented (with Bernard Black) the above-referenced paper on the “new vote buying” at the *Boundaries of SEC Regulation* conference, sponsored by the Financial Economics Institute at Claremont McKenna College.

Hu’s *Enron Happens*, a solicited op-ed, was published by the *New York Times* on January 30, 2006. Hu was quoted on a variety of corporate governance, securities regulation, and other matters in, among other places, *Business Week* (April 3, 2006), *Los Angeles Times* (February 18, 2006), *Pensions and Investments* (March 20, 2006), *USA Today* (February 9, 2006), the *Wall Street Journal* (March 15, 2006), and the *Washington Post* (February 9, 2006, March 21, 2006 and April 24, 2006).

Calvin Johnson

Presented *Righteous Anger at the Wicked States: The Meaning of the Founders Constitution*

- to Austin Tax Study Group (January 17, 2006)
- to Northwestern faculty colloquium (March 2, 2006)
- to UT Explore (March 4, 2006)
- to Harvard American Constitution Society (March 15, 2006)
 - speech broadcast on C-Span2-TV, April 8, 2006
- to Penn American Constitution Society/Federalist Society (March 16, 2006)
- to Columbia American Constitution Society/Federalist Society (March 20, 2006)

Presented *Tales from the KPMG Skunk Works* to Northwestern tax faculty and LLM tax policy colloquium (March 2, 2006).

Anonymous referee to Cambridge University Press on whether to publish a manuscript.

Emily Kadens

Feb 24-25: Attended contracts conference

Mar 4: presentation on medieval law books and presentation with Doug Laycock on judging for Explore UT

Mar 26-27: Organized judicial clerkship workshop, bringing in four federal appellate judges for meetings with faculty and students and a reception with top 2L candidates.

Susan Klein

On Feb. 2-4, 2006, Jordan Steiker and Susan Klein hosted a *TLR* Symposium on Punishment Law and Policy. The conference was dedicated to the memory of Prof. Robert Dawson. The presentations will be published by the *TLR* in June.

Douglas Laycock

Douglas Laycock was the Lives-in-the-Law Visitor to Pepperdine University Law School, in Malibu, California, on February 16-17, 2006.

Laycock spoke on the Supreme Court and Religious Liberty at Explore UT, the University's public open house, on March 4.

He spoke on The Establishment Clause and Tuition Equalization Grants to the Independent Colleges and Universities of Texas, in Austin, on March 29.

He helped plan a two-day CLE program of the State Bar of Texas, The First Amendment's Religious Liberty Clauses, presented in Austin on March 30-31. During that program, he spoke on "Historical Development of the 1st Amendment" and also on "*Cutter v. Wilkinson*."

He spoke on The Supreme Court and Religious Liberty to the Institute for Law and Public Affairs, at the University of Texas at San Antonio, on April 12.

He moderated a panel entitled My Way: Independence of the Judiciary, to the Austin Bench and Bar, in Lakeway, on April 21.

He gave the Leon Green Keynote Address to the *Texas Law Review* banquet, in Austin, on April 21.

He taught his last class at the University of Texas, to 209 students in Religious Liberty, in the Auditorium, on April 26. For him at least, this was a very sad occasion. In the fall, he will join the faculty of the University of Michigan, where his wife will be Provost and Executive Vice President for Academic Affairs.

Brian Leiter

On February 10, 2006, Brian Leiter presented a paper on “The Case for Nietzschean Moral Psychology” to a workshop sponsored by the Committee on Law and Philosophy at the Arizona State University College of Law.

Brian Leiter delivered the annual ‘Or ‘Emet Lecture at Osgoode Hall Law School of York University, Toronto on March 9, 2006 on the topic “Why Tolerate Religion?” The last UT faculty member to deliver the ‘Or ‘Emet Lecture was Sanford Levinson in 1986.

Brian Leiter presented a paper on “Nietzsche’s Theory of the Will” to the Department of Philosophy at Washington University in St. Louis on March 30, 2006.

Maurie Levin

Speaker, “Ineffective Assistance of Counsel Claims – How Do You Find Them and How Must You Plead Them” at TCDLA Capital, Mental Health and Habeas Seminar, April 21.

Sanford Levinson

Levinson gave a talk at the University of Wisconsin in February. He participated in a roundtable on the interplay between political science and political theory, at the Southern Social Science Association meeting in San Antonio on Friday, April 13. He also presented, with Jack Balkin, a paper at a symposium at Fordham Law School on March 23, and participated in a symposium at Boston University Law School on April 21. Finally, he attended a workshop on “constitutional patriotism” at Princeton University on April 8-9.

Levinson was also the co-organizer and moderator at a symposium on the upcoming 150th anniversary of the Dred Scott case, at the Law School on March 30-April 1.

Kate Litvak

April 28: presented a paper entitled “Blog as a Bugged Water Cooler” at the symposium on Bloggership: How Blogs Are Transforming Legal Scholarship, organized by The Berkman Center for Internet and Society at Harvard Law School

May 6: presented a paper entitled “The Effect of the Sarbanes-Oxley Act on non-US Companies Cross-Listed in the US” at the annual meeting of the American Law and Economics Association

Ronald Mann

Mann was interviewed for an article on teens and credit cards that ran in the *Seattle Times* on April 23.

Mann presented his paper “Bankruptcy Reform and the Sweat Box of Credit Card Debt” at the University of Illinois School of Law Conference on Bankruptcy Reform on April 14.

He participated in the annual Harvard-UT Conference on Commercial Law Realities on April 28 and 29.

An article based on Mann’s paper, “Bankruptcy Reform and the ‘Sweat Box’ of Credit Card Debt” will appear in the May 11 issue of *Consumer Bankruptcy News*.

Tracy McCormack

Participated in and wrote a paper titled *Privatization of the Justice System* for the Review of Litigation Spring Symposium (*The Review at 25: Looking to the Future of Litigation*) held February 23rd – 24th, 2006. The paper will be published in the 2005-2006 ROL Journal.

Gave speech titled “Clarence Darrow Had it Easy” at The University of Houston Law Center on April 4th, 2006.

Chairing Travis County Endangered Jury Trial Committee with Judge Darlene Byrne and will conduct experimental summary jury trials held at the law school on May 17th and 23rd, 2006.

Participated in the *Color of Justice* panel held at the law school this spring.

Participated in the Austin Bar Pick Me Jury project in local high schools during the fall and spring semesters.

Thomas McGarity

McGarity delivered a paper on “Resisting Regulation with Blue Ribbon Panels” at Fordham University School of law on Feb. 23.

He presented a paper entitled “Did NEPA Drown New Orleans? The Levees, The Blame Game, and the Hazards of Hindsight” with Prof. Douglas Kysar at Duke University on March 24.

Roy Mersky

Professor Mersky hosted the second annual Tarlton Law Library Rare Books Lecture on Wednesday, February 15, 2006. Dr. Stanley Chodorow, professor emeritus of history at the University of California, was the guest lecturer whose talk was entitled, “Libraries and the Formation of the Legal Profession in the Late Middle Ages.”

Professor Mersky attended the ANZSANA (Australia/New Zealand Studies of North American) conference in Montreal, Canada, April 6-8, 2006, and chaired the Roundtable on Judicial Accountability and Independence: Comparative Perspectives, Saturday, the 8th.

With Kumar Percy, he co-chaired local arrangements for the SWALL (Southwestern Association of Law Libraries) meeting in Austin, April 7-8, 2006.

He participated in the International Book Fair in Buenos Aires, Argentina, April 15-26, 2006, as a guest of the book sellers of Argentina.

Linda S. Mullenix

Panelist and paper presenter, “Phillips Petroleum Company v. Shutts II: Choice of Law,” at the Class Action Symposium, University of Missouri, Kansas City Law School (April 7, 2006). Professor Mullenix’s article, “*GRIDLAW: The Enduring Legacy of Phillips Petroleum v. Shutts*,” is to be published in the UMKC Law Review.

Professor Mullenix was appointed to the Fulbright Distinguished Senior Chair in Law (Italy), by the United States Fulbright Commission. She will hold this Chair during spring 2007.

Rob Owen

On February 3, Owen served as moderator for a panel on the death penalty at the Texas Law Review’s symposium on “Punishment Law and Policy.”

On February 6, Owen led a discussion on the death penalty with a delegation of visitors from Argentina under the auspices of the Fundación Universitaria del Río de la Plata (FURP).

On February 21, Owen was the featured luncheon speaker at the monthly meeting of the American Constitution Society, speaking on the prospects for continued death penalty reform by the Supreme Court in the Roberts era.

On February 26, following a local screening of the documentary film “After Innocence,” Owen led an audience discussion about wrongful convictions.

On March 8, Owen argued a federal death penalty appeal (*United States v. Fields*) in the United States Court of Appeals for the Fifth Circuit.

On April 6, Owen participated in the ceremonies marking the establishment of the Law School's Capital Punishment Center.

On April 14, the Capital Punishment Clinic filed a brief as *amicus curiae* in *Nelson v. Dretke*, a death penalty appeal pending before the *en banc* Fifth Circuit. Professor Steiker and Owen authored the brief.

On April 21, Owen served as a faculty member at a CLE program for lawyers defending death penalty cases, held at the Center for American and International Law in Plano.

Bob Peroni

In February 2006, Bob Peroni presented an international tax policy paper at a program sponsored by the International Tax Policy Forum in Washington, D.C. Yale Law School Professor Michael Graetz was the moderator of the panel and Rosanne Altshuler, the senior economist on the President's Advisory Panel on Federal Tax Reform, was the commentator on the paper.

In March 2006, Bob Peroni presented his paper, "Exploring the Contours of a Proposed U.S. Exemption (Territorial) Tax System," at the UCLA School of Law's Tax Policy and Public Finance Workshop Series.

In April 2006, Bob Peroni co-chaired the planning committee for the 54th Annual Texas Tax Conference sponsored by UT Law School.

H.W. Perry

Perry organized the UT-Oxford Law Faculty Interchange that took place at the Law School on April 11. He commented on a paper "The Constitutional Status and Impact of the Human Rights Act 1998" by Nicholas Bamforth, Fellow in Law, The Queen's College, Oxford.

David Rabban

Rabban spoke on the relationship between individual and institutional academic freedom at the Annual Meeting of the American Educational Research Association in San Francisco on April 11.

R. Anthony Reese

Reese participated in a retreat of copyright academics organized by the Berkeley Center for Law and Technology in February to study the legal issues raised by the Google Book Search project to scan large numbers of copyrighted books without prior permission.

Reese gave a talk on *The Temporal Dynamics of “Capable of Substantial Noninfringing Use”* at a symposium on 21st Century Copyright Law in the Digital Domain at the University of Michigan Law School on March 24.

A change to copyright law proposed in a law review article authored by Prof. Mark Lemley and Reese was discussed in a Congressional hearing before the House Judiciary Committee’s Subcommittee on Courts, the Internet and Intellectual Property on March 29.

Reese gave a talk on *The First-Sale Doctrine, Digital Networks, & Technological Protection Measures* as a featured speaker at the Texas Library Association annual conference in Houston on April 26.

John Robertson

Robertson spoke at Petrie-Flom Center for Bioethics and Biotechnology, Harvard Law School, February 16. Lectured on Rights to Research and Treatment in the Embryonic Stem Cell Debate.

Robertson engaged in an online debate with Barbara Katz Rothman, a professor of sociology in the Ph.D. program of the City University of New York through the Legal Affairs Debate Club (www.legalaffairs.org/debateclub) in late March, 2006. Robertson argued that non-medical sex selection for second and subsequent children should be recognized as an aspect of the reproductive rights recognized by the Supreme Court, and that choice of a child’s sex is consistent with full protection of women’s rights in other areas. Rothman believes that sex selection practices are inherently sexist, and that encouraging them will further reify the significance of sex in society and make it harder to realize equal rights for women. For a link to the debate, see: http://www.legalaffairs.org/webexclusive/debateclub_sex-selection0306.msp.

Robertson spoke at BIO (Biotechnology Industry Organization). Chicago. April. 14. Civil Rights Issues in Biotechnology

Meredith Martin Rountree

On April 21, Rountree taught at a Capital, Mental Health and Habeas CLE organized by the Texas Criminal Defense Lawyers Association.

Larry Sager

February 2: Judge William H. Orrick, Jr. lecturer at Boalt Hall’s Center for Morality, Law and Public Affairs. Title: “Ten Commandments, Three Plastic Reindeer, and One Nation...Indivisible”

February 27: Faculty Workshop at the University of Oregon School of Law. Title: “Religious Freedom”

March 3 & 4: Roundtable Conference on Collective Decision-making/Collective Responsibility, Institute for Law and Philosophy and Institute for Law and Economics, University of Pennsylvania. Title “The Many as One: Integrity, Group Decision-making and the Doctrinal Paradox”

March 24 & 25: Fordham University School of Law, Conference on “A New Constitutional Order?”. Title: “Constitutions in Exile: Economic Justice.”

March 28: Texas Conference of Churches, Austin, Texas...Taped Presentation. Title: “Equal Liberty and Religious Freedom.”

April 7: Spring Meeting of the American College of Trial Lawyers. Participated in a panel discussion on “The War Against Terror vs. Individual Rights: Where Do We Draw the Line?”

April 8: University of Pennsylvania School of Law, Conference on Constitutional Theory. Title: “Commentary on Frank Michelman, Unenumerated Rights.”

April 15: NYU School of Law; Dedicatory remarks re Ronald Dworkin for the NYU Annual Survey of American Law.

April 22: Alumni Reunion, University of Texas School of Law, Faculty Roundtable. Title: The Role of an Independent Judiciary in a Constitutional Democracy.

April 24: Texas College for Judicial Studies, Austin, Texas. Title: “Justice in Plainclothes: Judicial Independence, The Rule of Law, and the Foundations of Constitutional Democracy.

John J. Sampson a.k.a. Jack Sampson

Feb. 1-2, 2006, and April 19-20. Professor Sampson attended meetings in Washington, D.C. as a member of the U.S. State Department delegation to the Hague Conference on International Private Law, negotiating a new maintenance convention to enforce child support and alimony. The first meeting concentrated on the delegation formulating the U.S. position on the provisions of the current draft of the proposed convention. The second meeting was designed for the delegation to inform interested experts from throughout the United States about the current status of negotiations. Professor Sampson led the discussion regarding modification of an existing order—a major impediment to agreement.

On Feb. 23, 2006, Professor Sampson spoke at the Robert O. Dawson Juvenile Justice Institute in Dallas, Texas. The official topic was a Legislative update of the statutes governing Children’s Protective Services. Sampson was able to announce that the

following Saturday would see the completion of Bob Dawson's last request—distributing his ashes on the hay field of the horse ranch in Fentriss, TX via a manure spreader.

On March 3, 2006, Professor Sampson again spoke on CPS legislation to the Denton CASA organization and, as a two-fer, spoke to the Denton County Bar Association regarding the history of child custody laws in Texas.

During the academic year Professor Sampson served on the Legislative Committee of the State Bar Family Law Section and an on ad hoc committee advising the Texas Legislative Council on H.C.R. 153, which directs that the statutory terminology regarding managing and possessory conservatorship be modernized.

Wayne Schiess

February 22: Spoke on legal writing to the Capital Area Paralegal Association in Austin.

March 9: Spoke on legal writing at South Texas College of Law's Family Law Conference in Houston.

March 10: Spoke on supervising others' legal writing for a conference of legal-aid lawyer-managers in San Antonio.

April 7-10: Directed the Thad T. Hutcheson Moot Court Competition at the Law School.

April 25-26: Participated in testing of original and plain-language jury instructions in Dallas as part of the Texas Pattern Jury Charges plain-language task force. Also drafted the plain-language instructions tested.

Charles Silver

Silver is chairing the Dean Search Committee at the Law School. He presented papers studying medical malpractice litigation empirically at Berkeley (March 9) and the RAND Institute for Civil Justice (March 10).

Jane Stapleton

February 13-14 delivered a paper "The Internal View in Civil Recourse Theory" at a Conference on THE INTERNAL VIEW IN LAW AND ETHICS, Fordham Law School NYC

March 6-7 attended conference on economic loss at the University of Arizona, Tucson.

March 15-16 attended, as Consultant to the Appellants, the hearing in the House of Lords [London, United Kingdom] , of Barker v. St Gobain, a major asbestos appeal.

April 3 delivered a lecture on “Causation in Commercial Contexts” at the University of Adelaide School of Law.

April 26 commenced my annual series of lectures on “Causation and the Scope of Liability” at the Faculty of Law, University of Oxford

Jordan Steiker

Susan Klein and Steiker coordinated and hosted the *Texas Law Review* Symposium this year on Punishment Law & Policy

Steiker delivered a lecture on “Federal Habeas, Retroactivity and the Anti-Terrorism and Effective Death Penalty Act” to students at Harvard Law School on April, 17.

On April 6, Rob Owen and Steiker hosted the opening of the law school’s Capital Punishment Center. Rob and Jordan are Co-Directors, and the Center is designed to expand both academic and clinical work involving the death penalty at the law school. Michael Tigar, Judge Charlie Baird, and Dean Steve Goode spoke at the Center’s inauguration.

On February 10, Steiker gave a speech to the National Lawyer’s Guild student chapter on “Capital Punishment, Reform, and the Criminal Justice System.”

Michael Sturley

February 12-15: Attended the 2006 Colloquium of the Comité Maritime International (CMI) in Cape Town, South Africa; on February 15, attended the annual meeting of the CMI Assembly.

February 27: Attended the planning meeting in Houston for CLE’s 15th Annual Admiralty and Maritime Law Conference, which will be held in Houston on September 29.

March 20-21: 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, which is negotiating a new multilateral treaty to unify the core elements of international maritime transport law.

March 30 - April 1: Attended 13th Annual Judge John R. Brown Admiralty Moot Court Competition in Houston. The Law School runs the Competition each year with a local host school (this year, the University of Houston Law Center). Sturley co-authored the problem and the bench brief with David Robertson and he supervised the administration of the Competition. Next year’s Competition will be held in San Francisco, March 8-10, 2007.

April 3 - 12: Attended the 17th session of UNCITRAL's Working Group III (Transport Law) at United Nations Headquarters in New York. Sturley is the senior advisor on the U.S. delegation to this Working Group. He is also the Working Group's coordinator for the chapter on Transport Documents and Electronic Transport Records, which was discussed during this session.

Teresa Sullivan

"Education: The Road to Accomplishment, Status, and Power." Keynote address at the 2006 Annual Awards and Installation Banquet, Greater Austin Hispanic Chamber of Commerce, Austin, February 10, 2006.

"Texas as Information Frontier," Address at the annual ACES Conference, The University of Texas at Arlington, March 24, 2006.

Sunny Niu, Teresa A. Sullivan, Marta Tienda, "Diversity by Design or Default? Minority Students and the Texas Top 10% Law," Population Association of America, Los Angeles, April 1, 2006.

"Bankruptcy: The Great Unequalizer," Institute for Inequality Studies, University of Iowa Symposium on "Rising Inequality in the US: Does the Middle Class Have a Future?", Iowa City, Iowa, April 8, 2006

On June Stapleton I will become the Provost and Executive Vice President for Academic Affairs at the University of Michigan, Ann Arbor.

Gerald Torres

Delivered the C. Clyde Ferguson Lectures at Howard in February.

Chaired the ABA Accreditation team reviewing the Arizona State University Law School in March.

Delivered a lecture on Social Movements and Legal Change at the Drake University Law School Annual Symposium on Constitutional Law (along Mark Tushnet, Jane Schacter, Gerald Rosenberg among others).

Was on the selection committee of the ABA for the Annual Robert Kutak Award for Service to Law and Legal Education.

Was the Robert C. Wood Distinguished Visiting Professor at UMASS Boston. Torres chaired the semi-annual board meeting of the Advancement Project and attended the board meeting of Justice at Stake.

Wendy Wagner

Jan. 27: Wagner presented a paper at the Chapman Law Review Symposium entitled “Stormy Regulation: The Problems that Result when Stormwater (and other) Regulatory Programs Neglect to Account for Limitations in Scientific and Technical Information.”

Feb. 23: Wagner presented a paper at the Fordham Urban Law Review Symposium entitled “Salvaging Regulatory Science: The Sorted Story.”

March 24: Wagner presented a paper at the Indiana-Bloomington School of Law conference on Data Gaps entitled “Is the Fox Watching the Henhouse?: The Dominance of Regulated Industry in all Phases of EPA’s Chemical Regulation.”

April 21: Wagner gave a presentation at a University of Minnesota Faculty Workshop entitled “Transformative Field Work.”

April 29: Wagner gave a presentation on a panel entitled “OMB proposed Risk Assessment Bulletin: A Critique” at the ABA Administrative Law Section spring meeting in Bermuda. She also is also a council member and attended the council meeting.

Louise Weinberg

On March 31, 2006, Louise Weinberg gave a talk on “Equality and Dred Scott” as part of the three-day conference on the *Dred Scott* case held at the Law School. Her co-panelists were William Wiecek and Jack Balkin. The Conference was organized by Sanford Levinson and Paul Finkelman. A symposium of the conference papers will be published by the *Chicago-Kent Law Review*.

Jay Westbrook

The second annual “Joint Conference on Commercial Realities” was held April 28-29 in Cambridge, MA to provide a forum for emerging commercial-law scholars to meet and discuss their research. This conference was created by Jay Westbrook along with Elizabeth Warren of Harvard Law School. It is intended to develop a generation of legal scholars who use the tools of empirical studies and research into other legal systems to help find solutions to the problems attendant upon the rapidly changing world of commerce.

Zipporah B. Wiseman

Fall term 2005- invited to return a second time to l’Ecole de Sciences Politiques, one of France’s grandes ecoles, to teach a class on gender, race and the American Constitution.

Spring term 2006 -Appointed to a second term on the Executive Committee of the UT CGWS (Center for Women’s & Gender Studies) and the newly formed Community Advisory Board.

Patrick Woolley

Woolley presented a paper on April 7 at the UMKC School of Law as part of a conference on the 20th anniversary of *Phillips Petroleum Co. v. Shutts*.

Ernest Young

Presented *Allocating Remedial Authority Between Domestic and Supranational Courts* at University of Chicago faculty colloquium and at the Duke Law School symposium on supranational delegation.

Presented *Institutional Settlement in a Globalizing Judicial System* at UC-Berkeley

Presented “*The Ordinary Diet of the Law*”: *Federal Preemption and State Autonomy* at the American Enterprise Institute Conference on Preemption

Presented *The Volk of New Jersey?* and a faculty colloquium at Notre Dame

Spoke to UT’s LAMP (Learning Activities for Mature Persons) on Ethics and Constitutional Law

Participated in the UT-Oxford exchange.

Chancellor Mark G. Yudof

Mark G. Yudof was appointed in February by President George W. Bush to serve as a member of The President’s Council on Service and Civic Participation. The President’s Council on Service and Civic Participation encourages volunteer service and civic participation by individuals, organizations and schools. The council’s key initiative is the President’s Volunteer Service Award which recognizes America’s outstanding volunteers who have generously given their time and talent to notable causes. (February 14, 2006)

Panelist, Association of Governing Boards, *Graduation Rates: Whose Responsibility Are They?* National Conference on Governing in Orlando, Florida (April 1, 2006)