



## Faculty Publications – UT Law

March 2009

Published by the Jamail Center for Legal Research,  
School of Law, The University of Texas at Austin  
*Jennifer Cummings, Editor*

**David E. Adelman**, *The Challenge of Abrupt Climate Change for U.S. Environmental Regulation*, 58 EMORY LAW JOURNAL 379 (2008).

**Owen L. Anderson & Ernest E. Smith**, FORMS MANUAL TO ACCOMPANY OIL AND GAS LAW (St. Paul: Thomson/West, 9<sup>th</sup> ed. 2008) (with John S. Lowe & David E. Pierce).

**Owen L. Anderson**, *Geologic CO<sub>2</sub> Sequestration: Who Owns the Pore Space?* 9 WYOMING LAW REVIEW 97 (2009).

**Oren Bracha**, *Geniuses and Owners: The Construction of Inventors and the Emergence of American Intellectual Property*, in TRANSFORMATIONS IN AMERICAN LEGAL HISTORY: ESSAYS IN HONOR OF PROFESSOR MORTON J. HORWITZ 369 (Daniel W. Hamilton & Alfred L. Brophy eds., Cambridge: Harvard University Press, 2009).

**Robert M. Chesney**, *Legislative Reform of the State Secrets Privilege*, 13 ROGER WILLIAMS UNIVERSITY LAW REVIEW 443 (2008).

**A. Mechele Dickerson**, *Privatizing Ethics in Corporate Reorganizations*, 93 MINNESOTA LAW REVIEW 875 (2009).

**Karen L. Engle**, *Indigenous Rights Claims in International Law: Self-Determination, Culture and Development*, in ROUTLEDGE HANDBOOK OF INTERNATIONAL LAW 331 (David Armstrong ed., London: Routledge, 2009).

**David C. Frederick**, *Historical Lessons from the Life and Death of the Federal Estate Tax*, 49 AMERICAN JOURNAL OF LEGAL HISTORY 197 (2007).

**John M. Golden**, *The Supreme Court as "Prime Percolator": A Prescription for Appellate Review of Questions in Patent Law*, 56 UCLA LAW REVIEW 657 (2009).  
< <http://www.uclalawreview.org/articles/?view=56/3/1-3> >

To submit information on publications, or to request an e-mail subscription, contact Jennifer Cummings at <[jcumings@law.utexas.edu](mailto:jcumings@law.utexas.edu)>, phone 512-471-7263.

**Jett L. Hanna**, *Tough Times Call for Preventive Measures*, TEXAS LAWYER, March 9, 2009 at 13.

**Calvin H. Johnson**, *States Rights? What States' Rights?: Implying Limitations on the Federal Government from the Overall Design*, 57 BUFFALO LAW REVIEW 225 (2009).

**Mark L. Kincaid**, *Annual Survey of Texas Insurance Law*, 12 JOURNAL OF CONSUMER & COMMERCIAL LAW 92 (2009) (with Suzette E. Selden & Elizabeth von Kreisler).

**Susan R. Klein**, *The Sixth Amendment and Criminal Sentencing* [Symposium: *The Future of Self-Incrimination: Fifth Amendment, Confessions, & Guilty Pleas*], 30 CARDOZO LAW REVIEW 775 (2008) (with Stephanos Bibas).

**Douglas Laycock**, *Voting With Your Feet Is No Substitute for Constitutional Rights* [Symposium: *The People & The Courts: The Twenty-Seventh Annual National Federalist Society Student Symposium on Law and Public Policy—2008*], 32 HARVARD JOURNAL OF LAW AND PUBLIC POLICY 29 (2009).

**Sanford V. Levinson**, *Constitutional Crises*, 157 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 707 (2009) (with Jack M. Balkin).

**Stefanie A. Lindquist & Frank B. Cross**, MEASURING JUDICIAL ACTIVISM (New York: Oxford University Press, 2009).

**Angela K. Littwin**, *Testing the Substitution Hypothesis: Would Credit Card Regulations Force Low-Income Borrowers into Less Desirable Lending Alternatives?* 2009 UNIVERSITY OF ILLINOIS LAW REVIEW 707 (2009).

**Thomas O. McGarity**, *Corporate Accountability for Scientific Fraud: Ketek and the Perils of Aggressive Agency Preemption*, 58 EMORY LAW JOURNAL 287 (2008).

**Thomas O. McGarity**, *Wyeth v. Levine is a Rare Win for Consumers*, DALLAS MORNING NEWS, March 6, 2009.  
<[http://www.dallasnews.com/sharedcontent/dws/dn/opinion/viewpoints/stories/DN-mcgarity\\_09edi.State.Edition1.2630a09.html](http://www.dallasnews.com/sharedcontent/dws/dn/opinion/viewpoints/stories/DN-mcgarity_09edi.State.Edition1.2630a09.html)>

**Linda S. Mullenix**, *Punitive Damages Redux: How Many Times Does Oregon Get to Punish Big Tobacco?* 36 PREVIEW OF THE UNITED STATES SUPREME COURT CASES 172 (December 1, 2008) (*Williams v. Philip Morris USA*).

**Lucas A. Powe, Jr.**, THE SUPREME COURT AND THE AMERICAN ELITE, 1789-2008 (Cambridge, MA: Harvard University Press, 2009).

**John A. Robertson**, *Changes Needed to Foster Texas Stem-Cell Research*, HOUSTON CHRONICLE, March 18, 2009.

<<http://www.chron.com/disp/story.mpl/editorial/outlook/6320005.html>>

**Wayne Schiess**, *Tips for Writing a Law-Related Blog*, TEXAS LAWYER, March 23, 2009, at 30.

**Jordan M. Steiker**, *Opening a Window or Building a Wall? The Effect of Eighth Amendment Death Penalty Law and Advocacy on Criminal Justice More Broadly* [Symposium: *Cruel and Unusual Punishment: Litigating Under The Eighth Amendment*], 11 UNIVERSITY OF PENNSYLVANIA JOURNAL OF CONSTITUTIONAL LAW 155 (2008) (with Carol S. Steiker).

**Jordan M. Steiker**, DEATH PENALTY STORIES (with John H. Blume, eds., New York: Foundation Press, 2009).

**Wendy Wagner**, *How to Save Science from Politics*, AUSTIN AMERICAN-STATESMAN, March 23, 2009 (with Rena Steinzor) [Also appears as *Rescuing Science from Politics*, THE PLAIN DEALER, March 23, 2009].

<[http://www.statesman.com/opinion/content/editorial/stories/03/23/0323wagner\\_edit.html](http://www.statesman.com/opinion/content/editorial/stories/03/23/0323wagner_edit.html)>