

BOYD *Briefs* provides monthly information regarding the scholarly and other activities of the faculty of the William S. Boyd School of Law at the University of Nevada, Las Vegas.

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PROFESSOR RACHEL ANDERSON. On April 4 through 7, Professor Anderson attended the 2013 Southeast/Southwest People of Color Legal Scholarship Conference at the William H. Bowen School of Law, University of Arkansas at Little Rock. At the conference, Professor Anderson participated in the Authors' Panel Dinner and gave a talk on her entry, "Laws," in the groundbreaking first encyclopedia of its kind, *Enslaved Women in America: An Encyclopedia*. The panel and the encyclopedia shed light on an important piece of under-discussed history in the evaluation of the pursuit of equality and fairness as it related to the conference theme of "Empty Promises? The Constitution at 225." On April 15, Professor Anderson provided introductions and closing remarks for a continuing legal education program titled "*International Centre for Settlement of Investment Disputes, Sudapet Co. Ltd. v. Republic of South Sudan*" and held at Boyd School of Law. On April 22, Professor Anderson gave a talk titled "Full Enjoyment of National Life: Making and Unmaking Law in Daily Life" as part of a Junior Faculty Exchange with Seattle University School of Law in Seattle, Washington.

PROFESSOR IAN BARTRUM. On April 3, Professor Bartrum traveled to Salt Lake City, Utah, to workshop a paper at the S.J. Quinney College of Law at the University of Utah. Professor Bartrum's workshop was part of a Boyd School of Law-Quinney College of Law Junior Faculty Exchange. On April 10, Professor Bartrum was quoted in *Las Vegas Weekly* regarding Nevada's infamous "crimes against nature" statute. On April 21, Professor Bartrum was quoted in a *Las Vegas Review-Journal* article titled "Potholes Come and Go, but Irritating Signs Remain."

PROFESSOR MARY BERKHEISER. On April 12, Professor Berkheiser attended the Juvenile Justice Conference at Boyd School of Law, where she served as the chair of a panel titled "Disconnecting the School-to-Prison Pipeline." On April 28 through May 1, Professor Berkheiser attended the AALS Conference on Clinical Legal Education and the Law Clinic Directors Workshop in San Juan, Puerto Rico. During the Conference on Clinical Legal Education, Professor Berkheiser served as a group leader for a working group of clinicians who work on juvenile justice issues.

PROFESSOR BRET BIRDSONG. On April 4, Professor Birdsong was quoted in a *Salt Lake Tribune* article titled “Utah’s Rejection of Water Deal Leaves Nevada with Few Good Options.”

PROFESSOR CHRISTOPHER BLAKESLEY. On April 5, Professor Blakesley served as a panelist at a continuing legal education program titled “The Ethics of the Laws of the Holocaust” held at Boyd School of Law.

PROFESSOR ANN CAMMETT. On April 5 through 7, Professor Cammett attended the Sixth Annual Midwest Family Law Consortium Workshop at the University of Wisconsin Law School in Madison, Wisconsin. At the workshop, Professor Cammett gave a talk titled “Welfare Queens and Deadbeat Dads: How Metaphor Shapes Poverty Law” as part of a concurrent session on “Class Issues.” On April 12, Professor Cammett attended the Juvenile Justice Conference at Boyd School of Law, where she chaired a panel titled “Juvenile Sex Offenders.” On April 28 through May 1, Professor Cammett attended the AALS Conference on Clinical Legal Education in San Juan, Puerto Rico. At the conference, Professor Cammett served as an invited speaker on the conference’s final plenary panel titled “Cross-Fertilization: Integrating Diverse Clinic Pedagogies.” The plenary panel highlighted prospects for integrating lawyering skills from litigation and non-litigation practice models.

PROFESSOR LINDA EDWARDS. On April 26 and 27, Professor Edwards attended the Southeastern Legal Writing Conference at Savannah Law School in Savannah, Georgia. As the keynote speaker for the symposium titled “Legal Writing: A Doctrinal Course,” Professor Edwards discussed ways in which the traditional first-year writing course has inappropriately limited the content of legal writing’s doctrine. Professor Edwards also served on the faculty of the Scholars Workshop held in conjunction with the symposium.

PROFESSOR LESLIE GRIFFIN. On April 4, Professor Griffin traveled to Springfield, Illinois, to serve on a panel of experts discussing Joseph Smith’s experience with habeas corpus in Illinois and Missouri. The panel was sponsored by the Abraham Lincoln Presidential Library and Museum and the Illinois Supreme Court Historic Preservation Commission. On April 12 through 14, Professor Griffin attended a “Religious Freedom in America, 1813 to 2013: Bicentennial Reflections on *People v. Phillips*” program, sponsored by New York University’s Glucksman Ireland House and Center for Irish and Irish American Studies. During the program, Professor Griffin gave an invited talk titled “Relationship of Current Religious Freedom Discussions to *People v. Phillips*.” On April 15, Professor Griffin attended Charleston Law Review’s Fifth Annual Law and Society Symposium titled “In Search of A ‘Grand Unified Theory’: Thirty Years with the Endorsement Test.” The symposium, held at Charleston School of Law in Charleston, South Carolina, featured keynote speaker Justice Sandra Day O’Connor and analyzed her endorsement test for the Establishment Clause. At the symposium, Professor Griffin spoke on two panels, including “Public Prayer: ‘Insiders,’ ‘Outsiders,’ Pledges, and

Invocations,” and “The Endorsement Test as Candidate for the ‘Grand Unified Theory’: Observations and Predictions.” Finally, on April 24 through 26, Professor Griffin traveled to Washington, D.C., to speak at the Secular Coalition of America’s Annual Lobbying Day about religious freedom.

PROFESSOR MICHAEL KAGAN. On April 12, Professor Kagan attended the Juvenile Justice Conference at Boyd School of Law, where he served as a discussant on a panel titled “Immigration Status, Immigration Policy and the Delinquency Responses of Juvenile Courts.” On April 24, Professor Kagan was quoted in an *IRIN* article titled “Culture of Disbelief Works against Asylum Seekers.” On April 28 through May 1, Professor Kagan attended the AALS Conference on Clinical Legal Education in San Juan, Puerto Rico. As part of the conference’s Bellow Projects Works-in-Progress Session, Professor Kagan (together with his co-author Professor Marouf) presented empirical research into the adjudication of immigration appeals in the federal courts.

PROFESSOR KAY KINDRED. On April 4, 2013, Professor Kindred testified before the Judiciary Committee of the Nevada General Assembly in support of Assembly Bill No. 358, the Uniform Deployed Parents Custody and Visitation Act, which is under consideration for enactment during this legislative session. Professor Kindred was a member of the Uniform Law Commission (ULC) Drafting Committee that drafted the Act which received final approval by the ULC in July 2012.

PROFESSOR MARY LAFRANCE. Professor LaFrance’s Book Chapter, “Passing Off and Unfair Competition Regimes Compared,” was recently published in *Intellectual Property in Common Law and Civil Law* (Toshiko Takenaka ed., 2013).

PROFESSOR SYLVIA LAZOS. As part of Latino Lobby Day in Carson City, Nevada, Professor Lazos provided testimony and technical support with respect to three different English Language Learner (ELL) bills. The first bill, AB 222, related to creating reading skills development centers. The second bill, AB 272, related to creating an English Mastery Council with a view to systemic reform of ELL education in the state. The third bill, SB 504, would fund various programs to support ELL education. Professor Lazos and Assemblywoman Olivia Diaz also met with Governor Sandoval and his staff on ELL legislative policy. On April 12, Professor Lazos appeared on KSNV News 3 *The Agenda* regarding education in Nevada. Professor Lazos also gave an interview on KJZZ and Border Fronteras KNPR on the marches in 2006 compared to 2013. Finally, on April 27, Professor Lazos spoke before the National Association of Hispanic Journalists on immigration issues that journalists miss and before Teach for America about ELL.

PROFESSOR FRANCINE LIPMAN. Professor Lipman was recently featured in two *CardHub.com* articles. In the first article, Professor Lipman addressed changes she would make to the Tax Code, including allowing for weekly or monthly (instead of annual) distributions of the Refundable Earned Income Tax Credit. In the second article, Professor Lipman addressed delays associated with the 2012 tax season.

PROFESSOR ELIZABETH MACDOWELL. On April 5 through 7, Professor MacDowell attended the Sixth Annual Midwest Family Law Consortium Workshop at the University of Wisconsin Law School in Madison, Wisconsin. At the workshop, Professor MacDowell gave a talk titled “From Victims to Litigants: Domestic Violence, Access to Justice, and the Politics of Self-Help.” On April 28 through May 1, Professor MacDowell attended the AALS Conference on Clinical Legal Education in San Juan, Puerto Rico. At the conference, Professor MacDowell co-facilitated a workshop on clinical curriculum design titled “Multidimensional Lawyering, Social Justice & Curriculum Design: Incorporating Goals for Structural Change within Diverse Clinical Models.” As part of the conference’s Bellow Projects Works-in-Progress Session, Professor MacDowell also discussed her research on domestic violence self-help clinics and access to justice.

PROFESSOR FATMA MAROUF. On April 12, Professor Marouf attended the Juvenile Justice Conference at Boyd School of Law, where she served as a discussant on a panel titled “Immigration Status, Immigration Policy and the Delinquency Responses of Juvenile Courts.” On April 22, Professor Marouf led a Brown Bag Luncheon regarding her winter Human Rights Practicum in New Delhi, India. On April 27 through May 1, Professor Marouf attended the AALS Conference on Clinical Legal Education in San Juan, Puerto Rico. As part of the conference’s Bellow Projects Works-in-Progress Session, Professor Marouf (together with her co-author Professor Kagan) presented two articles recently submitted for publication and discussed her thoughts about the next two articles stemming from the same empirical research.

PROFESSOR THOMAS MCAFFEE. On April 16, Professor McAfee served as a panelist at a continuing legal education program (“The Natural Law Challenge to Conservative Jurisprudence”) held at Boyd School of Law.

VISITING PROFESSOR ANGELA MORRISON. On April 12, Professor Morrison attended the Juvenile Justice Conference at Boyd School of Law, where she chaired a panel titled “Immigration Status, Immigration Policy and the Delinquency Responses of Juvenile Courts.” On April 28 through May 1, Professor Morrison attended the AALS Conference on Clinical Legal Education in San Juan, Puerto Rico. At the conference, Professor Morrison presented her work in progress titled “Executive Estoppel & Separation of Powers: Tools to Protect Undocumented Workers from Workplace Exploitation.” Finally, Professor Morrison placed her new law review article, “*Duke-ing Out Pattern or Practice after Wal-Mart: The EEOC as Fist,*” in the *American University Law Review*.

PROFESSOR REBECCA NATHANSON. On April 13, Professor Nathanson attended the Juvenile Justice Conference at Boyd School of Law, where she served as a discussant on a panel titled “Brain Science: Rhetoric and Reality.”

PROFESSOR RAY PATTERSON. On April 4 through 6, Professor Patterson attended the ABA Section on Dispute Resolution Annual Meeting in Chicago, Illinois.

ASSOCIATE DEAN AND PROFESSOR NGAI PINDELL. On April 22, Dean Pindell was named to *Lawyers of Color's* "50 Under 50" list, a comprehensive catalog of minority law professors making an impact in legal education. The list was included in *Lawyers of Color's* Law School Diversity Special Edition. On April 26 and 27, Dean Pindell attended the Fourth Annual Meeting of the Association for Law, Property, and Society in Minneapolis, Minnesota. At the meeting, Dean Pindell presented his paper titled "Local Governments and the Use of Eminent Domain to Condemn Mortgage Notes."

INTERIM DEAN AND PROFESSOR NANCY RAPOPORT. On April 4 and 5, Dean Rapoport traveled to Akron, Ohio, to attend a symposium titled "Navigating the Practice of Law in the Wake of Ethics 20/20: Globalization, New Technologies and What it Means to be a Lawyer In These Uncertain Times." At the symposium, which was sponsored by the Joseph G. Miller and William C. Becker Center for Professional Responsibility at the University of Akron School of Law, Dean Rapoport participated in a panel titled "What It Means to be a Lawyer in these Uncertain Times." On April 12 and 13, Dean Rapoport attended the 26th Annual Northwest Bankruptcy Institute Annual Meeting in Vancouver, Washington, where she gave a talk titled "Lawyers and Pop Culture." On April 15, Dean Rapoport gave a talk on bankruptcy ethics for the FJC in New Orleans, Louisiana. On April 18 through 21, Dean Rapoport attended the 31st Annual Spring Meeting of the American Bankruptcy Institute (ABI) in National Harbor, Maryland. In her capacity as a Co-Reporter of the ABI National Ethics Task Force, Dean Rapoport participated in a panel titled "Final Report of the Ethics Task Force" and attended board and task force meetings. On April 26, Dean Rapoport attended a Bloomberg Bankruptcy Law Treatise Editorial Board Meeting in New York, New York, in her capacity as one of the treatise's contributing editors. Dean Rapoport's recent essay, "Managing U.S. News & World Report - The Enron Way," forthcoming in volume 48, issue 2, of the *Gonzaga Law Review*, was featured in an April 26 *The Wall Street Journal Law Blog* post ("Law Schools and the 'Enron Way'") authored by Jacob Gershman. Finally, on April 27 and 29, Dean Rapoport's essay was featured on the *TaxProf Blog* and on *Above the Law's Non-Sequiturs*, respectively.

PROFESSOR ADDIE ROLNICK. On April 11 and 12, Professor Rolnick attended the Federal Bar Association's 38th Annual Indian Law Conference in Pojoaque, New Mexico. At the conference, Professor Rolnick presented her article, "The Promise of *Mancari*," as part of a panel titled "Preserving *Morton v. Mancari's* Dynamic Legacy."

PROFESSOR SEAN SAXON. On April 24 through 26, Professor Saxon attended the Innovative Users Group Annual Meeting in San Francisco, California. The Innovative Users Group is an international organization of member libraries that use the Innovative Interfaces, Inc. integrated library software.

PROFESSOR REBECCA SCHARF. On April 5 through 7, Professor Scharf attended the Sixth Annual Midwest Family Law Consortium Workshop at the University of Wisconsin Law School in Madison, Wisconsin. At the workshop, Professor Scharf chaired a “Teaching a Multidisciplinary Class” panel.

PROFESSOR JEAN STERNLIGHT. On April 3 through 6, Professor Sternlight attended the ABA Dispute Resolution Section Annual Meeting in Chicago, Illinois. At the meeting, Professor Sternlight spoke on two panels, including “Teaching and Writing about ‘Fixing’ the Federal Arbitration Act” and “Teaching Law Students about Psychology.” On April 13, Professor Sternlight attended the Juvenile Justice Conference at Boyd School of Law, where she chaired a panel titled “Brain Science: Rhetoric and Reality.” Professor Sternlight also placed her latest law review article, “Behavioral Legal Ethics” (with Jennifer Robbennolt), in the *Arizona State Law Journal*. The article draws on psychological research to make suggestions for how individual attorneys and legal employers can enhance their approach to ethics.

PROFESSOR DAVID TANENHAUS. On April 5, Professor Tanenhaus attended the Seventh Annual Criminal Law Symposium titled “Juveniles & Criminal Law” at Texas Tech University School of Law in Lubbock, Texas. At the symposium, Professor Tanenhaus participated in a panel titled “Do (Should) Juveniles Have More, Less, the Same, or Different Rights than Adults?” On April 13 and 14, Professor Tanenhaus hosted a Juvenile Justice Conference at Boyd School of Law. The conference brought together more than 120 individuals from over one dozen states. National speakers included Frank Zimring (Berkeley), James Foreman (Yale), James Jacobs (NYU), Maximo Langer (UCLA), Terry Maroney (Vanderbilt), David Thronson (Michigan State), Michael Caldwell (University of Wisconsin-Madison), and Aaron Kupchik (Delaware). From Las Vegas but outside of Boyd, the conference also featured Catherine Cortez-Masto (Nevada Attorney General), Steve Wolfson (Clark County District Attorney), Judge William Voy (Clark County Juvenile Court), Donella Rowe (Clark County Deputy District Attorney), and Ramona Denby Brinson (UNLV Lincy Institute). Boyd Professors Mary Berkheiser, Ann Cammett, Michael Kagan, Fatma Marouf, Angela Morrison, Rebecca Nathanson, Jean Sternlight, Stacey Tovino, and Anne Traum also participated. During the conference, Professor Tanenhaus gave an opening talk titled “History as a Guide for Reform” and served as chair of the closing panel titled “Priorities and Models for Legislative Change.”

PROFESSOR STACEY TOVINO. On April 1, Professor Tovino was featured in volume 6, issue 6, of *Brainstorm*, the newsletter of the Canadian Neuroethics and Mental Health Interest Group, for her work in the fields of mental health law and neuroethics. On April 13, Professor Tovino attended the Juvenile Justice Conference at Boyd School of Law, where she served as a discussant on a panel titled “Brain Science: Rhetoric and Reality.” On April 23, Professor Tovino gave an invited talk, “Mental Health Parity after the Affordable Care Act,” to the faculty at Florida International University College of Law as part of the College’s faculty enrichment series.

PROFESSOR ANNE TRAUM. Professor Traum placed her latest law review article, “Using Outcomes to Reframe Guilty Plea Adjudication,” in the *Florida Law Review*. The article shows how courts can detect and correct factors in the guilty plea market, such as prosecutorial overreaching and deficient counsel, which can distort parties’ ability to negotiate fair results, by monitoring guilty plea outcomes. On April 12, Professor Traum attended the Juvenile Justice Conference at Boyd School of Law, where she chaired a panel titled “Evolving Policy and Potential Reforms for Disclosure of Juvenile Arrests, Court Involvement and Dispositions.” Finally, on April 28 through May 1, Professor Traum attended the 2013 AALS Conference on Clinical Legal Education in San Juan, Puerto Rico.

PROFESSOR MARKET A TRIMBLE. On April 19 and 20, Professor Trimble attended the International Intellectual Property Scholars Roundtable in San Diego, California. At the Roundtable, Professor Trimble presented her current scholarship on copyright enforcement in the internet environment. On April 22, Professor Trimble authored a guest blog post titled “Patent-Conscious Preparation for a Summer at the Beach” on *Patently-O*, the nation's leading patent law blog. On April 30, the *Antitrust & Competition Policy Blog* published Professor Trimble’s review of Thomas F. Cotter's book *Comparative Patent Remedies: A Legal and Economic Analysis* (Oxford University Press 2013). In addition, Professor Trimble’s book chapter, “Extraterritorial Enforcement,” was recently published in *Intellectual Property in Common Law and Civil Law* (Toshiko Takenaka ed., 2013). Finally, Professor Trimble published her review of Alexander Peukert's new book, *Die Gemeinfreiheit: Begriff, Funktion, Dogmatik* (The Public Domain: Concept, Function, Dogmatics) (Mohr Siebeck 2012), in volume 3, issue 2, of Golden Gate University School of Law's *The IP Law Book Review*.

PROFESSOR JEAN WHITNEY. On April 28 through May 1, Professor Whitney attended the 2013 AALS Conference on Clinical Legal Education in San Juan, Puerto Rico. At the conference, Professor Whitney participated in conference sessions dedicated to externships.

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WILLIAM S. BOYD SCHOOL OF LAW
FULL-TIME FACULTY (SPRING 2013)

Rachel J. Anderson
Ian C. Bartrum
Peter Brandon Bayer
Linda L. Berger
Mary Berkheiser
Bret Birdsong
Christopher L. Blakesley
Ann Cammett
Jennifer Carr
Robert Corrales
Linda Edwards
Ruben J. Garcia
Sara Gordon
Leslie C. Griffin
Jennifer L. Gross
Lori D. Johnson
Michael Kagan
Kay Kindred
Mary LaFrance
Sylvia Lazos
Francine J. Lipman
Elizabeth L. MacDowell
Thomas Main
Fatma Marouf

Thomas McAfee
David McClure
Ann C. McGinley
Rebecca Nathanson
Raymond W. Patterson
Ngai Pindell
Terrill Pollman
Jeanne Price
Nancy B. Rapoport
Addie C. Rolnick
Keith A. Rowley
Sean Saxon
Chad Schatzle
Rebecca Scharf
Elaine Shoben
Jeffrey Stempel
Jean Sternlight
David Tanenhaus
Stacey Tovino
Anne Traum
Marketa Trimble
Jean M. Whitney
Matthew Wright