



Boyd Briefs: October 9, 2015

From Dean Dan

One of the great pleasures of this job is to get to know the congressional delegation representing Nevada in Washington, D.C. Just last week, I was part of a UNLV delegation that met with Senator Harry Reid and Senator Dean Heller as well as Representative Crescent Hardy, Representative Joe Heck, and Representative Dina Titus. Topics included all things relating to UNLV and to Boyd, and I was there to talk about the great things going on at the law school.



From left: UNLV Vice President for Government Affairs, Diversity Initiatives and Compliance Luis Valera; Dean Dan Hamilton; UNLV President Len Jessup; and UNLV Interim Vice President for Research and Economic Development Tom Piechota

This week, we had the first meeting of our Public Interest Law Advisory Board. This group builds upon the public service commitment that we have at the law school and includes leaders from the bench, bar and

community (see a complete list of members [here](#)). Since we've opened our doors, the law school and our community partners have provided free legal education and services to more than 56,000 Nevadans.

Dan

Dean & Richard J. Morgan Professor of Law
daniel.hamilton@unlv.edu
[facebook.com/DeanDanHamilton](https://www.facebook.com/DeanDanHamilton)



FACULTY SPOTLIGHT: Ian Bartrum

Ian Bartrum is one of Boyd's experts on the Constitution. His perspectives are informed by a spectrum of influences, interests, and ideas.

1. What are you working on? I'm working on a book with the tentative title, *The Contested Constitution*. The book develops the concept that when we refer to the "Constitution" we are not usually talking about a document, but rather about a particular social practice. Constitutional law, in other words, is something we do, not something we have. Our practice takes the shape of an argument, which manifests some broad substantive values, but which is primarily organized around certain forms of disputation. Rather than always providing "rules" or "answers," the Constitution describes a practice through which we contest and resolve basic disputes about the nature, purpose, and limits of law in our society. Seen as an ongoing practice rather than a set of determined outcomes or answers, the Constitution allows every generation of Americans to participate in the most fundamental aspects of democratic governance. That is, to "do" -- rather than to "have" -- government.

2. Which of your recent articles should I read? I recommend you look out for a new article called "Wittgenstein's Poker: Language Games and Constitutional Indeterminacy." The basic idea is that language is a web of interrelated and interdependent communication "games" -- and words have meaning only as symbols within those particular games. I use the example of card games, aided by my student (and well-known poker pro) Perry Friedman. In a card game, the cards are like words in a language game: they only have meaning according to the rules of a particular game. There is no "intrinsic" or "true" meaning of the ten of Spades -- there are only the uses to which that card can legitimately be put in a given game. It is silly to sit around contemplating the "true" meaning of a card -- yet, Wittgenstein pointed out, this is exactly what philosophers have done for centuries with words like "the Good" or "Justice." I use poker games to demonstrate that cards can have multiple -- sometimes even conflicting -- uses even with the rules of the same game. I then try to show how this communicative complexity entails the inevitable indeterminacy (and thus contest) over linguistic meaning, with a particular focus on constitutional meaning.

3. How does your scholarship affect your teaching? When I teach constitutional theory, my understanding -- even of old and established work or ideas -- is constantly evolving as I write and think about the Constitution in new ways. That can't help but affect my discussions in class. But, more importantly, my students regularly present questions, insights, and ideas that change my outlook on my scholarship. The story about poker and Perry Friedman (above) is a great example.



STUDENT SPOTLIGHT: Christopher Sauser

"I wish I could tell you that attending law school was the culmination of a lifetime dream, but that is simply not the case," says Chris Sauser. "My appreciation and respect for study of the rule of law came slowly, hard-earned over years of practical experience."

More specifically, Chris served 25 years in the United States Air Force (USAF) as a military police officer. His service, not surprisingly, took him around the country and around the globe. In 2006, he was deployed to Iraq. "For eight months, I was assigned to a unit conducting Police Training Team missions in downtown Baghdad," Chris recounts. "I led a Flight [i.e., a platoon] of 44 people responsible for the daily training and mentorship of three Iraqi police stations, more than 400 Iraqi policemen in total. Although this mission was in many ways an extension of my time teaching at the U.S. Air Force Police Academy, it went deeper than that. As a leader on the teams, my responsibilities went beyond simply teaching tactics, techniques and procedures. We also taught and guided Iraqi investigators through the exciting time of creating a new judicial system from scratch. We stressed the importance of running operations based on the rule of law, and how enforcement needs to operate in support of a Constitution."

His final USAF assignment, as superintendent of an international military police force in Germany, further influenced Chris' post-military direction. "As a part of a multi-national leadership team, a large part of my duties included interacting with the German legal system, interpreting and deconflicting issues and differences in the rule of law between the American and German jurisdictions."

A recipient of the Bronze Star, Chris Sauser indeed brings a wealth of experience -- and enthusiasm -- to this, his first year of study at Boyd.



ALUMNI SPOTLIGHT: Sonya Miller '13

Sonya Miller '13 is a lecturer and the director of the Federal Tax Clinic at the University of South Dakota School of Law. The only Low Income Taxpayer Clinic in South Dakota, the Federal Tax Clinic serves low- to moderate-income taxpayers across the state to help resolve their controversies with the Internal Revenue Service. As director of the Clinic, Sonya supervises second and third-year law students representing the Clinic's clients. She also teaches the Clinic seminar, which covers substantive and procedural tax law, in addition to fundamental legal skills.

Following Boyd graduation, Sonya earned an LL.M. in Taxation at Villanova University. She also clerked for the Honorable Mary S. Brennan, J.T.C., in the New Jersey Tax Court. A career in tax law was not an obvious choice for Sonya. She likes to say that she fell into it and never looked back.

After externing for the Nevada Legal Services Low Income Taxpayer Clinic, while simultaneously taking federal income tax with Professor Francine Lipman, Sonya decided to pursue tax law. She completed an array of tax courses: an externship in the Business and Taxation Division of the Nevada Attorney General's Office, and an externship in the Nevada Department of Taxation under the supervision of Administrative Law Judge Dena Smith.

Sonya strongly believes that no one ever "made it" without the helping hands of others. She credits each and every member of the faculty, administration, and staff at Boyd for creating the nurturing and supportive environment that is UNLV Law. She is especially thankful to

Professor Francine Lipman as a source of never-ending encouragement, faith, and support; to Professor Rachel Anderson for instilling in her a sense of pride; to Professors Jean Sternlight and Sylvia Lazos for their trust in her; and to Associate Dean Frank Durand for his commitment to the ideal that students and their ideas are of utmost importance.
