

VOLUME 2, ISSUE 1 • FACULTY NOTES – Nov 2022

JAMIE **ABRAMS** was interviewed by NBC news on the implications of the *Depp v. Heard* trial for the #MeToo Movement. She appeared on NBC Nightly News with Lester Holt discussing the implications of the Alex Jones trial verdict. Abrams published a book chapter, *Liability in Reproduction and Birth*, in *Laws of Medicine: Core Legal Aspects for the Healthcare Professional* (Springer Publishing 2022). She also presented Inclusive Socratic Teaching: Why We Need It and How to Achieve It.

HILLARY **ALLEN** presented at the Regulatory Managerialism and the Rule of Law Workshop at Georgetown University Law Center. She published three blog posts: *The Superficial Allure of Crypto, IMF Finance & Development* in F&D; *AI Is Transforming How We Bank—and Regulators Need Help to Keep Up* in The Information; and *How Regulators Should Supervise Software* in The Regulatory Review. She appeared on the Bloomberg Crypto Podcast for the episode *Does the Senate Reg Bill Scratch the Itch?*. She also served on a Brookings Panel on The Future of Crypto Regulation at Brookings and the Technology Policy Institute's panel, *Are the Metaverse and Web 3.0 Real or Hype and What Are the Policy Issues?*, at the Technology Policy Institute Aspen Forum. She was invited to formally share her expertise on crypto assets with the Financial Stability Board, Brookings, the Bank of England, and the Financial Stability Oversight Council. Her work on crypto was quoted in numerous media outlets, including The Washington Post, Bloomberg, and most notably *The New York Times*, and she was informally engaged by many other regulators and congressional staffers. She is a member of the European Risk Board Crypto Assets Task Force to consider the financial stability risks of crypto.

LISE **BESKE** published *Litigating the Separation of Powers*, 73 Alabama L. Rev. 823 (2022) and *Charting a Course Past Spokeo and TransUnion*, 29 George Mason L. Rev. 729 (2022). Her article, *The Court and the Private Plaintiff*, is forthcoming in Wake Forest L. Rev. (spring 2023) and was selected for discussion at a plenary session at the Twelfth Annual Junior Federal Courts Faculty Workshop.

JERRY **COMIZIO** spoke at The Future of Financial Services and Digital Assets conference co-sponsored by Georgetown University's McDonough School of Business and the Psaros Center for Financial Markets and Policy. He organized and moderated the AUWCL Virtual Currency Law, Regulation and Policy Institute: Charting a Course toward Digital Asset Regulation sponsored by the Business Law Program.

ANGELA J. **DAVIS'** article, *The Perils of Private Prosecution*, is forthcoming in Calif. L. Rev. (November 2022). She published *Progressive Prosecutors: Pros and Cons – The Benefits of the Progressive Prosecutor Movement* in The Champion (May 2022). She gave a lecture on Race and the Criminal Legal System – The Role of the Prosecutor at a training for the staff of the DeKalb County District Attorney's Office. She is also a member of the Task Force on Long Sentences for the Council on Criminal Justice. She gave a lecture on Racial Disparities in the Criminal Legal System – The Role of Judges for the Judicial College of Maryland. She gave a keynote address entitled Prosecutorial Discretion in the Criminal Legal System for the Constance Baker Motley Speaker Series sponsored by the Connecticut Bar Association.

N. JEREMI **DURU** presented at several events: the KNVB (Royal Dutch Football Association) and the Mulier Instituut on the applicability of the NFL's Rooney Rule to European Soccer, particularly in the Netherlands; Rooney Rule Revisited: Race and Diversity in Sports and Corporate America at Temple University; Lessons Learned from 20 Years of the Rooney Rule at Erasmus University's visiting scholar workshop; The Arc of Race and Gender in Professional & Collegiate Sport at the University of Missouri, Kansas City. He was quoted with respect to diversity and equal opportunity in sports in ESPN's Andscape, The Washington Post, USA Today, and The Philadelphia Inquirer. He interviewed on NPR's *The Confluence*.

ROBERT DINERSTEIN published Guardianships vs. Special Needs Trusts, and Other Protective Arrangements: Ensuring Judicial Accountability and Beneficiary Autonomy, 72 Syracuse L. Rev. 423 (2022). He was interviewed by Susan Ladika, CQ Researcher, regarding guardianship policies and practices. He was quoted regarding the viability of a petition for rehearing filed in *Cummings v. Premier Rehab Keller, PLLC*, decided by the Supreme Court on April 28, 2022, in Chief Washington Correspondent Marcia Coyle's National Law Journal Supreme Court Brief. He is chair of the ABA Commission on Disability Rights for 2022-23 and liaison to the Commission from ABA Section of Civil Rights and Social Justice. He is a member of the ABA Center for Diversity and Inclusion for 2022-2023. He presented Disability Rights and Wrongs: Addressing Concerns of People with Disabilities and Their Families in the Health Care System at Northwestern University Feinberg School of Medicine. He was a program director and presenter for the NITA deposition and trial training program for lawyers from National Disability Rights Network (NDRN) in Crystal City, VA. He was interviewed for the ABA Section of Civil Rights and Social Justice's 2022 CRSJ Summer E-Newsletter. He was invited to participate at the Prenatal Disability Education Summit, Joseph P. Kennedy, Jr. Foundation at Kennedy Krieger Institute in Baltimore, MD.

ROGER A. FAIRFAX, Jr. was a featured panelist at the American Bar Association's Dean's Workshop in St. Louis, MO, to discuss challenges facing law schools. He addressed the nation's law deans again at a recent Law School Admissions Council Dean's Dialogue on leadership of law schools through periods of disruption. Fairfax received the Harvard Alumni Association Award for his volunteer service to his alma mater. He was appointed to the Board of Directors of the Lawyers' Committee for Civil Rights Under Law. Chief Justice John Roberts appointed Dean Fairfax to a second term on the Judicial Conference of the United States Advisory Committee on Criminal Rules, which drafts and revises the Federal Rules of Criminal Procedure.

CHRISTINE FARLEY's article, *No Trademark, No Problem*, 23 BU J. of Sci. & Tech. Law 304 (2017), was cited by The U.S. Court of Appeals for the Federal Circuit in *Meenaxi Enterprise, Inc. v. The Coca-Cola Company*, 38 F.4th 1067 (Fed. Cir. 2022). She presented IP and Authenticity at The Fake Symposium at NYU School of Law. She presented Devaluing Trademarks in an AI-Driven Marketplace, Annual Workshop of the International Society for the History and Theory of Intellectual Property (ISHTIP), at Gothenburg University, Sweden.

ANDREW FERGUSON published Courts without Court, 75 Vanderbilt L. Rev. 1761 (2022). His symposium article, Why Digital Policing Is Different, was accepted for publication in the Ohio State L. J. Professor Ferguson was interviewed on the PBS/NOVA television show *Computers v. Crime*.

SUSAN FRANCK engaged in major new empirical research at International Council for Commercial Arbitration, XXV Congress, Edinburgh, UK. Professor Franck's book chapter, *The Once and Future ICSID*, was published in the book ICSID Arbitration Rules (Richard Happ & Stephen Wilske eds.). She has a forthcoming DC-based book launch at the World Bank's ICSID on Monday, December 12. She also developed and moderated a panel at the Congress on Progress Made/Progress to Be Made – Exploring the Ways Forward. Professor Franck spoke with practitioners around the globe about her new research in October 2022 during Mute Off Thursdays, discussing how to unpack New Research on Decision-making and Diversity in International Arbitration. In addition, her new article, *Reforming World Bank Dispute Resolution: ICSID in Context*, was accepted for publication and is forthcoming in the Michigan Journal of International Law in 2023. Susan has also been appointed to the Executive Committee of the Institute of Transnational Arbitration as the co-chair of the Strategic Planning Committee.

PAUL FIGLEY was quoted in three news stories about Federal Tort Claims Act claims made against the FBI by gymnasts abused by University of Michigan doctor Larry Nassar: Larry Nassar Sex Abuse Victims Seeking over \$1B US from FBI for Failing to Intervene (CBC, June 8, 2022); Nassar Victims May Have Law, Facts On Side in \$1B FBI Case (Law360, June 9, 2022); and Gymnasts File \$1 Billion Claim Against FBI (The Dispatch, June 10, 2022).

LLEZLIE GREEN was invited to speak at Yale Law School's American Constitution Society (ACS) program entitled Movement Lawyering: In Practice and in the Classroom.

CLAUDIO GROSSMAN presented at AUWCL's conference on Sea Level Rise and International Law: Assessing Its Impacts on the Americans. He is the president of the Inter American Institute of Human Rights. He published The Invasion of Ukraine: A Gross Violation of International Law, 25 Hum. Rights Brief 74 (2022). He gave remarks as an expert at the International Consultative Conference organized by The World Health Organization. He is chair

of the Working Group on Reparations of the International Law Seminar. He presented at a conference on Reparations to Individuals for Violations of International Human Right Law and Humanitarian Law in Geneva, Switzerland. Claudio is a member of the board of the RFK Human Rights Foundation. He published *Remedies for Gross Breaches of International Law, with Particular Attention to Transatlantic Chattel Slavery* in The American Society of International Law (June 2022). He gave expert testimony and presented to the Permanent Council of the Organization of American States on the 25th Anniversary of the Inter-American Program for The Development of International Law. He attended the International Ibero American Congress in Spain in June 2022.

LEWIS A. **GROSSMAN** published *Pushing Back with Pills—Enhancing Access to Reproductive Health Drugs after Dobbs* in New England J. Med. (Sept. 2022). He was a participant in the National Academies Virtual Stakeholder Meeting on Building Resilience into the Nation’s Medical Product Supply Chains. He hosted a book talk on his book, Choose Your Medicine: Freedom of Therapeutic Choice in America, at the Solomon Center for Health Law & Policy at Yale Law School.

REBECCA **HAMILTON** presented Indicting for Aggression during the International Law and the New Cold War conference at Case Western Reserve Law School. She presented *Future-Proofing the Law for War Crimes Investigations in the Digital Era* at the Information Society Program at Yale Law School. She was interviewed for the DC Bar’s *The Washington Lawyer* magazine on *Crowdsourcing Digital Evidence for War Crimes* as well as for a *Washington Post* article on justice in Ukraine. She published an article, *The Crime of Aggression: Lukashenko and His Senior Officials on Notice* on Just Security.

DAVID **JAFFE** was quoted in Has Big Law Hit Peak Empathy?; ‘Our Law Students Need Help.’ Study Finds Higher Rates of Mental Health Problems; and Are Questions About Mental Health on Bar Applications Harming Law Students?.

CYNTHIA **JONES** gave a presentation on the Federal Rules of Evidence at the Federal Judicial Center National Workshop for District Judges in San Diego, CA. Professor Jones was honored to be invited to join the inaugural board of the Plea Bargaining Institute created to study and reform plea bargaining practices.

KATHRYN **KLEIMAN** published a book, Proving Ground: The Untold Story of the Six Women Who Programmed the World's First Modern Computer. She hosted a book talk on her new publication with PIJIP, TLS, the Women and the Law Program, students, alumni, and members of the public.

BENJAMIN **LEFF** presented Charity Law and “Dangerous” Financial Products at the Association of Midlevel Tax Scholars and The Nonprofit Forum. He also presented Solving the Cannabis Tax Puzzle at the Ohio State University Drug Enforcement and Policy Center.

JEFFRY **LUBBERS** was a keynote presenter for his panel at the Comparative Law Workshop at the Penn Program on Regulation. His forthcoming presentation is titled Putting the U.S. Administrative Procedure Act in Perspective. His co-written book, Administrative Law and Process in a Nutshell (6th ed.) was translated into Chinese by the China Publishing House. He was an invited commentator at the GMU Gray Center for the Study of the Administrative State’s Research Roundtable. He was also an invited participant in Harvard Law School’s Convening on Climate Strategy. He was a panelist with Prof. Thomas Merrill and Eugene Scalia on a GMU Gray Center for the Study of the Administrative State’s Program on The Administration of Antitrust: The FTC and the Rule of Law. He published two book chapters: *Administrative Adjudication: The United States Is the Outlier* in The Oxford Handbook of Administrative Justice (2022) and *Administrative Law and Its Application in Health Law* in Laws of Medicine (Springer 2022).

MAYA **MANIAN** was a speaker at the ABA-WCL webinar On the Docket: Looking Ahead at the New Supreme Court Term. Her book chapter, *The Future of Abortion in a Post-COVID World*, is forthcoming in Routledge Companion to Gender and COVID-19. She was also a speaker at ACS Oregon: The Future of Reproductive Rights after *Dobbs v. Jackson Women’s Health*. She was a planning committee member and speaker at the AAPI-MENA Women in the Legal Academy Workshop at the UC Davis School of Law. She published two articles, *Interjurisdictional Abortion Wars in the Post-Roe Era*, JOTWELL (May 4, 2022) and *The New Abortion Battleground*, 122 Col. L. Rev. She published *States Must Act Now to Protect Teenagers’ Reproductive Healthcare*

in Ms. (May 2022). Manian was quoted in several articles: *White House Faces Legal Hurdles in Weighing Abortion Response*, *In the Courts: The Legal Implications of Overturning Roe v. Wade*, (Fox 5 DC); *Patients May Not Receive Miscarriage Care in a Post-Roe America* (Wired); and *In the Courts: How the SCOTUS Leak Impacts You* (Fox 5 DC). She organized and moderated the webinar *The Legal and Public Health Impacts of the U.S. Supreme Court's Decision in Dobbs v. Jackson Women's Health Organization*, Health Law and Policy Program at American University Washington College of Law. She was invited to speak at the *Dobbs v. Jackson Women's Health Organization* Debrief, If/When/How Reproductive Justice Lawyers Network webinar. She presented her paper *A Health Justice Approach to Abortion Rights* at the Family Law Scholars and Teachers Conference at Temple Law School.

**BINNY MILLER** published *Building Fierce Empathy*, 70 Drake L. Rev. 205 (2022). She presented at American University Law Review's Annual Symposium: The Impact of Race on Youth [in]Justice. She was a moderator on the Panel on Effective Transformations in the Juvenile Legal System. She was on the planning committee for the 2023 Applied Legal Storytelling Conference in London, England. As a member of the planning committee, she will participate in selecting the presentations and presenters for the conference, recruiting academics to the conference, etc.

**OLINDA MOYD** was awarded the Human Right Heroes Award at the 4th Annual Human Rights at the Prison Door at the Interfaith Action for Human Rights. She published *In the Shadow of Gideon: No Sixth Amendment Right to Counsel at Parole Revocation Hearings*, 6 Howard U. Human & Civil Rights L. Rev. 31 (2021).

**FERNANDA NICOLA** recorded an episode, *The European Union Legal System*, for the podcast series EU to Campus. She published *The Value-Based Trade Agenda*, 25 NYU J. Leg. & Public Policy (forthcoming 2023). She published a blog post, *The Logic of Patriarchy, on Verfassungsblog*, with Günter Frankenberg. She co-authored *Expert Opinion or Deadly Game?* She also published *Defending Democracy through Law: The Creation of the Legal Service of the European Parliament* in the Fordham International L. J. (2022). She organized and chaired the workshop on Women and Courts, addressing the challenges for women judges in EU and US federal courts, sponsored by the EU program on Women in Leadership and co-sponsored by the Women and the Law, the Health Law and Policy Program and the Program on International Organization Law and Development. On October 4, she presented on a book project entitled *Misuses of Comparative Law in International Development*, at iCourts 3.0, Conference at the Center of Excellence for International Courts at the University of Copenhagen. She also presented on *Critical Direction in EU Law* for a seminar organized at AUWCL sponsored by Jean Monnet Center of Excellence. She presented *The Anti-Authoritarian Dialogue of the ECJ* for the workshop *The ECJ as a Relational Actor* at University of Gothenburg, Sweden.

**DIANE ORENTLICHER** published *The Case for a Putin War Crimes Trial* for NBC's Think and was interviewed on France 24 News regarding war crimes prosecutions in Ukraine. She participated in the keynote dialogue at the Gala Dinner of the Annual Meeting of the American Law Institute (ALI). Diane was a panelist on *War Crimes in Ukraine and Beyond: Pursuit of Justice and Accountability* at the ABA Litigation Section Fall Leadership Meeting. She published *Victim Participation and Public Messaging: Contemporary Lessons of the Eichmann Trial*, 31 Minn. J. Int'l L. 35 (2022). She chaired a panel on *Complementarity: Universal Aspirations Versus Tangible Results* at the Nuremberg Forum 2022, a conference on *The International Criminal Court 2002-2022: A Court in Practice*.

**ANDREW POPPER** published *Backlash: After 40 Years of Tort Reform Noise, Let's Change the Tone, Undo the Harm, and Correct the Big Lie*.

**ANGI PORTER** published *Africana Legal Studies: A New Theoretical Approach to Law & Protocol*, Michigan J. of Race & L. (winter 2022).

**JAYESH RATHOD** has a forthcoming publication in the Yale Law Journal Forum titled *Transformative Immigration Lawyering*. He was mentioned in the *San Francisco Chronicle* and quoted in the *Washington Blade* about a client of the Immigrant Justice Clinic who, as a result of the clinic's work, received a pardon from California Governor Gavin Newsom. Rathod also presented his work in progress, *Exit Strategy*, at the Ellmann Workshop at NYU School of Law.

IRA **ROBBINS** published new editions of his books, *Prisoners and the Law* (Thomson/Reuters, six vols., 2022) and *Habeas Corpus Checklists* (Thomson/Reuters, 2022). He also published *The Obsolescence of Blue Laws in the 21st Century*, 33 Stanford L. & Policy R. 289 (2022).

JENNY **ROBERTS** published *Expanded Criminal Defense Lawyering*. She has a forthcoming publication, Annual Review of Criminology, volume 6 (2023). She was quoted in The Guardian article, *Emancipation Proclamation': The Man Fighting to Free Millions From Their Criminal Records*. She co-presented a writing and publishing session at Clinical Law Review Writer's Workshop at the NYU School of Law. Jenny was an invited participant at the expert roundtable on The Right to Legal Assistance, hosted by The Clooney Foundation for Justice, The International Legal Foundation, and Fair Trials.

EZRA **ROSSER** has a forthcoming publication, *Affirmatively Resisting*, with Florida State University Law Review (fall 2022). He presented the article at the Association for Law, Property & Society (ALPS) conference. He co-authored an article titled *Navajo Statehood: From Domestic Dependent Nation to 51st State*, which is forthcoming in Oregon Law Review. He was named to the Felix Cohen Handbook of Federal Indian Law Editorial Board.

SUSANA **SACOUTO** received a book prize from the Women in International Law Group of the American Society of International Law for her book entitled *Gender and International Criminal Law* (OUP 2022) (co-edited with Valerie Oosterveld and Indira Rosenthal). She served on a panel organized by the United States Institute of Peace (USIP) entitled *Justice and Accountability for Khmer Rouge Atrocities Perspectives from the United States and Cambodia*. She published a report titled *Documenting Good Practice on Accountability for Conflict-Related Sexual Violence: The Sepur Zarco Case* with Alysson Ford Ouoba and Claudia Martin, published by UN Women (2022). She presented a paper on Feminist Approaches to Victim Witnesses and Victim Participants in Atrocity Crime Trials for Sexual and Other Forms of Gender-based Violence: Lessons Learned from Domestic Prosecutions in Latin America at the Women and International Law Conference at the Max Plank Institute in Luxembourg. She served as a panelist for the US launch of *Gender and International Criminal Law*, an OUP publication she co-edited with Indira Rosenthal and Valerie Oosterveld, hosted by the Cardozo Law Institute in Holocaust and Human Rights, Cardozo School of Law, in NY. She secured a grant award from the US Department of State for the War Crimes Research Office and Academy of Human Rights and Humanitarian Law for the project Enhancing the Impact of Colombia's Special Jurisdiction for Peace through a Holistic Transitional Justice Approach.

ANN **SHALLECK** organized a conference along with Professor Fernanda Nicola with AUWCL's Women and the Law Program, in conjunction with the Program on Health Law and Policy and the Program on International Organizations.

DAVID **SNYDER** chaired the meetings of the ABA Business Law Section Working Group to Draft Model Contract Clauses (MCCs) to Protect Human Rights in International Supply Chains, as well as meetings of the Implementation Task Force for the ABA Principles and Policies on Forced and Child Labor. He participated in the debate and approval by the American Law Institute of the Restatement of Consumer Contract Law, for which he served on the Members Consultative Group. He co-chaired the European Working Group meetings at Universidade Nova in Lisbon to draft European Contract Clauses aligned with the draft EU Corporate Sustainability Due Diligence Directive (CSDDD) and congruent with the UN Guiding Principles and the OECD Guidance. He spoke at and chaired a panel at the ABA Business Law Section annual meeting entitled *Business Law Essentials - Global Developments in Corporate Sustainability*. Business Law Today published a new [video](#) he made (with Sue Maslow) introducing the Model Contract Clauses, Version 2.0, with human rights protections for workers in international supply chains.

ANITA **SINHA** presented at the UC Davis School of Law Symposium - Lessons Learned & Ways Forward for the Economics & Politics of Refugee Integration. She was quoted in the ABA Law Journal article: *Forced Labor? Migrant Detainees Claim Exploitation at Corporate-Run Detention Center* (Aug/Sept 2022).

DAVID **SPRATT** was elected the 2022-2023 Chair of the Virginia State Bar Section on Education of Lawyers. He published *Debunking the Efficacy of Standard Contract Boilerplate -- Part V*, VBA News Journal. Spratt co-authored *Contracts: A Modern Coursebook*, Third Edition; Aspen Publishing with co-author Ben Templin (forthcoming spring 2023).

BRANDON **WEISS** was interviewed for a podcast by the California Law review about his article, *Opportunity Zones, 1031 Exchanges, and Universal Housing Vouchers*, 110 Calif. L. Rev. 179 (2022).

STEVE **WERMIEL** co-authored a lead article in ABA Communications Lawyer, a quarterly magazine: *A Tale of Three Reporters: Reflecting on Branzburg v. Hayes at 50* (2022). He did numerous media interviews on Sinclair TV affiliate in Syracuse; Hearst TV in Maine; WJLA TV in DC; Politico; New York Times; The Root; Canadian Broadcasting Corp.; Newsy TV; WGN Legal Face Off; Agency France Press; and Finland news agency. He was a panelist on the AUWCL rapid response panel on abortion, and was a rapid response panelist on the Supreme Court's religion clause decisions for the ABA Section of Civil Rights and Social Justice. He wrote a column on the Court's end-of-term workload on SCOTUSblog and served as a guest blogger for SCOTUSblog. He also was part of the team that drafted the ABA citation for Justice Stephen Breyer's August receipt of the ABA Medal (ABA's highest honor).

CAROLINE **WICK** presented Making Legal Ethics Fun: Incorporating Interactive Exercises in the Classroom at the International Legal Ethics Conference at UCLA.

PAUL **WILLIAMS** received the Association Internationale De Droit Pénal (AIDP) 2022 Book of the Year Award for Scholarly and Theoretical Contributions to the Field for his book *The Syrian Conflict's Impact on International Law* (Cambridge University Press), co-authored by Paul Williams, Michael Scharf and Milena Sterio. Professor Williams co-organized and moderated a side event on the margins of the United Nations Human Rights Council. He co-organized a roundtable discussion with experts on Taiwan and its relations with China and other international powers. He co-chaired a session at the 14th Annual International Humanitarian Law Roundtable at the Chautauqua Institution with Professor Milena Sterio. Opinion Juris recently published a blog post authored by Professors Paul Williams, Michael Scharf, Milena Sterio, and Dr. Yvonne Dutton. He co-organized and moderated several expert roundtables on various topics related to the war in Ukraine.

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