



**William S. Boyd School of Law,
University of Nevada Las Vegas**

Faculty Publications and Activities

February 2003

RECENT PUBLICATIONS

Raquel Aldana-Pindell, Book Review, 25 HUM. RTS. Q. 257 (2003) (reviewing MARGARET POPKIN, PEACE WITHOUT JUSTICE: OBSTACLES TO BUILDING THE RULE OF LAW IN EL SALVADOR (2000)).

Raquel Aldana-Pindell, *In Vindication of Justiciable Victims' Rights to Truth and Justice for State-Sponsored Crimes*, 35 VAND. J. TRANSNAT'L L. 1399 (2002).

Mary Berkheiser, *The Fiction of Juvenile Right to Counsel: Waiver in the Juvenile Courts*, 54 FLA. L. REV. 577 (2002).

CHRISTOPHER L. BLAKESLEY, ALBIN ESER & OTTO LAGODNY, THE INDIVIDUAL AS SUBJECT OF INTERNATIONAL COOPERATION IN CRIMINAL MATTERS: A COMPARATIVE STUDY (2002).

CHRISTOPHER L. BLAKESLEY, ALBIN ESER & OTTO LAGODNY, PRIMER ON PROTECTING THE INDIVIDUAL FACING TRANSNATIONAL COOPERATION IN CRIMINAL MATTERS (2002).

Christopher L. Blakesley, *Criminal Law, Criminal Procedure & Human Rights*, in STRAFRECHT, STRAFPROZESSRECHT UND MENSCHENRECHETE, FETZSCHRIFT FOR DR. PROF. STEFAN TRECHSEL 191 (Andreas Donatsch et al. eds. 2002).

Christopher L. Blakesley, *The Terrors of Dealing with September 11th*, NEV. LAW., Sept. 2002, at 6.

A. Christopher Bryant, *Retroactive Application of "New Rules" and the Antiterrorism and Effective Death Penalty Act*, 70 GEO. WASH. L. REV. 1 (2002).

A. Christopher Bryant & Carl W. Tobias, *Youngstown Revisited*, 29 HASTINGS CON. L.Q. 373 (2002).

Jay S. Bybee & David W. Newton, *Of Orphans and Vouchers: Nevada's "Little Blaine Amendment" and the Future of Religious Participation in Public Programs*, 2 NEV. L.J. 551 (2002).

Martin A. Geer, *Protection of Female Prisoners: Dissolving Standards of Decency*, 2 MARGINS 1 (No. 2, 2003).

Douglas L. Grant, Part VIII, *Interstate Water Allocation*, in 4 WATERS AND WATER RIGHTS (Robert E. Beck ed. Supp. 2002).

Joan Howarth, *Executing White Masculinities: Lessons from Karla Faye Tucker*, 81 OR. L. REV. 183 (2002).

Joan Howarth, *Empirical Studies Contribute to the Death Penalty Debate*, NEV. LAW., July 2002, at 15.

Steve R. Johnson, *Why Craft Isn't Scary*, 37 REAL PROP. PROB. & TR. J. 439 (2002).

Steve R. Johnson, *Employer Tax Liability for Employees' Tips: Fior D'Italia*, NEV. LAW., Nov. 2002, at 15.

Steve R. Johnson, *Correspondence Clarifies Craft Case Confusion*, 96 TAX NOTES 883 (2002).

DAVID L. LANGE, **MARY LAFRANCE** & GARY MYERS, *INTELLECTUAL PROPERTY: CASES & MATERIALS* (West 2d ed. 2003).

Mary LaFrance, *Nevada's Employee Inventions Statute: Novel, Nonobvious, and Patently Wrong*, 3 NEV. L.J. 88 (2002)

Mary LaFrance, *Defining Marriage: What Ballot Question 2 Doesn't Do*, NEV. LAW., Oct. 2002, at 15.

Robert M. Lawless, *Nevada's Position in the Market for Corporate Charters*, NEV. LAW., Aug. 2002, at 15.

Sylvia R. Lazos Vargas, *CAMBIO DE COLORES (CHANGE OF COLORS): LEGAL AND POLICY CHALLENGES AS LATINAS/OS MAKE THEIR HOMES IN MISSOURI* (U. of Missouri Outreach and Extension 2002).

Sylvia R. Lazos Vargas, *The Latina/o-ization of the Midwest: Cambio de Colores (Change of Colors) as AgroMaquilas Expand into the Heartland*, 13 BERKELEY LA RAZA L.J. 343 (2002).

Sylvia R. Lazos Vargas, *Missouri, the "War on Terrorism," and Immigrants: Legal Challenges Post 9/11*, 67 MO. L. REV. 775 (2002).

Sylvia R. Lazos Vargas, *History, Legal Scholarship, and LatCrit Theory: The Case of Racial Transformations Circa the Spanish American War, 1896-1900*, 78 DEN. U. L. REV. 921 (2002).

Thomas B. McAfee, *The Constitution as Based on the Consent of the Governed – Or, Should We Have an Unwritten Constitution?*, 80 OR. L. REV. 1245 (2001).

DAVID G. EPSTEIN, **BRUCE A. MARKELL** & LAWRENCE PONOROFF, *MAKING AND DOING DEALS: CONTRACT AND RELATED LAW* (2002).

Bruce A. Markell, *Slouching Towards Fairness: A Reply to the ABCNY's Proposal on Unfair Discrimination*, 58 BUS. LAW. 109 (2002).

Bruce A. Markell & Richard F. Broude, *The Priority Provisions of the UNCITRAL Convention on the Assignment of Receivables in International Trade*, 11 INT'L INSOLVENCY REV. 121 (2002).

Bruce A. Markell, *UNCITRAL's Receivables Convention: The First Step, But Not the Last: A Comment on Bazinas*, 12 DUKE J. COMP. & INT'L L. 401 (2002).

Bruce A. Markell, *Lawyer-Made Law, Lex Juris and Confusing the Message with the Messenger: A Comment on Frankel*, 12 DUKE J. COMP. & INT'L L. 493 (2002).

Terrill Pollman, *Building a Tower of Babel or Building a Discipline?: Talking About Legal Writing*, 85 MARQ. L. REV. 887 (2002).

Thomas E. Geyer, Michael A. Miglets & **Keith A. Rowley**, *Civil Liability and Remedies in Ohio Securities Transactions*, 70 U. CIN. L. REV. 939 (2002).

JEFFREY W. STEMPEL, *THE LAW OF INSURANCE CONTRACT DISPUTES* (Supp. 2002).

Jeffrey W. Stempel, *The Insurance Aftermath of September 11: Myriad Claims, Multiple Lines, Arguments Over Occurrence Counting, War Risk Exclusions, the Future of Terrorism Coverage, and New Issues of Government Role*, 37 TORT & INS. L.J. 817 (2002).

Jeffrey W. Stempel, *Favorite Insurance Cases Symposium*, 2 NEV. L.J. 287 (2002).

Jeffrey W. Stempel, *Lachs v. Fidelity & Casualty Co. of New York: Timeless and Ahead of its Time*, 2 NEV. L.J. 319 (2002).

David S. Tanenhaus, Book Review, 21 L. & HIST. REV. 240 (2003) (reviewing VICTORIA GETIS, *THE JUVENILE COURT & THE PROGRESSIVES* (2000))

MARGARET K. ROSENHEIM, FRANKLIN E. ZIMRING, **DAVID S. TANENHAUS** & BERNARDINE DOHRN EDS., *A CENTURY OF JUVENILE JUSTICE* (2002).

David B. Thronson, *Kids Will Be Kids? Reconsidering Conceptions of Children's Rights Underlying Immigration Law*, 63 OHIO ST. L.J. 979 (2002).

Carl W. Tobias, *Sixth Circuit Judicial Selection*, 36 U.C. DAVIS L. REV. 721 (2003).

Carl W. Tobias, *Federal Judicial Selection in the Fourth Circuit*, 80 N.C. L. REV. 2001 (2002).

Carl W. Tobias, *A Tribute to the Honorable Procter Hug, Jr.*, 3 NEV. L.J. 1 (2002).

Carl W. Tobias, *Judge Procter Hug, Jr. and the Exercise of Good Judgment*, 3 NEV. L.J. 29 (2002).

Carl W. Tobias, *Modern Tort Law Demystified*, 3 NEV. L.J. 188 (2002) (reviewing PETER BELL & JEFFERY O'CONNELL, ACCIDENTAL JUSTICE: THE DILEMMAS OF TORT LAW (1997)).

Carl W. Tobias, *The Expiration of the Civil Justice Reform Act of 1990*, 59 WASH. & LEE L. REV. 541 (2002).

Carl W. Tobias, *Civil Rights in the Cold War*, 82 B.U. L. REV. 749 (2002) (reviewing MARY L. DUDZIAK, COLD WAR CIVIL RIGHTS: RACE AND THE IMAGE OF AMERICAN DEMOCRACY (2000)).

Carl W. Tobias, *Intentional Infliction of Mental Distress in Nevada*, 2 NEV. L.J. 59 (2002).

FACULTY NEWS

Sylvia Lazos Vargas, formerly of the University of Missouri-Columbia School of Law, officially joined the Boyd School of Law faculty this semester. **Jean Sternlight**, currently the John D. Lawson Professor of Law at the University of Missouri-Columbia School of Law, will join us this summer. We are pleased to welcome **Alberto M. Benítez**, who is visiting us this semester from the George Washington University Law School, where he directs that school's immigration clinic. We are also pleased to announce that **Leticia Saucedo**, currently a staff attorney with the Mexican American Legal Defense and Educational Fund (MALDEF), in San Antonio, Texas, and **Kevin Oates**, currently completing his LL.M. and serving as an Abraham L. Freedman Graduate Teaching Fellow at Temple University's James E. Beasley School of Law, have accepted an offer to join our faculty for the 2003-04 academic year.

Congratulations to our colleagues **Kay Kindred** and **Mary Berkheiser** who recent received presidential approval for their tenure and promotion from associate professor to professor, and **Raquel Aldana-Pindell**, **Bret Birdsong**, **Chris Bryant**, **Ngai Pindell**, and **Terry Pollman** on receiving presidential approval of their promotion from assistant professor to associate professor. All tenure grants (pending regential approval) and promotions officially take effect on July 1, 2003.

Raquel Aldana-Pindell gave the keynote address at the International Human Rights Day Celebration held at Silverado High School in Las Vegas on December 10, 2002. On February 1, 2003, she gave a presentation to Univision, a Spanish television network, on current issues in immigration law. Raquel's article "The 9/11 'National Security' Cases: Three Principles Guiding Judges' Decision-Making" is forthcoming in the *Oregon Law Review*. Raquel also has forthcoming, in the *Human Rights Quarterly*, "An Emerging Universality of Victims' Rights in the Criminal Process for State-Sponsored Crimes."

Jennifer Anderson was recently appointed by the Clark County Board of Commissioners to the Clark County Air Pollution Control Hearing Board. This is an administrative body that, among other things, (1) hears appeals of those found in violation of air quality regulations, (2) hears requests for variances from existing air quality regulations, and (3) issues advisory opinions regarding the applicability of air quality regulations to specific activities. There are seven members on the board, each of whom serves a three-year term.

Annette Appell was recently installed as President of the Clinical Legal Education Association (CLEA), an international organization of clinical law teachers. Annette served as program chair for the American Association of Law Schools (AALS) Joint Clinic and Teaching Methods Sections Program, at the AALS Annual Meeting, in Washington, D.C. Annette presented "Responding to the Needs of Individual Children" during a conference at Loyola University, Chicago titled Rush to Judgment? The Legal, Ethical and Psychological Issues in Adoption and Other Permanent Placements in July. Annette was also the Principal Investigator of the Nevada Child and Family Services Title IV-E Curriculum Development Implementation Grant, "Adoption with Contact Statutes: Origins and Outcomes," presented at the Nevada DCFS Project Symposium in Las Vegas in September. Annette has four articles forthcoming in the *Adoption Quarterly*: "Safe Havens to Abandon Babies, Part I: The Law," "Safe Havens to Abandon Babies, Part II: The Fit," "Safe Havens to Abandon Babies, Part III: The Effects," and "Survey of State Utilization of Adoption with Contact."

Chris Blakesley's article "Terrorism and Anti-Terrorism in Law, Literature, and Reality" and his review essay "International Criminal Law" will appear in forthcoming issues of the *University of Miami Law Review* and the *American Journal of International Law*, respectively. He also has two book chapters at press: "The Modern Blood Feud: Thoughts on the Philosophy of Crimes Against Humanity," in 2 INTERNATIONAL HUMANITARIAN LAW: ORIGINS, CHALLENGES, AND PROSPECTS, and "Criminal Justice," in INTRODUCTION TO THE LAW OF THE UNITED STATES (David S. Clark & Turgul Ansay eds., 2d ed. 2001). Chris presented a paper and chaired a panel on "Terroryzm a Demokracja" at a conference on Penal Responsibility in Liberal Democratic Systems in Warsaw, Poland in September. His paper will be published in *Jus et Lex* (Warsaw) in 2003. Chris recently presented a paper at and participated in a conference entitled "Modalities of International Cooperation in Criminal Matters: Comparing United States and European Approaches," held in conjunction with "Major International Congress: International Criminal Law Quo Vadis," Nov. 28-Dec. 4, 2002, sponsored by the Istituto Superiore Internazionale di Scienze Criminali, in Siracusa, Italy. Other participants included the Chief Counsel for the European Union, the President of the Max-Planck Institute for International & Comparative Law, Chief Counsel for the German Ministry of Justice, among others, including chaired professors of international and comparative law from many nations. In conjunction with this he also produced an article for the *Revue Internationale de Droit Pénal*, which will appear in 2003. Chris also edited (and translated, in some cases) several articles on juvenile delinquency by scholars from Brazil, China, the Czech Republic, Croatia, Finland, Hungary, Japan, Slovenia, and Sweden for the *Revue Internationale de Droit Pénal*. They will be published early in 2003.

Chris Bryant and **Carl Tobias** presented "Quirin Revisited" as part of the University of Wisconsin's Civil Liberties and Terrorism series in November. The *Wisconsin Law Review* will

publish their article of the same name later this year. Chris's article "Stopping Time: The Pro-Slavery and 'Irrevocable' Thirteenth Amendment," is forthcoming in the *Harvard Journal of Law & Public Policy*. In August, Chris taught middle and high school teachers from across Nevada for three days at the State's first annual "We the People" summer institute, held at Lake Tahoe, as part of a nationwide civic education program for middle and high school students established by the Burger Commission on the Bicentennial of the U.S. Constitution. Chris recently accepted an offer to join the faculty of the University of Cincinnati College of Law next year. We will miss him.

Jay Bybee, currently on leave and serving as Assistant Attorney General for the Office of Legal Counsel, has been (re-)nominated by President Bush to the U.S. Ninth Circuit Court of Appeals, and has received a hearing before the Senate Judiciary Committee. We hope he will be approved by the Committee, and in turn the full Senate, in the near future.

Robert Correales's article "Does *Hoffman Plastic Compounds, Inc.* Produce Disposable Workers?" has been accepted for publication in the *Berkeley La Raza Law Journal*.

Martin Geer is presently co-authoring a U.S. Supreme Court brief on the merits for the Respondents in *Overton v. Bazzetta*, No. 02-94, a class action on behalf of all Michigan state correctional prisoners (approx. 50,000) and their families which was successful in the U.S. District Court and Sixth Circuit Court of Appeals in striking down regulations which categorically disallowed non-contact visitation with some family members, including children. Both lower courts found the Michigan regulations violated family associational rights under the First Amendment as well as the prisoners' Eighth Amendment rights. Marty will also be presenting on the topic of "International Externship Placements" at the 2nd Annual Symposium on U.S. Law School Externships at Catholic University Law School in D.C. in early March. A law review symposium issue on the conference will follow. He is also working on a book chapter: Martin Geer & Nadia de Araujo, *International Law in U.S. and Brazilian Courts, in LIBERTY E LIBERDADE: CITIZENS AND JUSTICE IN BRAZIL AND THE UNITED STATES* (Nadia de Araujo et al. eds.).

Doug Grant's article "Interstate Water Allocation Compacts: When the Virtue of Permanence Becomes the Vice of Inflexibility" is forthcoming in the *University of Colorado Law Review*.

Joan Howarth was co-chair of the planning committee for the Joint Session of the Teaching Methods and Clinical Sections at the AALS annual meeting. At that time she was also re-appointed as Chair of the Public Positions Committee of the Society of American Law Teachers (SALT), on whose Board of Governors she continues to serve. Joan presented a paper in September on gays and lesbians on death row, entitled "We Are Everywhere: Condemning Homosexuality," at a conference on Law and Sexuality: Assimilation and Resistance. That paper, and her article recently published by the *Oregon Law Review* (see above) are part of a larger project investigating the intersections of capital punishment and gender.

Steve Johnson has two forthcoming articles: "The Precept That Tax Penalties Should be Strictly Construed," which will be published in the *Nevada Law Journal* in 2003, and "The 1998 Act and the Resources Link Between Tax Compliance and Tax Simplification," which will be published

in the *University of Kansas Law Review*. In October, Steve was a panelist on “Recent Developments in Federal Tax Collection: Bankruptcy and Nonbankruptcy,” and spoke on the “Consequences of the Supreme Court Decision in *Fior D’Italia*,” at the ABA Section of Taxation Individual Tax Committee meeting in Los Angeles. Steve also spoke on “Taxpayer Rights in Dealing with the IRS” at a UNLV University Forum in Las Vegas in October. Steve was interviewed on “Las Vegas One” television in September and has been interviewed and quoted in several articles for *Tax Notes*, a leading national tax publication. Steve’s work was also cited by the U.S. Supreme Court in *United States v. Craft*, 122 S. Ct 1414, 1424 (2002). In November, Steve videotaped a CLE presentation, “Rules Governing Federal Tax Collection,” for the State Bar of Nevada. In December, Steve presented “Federal Tax Development: The Year in Review,” to State Bar of Nevada CLE programs in Las Vegas and Reno.

Kay Kindred’s article “Of Child Welfare and Welfare Reform: The Implications for Children When Contradictory Policies Collide” is forthcoming in the *William and Mary Journal of Women and the Law*. Kay continues work on her reader, *Selected Problems of Children and Society*, to be published by West.

Kate Kruse is currently serving on the planning committee for the AALS 2003 Workshop on Clinical Legal Education, which will be held in Vancouver in May 2003. Kate also continues to serve on the Board of Editors of the peer-edited *Clinical Law Review*, which is published jointly by the New York University School of Law, the Clinical Legal Education Section of the AALS, and the Clinical Legal Education Association.

Bob Lawless is the Southeastern Bankruptcy Law Institute Visiting Professor of Law for 2002-03, spending one week in residence each semester at the Georgia State University College of Law. In recent months, Bob attended the annual meeting for the National Conference of Bankruptcy Judges in Chicago, participated in the editorial board meeting for the *American Bankruptcy Law Journal*, and also participated in the annual UCLA/USC Corporate Law Roundtable. Bob spoke on “Developing a Scholarly Agenda” to the Section of New Law Teachers at the AALS last month. Bob was recently quoted by Bloomberg News and in articles in the *Houston Chronicle* and *San Jose Mercury News* about Enron and related bankruptcy matters, and presented a CLE seminar at the Northern Trust Bank on the Sarbanes-Oxley Act and new corporate governance listing requirements from the New York Stock Exchange and Nasdaq. Earlier this month, Bob presented “An Overview of Asset and Enterprise Valuation in Distressed Markets,” as part of the two-day Conference on Valuation of Assets in Bankruptcy, sponsored by the Boyd School of Law, and held in Las Vegas.

Sylvia Lazos Vargas’s article “The Latina/o and APIA Vote Post-2000: What Does it Mean to Move Beyond ‘Black and White’ Politics?” has been accepted for publication in a forthcoming issue of the *Oregon Law Review*. Sylvia also a book chapter at press: “Critical Race Theory in Education: Theory, Praxis, and Recommendations,” in *INTERROGATING RACISM* (Gerardo Lopez & Laurence Parker eds. forthcoming 2003).

Ann McGinley attended the ABA Annual Meeting in Washington, DC in August to participate in a two-day meeting of senior editors of the book *Alternative and Other Contingent Work*

Arrangements, which is sponsored by the ABA Section of Labor and Employment Law and will be published by BNA in 2003. Ann is also the author of a chapter in the book entitled “Equal Employment Opportunity Laws and Alternative Work Arrangements.” Also in August, Ann spoke in a Roundtable on Employment Law Issues with the Honorable Robert Johnston, a federal magistrate and a representative of the Nevada Equal Rights Commission. The Roundtable was presented by Patrick Hicks of Hicks and Walt and was attended by attorneys and personnel directors in the greater Las Vegas area. Ann and **Chris Bryant** have been working with and advising the attorneys for the Respondent in *Department of Human Resources v. Hibbs*, a case to be decided this term by the U.S. Supreme Court, dealing with whether the Eleventh Amendment bars the enforcement of the Family Medical Leave Act against the State of Nevada.

Bruce Markell’s article “Court History and Court Process: The Unconstitutionality of Nevada’s Asset Protection Trusts,” based upon his inaugural lecture as the Doris S. and Theodore B. Lee Professor of Law, will appear in a forthcoming issue of the *Nevada Law Journal*. In September, Bruce participated on and provided materials for two panels – “Current Developments” and “Small Business Bankruptcies” – at the American Bankruptcy Law Institute’s Southwestern Bankruptcy Law Institute in Las Vegas. In October, Bruce attended the annual National Conference of Bankruptcy Judges in Chicago, at which he participated on panels discussing the Doctrine of Necessity in Chapter 11 cases and current developments in securitization. While there, Bruce also attended the semi-annual meeting the Board of Editors for *Collier on Bankruptcy*. Also in October, Bruce presented a paper at the University of Hong Kong entitled “Common Law Restrictions on Workouts in the United States with Some Comments on the Changchun Approach,” as part of a day-long seminar at the University of Hong Kong sponsored by the Asian Institute of International Financial Law entitled “Corporate Rescue in China: Chinese and Comparative Perspectives,” presented another paper, entitled “The Priority Provisions of the UNCITRAL Convention on the Assignment of Receivables in International Trade,” at the Academics meeting of INSOL International in Beijing, and was asked to chair the next meeting of INSOL in Las Vegas next year. On October 24th, Bruce presented a report on the bankruptcy implications of the Sarbanes-Oxley Act of 2002 at the annual meeting of the National Bankruptcy Conference, a voluntary organization of the nation’s leading bankruptcy and insolvency practitioners, judges, and academics, in Washington, DC. Bruce serves as vice-chair of their Legislative Committee. In November, Bruce served as a panelist on “Advanced Chapter 11 Issues and Current Developments in Business Bankruptcy,” for the Annual Meeting of the Commercial Law League, Northeastern Division, in New York City, and spoke on “Fiduciary Duties, Partnerships, Limited Liability Companies and Bankruptcy: Odd Fits and Rough Starts,” at the University of Texas’ 21st Annual Bankruptcy Education Program, in Austin, Texas. In December, Bruce served as a panelist on “Late Breaking News,” at the Distressed Investing Conference sponsored by Renaissance American Management Group and by Beard Group, in New York City, and presented a “Current Update on Recent Business Bankruptcy and Consumer Bankruptcy Cases,” to the Tidewater Bankruptcy Bar Association, in Norfolk, Virginia. Last month, Bruce served as a panelist on “International Secured Transactions, A Race to the ...?,” at the AALS Annual Meeting in Washington, DC, and presented “Current Update on Legislative Reform and Key Judicial Developments: Dogs That Barked and Some That Didn’t,” to the Northern Nevada Association of Bankruptcy Attorneys, in Reno, and “Current Developments in Secured Transactions and Bankruptcy,” to the Southern

Nevada Women's Attorneys' Association, in Las Vegas. Earlier this month, Bruce spoke on "Valuation at the Confirmation Hearing," as part of the two-day Conference on Valuation of Assets in Bankruptcy, sponsored by the Boyd School of Law, and held in Las Vegas. Bruce was a member of the planning committee for the conference. In addition to his numerous speaking engagements that required him to travel around the country and across the Pacific, this past semester Bruce taught a distance learning lecture series from UNLV on Advanced Issues in International Bankruptcy to four universities in Indonesia (the University of Indonesia in Jakarta, the University of Diponegoro in Semarang, the Universitas Sumatera Utara in Medan, and the Gadjah Mada University in Yogyakarta). At least twenty graduate students participated in this interactive video course at each of the four locations.

Pam Mohr spoke on a panel at the October Rocky Mountain Regional Clinical Conference on the issue of interdisciplinary teamwork in the law clinic.

Dean Richard Morgan presided over September's dedication ceremonies for William S. Boyd Hall and the James E. Rogers Center for Administration and Justice – collectively, the new home for the Boyd School of Law. Dick was joined on the dais by U.S. Supreme Court Justice Anthony M. Kennedy, UNLV President Carol C. Harter, UCCSN Regents Chair Douglas Seastrand, and benefactors William S. Boyd and James E. Rogers, without whose generosity and hard work this law school would not exist. Dick has also worked unceasingly on shepherding the school through full accreditation by the American Bar Association, which was awarded by vote of the ABA House of Delegates on February 10th, and toward membership in the Association of American Law Schools (which may come as early as 2004).

Ngai Pindell's article "Is There Hope for HOPE VI?: Community Economic Development and Localism," has been accepted for publication in the *Connecticut Law Review*.

Terry Pollman and **Jean Whitney** presented a CLE seminar on "Writing in Chambers" to several justices, clerks, and staff attorneys at the Nevada Supreme Court on December 20th. Terry has also been keeping herself busy chairing the Association of Legal Writing Directors' Scholarship Committee, which awards research grants to legal writing professionals, serving as program chair for the Rocky Mountain Regional Legal Writing Conference, and reviewing proposed Legal Writing and Property texts for Aspen Law and Business Publishing.

Keith Rowley's article "You Asked For It, You Got It ... Toy Yoda: Practical Jokes and the Law of Contracts," is forthcoming in the *Nevada Law Journal*. Keith continues work on the first of two volumes of the Revised Edition of *Corbin on Contracts* and on *Contracts: Questions & Answers*, both of which Lexis will publish later this year. He is also serving as an editorial consultant to LexisNexis on their new *Questions & Answers* line of study aids.

Jeff Stempel's article "Fuzziness, Forgetfulness, Fairness, Freedom, and Functionality in Dispute Resolution" is forthcoming in the *Nevada Law Journal*. Jeff is currently working on the Third Edition of *Principles of Insurance Law*, with co-authors Peter Nash Swisher and Emeric Fischer. Jeff spoke on "The Attorney-Client Privilege and Current Issues in Legal Ethics" to the Clark County Bar Association in July. In September, Jeff spoke to the Annual Meeting of the International Association of Gaming Attorneys, in San Diego, on "Legal Ethics for the Gaming

Attorney.” In October, Jeff presented a Lionel, Sawyer & Collins Legal Workshop entitled “An Overview of the Sarbanes-Oxley Act and its Implications for Lawyers.”

Bobbie Studwell is currently serving as Chair of the American Association of Law Libraries’s Special Committee to Develop Performance Measurements for Law Librarians. In July, Bobbie spoke at the dedication of the Thomas E. Brennan Law Library at the Thomas M. Cooley Law School. She also attended the AALL’s annual meeting and conference in Orlando.

David Tanenhaus’s article “‘Owing to the extreme youth of the accused’: The Changing Legal Response to Juvenile Homicide,” written with Steven A. Drizin, is forthcoming in the *Journal of Criminal Law & Criminology*. David recently served as a panelist for a session entitled “What Do We Learn From Youth Policy?,” at the one-day symposium “A Century of Juvenile Justice,” based on the recently published book of the same title David edited with Margaret K. Rosenheim, Franklin E. Zimring, and Bernardine Dohrn. The Children and Family Justice Center of the Bluhm Legal Clinic at Northwestern University School of Law and the School of Social Service Administration at the University of Chicago co-sponsored the symposium, which was made possible through a generous grant from the John D. and Catherine T. MacArthur Foundation.

Carl Tobias was recently named the Beckley Singleton Professor of Law. The professorship was established by the Las Vegas firm of Beckley Singleton to support the work of to a nationally-known and prolific legal scholar, and Carl certainly fits both bills. The *Georgetown Law Journal* has accepted Carl’s article “The Coming Crisis in Local Federal Criminal Procedure” for future publication. In addition to his forthcoming article with Chris Bryant (see above), Carl and Andrew Spalding (class of 2003) submitted a white paper, titled “Civil Justice and Judicial Selection,” to the American Bar Association Commission on the Twenty-First Century Judiciary. Carl serves as a legal consultant to the Commission. Carl also gave a faculty colloquium on the future of the federal courts at the University of Richmond, T.C. Williams School of Law in December.

BSL FACULTY NEWS is produced periodically by the William S. Boyd School of Law, University of Nevada Las Vegas, and is compiled and edited by Professors Keith A. Rowley and Ngai L. Pindell. If you have any questions about the contents of this issue of *BSL FACULTY NEWS*, you may contact Professor Rowley or Professor Pindell by e-mail at keith.rowley@ccmail.nevada.edu or ngai@unlv.edu, respectively.