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## Faculty

University of Michigan Law School

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## Welcome to the Law School

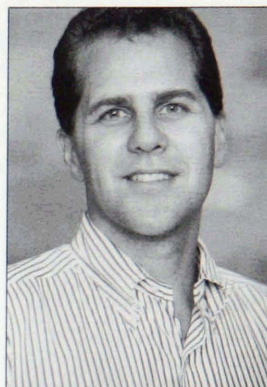
### Teaching. Research. Service.

These are the foundations of the role of faculty at the University of Michigan Law School. And the faculty members themselves are the foundations for the high quality legal education that students receive and the well-deserved standing that the Law School enjoys among the nation's best law schools.

This year, seven new faculty members are joining the Law School family, further enriching the School's curriculum and adding to the liveliness of intellectual endeavor throughout the Law School.

Here are the new faculty members:

PHOTOS BY GREGORY FOX



### Assistant Professor of Law Michael Barr

joined the Michigan Law faculty in fall 2001. He earned his B.A., *summa cum laude*, from Yale University, an M. Phil in International Relations from Magdalen College, Oxford, as a Rhodes Scholar, and his J.D. from Yale Law School. Barr was an articles editor for the *Yale Law & Policy Review*, and was active in the homelessness clinic and in the Lowenstein Human Rights Clinic, where he co-directed *Haitian Centers Council v. McNary*, which challenged the U.S. policy of repatriating Haitian refugees.

Barr was co-recipient of the 1992 Human Rights Award of the American Immigration Law Association, and co-recipient of the Charles G. Albom Prize for appellate advocacy. He served as a judicial clerk for Justice David H. Souter of the U.S. Supreme Court, and for Judge Pierre N. Leval of the Southern District of New York. His wide experience includes serving as: special adviser and counselor on the Policy Planning Staff of the U.S. State Department, focusing on human rights and international organizations; Treasury Secretary Robert

E. Rubin's special assistant, advising the secretary on national policy issues; and deputy assistant secretary of the Treasury for community development policy. Barr helped to negotiate final passage of the financial modernization law, and to enact more than \$25 billion in initiatives for low-income communities. From 1999 to 2001, Barr also served concurrently as special adviser to the President, responsible for the federal government's policies with respect to the District of Columbia.

In the spring of 2001, Barr was a visiting fellow at the Brookings Institution, where he remains a nonresident senior fellow. In addition, he has served on the board of the Telecommunications Development Fund, a publicly-chartered investment fund focused on early stage technology firms, and on the advisory boards of D.C. Agenda and of George Washington University's Center for Excellence in Municipal Management. He is a term member of the Council on Foreign Relations, and a member of the bars of New York and the District of Columbia.

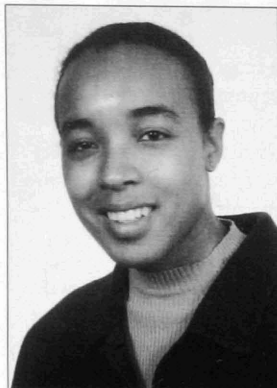
Barr's research and teaching interests include financial institutions, community development, and international law. He has written on access to capital, international labor and environmental rights in trade agreements, refugee law, and health policy. At the Law School, he is teaching Jurisdiction and Choice of Law, and Financial Institutions.

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# FACULTY

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## Assistant Professor of Law Laura Beny,

who won Harvard Prize and National Science Foundation fellowships during her work toward her Ph.D. in economics at Harvard University, earned her J.D. at Harvard Law School, her M.A. in economics at Harvard University, and her B.A. with distinction in economics at Stanford University.

At Harvard Law School, she won the John M. Olin Prize for Outstanding Paper in Law and Economics and was a John M. Olin Fellow in Law and Economics in 1997-98 and during the summers of 1998 and 1999.

At Stanford, her paper "Market-Based Approaches to African Wildlife Conservation" won the John G. Sobieski Award for the outstanding senior thesis.

Beny is a member of the newsletter editorial board for the Sudan Studies Association in North America, helped to analyze the impact of labor market reforms in the People's Republic of China for the Cambridge,

Massachusetts-based National Bureau of Economic Research, and during 2000-2001 has been working with the bureau to assemble a database of companies providing stock option compensation to non-executive employees to address corporate governance and incentive implications.

Her paper "A Comparative Empirical Investigation of Agency and Market Theories of Insider Trading," presented at the John M. Olin Center for Law, Economics and Business at Harvard Law School, now is being prepared for publication, and her paper "Legal and Economic Implications of Slavery and Slave Redemption in the Sudan," first presented at the African Studies Association Annual Meeting in Philadelphia, is to appear in the book *Perspectives on Genocide in the Sudan*.

Among Beny's other publications are "Insider Trading Law, Enforcement, Ownership Structure, and Stock Market Liquidity: A Comparative Empirical Analysis," which appeared in the Dutch publication *Financie Studievereniging Rotterdam*, and "Seychelles Country Report" (with Lisa C. Cook), which appeared in *Africa Competitiveness Report 2000*, published by Oxford University Press.

Beny begins teaching at the Law School next fall.



## Assistant Professor of Law Richard Primus

received his J.D. from Yale Law School. While at Yale, he was an editor of the *Yale Law Journal*, and won two awards in the Morris Tyler Moot Court of Appeals — for best oral argument and best overall team performance.

Before earning his law degree, Primus received his A.B. *summa cum laude* from Harvard College, where he was in the Junior Year 12 for Phi Beta Kappa. A Rhodes Scholar, he then earned a D.Phil. in politics at Oxford, where he was the Jowett Senior Scholar at Balliol College.

After graduating from Yale Law School, Primus clerked for Judge Guido Calabresi on the Second Circuit and Justice Ruth Bader Ginsburg at the U.S. Supreme Court. He then practiced law at the Washington, D.C., office of Jenner & Block. Among his duties at Jenner & Block was to work on redistricting legislation on behalf of the Democratic Party of New Jersey.

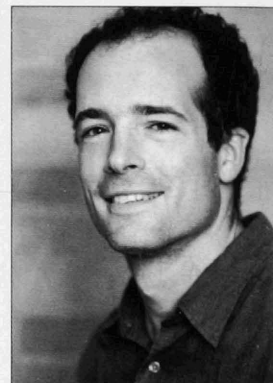
He joined the University of Michigan Law School faculty this year.

Primus is the author of *The American Language of Rights* (Cambridge University Press, 1999), which *Yale Law Report* called "a major contribution to contemporary political theory, of interest to scholars and students in politics and government, constitutional law, and American history."

Part of Cambridge's "Ideas in Context" series, *The American Language of Rights* examines three periods in American history — the late eighteenth century, the Civil War, and the 1950s and '60s — to assess their impact on the language of rights. The book also was the first study of its kind to examine the impacts of totalitarian regimes in Nazi Germany and the Soviet Union on our discussion of rights. Noted the journal *Law and Social Inquiry*:

"Conceptualizing rights language as grounded in opposition to concrete social and political practices, Primus explores the potency of rights language throughout American history and the impact of modern totalitarianism on American conceptions of rights."

Primus' teaching interests include constitutional law, the First Amendment, employment discrimination, the law of voting, and the history of legal thought. He is teaching Introduction to Constitutional Law and the new course Employment Discrimination.



## Clinical Assistant Professor of Law Paul Holland

received his B.A. in history from Harvard University, his J.D., *magna cum laude*, from New York University School of Law, and his LL.M. from Georgetown University Law Center, where he was also a Prettyman Fellow.

Holland joined the University of Michigan Law School's Child Advocacy Law Clinic as a clinical assistant professor this year. He has taught clinical law at both Loyola University Chicago and Georgetown University Law Center. His teaching and litigation focus on the representation of children, primarily in delinquency and child protection proceedings, but also in school-related matters.





Osbeck holds membership in the American Bar Association and is admitted to practice in Colorado and Michigan. He has practiced before a number of U.S. District Courts and before the U.S. Court of Appeals, Tenth Circuit. His most recent publications include "Broker Prevails" in the *Colorado Journal* (2000) and "The Doctrine of Sovereign Immunity in Colorado Tort Law," also in the *Colorado Journal* (2000).

**Clinical Assistant Professor of Law Mark K. Osbeck, '86,**

joined the faculty of the Law School's Legal Practice Program this year. He earned his A.B. with high distinction from the University of Michigan, an M.A. with honors at Johns Hopkins University, and his J.D., *cum laude*, at the University of Michigan Law School, where he was editor of the *University of Michigan Journal of Law Reform*.

While attending Johns Hopkins, Osbeck was awarded a University Fellowship, the top departmental award. Following his graduation from law school, he served as a judicial clerk for Michigan Supreme Court Justice Charles L. Levin. He has more than 13 years of experience in commercial litigation with extensive trial and deposition experience and was a shareholder with the firm Reinhart, Boerner, Van Deuren, Norris and Rieselbach before joining the Law School faculty.



**Clinical Assistant Professor of Law David A. Santacroce,**

the former senior staff attorney for the Sugar Law Center for Economic and Social Justice in Detroit, is now teaching in the Michigan Clinical Law Program. He holds an LL.M. from Columbia University School of Law, where he was named a Harlan Fiske Stone Scholar, a J.D. *cum laude* from Pace University School of Law, where he was managing editor of the *Pace Law Review*, and a B.A. from Connecticut College.

At the Sugar Law Center, Santacroce managed a national programmatic worker's

rights campaign under the Worker Adjustment and Retraining Notification Act in trial and appellate courts throughout the United States, and has published and spoken widely on the topic. He also was responsible for the Center's Cities Reinvestment Project, which monitors corporations' accountability for tax subsidies.

Santacroce is a founding member, director, officer of, and general counsel to Equal Justice America, a national nonprofit corporation that, under his direction, recently opened a disability law clinic and which, for the last seven years, has provided grants to law students who volunteer to work with organizations providing civil legal services to the indigent.

At the Law School, Santacroce is teaching Poverty Law Litigation, Poverty Law Litigation Workshop, Clinical Law I – Civil, and Clinical Law I Seminar – Civil.



**Clinical Assistant Professor of Law Nancy E. Vettorello, '97,**

earned a B.A. at James Madison College at Michigan State University (MSU) *cum laude*; an M.U.P. (masters of urban planning) at the University of Michigan, *magna cum laude*; and a J.D., *magna cum laude* and Order of the Coif, at the University of Michigan Law School.

Vettorello, who has joined the faculty of the Law School's Legal Practice Program, has excelled throughout her academic career. She was elected to

Phi Beta Kappa at MSU and was a Founder's Fellow and Jorge Perez Fellow (both for academic excellence) while earning her masters degree. She served as contributing editor for the *Michigan Journal of Law Reform* while earning her law degree.

After graduating from the Law School, she served as a judicial clerk for the Hon. Betty B. Fletcher, U.S. Court of Appeals, Ninth Circuit. She practiced law as an associate in the health care department with Miller, Canfield, Paddock and Stone in Ann Arbor, and has served as a reference librarian with the University of Michigan Law Library. She is a member of both the Michigan Bar and the American Bar Associations.

Vettorello is teaching Legal Practice I and Legal Practice II.



Bruno Simma

**Germany turns to Bruno Simma for European Court of Justice seat**

As this issue of *Law Quadrangle Notes* was going to press, Germany informed the United Nations that it will nominate Affiliated Overseas Faculty member Bruno Simma as its candidate for election to the International Court of Justice in November 2002.

Simma has served as co-agent and counsel in various cases before the International Court of Justice and is an expert for conflict prevention activities of the UN Secretary General.

In addition to teaching at the University of Michigan Law School, Simma is professor of international law and European Community law and director of the Institute of International Law at the University of Munich. He is one of four Affiliated Overseas Faculty members at the U-M Law School. Affiliated Overseas Faculty are internationally recognized scholars who teach part of the year at the Law School and also hold academic positions at a university outside of the United States.



## Lempert named Distinguished University Professor; Avi-Yonah and Malamud receive named professorships

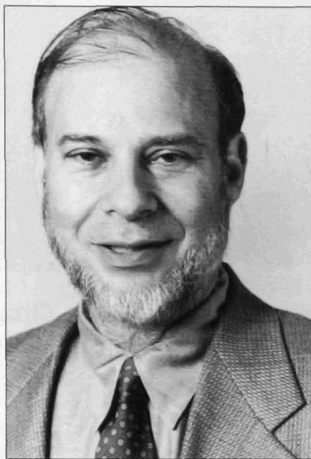
Three University of Michigan Law School faculty have received named professorships.

- **Richard O. Lempert, '68**, has been named the Eric Stein Distinguished University Professor of Law and Sociology;
- **Reuven S. Avi-Yonah** has been named as the first Irwin I. Cohn Professor of Law at the University of Michigan Law School; and
- **Deborah C. Malamud** has been appointed the James E. and Sarah A. Degan Professor of Law.

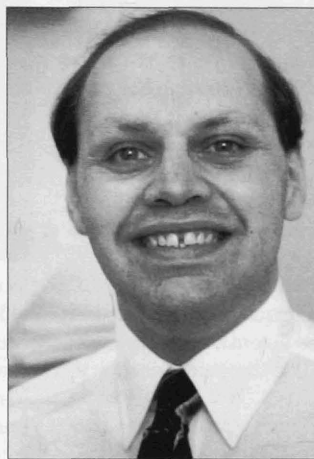
**Lempert**, a professor of law who also is a professor of sociology and former chairman of the U-M Sociology Department, is founding director of the University of Michigan's Life Sciences, Values, and Society Program. He has been a leader for three decades in rigorously and innovatively applying the knowledge and methods of social science research to legal issues. His book *A Modern Approach to Evidence* pioneered the problem-oriented approach that is now widely used in the teaching of evidence.

"Professor Lempert is widely recognized for his role in establishing modern law and society as an academic field," U-M President Lee C. Bollinger and Vice Provost for Academic Affairs Earl Lewis said in recommending Lempert to the Board of Regents for the University-wide professorship. "He was one of the key founders of the Law and Society Association, a thriving interdisciplinary organization drawing together legal scholars, social scientists, and others interested in the 'social embeddedness' of the law."

Bollinger and Lewis added that "Lempert's commitment to the training of students is similarly strong, not only in terms of his classroom teaching, but also in terms of the quality of materials he creates for his classes."



Richard O. Lempert, '68



Reuven S. Avi-Yonah



Deborah C. Malamud

Lempert's work has contributed to the study of juries, race and affirmative action, forensic uses of DNA, capital punishment, the use of social science testimony in litigation, mechanisms of dispute resolution, and the law of evidence. A senior fellow of the U-M's Society of Fellows and a fellow of the American Academy of Arts and Sciences, Lempert also has been a fellow at the Center for Advanced Studies in the Behavioral Sciences and a visiting scholar at the Russell Sage Foundation. He received the Law and Society Association's Kalven Prize in recognition of his lifetime of scholarly achievement.

"It is Professor Lempert's request that his Distinguished University Professorship be named in honor of Eric Stein, Hessel E. Yntema Professor Emeritus of Law, who is widely regarded as an eminent scholar in international and comparative law," Bollinger and Lewis told the regents in their recommendation. Stein, '42, who holds law degrees from the University of Michigan and Charles University in Prague, served with the U.S. Department of State and was adviser to the U.S. Delegation to

the United Nations General Assembly before joining the Law School faculty. He is the recipient of the 2001 University of Michigan Press Book Award. (See adjoining story.)

**Avi-Yonah** received his B.A. *summa cum laude* from Hebrew University, his A.M. and Ph.D. from Harvard University, and his J.D. *magna cum laude* from Harvard Law School. After several years of private practice, Avi-Yonah joined the faculty at Harvard Law School in 1994. He came to the University of Michigan Law School in 2000.

Recognized as a leading scholar of international law and international taxation, Avi-Yonah has written on the international taxation of electronic commerce, globalization, and the international impact of U.S. taxation choices. He also has been a consultant to the U.S. Treasury Office of Tax Policy and has served on the executive committee of the Tax Section of the New York State Bar Association and the tax management arm of the United States Income Advisory Board.

The Irwin I. Cohn Professorship was established last year by a gift from Avern L. Cohn, '49, in honor of his father, a 1917 graduate of the Law School. Avern Cohn, a

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U.S. District Judge for the Eastern District of Michigan, shares his father's love of law, commitment to the University, and sense of public duty. The endowment also includes prior gifts from Judge Cohn to the Irwin I. Cohn Faculty Research Fund, the Avern L. Cohn Fund for the Advancement of Michigan Law, and the Irwin I. and Avern Cohn Dean's Discretionary Fund. Avern Cohn has been a consistent participant in the life of the Law School through his membership on the Committee of Visitors, as a frequent speaker at the Law School, and as a visiting professor.

**Malamud** received her B.A. *magna cum laude* from Wesleyan University College and her J.D. *cum laude* from the University of Chicago Law School. She clerked for the Hon. Louis H. Pollak of the U.S. District Court of the Eastern District of Pennsylvania and for the Hon. Harry A. Blackmun of the U.S. Supreme Court. She practiced law in Washington, D.C., for several years and has been a member of the Law School faculty since 1992.

A specialist in labor and employment law and constitutional law, Malamud has written on civil rights with an emphasis on affirmative action, and the intersection of class and law. She is known for her supportive work with students and won the Law School's L. Hart Wright teaching award in spring 2001. She is a member of the executive committee of the University's Institute of Labor and Industrial Relations and is a faculty associate in the Program on American Culture.

The James E. and Sarah A. Degan Professorship is supported by an endowment created through a bequest by the late Sarah A. Degan, a long-time resident of Detroit. Malamud succeeds Theodore J. St. Antoine, '54, as the James E. and Sarah A. Degan Professor. Her succession to the professorship is especially fitting because both she and St. Antoine are held in high esteem for their work in labor law and their engagement in social justice. (An excerpt of Professor Emeritus St. Antoine's address last May to the College of Labor and Employment Lawyers in Washington, D.C., begins on page 95.)

## Eric Stein, '42, wins University of Michigan Press Award

Eric Stein, '42, the Hessel E. Yntema Professor Emeritus of Law, has been won the 2001 University of Michigan Press Book Award.

This is the second time that Stein has won the award. The first was for *Diplomats, Scientists and Politicians: The United States and the Nuclear Test Ban Negotiations* (1966), which he wrote with the late Harold K. Jacobson.

This year, the University of Michigan Press honored Stein for "his literary accomplishments, particularly *Thoughts from a Bridge: A Retrospective of Writings on New Europe and American Federalism*, and the breadth and depth of his scholarly contributions to international law."

"The essays collected here cover a generation of scholarship," New York University School of Law Professor Joseph H.H. Weiler writes in the foreword to *Thoughts from a Bridge* (University of Michigan Press, 2000). "Each essay has the power to assault our present day sensibilities with their abiding relevance to the most current debates. . . . Unfolding in this volume is the intellectual life of a master Europeanist, internationalist, and comparativist." Weiler is a former member of the University of Michigan Law School faculty.

A young lawyer at the time, Stein fled from his native Czechoslovakia in 1939 to escape the Nazis. He earned a second law degree at the U-M Law School in 1942 and worked for the U.S. Department of State before joining the Law School faculty in 1955. He has served as an adviser to the U.S. delegation to the UN General Assembly and Security Council and to the U.S. counsel at the International Court of Justice. He has lectured widely in the United States, Europe, Japan, and China. He is a member of the Council on Foreign Relations and the International Law Association and an associate member of the International Academy of Comparative Law.



PHOTO BY GREGORY FOX

Eric Stein, '42



## Halberstam heads new European Union Center

PHOTO BY GREGORY FOX



Assistant Professor Daniel Halberstam, a graduate of schools in Germany and the United States, has been named director of the University of Michigan's newly established European Union Center (EUC). The center is being launched with a grant from the European Commission (EC) and supporting funds from the Law School and elsewhere within the University of Michigan.

As then-Provost Nancy Cantor noted in her letter accompanying the application for the center, the University "built upon a core constituency of the Rackham School of Graduate Studies, the College of Literature, Science, and the Arts, the Business School (through the William Davidson Institute), and the Law School, and reached out to other units, such as the Taubman College of Architecture and Urban Planning, the School of Information, and the School of Public Health for broad support across the University."

The new center is one of 15 comprising the Network of European Union (EU) Centers. It draws on the expertise available in the Law School and other U-M units as part of "the EU's effort to build stronger ties among Europeans and Americans."

The Center for European Studies at the International Institute and the Law School spearheaded the application process, which sees several units across the University committed to the new center with faculty and research projects, funds, and personnel. In the first three years EUC will focus on three themes:

- *The EU as a multilayered polity;*
- *The EU as a partner in global governance; and*
- *The past and future of European identities.*

Under Halberstam's leadership, the new EUC will:

- Enrich instruction on issues related to European unification and transatlantic relations.
- Intensify interdisciplinary research on European integration, especially in collaboration with professional schools.
- Become a regional center for faculty in other institutions, executives, legislators, and policy makers.

Law School ties to Europe are extensive, and the Law Library is one of only a few U.S. depositories for EU documents. In addition, the Law School is the first major legal education institution in the United States to require completion of a course on

*European Union Center Director and Assistant Professor of Law Daniel Halberstam extends his welcome and outlines the new center's role during inaugural activities in October. Seated are Dean Jeffrey S. Lehman, '81, who moderated discussion of "The Transatlantic Partnership and the Role of the University" that was part of the inaugural program. Seated next to Lehman is panelist Madeleine K. Albright, former U.S. Secretary of State and Distinguished Scholar at the University of Michigan's William Davidson Institute. Other panelists included Jonathan Davidson, head of academic affairs and political advisor for the European Commission in Washington, D.C., and U-M President Lee C. Bollinger.*

"Transnational Law" for graduation. (See related story on page 22.)

"The Law School has been a national center of European integration studies since 1955, when [now-Hessel E. Yntema Professor Emeritus] Eric Stein joined the faculty. He published one of the first commentaries on cases before the ECSC [European Coal and Steel Community], and, with Michel Waelbroeck, co-authored *European Community Law and Institutions in Perspective* (1976)," according to documents accompanying U-M's application to the EC. "In 1960, with support from U-M, the Federal Bar Association set up the Institute of the Legal Aspects of the European Communities in Washington, and organized the first major American conference on the Community. Joseph Weiler made outstanding contributions to EU scholarship during his seven-year tenure at U-M."

The study and teaching of European integration has been, and remains, a high priority at the Law School and throughout the University. As Halberstam notes: "By providing institutional support for the European Union Center from units all across campus, the University has once again demonstrated its enduring commitment to this field of inquiry."

*Continued on page 37*

## Dagan joins ranks of Affiliated Overseas Faculty

Scholars of EU law associated with the Law School are numerous and prestigious; they include Professors Reuven Avi-Yonah, Halberstam, James Hathaway, Robert Howse, Catharine MacKinnon, Christopher McCrudden, Donald Regan, Mathias Reimann, Bruno Simma, and A.W. Brian Simpson.

Halberstam, who joined the Law School faculty in 1999, has taught courses on the European Union in constitutional perspective, the European legal order, and comparative federalism. He was guest lecturer at the University of Zagreb in Croatia, and a visiting scholar at the Max Planck Institute for Comparative Public Law and International Law in Heidelberg, Germany, last spring, and he writes on federalism issues in the United States and the EU.

Halberstam earned his J.D. at Yale Law School and also is a graduate of Columbia College in New York and the Gutenberg Gymnasium in Germany. He has served as judicial fellow to Judge Peter Jann of the Court of Justice of the European Communities, as attorney advisor in the Office of Legal Counsel in the U.S. Justice Department, and as attorney advisor to U.S. Federal Trade Commission Chairman Robert Pitofsky. He also has clerked for Justice David H. Souter of the U.S. Supreme Court and Judge Patricia M. Wald of the U.S. Court of Appeals for the D.C. Circuit.

"The EU Centers will be an essential fortifying link in the chain of transatlantic relations by building better understanding and cooperation among our future leaders," Hugo Paemen, then head of the European Commission's delegation to the United States, said in a talk at the Library of Congress in June 1998. "We hope, through the centers, that more and more American students will gain insight into the European Union and the European integration process, and take that with them into their working lives."

Hanoch Dagan, a professor at Tel-Aviv University Law School in Israel and a frequent visiting professor at the University of Michigan Law School, has become an Affiliated Overseas Professor with the Law School.

Affiliated Overseas Faculty members, who are internationally renowned in their fields, teach regularly at the Law School for part of the year while maintaining ties with overseas schools. Dagan is the Law School's fourth Affiliated Overseas Faculty member. The other three are: Christine Chinkin, who also is affiliated with the London School of Economics Faculty of Law; Christopher McCrudden, who also teaches at Oxford University; and Bruno Simmo, who also teaches at the University of Munich Faculty of Law.

Dagan received his LL.M. and J.S.D. from Yale Law School after receiving his LL.B., *summa cum laude*, from Tel Aviv University. He is widely published in both English and Hebrew on private law theory, takings law, distributive justice, and property theory, and he is often invited to do lectures and presentations in his areas of interest. He wrote *Unjust Enrichment: A Study of Private Law and Public Values* (Cambridge University Press), and was editor of *Land Law in Israel: Between Private and Public* (Hebrew).

Some of his more recent journal articles are: "Mistakes," 79 *Texas Law Review* 1795 (2001); "The Liberal Commons" (with Michael Heller) 110 *Yale Law Journal* 549 (2001), and "Just Compensation, Incentives, and Social Meanings," 99 *Michigan Law Review* 134 (2000).

Dagan has taught courses and seminars at the Law School on property law, jurisprudence, American legal theory, property theory, legal realism, and unjust enrichment. He is teaching Property, Property Theory, American Legal Theory, and Restitution and Unjust Enrichment.



PHOTO BY GREGORY FOX

Hanoch Dagan



## Frier chairs Department of Classical Studies

Bruce W. Frier, the Henry King Ransom Professor of Law, has been named interim chair of the Department of Classical Studies in the University of Michigan's College of Literature, Science, and the Arts (LS&A).

Frier currently holds joint appointments in the Law School and the Department of Classical Studies. He joined LS&A in 1969 and became a full professor in 1983. He was a visiting lecturer in the Law School from 1981 until 1986, when he became a professorial member of the Law School faculty.

Frier earned his B.A. *cum laude* at Trinity College and his doctorate in classics at Princeton University. He also was honored with a fellowship at the American Academy in Rome. His research interests include Roman law and legal history; roman social, economic, and demographic history; Hellenistic and Roman historiographies, legal theory, and the sociology of law; and classical and modern rhetoric. He is the author of numerous books and articles, among them (with R.S. Bagnall) *The Demography of Roman Egypt*; *Libri Annales Pontificum Maximorum: The Origins of the Annalistic Tradition*; "More is Worse: Some Observations on the Population of the Roman Empire" (in *Debating Roman Demography*); and "Tenants and Tenancy" (in the forthcoming *Cambridge Guide to Classical Civilization*).



PHOTO BY GREGORY FOX

Bruce W. Frier

Professor Beverley J. Pooley

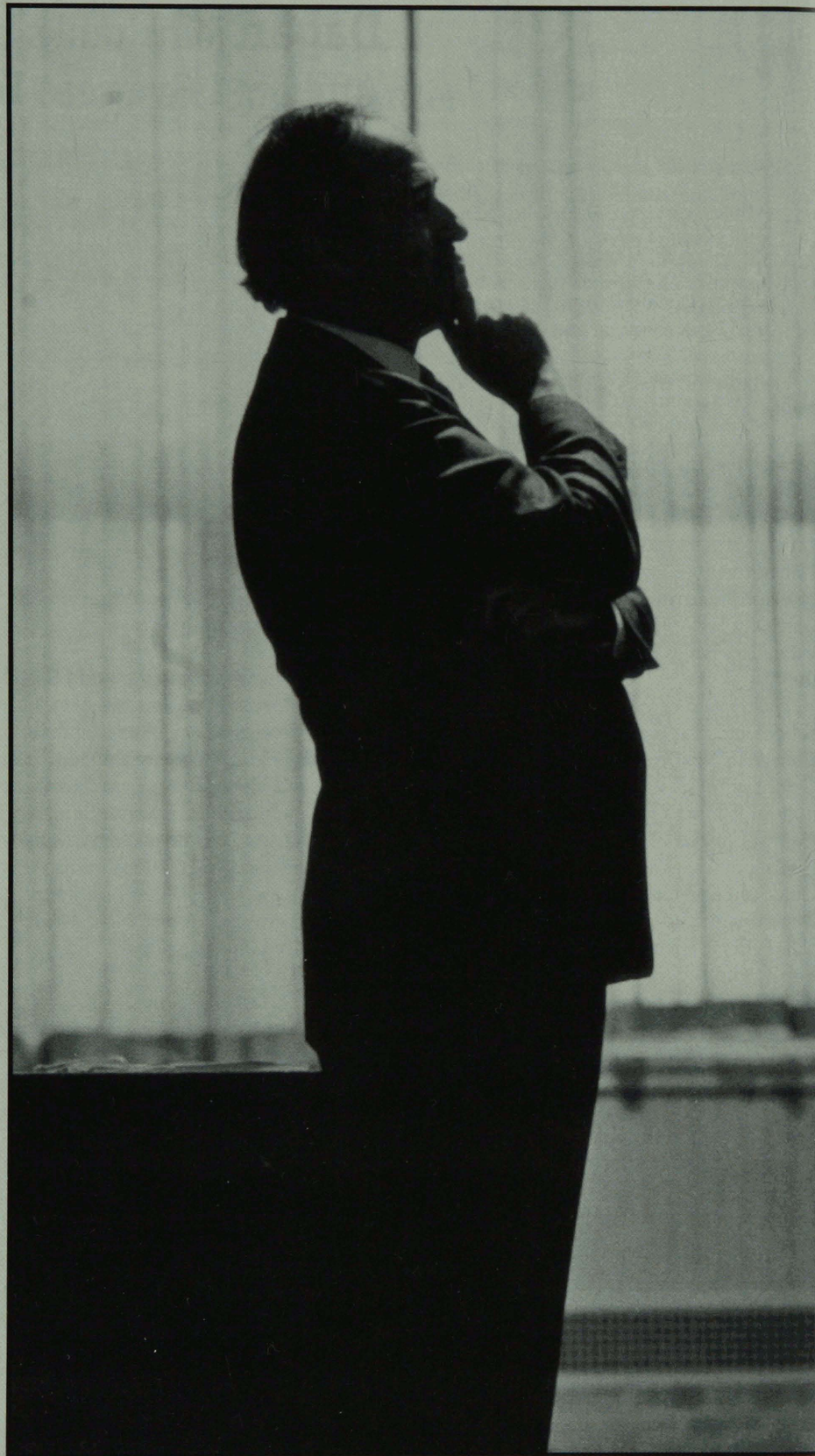


PHOTO BY GREGORY FOX



## Professor **Beverley J. Pooley**, LL.M. '58, S.J.D. '61, dies at 67

**Professor Emeritus Beverley J. Pooley, LL.M. '58, S.J.D. '61, a member of the Law School community since 1962, died August 23 of complications from pancreatic cancer. He was 67.**

Pooley, whose innovative enthusiasm for teaching etched him into the memory of every law student who ever sat in his classroom, had taken emeritus status in 1998 but continued to come to the Law School regularly, where his jovial English accent livened up many a hallway. He was born in England in 1934.

As director of the Law Library from 1964-84, Pooley guided a major expansion of library holdings and was at the helm for the planning and development of the dramatic underground addition, the Allan F and Alene Smith Law Library, which opened in 1981.

"I learned a great deal from Bev, as did everyone who worked with him," current Law Library Director Margaret Leary wrote in a memorial tribute to Pooley for *Law Library Journal*.

"He used what I call the Socratic style of management, always asking hard questions and never providing easy answers. When I sought answers, through my own investigation, research, and thinking, I always emerged wiser. When I thought I had a solution, and proposed it to him, I could count on him to uncover every possible ramification and help resolve them all. . . . He supported my career in every possible way, from hiring me to enabling me to become the director."

Pooley's "premature demise has deprived the members of the numerous communities in which Bev participated of the joy of sharing the wit and wisdom of a truly Renaissance man," long-time Law School colleague Douglas A. Kahn wrote in a memorial for the Association of American Law Schools.

"He cared passionately about his pedagogical role," said Kahn, the Paul G. Kauper Professor of Law. "Over the many years that he taught Contracts, Sports Law, Entertainment Law, and African Law, he never treated his classroom work as

secondary. No matter how familiar the material was to him, Bev would spend hours preparing for each class and planning how the material was to be 'packaged' to the students."

"Those of us on the faculty who were fortunate to have known Bev for his many years at Michigan, and the few years that he had after his retirement, have suffered an irreplaceable loss," Kahn continued. "He was an exceptional person who literally lit up a room when he entered it. He had a charismatic personality and a sharp wit. His humor never had a mean thrust to it, but often had a subtle serious point underlying it."

All the world was a stage to Pooley, whose community activities centered on theater and performance. His wife, Pat, was a founder/owner of the elegant Ann Arbor restaurant The Moveable Feast, which she sold about the time of his retirement. He and Pat were married for 43 years and had two children, Rachel and Christopher.

"Bev may have been the most theatrical professor ever to have been a member of our faculty," Dean Jeffrey S. Lehman, '81, said of the late teacher. "He used his acting abilities in the classroom to reach students in ways other professors could not. . . . Bev is one of those faculty members who captures a special place in the heart of our students."

A favorite story told of Pooley recalls the time that he teamed with his friend, actor John Houseman, to present a skit in class that came right out of the 1970s film *Paper Chase*, in which Houseman had starred as a law professor:

As students entered the classroom, they found Houseman, not Pooley, at the front of the classroom in the teacher's role. Houseman posed a legal problem, looked to the back of the room — and called on Pooley, who missed the answer. Houseman called Pooley to the front of the classroom, dug into his pocket, and gave the hapless "student" a coin. "Call your mother," Houseman said sternly, "and tell her that you will never be a lawyer."

Pooley's inquisitive intellect ranged over many subjects. "He has written in the areas of land use, contracts, and African law," noted his retirement notice to the U-M Board of Regents in June 1998. "For decades, he has been one of the most popular teachers in the Law School, developing courses in African law, sports law, and

entertainment law, in addition to introducing large numbers of students to the basics of contracts."

Outside the classroom, too, Pooley's impact was significant. Law students found him easily accessible. Many local residents felt that they knew him from his variety of theatrical roles — Captain Hook in "Peter Pan," Sheridan Whiteside in "The Man Who Came to Dinner," Salieri in "Amadeus," Applegate in

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**"He used his acting abilities in the classroom to reach students in ways other professors could not. . . . Bev is one of those faculty members who captures a special place in the heart of our students."**

— DEAN JEFFREY S. LEHMAN, '81

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"Damn Yankees," Sidney Bruhl in "Deathtrap," and, in his final performance last spring, as Captain Corcoran in Gilbert and Sullivan's "H.M.S. Pinafore." Members of the local theater community knew him as a witty, energetic, welcome participant and supporter.

"It's a huge loss in this town," said one local director/choreographer. "In a city full of stars, Bev glowed brighter than most, and brightened our lives as well," wrote *Ann Arbor News* columnist Geoff Larcom. Pooley was "67 going on 30," *Ann Arbor* drama/film critic Christopher Potter wrote in a fond memorial.

Pooley also held an M.A. in library science from the University of Michigan and a B.A. and LL.B. from Cambridge University in England. He came to the Law School from the University of Ghana.

A memorial service was held for Pooley in October and a memorial fund has been established at the Law School in his name. Donations to the Beverley J. Pooley Memorial Fund may be sent to:

Office of Development and  
Alumni Relations  
University of Michigan Law School  
721 South State Street  
Ann Arbor, Michigan 48104-3071

Checks should be made out to the  
*University of Michigan* and designated for the  
Beverley J. Pooley Memorial Fund. For more  
information telephone 734.615.4507.



# Activities

Assistant Professor **Michael Barr** spoke on "Making Every Vote Count" before the Appleseed Foundation in Coral Gables, Florida, in June, and presented the paper "Competitive Cities" to CEOs for Cities in Washington, D.C., in May.

Professor **Omri Ben-Shar**, director of the Olin Center for Law and Economics, presented a paper at the annual meeting of the American Law and Economics Association in Georgetown earlier this year; during the spring he also presented the paper "Recovery for Probabilistic Benefit" at the Law and Economics Workshops at Yale and Stanford universities.

Clinical Assistant Professor **Melissa Lyn Breger**, '94, has been named director of the 2002 Child Welfare Summer Fellowship Program at the Law School. This year she also served as a Legal Services trial advocacy skills trainer and as a University of Michigan faculty mentor.

Professor **Evan H. Caminker**, associate dean for academic affairs, was a panelist for discussion of "The Supreme Court and Public Choice" at the annual Law and Society Association conference in May. He also served as co-counsel in *Common Cause v. Jones* (C.D. Ca. 2001), a constitutional challenge to electoral machinery. In February, he presented the paper "Voting Protocols and Supreme Court Decisionmaking" at the Illinois College of Law Legal Theory Workshop.

Clinical Assistant Professor **Kenneth Chestek** spoke on tax exemption law and its relationship to hospitals in the current managed care marketplace at the annual

convention of the International Association of Assessing Officers in Miami Beach in September.

**Edward H. Cooper**, the Thomas M. Cooley Professor of Law, this year lectured on "The Civil Rules Process" at the University of Tennessee, served as commentator at the Duke-University of Geneva conference on Comparative Class Action, and was a panelist for discussion of class actions at the ABA Litigation Section annual meeting.

Professor **Steven P. Croley** spent the 2000-2001 academic year as a visiting professor of law at the University of California at Berkeley, Boalt Hall. In April he presented the paper "White House Review of Agency Rulemaking: An Empirical Investigation," at the University of Southern California Law School's Law and Economics Workshop and at the Boalt Hall Legal Theory Workshop.

Affiliated Overseas Faculty member **Hanoch Dagan** presented the paper "Qualitative Judgments and Social Meanings in Private Law: A Comment on Professor Keating" at the Cegla Institute for Comparative and Private International Law's conference on Negligence in the Law in June; in May he delivered the paper "Protecting Rights: On Remedies and Reason" to the Middle East Legal Studies Seminar (under the auspices of Yale Law School) at Siliema; in January, he delivered the keynote speech, "The Power of Reasons," at the Provost Excellence Awards Ceremony at Tel Aviv University, and presented the paper "Mistakes," at the *Texas Law Review* Symposium on Restitution and Unjust Enrichment.

**Rebecca S. Eisenberg**, Robert and Barbara Luciano Professor of Law, serves as a member of the advisory committee to the director of the National Institutes of Health, the Panel on Science, Technology and Law of the National Academie, and the board of directors of the Stem Cell Genomics and Therapeutics Network in Canada.

Kirkland and Ellis Professor of Law **Phoebe C. Ellsworth** has been elected a Fellow of the American Academy of Arts and Science. She delivered talks throughout the spring: in April, "Clapping with Both Hands: Generation and Falsification" for the festschrift conference for William J. McGuire at Yale University and "Changing Attitudes Toward the Death Penalty" at New York Law School; in March, "Aversive Racism in Juror Decision Making" at the first annual Phoebe C. Ellsworth Symposium on Psychology and Justice at Mount St. Mary's College, Brentwood, California, "The Death Penalty: 50 Years of Changing American Views" as part of the Barbara Aronstein Black Lectures on Women and the Law at Columbia University, and "Reciprocity Between Theory and Application: Two Examples from Psychology and Law" at a colloquium at Princeton University.

**Merritt B. Fox**, Alene and Alan F. Smith Professor of Law and director of the Law School's Center for International and Comparative Law, presented "A Short Course in International Securities Regulation" at the University of Leiden Faculty of Law, The Netherlands, in May;

he also presented several papers during the spring and fall: "Law, Share Price Accuracy and Economic Performance: The New Evidence" (written with co-authors) at the Sixth Annual International Conference on Transition Economics in Porotoroz, Slovenia, in June, and at the 11th Annual Meeting of the American Law and Economics Association in May; also in May, he delivered the paper "The UN Compensation Commission: The Question of Causation" at the symposium on the Impact of International Law on a Decade of Measures Against Iraq in Florence, Italy; "Regulation FD and Foreign Issuers: The Strains of Globalization" at the University of Pennsylvania's Institute for Law and Economics Corporate Law Roundtable in April and at the U-M Law School's Law and Economics Workshop last January; and "Civil Liability and Mandatory Disclosure" at the Law, Economics and Organizations Workshop at USC Law School in March.

Ralph W. Aigler Professor of Law **Richard D. Friedman** has acted as expert witness advising the U.S. District Court for the Eastern District of Michigan on attorneys' fees to be paid in two class actions. In April, he testified before the advisory committee on the Federal Rules of Criminal Procedure. Early this year he spoke at the Olin Conference on New Perspectives on Evidence at the University of Virginia and discussed child witnesses at a session of the Association of American Law Schools annual meeting. (See related story on page 100.)

# Activities

**Samuel R. Gross**, the Thomas and Mabel Long Professor of Law, presented papers on the distorting effects of capital punishment on criminal trials and (with Kirkland and Ellis Professor of Law Phoebe Ellsworth) on death penalty attitudes in the United States at the turn of the century at the Law and Society Meeting in Budapest in July. From March-June he briefed and argued the appeal of an order granting discovery of Department of Justice information bearing on racial discrimination in federal capital prosecutions in *U.S. v. Bass* (No. 01-1213 [Sixth Circuit]). Earlier this year he made a presentation on the issue of racial profiling before the Columbia Law School Legal Theory Workshop and took part in a conference on evidence law at the University of Virginia Law School. He served as a visiting professor at Columbia Law School from January-June.

Assistant Professor **Daniel Halberstam** has been named director of the new University of Michigan-wide European Union Center. (See story on page 36.)

Assistant Professor **Peter Hammer**, '89, presented the paper "Antitrust, Health Care Quality, and the Courts" at the American Society of Law, Medicine, and Ethics' Health Law Teacher's Conference at Boston University School of Law in June and at the [Robert Wood Johnston] Foundation Scholars in Health Policy Research Program at the University of Michigan School of Public Health in March.

In May, Professor **James C. Hathaway**, director of the Program in Refugee and

Asylum Law, taught a weekend advanced course at Oxford University's Refugee Studies Center and provided basic training on refugee law for researchers at the International Secretariat of Amnesty International; in April, he presented the keynote address at a conference on challenges in reaching agreement on a European asylum policy sponsored by the European Union and the Swedish Migration Board; also in April, at the request of the Hungarian Helsinki Committee, he delivered a two-day introductory course in Budapest on the subject of refugee law for advocates from Central and Eastern Europe.

Professor **Michael A. Heller** is spending the fall 2001 term as a visiting faculty member at New York University Law School. Last fall he was an Olin Senior Fellow at Columbia Law School. In June, he presented "The Economy of Property Forms" at the Gruter Institute's annual conference on law and biology, and in May at a faculty workshop at the Bar Ilan (Israel) Law School. In April, he was a commentator at the Northwestern University Law School conference on evolution of property rights, and at the Washington University Interdisciplinary Center's inaugural conference on law and norms. During the year he chaired sessions on property and pedagogy of property for Association of American Law Schools annual meetings and the legal and political factors sessions for the International Conference on Transition Economics in Portoro, Slovenia.

In June, Professor **Robert Howse** discussed his work on citizenship, identity, and

federalism in the European Community and the United States at a colloquium on EU and U.S. constitutionalism at New University of Lisbon Law Faculty in Portugal, and presented the paper "The Appellate Body Decision in the Shrimp/Turtle Case: A New Legal Benchmark for International Environmental Negotiations" at the conference on International Law and International Relations Theory at Hebrew University of Jerusalem. In May, he served as commentator at the joint *European Journal of International Law*/University of Michigan Law School symposium on sanctions against Iraq at the European University Institute in Florence, Italy; taught a course on World Trade Organization law and health at the World Trade Institute in Berne; presented a paper on the legal philosophy of Leo Strauss at the New England Political Science Association's annual meeting in Portsmouth, New Hampshire; and served as panelist for the "Globalization and Human Rights" portion of the Harvard Foreign Policy Colloquium.

**Douglas A. Kahn**, the Paul G. Kauper Professor of Law, is serving as reporter for the revision of the Uniform Estate Tax Apportionment Act for the National Conference of Commissioners on Uniform State Laws.

**Yale Kamisar**, the Clarence Darrow Distinguished University Professor of Law, presented the Willard Pedrick Lecture at Arizona State University Law School in April; he spoke on "A Close Look at the Majority and Dissenting Opinions in *Dickerson*." His article "Can (Did) Congress

'Overrule' *Miranda*?" appeared in the Summer 2001 issue of *Arizona Law Journal* as an expanded version of the Frank Irvine Lecture of the same title that he delivered at Cornell Law School in March.

Dean **Jeffrey S. Lehman**, '81, who also is a professor of law, has been named president of the American Law Dean's Association.

Francis A. Allen Collegiate Professor of Law **Richard O. Lempert**, '68, participated in the NIJ/NIDA workshop on Setting an Agenda for Research on Drugs and Crime this year. He also has served on the University of Michigan's Presidential Advisory Committee on the Life Sciences and is founding director of the University's Life Sciences, Values, and Society Program. In addition, Lempert has been named the Eric Stein Distinguished University Professor of Law and Sociology. (See story on page 34.)

Professor **Ronald J. Mann** is serving as reporter for an American Law Institute-National Conference of Commissioners on Uniform State Laws project to revise the bank-related provisions of the Uniform Commercial Code (articles 3, 4 and 4A). During the spring he spoke at a forum organized by U.S. Rep. Lynn Rivers on the subject of Internet copyright rules.

Clinical Assistant Professor **Bridget M. McCormack** is a board member of the National Board of Trial Advocacy (NBTA) and chairs NBTA's Social Security Disability Certification Committee. She also is co-chair of the Political Interference Group of the Association of American Law Schools' Clinic Section.

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Affiliated Overseas Faculty member **J. Christopher McCrudden** was part of the task force established by the Northern Ireland Minister of Finance that reported on its review of public procurement policy in Northern Ireland in July. He also has been serving as advisor to the Baliwick of Guernsey and gave a seminar to the Guernsey Parliament on implications of incorporating the European Convention on Human Rights into Guernsey law. In addition, he presented a paper on equality in European Community law to the Swedish European Presidency Conference in Stockholm in June.

Professor Emeritus **John Reed** delivered talks at the Sixth Judicial Circuit's 2001 Conference and the Kentucky Bar Association Convention in June; the Memphis Bar Association Bench-Bar Conference in Florida and the Detroit Regional Chamber's 2001 Leadership Policy Conference on Mackinac Island in May, the Judicial Conference of the Eighth Judicial District of Ohio in April, and the International Society of Barristers convention in Carlsbad, California, in March.

Clinical Professor **Paul D. Reingold** was a visiting clinical professor at Boston College Law School from January-May, where he taught a clinical seminar and supervised students in the Law School's Legal Assistance Bureau in Waltham, Massachusetts.

**Theodore J. St. Antoine**, '54, the James E. and Sarah A. Degan Professor Emeritus of Law, delivered the College of Labor and Employment Lawyers' third annual lecture, entitled "The Once and Future Labor Act: Myths and Realities," in a program in

Washington, D.C., in May. Previous lecturers have been Abner J. Mikva, former White House counsel and retired chief judge of the U.S. Court of Appeals for the District of Columbia Circuit, and Judge Richard A. Posner, chief judge of the U.S. Court of Appeals for the Seventh Circuit in Chicago. An excerpt from the talk begins on page 95.

**Suellyn Scarnecchia**, '81, associate dean for clinical affairs and a clinical professor of law, spoke on "Turning Curricular Innovations into Scholarship" at the Association of American Law Schools' clinical conference in Montreal in May.

Clinical Assistant Professor **Thomas H. Seymour** is a law faculty scholar for the Staus Institute for Dispute Resolution at Pepperdine University School of Law.

On June 26, Charles F. and Edith J. Clyne Professor of Law **A.W. Brian Simpson** was named an Honorary Queen's Counsel in ceremonies presided over by the Lord Chancellor. Also in June, Simpson spoke at the annual dinner and conference of the British Institute of International and Comparative Law and delivered the Distinguished Visitor's Lecture to the European Institute in Florence, where he spoke on the subject of the European Convention. In May, he presented a lecture and two seminars at Oxford University in conjunction with the launch of his new book, *Human Rights and the End of Empire* (Oxford University Press, 2001). (An excerpt from the book appears on page 13.) The same month he also spoke on the European convention to representatives of the legal profession on the Isle of Man. Earlier this year, he presented

seminars at Harvard, Notre Dame, and Cornell universities.

Hessel E. Yntema Professor Emeritus of Law **Eric Stein**, '42, delivered the panel statement "Mainstreaming Basic Human Rights in the European Union" at the Forum of the World Trade Institute in Berne, Switzerland, in August.

Clinical Professor **Grace C. Tonner**, director of the Legal Practice Program, last summer was a panelist for the Association of Legal Writing Directors (ALWD) conference in Minneapolis to discuss "External Reviews in Legal Writing Programs." In June, she participated in three programs at the ALWD conference in Boston: "Student Recruitment and Institutional Advancement," "Hiring, Promotion, and Firing of Contract Law Faculty: Process and Practice," and "Taking Risks: The Next Stage for Your Program and Your Career." Also in June, she addressed the Bar Association of Beijing, China, on "Doing Research and Writing in American Law" and served as panelist at the Southeastern Conference of the Association of American Law Schools to discuss "Is There a Better Way to Teach Legal Writing in the First Year?" She also serves as assistant editor of the *Journal of the Legal Writing Institute*.

**Lawrence W. Waggoner**, the Lewis M. Simes Professor of Law, who serves as reporter for the Restatement (Third) of Property (Wills, and other Donative Transfers) and as director of research for the Joint Editorial Board for Trust and Estate Acts, presented the third installment of the Restatement (Third) of Property to the American Law Institute in May.

Assistant Professor **Mark D. West**, director of the Law

School's Program in Japanese Law, is spending this academic year at Kyoto University as a Fulbright Research Scholar. He also is serving as a consultant to the World Bank on a project on corporate government that is to appear in the World Development Report.

Robert A. Sullivan Professor of Law **James J. White**, '62, delivered the Brendan Brown Lecture at Loyola University School of Law in April; he spoke on "The Bitter Wind of License Law."

Professor **Christina B. Whitman**, '74, who also is professor of women's studies, chaired the panel discussion "Making the Case for Diversity in Higher Education: Testimony by University of Michigan Experts," in September. The program, which focused on the impact of affirmative action on white women, was the first in the series "Gender, Race, and Justice in the Affirmative Action Debate," sponsored by the University of Michigan's Institute for Research on Women and Gender, the Women's Studies Program, and the Center for Afroamerican and African Studies. Wade H. McCree Jr. Collegiate Professor of Law **David L. Chambers** and **Elizabeth Barry**, '88, deputy general counsel of the University and adjunct professor of law, were panelists.

### Visiting and Adjunct Faculty

**Roberta Morris** was a featured speaker for the Advanced Computer and Internet Law Institute at Georgetown University Law Center in Washington, D.C., in March. In February, she spoke on "Patenting the New Business Model" for the Practicing Law Institute program in New York.

## Visiting, adjunct faculty enrich Law School life

Visiting and adjunct faculty bring a diverse pool of experiences and perspectives to the classroom. Students and full-time faculty alike find that these visitors add a depth and special energy to life at the Law School. The following visiting and adjunct faculty are at the Law School throughout this academic year or during only the current fall term. Winter term visiting and adjunct faculty will appear in the spring issue of *Law Quadrangle Notes*.

### Academic Year 2001-2002 Visiting and Adjunct Faculty

**PE. Bennett**, '76, is an adjunct clinical assistant professor of law and teaches Criminal Appellate Practice with Peter J. Van Hoek (see below). Bennett received a B.S., M.A., and J.D. from the University of Michigan. He works as an assistant defender at the State Appellate Defender Office in Detroit, and has represented clients in hundreds of appeals at all levels of state and federal courts.

**Karima Bennoune**, '94, earned her B.A. with honors from Brown University and joint degrees — J.D., *cum laude*, at the U-M Law School, and M.A. in Middle Eastern and North African Studies at the U-M Rackham Graduate School — and a Graduate Certificate in Women's Studies. Bennoune has served as Legal Adviser for Amnesty International in London, England, working on issues of torture, women's human rights, and human rights in armed conflict. In 1995, Bennoune was a delegate of the Center for Women's Global Leadership to the Beijing women's conference. She has published on public international law, human rights and women's legal issues, and has taught in the U-M Women's Studies Program and at the Pepperdine University School of Law, London Campus.

**John E. Bos**, '64, of counsel with Bernick, Omer & Radner PC in Lansing, is teaching Estate and Gift Tax in the fall and the Estate Planning seminar in the winter. His areas of practice include estate planning, elder law, and business planning. He has had

published a series of articles in the *Michigan Probate & Estate Planning Journal* on Medicaid and has also written articles on living wills and durable power of attorney. He is a Fellow of the American College of Trust and Estate Counsel, and was the recipient in 2001 of the Michael W. Irish Award from the Council of the Probate and Estate Planning Section of the State Bar of Michigan for outstanding contributions to the estate planning profession and to his community.

**Laurence D. Connor**, '65, received his J.D. degree with distinction, was elected to the Order of the Coif, and served as an editor of the *Michigan Law Review*. He received his B.A., *cum laude*, from Miami University where he was elected to Phi Beta Kappa. Connor is a senior litigation member at Dykema Gossett PLLC in Detroit. His specialties include complex business and tort litigation, trials, appeals, and alternative dispute resolution. He has served on the firm's executive committee and as director of its Litigation section. A member of the Michigan and American Bar Associations and a Fellow of the Michigan Bar Foundation, he is listed in the Business Litigation Section of *The Best Lawyers in America*, is a past chair of the Michigan State Bar Section on Alternative Dispute Resolution, and is a Fellow of the American College of Civil Trial Mediators. Connor serves on numerous national and regional panels of ADR neutrals and has published articles on ADR. He is admitted to practice in all Michigan state and federal courts, the Sixth

Circuit, and the U. S. Supreme Court. Connor is teaching the Mediating Legal Disputes seminar in the fall and Alternative Dispute Resolution in the winter.

**Tsilly Dagan**, an assistant professor at Bar Ilan University Law School, is teaching a seminar in International Tax Policy in the fall and International Tax in the winter. She earned an S.J.D. at Tel Aviv University, an LL.M. in taxation at New York University, and an LL.B. at Tel Aviv University.

Dagan teaches tax law, international taxation, tax policy, international tax policy, and corporate taxation. She has published in both English and Hebrew. Her English publications have appeared in the *Virginia Tax Review*, *NYU Journal of International Law and Politics*, and *Globalization and the Welfare State* (forthcoming 2001). Publications in Hebrew have appeared in the *Tel Aviv University Law Review* and *Distributive Justice in Israel*.

Professor **James Forman** graduated from Brown University and Yale Law School. At Yale, he was active in BLSA and was a book reviews editor for the *Yale Law Journal*. Following graduation, he served as a judicial clerk for U.S. Supreme Court Justice Sandra Day O'Connor and Judge William Norris of the Ninth Circuit. Forman worked with the Public Defender Service in Washington, D.C., where he represented juveniles and adults in serious felony cases, has been training director for new attorneys at the agency, and developed the training program for the independent CJA bar. He and a

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# FACULTY

## Visiting, adjunct faculty

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colleague founded the Maya Angelou Public Charter School in 1997. Recognized as one of the most successful programs of its kind in the country, the school combines rigorous education, job training, counseling, mental health services, life skills, and dormitory living for school dropouts and youth who have previously been incarcerated. Forman is teaching two seminars in the fall, *Race, Poverty and the American City*, and *Urban Education: Law and Reform*.

**Neil Kagan** is a senior counsel for the National Wildlife Federation (NWF) working on water quality and wolf issues nationally and in the Great Lakes states. Kagan has a B.Sc. in Biology from Pennsylvania State University and a J.D. from the University of Oregon School of Law, with a certificate in Environmental and Natural Resources Law. Before joining NWF he practiced environmental and land use law in Oregon as both a solo practitioner and as a staff attorney/lobbyist for 1000 Friends of Oregon, a land use watchdog group. He has served as the sole or lead attorney in several public interest environmental cases seeking protection of forests, wetland, rivers, and other natural resources in Oregon. Kagan regularly teaches the Environmental Law Clinic during fall and winter.

**Karl E. Lutz**, '75, retired as a partner from Kirkland & Ellis in Chicago in 1997, but he continues to serve as of counsel at the firm. Prior to retiring, he practiced corporate law specializing in private equity, venture capital, leveraged buyouts, mergers and acquisitions, debt and equity financings, and board representations. He has lectured frequently at professional schools and has served as general counsel of a medical diagnostics company. Lutz is teaching *Law Firms and Legal Careers* in the fall and the *Private Equity* seminar in the winter.

**Roberta J. Morris** earned an A.B., *summa cum laude*, from Brown University, a law degree from Harvard, and a Ph.D. in physics from Columbia University. Before a family move brought her to Michigan, she had practiced at White & Case and at Fish & Neave, a patent litigation firm. Morris has been a frequent adjunct at the Law School since 1991. She speaks nationally on patent law and in the past year has published articles in the *Journal of the Patent and Trademark Office Society* and *Intellectual Property Today*. This year she is teaching both an advanced seminar and the introductory course on Patent Law.

**Rebecca J. Scott** is Frederick Huetwell Professor of History at the University of Michigan, a former MacArthur Fellow, and a specialist on the history of slavery and emancipation in plantation societies. Scott received an A.B. from Radcliffe College, an M. Phil from the London School of Economics, and a Ph.D. from Princeton University. She has recently

written "Reclaiming Gregoria's Mule: The Meanings of Freedom in the Arimao and Caunao Valleys, Cienfuegos, Cuba, 1880-1899," in *Past and Present* (February 2001), and she is co-author, with Frederick Cooper and Thomas Holt, of *Beyond Slavery: Explorations of Race, Labor, and Citizenship in Postemancipation Societies*. She is currently studying the genesis of claims to property and citizenship in rural Cuba, focusing on formal and informal systems of property rights. Scott is the Thomas E. Sunderland Fellow during the fall and is teaching the seminar *Race and Citizenship* in the winter.

Professor of Law **Maxwell L. Stearns** is visiting from the George Mason University School of Law. Prior to teaching, he was a litigation associate with Palmer & Dodge in Boston, and Pepper, Hamilton & Scheetz in Philadelphia, and served as a judicial clerk for the Hon. Harrison L. Winter, chief judge of the U.S. Court of Appeals for the Fourth Circuit. Stearns earned his B.A. at the University of Pennsylvania and his J.D. at the University of Virginia. Stearns has published several articles in leading law reviews in which he employs public choice theory to analyze various issues of public law and law making processes. In addition to a course book on public choice and public law, Stearns has recently published *Constitutional Process: A Social Choice Analysis of Supreme Court Decision Making*, in which he employs social choice theory to explain a number of anomalous

features of constitutional law making in the Supreme Court. In the fall, he is teaching *Introduction to Constitutional Law* and in the winter he is teaching *Federal Courts* and a seminar in *Public Choice and Public Law*.

**Peter Van Hoek** is an assistant defender in the State Appellate Defender Office in Detroit. A University of Michigan graduate, he earned his J.D. at Wayne State University Law School. After law school, he did separate clerkships with the Hon. George Bashara and the Hon. Dorothy C. Riley, both of the Michigan Court of Appeals. He has taught at the U-M Law School and Wayne State University Law School and practiced with Stark & Gordon PC in Royal Oak, Michigan. He is a member of the board of directors of the Michigan Innocence Project. Van Hoek has written for *Wayne Law Review* and the Institute for Continuing Legal Education and is a contributing author to the *Defender Trial Book*. He will co-teach with P.E. Bennett, '76 (see above), *Criminal Appellate Practice* in both fall and winter.

**Matthew D. Weber** is a visiting clinical assistant professor in the Law School's Legal Assistance for Urban Communities Clinic. He earned his B.A. at the University of Michigan, an M.A. at the University of Wisconsin La Follette Institute of Public Affairs, and his J.D., *cum laude*, from the University of Wisconsin Law School. Weber served as a judicial clerk for the Hon. John C. Shabaz, chief judge, U.S. District Court for

# Visiting, adjunct faculty

## FACULTY

the Western District of Wisconsin; worked as a research attorney in the Judicial Assistants Office of the Wayne County Circuit Court Family Division; and served as an adjunct professor at the University of Wisconsin Law School. He is a member of the state bars of Michigan and Wisconsin.

### Fall Term 2001 Visiting and Adjunct Faculty

**Andrew P. Buchsbaum** earned his B.A., *magna cum laude*, from Harvard College, his J.D. from Boalt Hall School of Law, UC Berkeley, and his masters in advocacy from Georgetown University Law Center. He has worked for the National Wildlife Federation (NWF) since 1998 and serves as the senior manager of its Great Lakes Protection and Restoration Project. Buchsbaum worked as program director for the Public Interest Research Group in Michigan and as the senior and coordinating attorney for the Midwest office of the National Environmental Law Center for 13 years prior to joining the NWF. He is teaching Federal Litigation: Environmental Case Study.

**Markus D. Dubber** is professor of law at SUNY Buffalo. After attending Harvard College and Stanford Law School, he clerked for Gerard Tjoflat, then chief judge of the Eleventh Circuit. Following a year as a Bigelow Fellow at Chicago, he began teaching at SUNY in 1993. He spent 2000-01 at the Institute

of Legal Philosophy, University of Munich, on a Humboldt Research Fellowship. Dubber is the founding director of the Buffalo Criminal Law Center and editor of the *Buffalo Criminal Law Review*. He has published articles on criminal law and procedure, comparative law, legal theory, and legal history, and a set of online teaching materials. A book on the war on crime and victims, rights (NYU) and a short textbook on the Model Penal Code (Foundation) are due out next year. Dubber is teaching Criminal Law and a seminar, Constitutional Criminal Law.

**Yosseph M. Edrey** is dean of the Faculty of Law at Haifa University. He earned three degrees at Hebrew University: an LL.B., an LL.M., and a Ph.D. in law. He is teaching Individual Income Tax. Edrey has published over 40 articles in Hebrew and English and two books, and has for 20 years taught in both Israel and in the United States. In Israel, he has taught on the Israeli tax system, Israeli legal system, and corporate taxation. In the United States, he has taught on federal tax policy, federal taxation of international activity, federal income tax, and federal corporate taxation. In 2000, he served as special consultant to the Knesset for Tax Reform, and he has served as a member of the Public Council for the Israeli constitution since 1999.

**Paula Ettelbrick** has taught Sexuality and the Law at this law school since 1994. She is the family policy director for the Policy Institute of the National Gay and Lesbian Task Force where she provides

strategic policy analysis on non-marital family structures and develops research strategies to assist with legal and policy advocacy on behalf of lesbian and gay families. She is the former legal director for Lambda Legal Defense and Education Fund where she directed and litigated many of the seminal gay rights cases. She teaches Sexuality and the Law at New York University Law School, Barnard College, and at Columbia Law School, where she is also developing a seminar on marital and non-marital family structures.

**Roderic Glogower** received his rabbinic ordination (with honors) in Jerusalem in 1974. He is a *cum laude* graduate of Loyola University in Chicago and holds master's degrees in Jewish philosophy from Yeshiva University and Brandeis University. Rabbi Glogower is the Rabbinic Advisor for the B'nai B'rith Hillel Foundation at the University of Michigan and is a highly regarded teacher of Jewish law and rabbinic texts both in Ann Arbor and the Detroit metropolitan area. He is teaching Jewish Law.

**Sherman A. Jackson** is associate professor of Islamic Studies, U-M Department of Near Eastern Studies. He specializes in Islamic law and theology. He earned his B.A., M.A., and Ph.D. at the University of Pennsylvania. Jackson has taught at Wayne State University, Indiana University, University of Texas at Austin, American University in Cairo, Egypt, and Middlebury College. He has received numerous fellowships and awards and has served as interim president of the Shari'ah Scholars Association of

North America and on the Board of Trustees for the North American Islamic Trust. Jackson is the author of *Islamic Law and the State: The Constitutional Jurisprudence of Shihab al-Din al-Qarafi*, and numerous articles on Islam. He speaks classical Arabic, Egyptian, Levantine, Saudi Arabian and Sudanese dialects, and has a reading knowledge of French, German, and Persian. He is teaching the Islamic Law seminar.

As a partner in Kirkland & Ellis in Chicago, **William R. Jentes**, '56, has been lead trial and appellate counsel in complex antitrust, securities, contract, and mass tort cases on behalf of major corporations in numerous federal, state, and international forums. A longtime adjunct faculty member at the Law School, Jentes also teaches regularly at the University of Chicago Law School. He has lectured extensively for bar associations and continuing education groups in the United States and Canada. Jentes also earned his undergraduate degree from the University of Michigan. His ongoing ties to the Law School include his annual support of the Merit Scholarship program which bears his name. He is teaching Complex Litigation.

**Joan L. Larsen** teaches Introduction to Constitutional Law and a seminar on the U.S. Supreme Court. She earned her J.D., *magna cum laude*, at Northwestern University School of Law, where she was articles editor of the *Northwestern University Law Review*. At Northwestern, she

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# FACULTY

## Visiting, adjunct faculty

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earned the John Paul Stevens Award for Academic Excellence, the Lowden-Wigmore prize for the best student note published in the *Law Review*, and the Raoul Berger Prize for the best senior research paper. After graduation, she clerked for Judge David B. Sentelle of the U.S. Court of Appeals for the D.C. Circuit and for Justice Antonin Scalia of the Supreme Court of the United States. She then joined Sidley & Austin's Washington, D.C. office, where she was a member of the Constitutional, Criminal and Civil Litigation sections. She also has been a visiting assistant professor at Northwestern. Larsen's research and teaching interests include: constitutional law, criminal procedure, and comparative constitutionalism, with a particular interest in Latin American legal systems.

**Ana Maria Merico-Stephens**, '95, is an associate professor at the University of Arizona Law School, where she was honored as the 2000-01 Teacher of the Year by the Student Bar Association of the College of Law. She is teaching Civil Procedure and a Judicial Federalism seminar here at the Law School. Merico-Stephens graduated *summa cum laude*, Distinguished Honors Scholar, Phi Beta Kappa, and first in her class from the University of Cincinnati with a B.A., and earned her J.D., *cum laude*, from the U-M Law School. She served on the executive

committee of the Latino Law Students Association, was a Juan Luis Tienda Award recipient, a member of the *Michigan Journal of International Law*, and served as an instructor in the Minority Affairs Program. After graduating, she served as a judicial clerk to the Hon. James L. Ryan, U.S. Court of Appeals for the Sixth Circuit. Prior to joining the University of Arizona, she practiced law in Cincinnati, specializing in commercial litigation and federal courts practice. Her publications have appeared in the *University of California Davis Law Review* and *The Journal of College & University Law*. Merico-Stephens' research interests include federalism, federal courts, civil procedure, and comparative civil procedure and judicial processes. She will be a visiting professor of law at the Universidad Torcuato DiTella, in Buenos Aires, Argentina, this coming spring, where she will teach a course on Introduction to American Law.

**Jeffrey H. Miro**, '67, is chairman of Miro, Miro & Weiner in Bloomfield Hills, Michigan. He holds a bachelor's degree from Cornell University, a J.D. from Michigan, and an LL.M. from Harvard. He has previously been a lecturer on taxation at the Detroit College of Law, an adjunct professor of law at Wayne State University, and he regularly teaches at the Law School. He is teaching the Federal Income Tax Related to Real Estate Seminar.

Professor **Denise C. Morgan** is a member of the New York Law School faculty. She also has practiced in the litigation department of Cleary, Gottlieb, Steen & Hamilton, served as a judicial clerk for Judge Marilyn Hall Patel on the U.S. District Court for the Northern District of California, and taught at Florida State Law School. She received her B.A. from Yale College and her J.D. from Yale Law School. Morgan teaches educational policy and the law, federal courts, civil procedure, and an anti-discrimination law seminar that focuses on the legal history of race in the United States. She is teaching Civil Procedure and the seminar, *Race: A Legal and Historical Investigation of Anti-Discrimination Principles*. Morgan has written extensively about equal educational opportunity with articles appearing in the *University of Chicago Legal Forum* and NYU's *Annual Survey of American Law*. She also co-authored *Breaking into the Academy*, a guide for aspiring law professors, published biannually by the *Michigan Journal of Race and Law*. Morgan's current projects include an article, "The New School Finance Litigation" (forthcoming *Northwestern Law Review* 2001), which analyzes recent trends in education discrimination litigation, and a book about the role of law in the creation of heroes in the Black community to be

published by NYU Press. Morgan also represents the New York State Black, Puerto Rican, and Hispanic Legislative Caucus in that state's ongoing school finance litigation.

**Omri Yadlin** joined the Tel Aviv University (TAU) Faculty of Law in 1993, after completing his LL.M. and S.J.D. degrees at Boalt Hall School of Law, UC Berkeley. At Berkeley, he won the Olin Fellowship and worked as a consultant for the Law and Economics Consulting Group. He earned his B.S. and LL.B. degrees, *magna cum laude*, from TAU. Yadlin has taught corporate finance and law and economics as a visiting professor at Boalt Hall. In Tel Aviv, he teaches corporate law, securities regulation, and law and economics. His articles have been published in *Michigan Law Review*, *International Review of Law and Economics*, and other journals. In Ann Arbor, Yadlin is teaching Enterprise Organization and Economics of Corporate and Securities Law.