



# Cultivating Scholarship

A community of scholars, our faculty is on the leading edge of critical issues in law and public policy. Several new initiatives are helping to nurture their groundbreaking work.

BY VERONICA L. NAISMITH

Good ideas take time. And time, the saying goes, is money. These truisms apply in academia just as they do in business, government, the arts, and almost any human endeavor. For the School of Law, finding resources and strategies to support the faculty's ambitious scholarly agenda is a consummate challenge. Generous support from alumni and friends is making all the difference.

"As we brought our campaign for the new building to a close," says Dean Karen Rothenberg, "we knew that we needed to make the same kind of investment in human capital that we were then making in our physical plant." To guide that investment, Rothenberg appointed a special faculty committee, the Dean's Advisory Committee on Professorships, and charged it with investigating new ways to use faculty development resources. The committee conducted a comprehensive review of the policies and practices adopted by leading law schools across the country to support faculty scholarship. Its recommendations led to the creation of a program of three-year, rotating professorships, which will allow selected members of the faculty to receive recognition and time to focus on their scholarly activities. In addition, the School of Law initiated a new endowed professorship, a new distinguished visitors program, and an expanded program of summer research grants.

### **The Robert F. Stanton Professorship**

When the Advisory Committee on Professorships met last fall, they solicited no nominations for the newest endowed professorship; instead, the committee considered every full professor at the School of Law for the distinction of being named the Robert F. Stanton Professor of Law. The committee selected Robert Percival for that honor. The Stanton Professorship results from a major new endowment at the law school—it is a permanent professorship awarded to Percival as a result of his international reputation as a leading environmental scholar.



Robert Percival was awarded a new endowed professorship for his work as an international environmental scholar.

"It was a fantastic honor and I certainly appreciate it," Percival says. "The thing that makes it so gratifying is that I didn't lobby for it. I'm so grateful that my colleagues gave it to me." The professorship includes funds for conferences and travel. Monies are also available to bring foreign scholars to the law school to feed Percival's expansive international work.

Percival's name is recognized around the globe as a leading authority in environmental law. He has contributed to national environmental policies, and has lent his expertise to many task forces and committees. Law students across the country know his name as the principal author of the country's most widely used casebook in environmental law. The book is being used internationally, including in Shanghai, China, where Percival spent a week in March of this year visiting and lecturing at several area law schools.

China was but one stop during a busy year of travel that included lectures in Thailand, Kenya, Japan, Australia, and Chile, where Percival helped create South America's first environmental law clinic. He is working to establish a global network of environmental law professors to tackle some of the planet's most pressing issues. Climate change tops that list, although another trend, according to Percival, is the merging of environmental and public health issues, such as tobacco use and avian flu.

"I have visited virtually every continent, and it is very gratifying that the rest of the

world is moving forward in these areas even if the U.S. isn't," he says.

"We increasingly focus on international environmental activities," he explains, adding that more and more students are coming to Maryland because of this international perspective. Last April, Percival delivered the inaugural Robert F. Stanton Professorship Lecture entitled "The State of Environmental Law in the 21<sup>st</sup> Century." He assessed the current state of environmental law and its prospects in the new millennium.

### **New Rotating Research Professorships**

With the School of Law's new program of three-year, rotating professorships in place, the Advisory Committee on Professorships also assisted Dean Rothenberg in selecting the first research professors. The committee, which includes both junior and senior faculty, pored over the applications it had received from faculty colleagues, looking for particularly ambitious and significant projects. They made their final recommendations to Dean Rothenberg, who enthusiastically appointed Rena Steinzor as the first Jacob France Research Professor and Gordon Young as the first Marbury Research Professor.

"Many other law schools do not have such a collegial review process for selecting named professors. Our process demonstrates Dean Rothenberg's commitment to includ-

ing the faculty in this type of decision-making,” says Richard Boldt, associate dean for research and faculty development. “We have attracted highly recruited new faculty members, in part, because word has spread that we really *are* a place that values collegiality. It’s been an advantage to us in recruiting and retaining the very best faculty.”

teach, students to counsel, and administrative tasks to juggle, he lacked the time necessary to tackle such a large-scale project.

“If I show up here to teach, I’ll get drawn into the intellectual and social life of this place which I love, so I must take a semester to really focus on my scholarship,” Young says. He is very interested in learning about

published by the Cambridge Press. She is also writing *Mother Earth and Uncle Sam: How Pollution and Hollow Government Hurt our Kids*, forthcoming from the University of Texas Press.

Steinzor’s work often crosses disciplinary lines. She teaches a course in critical issues in environmental law and science with students

## Steinzor's work often crosses disciplinary lines—she teaches students from nursing, medicine, law, and public health backgrounds. "We're teaching what we're writing about, which is ideal in academia."

Greg Young is delighted with his new appointment, and with the fact that these resources will be available to other deserving faculty on a rotating basis. Throughout his teaching career, Young has explored topics ranging from constitutional law and federal jurisdiction to federalism and corporate governance. While intellectually stimulating and a boon for the law school’s reputation, Young aspired to look critically at broader issues that would link the narrower topics he’d been writing about for years. But with a full load of classes to

the use of legislative motive in assessing the constitutionality of statutes, as well as how the Supreme Court’s levels of scrutiny analysis works in areas not governed by more precise rules.

“Greg’s project is really a capstone project involving big questions in constitutional law and theory,” explains Boldt. “It culminates a long period of active scholarship and will bring a lot of attention to Greg and the law school.”

The scope of Rena Steinzor’s project is no less ambitious. With two books currently in

progress, Steinzor also plans to take a semester break from teaching to work on her scholarship. As one of the nation’s leading authorities in public health and the environment, Steinzor has watched the regulatory process become so polarized and contentious that the integrity of science itself is threatened.

“We’re teaching what we’re writing about, which is ideal in academia,” Steinzor explains, adding that scholarship is a major criterion in the way law schools are perceived. “It’s not just important to the students who are here now. It translates into more opportunities for graduates and continues to be important to them until the day they retire.”

### The Distinguished Visitors Program

New voices enliven a scholarly community. The opportunity to work with and learn from distinguished peers from the larger legal academy enriches lively collegial dialogue and brings fresh perspectives and new insights. The law school’s new Distinguished Visitors Program invites distinguished academics from both legal and non-legal disciplines, as well as prominent judges and legal practitioners, to join the School of Law community for short or longer-term academic visits. These visits include opportunities to work with students and faculty, conduct “mini-symposia,” and otherwise make presentations to the law school community on topical issues. The first group of Distinguished Visitors will begin their appointments this fall.

“The first cohort is impressive—nationally and internationally known scholars of the first rank,” says Boldt. “And their eagerness to join us speaks volumes to the caliber of the faculty here at the law school.” The visitors represent a diverse array of fields.

Dorothy Roberts is the Kirkland & Ellis Professor of Law at the Northwestern University School of Law and a prolific scholar on issues related to child welfare



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“We need clean, clear, good science much more now than at any time in human history,” she says, noting that warring interests have so much money at stake that some manipulate science to gain desired outcomes. Steinzor is completing an edited volume called *Rescuing Science from Politics*, which will be



Greg Young will explore broad constitutional issues.

Business Law Program, including Professors Lisa Fairfax and Richard Booth, make Professor Bainbridge a natural partner.

Maxwell L. Stearns is a professor of law at the George Mason University School of Law. Professor Stearns is a leading expert on public choice theory, constitutional process, and federal jurisdiction. As a recent speaker at a law school faculty workshop, Stearns was heard to quip that he engages in “political science without a license.” He is the author of two well-regarded books and many articles, including articles in the *Michigan Law Review*, the *Yale Law Journal*, the *University of Pennsylvania Law Review*, the *California Law Review* and,

most recently, the *Stanford Law Review*. Professor Stearns will be a distinguished visitor at the law school for the entire 2005-2006 academic year. He will teach a new course on public choice theory and a second new course on advanced federal jurisdiction topics. His visit here will allow him to explore common interests with members of the law school faculty who work in public law, constitutional theory, and jurisprudence.

Kendall Thomas is the Nash Professor of Law and founding co-director of the Center for the Study of Law and Culture at Columbia University in New York. Professor Thomas will be a distinguished visiting professor at the University of Maryland School of Law for the fall 2006 semester. His teaching and research interests include U.S. and comparative constitutional law, human rights, legal philosophy, feminist legal theory, critical race theory, and law and sexuality. Professor Thomas’s work in law and culture, law and sexuality, and international public health complements work being done by UM law school faculty. He will teach courses in those areas and will deliver a public lecture during his visit.

## Expanded Summer Research Grants

When the academic year ends in May, many members of the law school’s faculty find that their most productive scholarly work begins. Long, focused days with time for research and writing make the summer a great time for faculty members to delve deeply into the most vexing questions on their scholarly agendas. Summer research grants—merit-based grants designed to support ambitious scholarly projects during the summer months—provide much needed support for this work and permit the School of Law to remain competitive with the peer institutions with which we compete for new young talent.

“Dean Rothenberg’s commitment to increasing funds for summer research grants is matched only by the faculty’s enthusiasm for the work they support,” says Boldt. “Faculty submit proposals for summer projects they would like to fund. The increasing scope, quality, and inventiveness of the projects in these proposals is a real measure of the good this program is doing.” This year, grants supported thirty-six faculty working in a broad range of specialties.

## Hallmarks of Faculty Development

Collegial support is vital to the continued success of the School of Law and to the academic mission of its faculty. The school’s professors are grateful to its alumni and friends for the support they’ve received, and recognize that these supporters are partners in the broader mission they are undertaking.

“We are constantly reinventing ourselves in order to keep the law school at the cutting edge,” Boldt stresses. “You look at Bob Percival, who is a leader in studying the policy implications of trans-boundary pollution. If he didn’t have terrific support, it would be more difficult for him to remain a leading voice in this field. We are committed to providing academic leadership at the local, state, national, and international levels. Bob is a perfect example of how to get that job done.”

*Veronica L. Naismith has been covering legal issues for more than twenty years.*