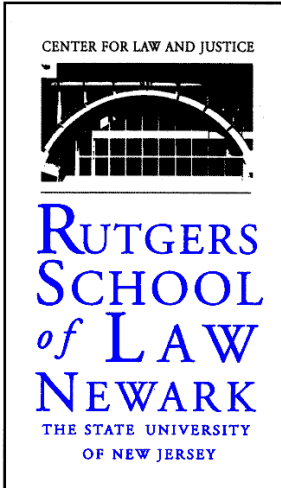


RUTGERS LAW SCHOOL NEWS

June 2006



Pascale Charlot Walker New Assistant Dean for MSP & Externships

Pascale Charlot Walker, currently Associate Director of the Public Interest Law Center at NYU Law School, has been appointed Assistant Dean for the Minority Student Program and Externships. She will join Rutgers Law in mid-July.

At the NYU Center, Walker has advised students about public interest careers, managed the summer funding program, actively recruited new students to the school, and counseled students of color about law school issues and career choices. Prior to joining NYU, she was an attorney with both a solo practitioner in Brooklyn and a large law firm in New York, and before that was an assistant district attorney in Kings County (Brooklyn), NY. From 1997-1999, Walker managed a program that developed computer learning centers in more than 100 townships in South Africa.

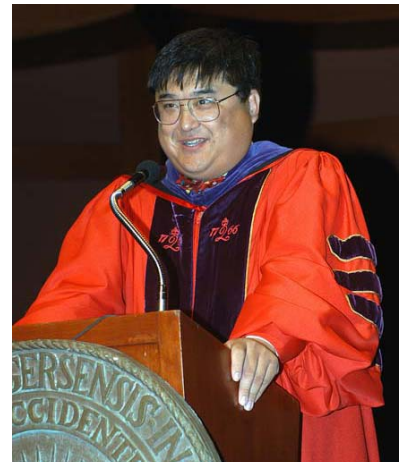
After graduating from law school, she was a Criminal Justice Fellow for the Equal Justice Initiative in Montgomery, Al.

Walker earned her B.A. from Duke University and her J.D. from the University of Michigan Law School, where she was a Dean's Scholar, Bates International Fellow, and Note Editor of the *Michigan Journal of Race and Law*.

Public Advocate Ronald Chen '83 Addresses May Commencement

The Honorable Ronald K. Chen '83, Public Advocate of the State of New Jersey, delivered the convocation address before 216 graduating students, their family and friends, as well as university officials and members of the law faculty and administration at the May 26 commencement. Chen, Associate Dean for Academic Affairs from 1995 until his recent appointment as Public Advocate, shared his reflections on the occasion and on the obligations of the profession from several perspectives – former law student, long-time teacher and constitutional rights attorney, and new member of Gov. Jon Corzine's cabinet.

Professor George Thomas was selected to be the faculty speaker at commencement. His address was entitled "Some Things Never Change, and Some Things Always Change." Nicole Crifo '06 was the student speaker. The text of the speakers' remarks can be found at <http://law.newark.rutgers.edu/main.html>.



Public Advocate Ronald Chen

New Book by Professor Mark Weiner on Racial Boundaries of Civic Life

"*Americans Without Law: The Racial Boundaries of Citizenship*" by Professor Mark S. Weiner was published this month by NYU Press. As a manuscript, the book received the 2001 President's Book Award from the Social Science History Association, which called it "a superb example of interdisciplinary scholarship." The book considers the impact of "juridical racialism," Weiner's term for a public language that combined the concepts of race and law, on

political debates and U.S. Supreme Court decisions about the legal status of four minority groups in the late 19th and early 20th centuries. Weiner argues that, through its close connection with anthropology and related fields that examine human difference, juridical racialism played a significant role in helping the U.S. to manage its civic boundaries in ways that furthered national economic growth.

Weiner is also the author of "*Black Trials: Citizenship from the Beginnings of Slavery to the End of Caste*," the winner of a 2005 Silver Gavel Award from the American Bar Association. A member of the Rutgers faculty since 2001, he teaches Constitutional Law, Professional Responsibility, and Legal History. He holds a J.D. and a Ph.D. in American studies from Yale.

Promotion to Associate Professor for Neil Buchanan

Neil H. Buchanan, who teaches Contracts, Tax Law, and a law and social science seminar in tax policy entitled "Distributive Justice and the Law," has been promoted from Assistant Professor to Associate Professor of Law. Buchanan, who joined the law school in fall 2003, holds an M.A. and Ph.D. in economics from Harvard in addition to his J.D. from the University of Michigan. His most recent article, "The JEC's Estate Tax Report: Myths and Legends," was published in the June 5 *Tax Notes* (111 *Tax Notes* 1133). Buchanan will be a visiting professor at NYU School of Law for the 2006-07 academic year.

Library Adds to Tax & Estate Planning Collection

The Samuel J. Foosaner Library Fund has enabled the law library to add significant new resources on taxation and estate planning. In its initial round of purchases, the library has acquired access to four new online resources, subscribed to 14 new serial publications, reinstated 10 other serials cancelled in earlier years, and added 59 new monographs.

The Foosaner Fund was established through the generosity of the Foosaner Foundation, created by the late Samuel J. Foosaner '34, a prominent tax and estate planning attorney. The library's first floor west reading gallery is named in memory of Foosaner. The Foundation is headed by his daughter, Dione L. ("Dee") Negroni-Hendrick.

CLINICAL PROGRAM

The New Jersey Supreme Court has decided to hear an appeal of the January ruling in favor of the **Constitutional Litigation Clinic's** challenge to the control of free speech rights that homeowner associations can exercise over homeowners. Professor Frank Askin commented about the case, *Committee for a Better Twin Rivers v. Twin Rivers Homeowners' Association*, which he argued before the Appellate Division, for the May 22 *New Jersey Lawyer*. The June 9 *Windsor-Hights Herald* ran a story on the case.

Associate Clinical Professor Carter Strickland, Jr. has been appointed Acting Director of the **Environmental Law Clinic** for a second year and Visiting Assistant Clinical Professor Julia Huff has been appointed for a second year.

The clinic, representing the Nuclear Information and Resource Service and five other interest groups, continues to challenge the application by AmerGen Energy Co. to renew its license to run the Oyster Creek nuclear power plant. The citizens' groups assert that the company's plans for ensuring the safety of the plant, which is the country's oldest commercial nuclear plant, are inadequate. *Inside NRC* and the *Asbury Park Press* have written several

articles on the license renewal dispute and interviewed Richard Webster, clinic staff attorney, who is representing the citizens' coalition.

FACULTY NOTES

Associate Professor Karima Bennoune has been asked to contribute a chapter to *Human Rights Advocacy Stories*, a new volume in Foundation Press's Law Stories Series. The chapter will be entitled "The Intersection of Identity, Rights and Religion: The Case of Headscarf Regulation in France." Her review of the book "*Enforcing International Law Norms Against Terrorism*" will be published in the next issue of the *American Journal of International Law*, and her article "Do We Need New International Law to Protect Women in Armed Conflict" will appear in the next issue of the *Case Western Reserve Journal of International Law*. It will be part of a symposium issue on international crimes against women.

The May 18 issue of the *New England Journal of Medicine* contained a very favorable review of **Professor Emeritus Norman Cantor's** book, "*Making Medical Decisions for the Profoundly Mentally Retarded*." The reviewer, who described the book as "both sensible and compassionate," wrote that Cantor's framework for making decisions for the profoundly mentally impaired "is based on critically reasoned moral arguments, examination of established policies and procedures, and a discerning appraisal of U.S. constitutional law."

Cantor has been selected by the University of Pittsburgh School of Law to deliver its annual Mark A. Nordenberg Lecture on Oct. 12. His topic will be "The Relation Between Autonomy-Based Rights and Profoundly Mentally Disabled Persons." That same day he will conduct a colloquium on the topic of "Sanctity of Life and Quality of Life" for faculty and graduate students at the university's Center for Bioethics and Health Law.

On June 9 at the Council on Foreign Relations, **Associate Professor Anna Gelpern** chaired a discussion group on Reconciling Globalization and National Sovereignty.

Legal Research and Writing Instructor Barbara Hoffman was the luncheon speaker on cancer advocacy at the Governor's Cancer Control Panel Summit, held in Manalapan on May 11.

Professor Emeritus Alfred Slocum '70 was honored by the Garden State Bar Association at its 31st annual dinner, held on June 10. Other honorees included Judge Betty Lester '71 of Newark Municipal Court. **Edna Baugh**, Assistant Director for Clinic Administration, is the 2005-06 president of the GSBA.

Professor George Thomas's book, "*Reclaiming Innocence From Judicial Neglect*," has been accepted for publication by the University of Michigan Press. Thomas was invited to participate in a criminal procedure conference held at Harvard Law School on April 21 and 22. His topic was "*Miranda v. Arizona*: The Futile Search for a 'Miranda Effect'."

The Rutgers-Newark Institute on Education Law and Policy, whose founding director is **Professor Paul Tractenberg**, has released *Don't Forget the Schools: Legal Considerations for Tax Reform* (http://ielp.rutgers.edu/docs/DRTS2_web.pdf). It is the second in a series of three reports focusing on the legal, fiscal, and education funding considerations for tax reform. In addition to Tractenberg, co-authors are Brenda Liss, executive director of IELP; Ruth Moscovitch, consultant to the Institute and former general counsel for the Chicago Public

Schools; and Alan Sadovnik, Professor of Urban Education and Public Administration, Rutgers-Newark College of Arts and Sciences. The first report looked at New Jersey's short-term and longer-term fiscal challenges and suggested solutions for state policymakers. The third report will focus on the state's school funding mechanism and its relationship to tax policy, as well as the efforts of other states to balance demands for equitable taxation and high-quality education.

Clinical Professor Penny Venetis will chair and moderate a section conference at the annual meeting of the AALS, scheduled for Jan. 3-6, 2007 in Washington, DC. The topic of the conference will be "Introducing International Law, Treaty Law, and Other International Concepts in Domestic Cases."

STAFF & STUDENT NEWS

Jessica Kitson '02, Assistant Director for Career Services and Public Interest Advisor, has been appointed director of the Domestic Violence Advocacy Project. She succeeds Adrienne Lockie, who has accepted a position with American University Washington College of Law.

Roseann Ranieri, Director of Administrative Services, has retired after 16 years with the law school. **Francina Skipper**, who has been appointed Acting Senior Department Administrator, has assumed many of Ranieri's responsibilities.

Thomas Dallal has been chosen as the first-place winner and **Thomas E. Wilhelm** as the second-place winner of the 2006 Nathan Burkan Competition. Both are members of the Class of



2007. Their papers will be submitted for the national level of the 68th annual competition, which is sponsored by the American Society of Composers, Authors and Publishers (ASCAP). Dallal's paper is entitled "*Faulkner v. National Geographic Enterprises, Inc.: Driving a Truck Through the Eye of a Needle.*" The title of Wilhelm's paper is "Google Book Search: Fair Use of Fairly Useful Infringement?"

On April 18, **Judge Joseph J. Greenaway, Jr.** (foreground) of the U.S. District Court, District of New Jersey, an adjunct faculty member, brought members of his Supreme Court: Genesis & Progress seminar (as well as several RU students interning for him) to Washington to hear oral argument at the nation's high court. They received a behind the scenes tour of the Supreme Court, which also enabled them to admire the expertise of Judge Greenaway and **Alfredo Perez De Alejo '06** (left) in shooting baskets on the Justices' private basketball court. Also shown are **Constance Martin '06** and **Justin Crawford '08**.

RUTGERS-NEWARK LAW IN THE NEWS

The June 12 issue of *New Jersey Lawyer* carried an op-ed by **Dean Stuart L. Deutsch** and Rayman Solomon, Dean of Rutgers-Camden Law School, entitled “Proposed budget cuts: Deans see crippling impact on law schools.”

Professor Frank Askin was interviewed for a June 16 Associated Press report on the U.S. Supreme Court’s decision allowing the use in court of evidence obtained by police who enter a home without first knocking and announcing themselves; a June 15 *Star-Ledger* article on the New Jersey Department of Corrections’ decision to rescind its ban on media interviews of prison inmates; and a May 15 WPIX-TV segment concerning protests at military funerals.

A May 8 *Star-Ledger* story on the role in Long Branch’s mayoral election of the debate about eminent domain included a quote from **Professor Bernard Bell**, Associate Dean for Academic Affairs and Faculty.

Professor Suzanne Goldberg was interviewed for a May 26 *ABA Journal Report* article on a Utah Supreme Court decision regarding a polygamous union.

On May 5 the University of Texas M.D. Anderson Cancer Center posted on its “CancerWise” webpage a Q&A with **Legal Research Writing Instructor Barbara Hoffman** on “Cancer and Employment Rights.”

A corporate governance article posted on the Forbes.com website on May 2 featured a comment on the International Brotherhood of Carpenters by **Professor Alan Hyde**.

The *Star-Ledger* interviewed **Professor John Payne** for a June 18 story on affordable housing in towns in the Meadowlands.

Associate Clinical Professor Carter Strickland, Jr. commented for a June 7 *Herald News* article on the announcement by Tierra Solutions Inc. that it would sue the Passaic Valley Sewerage Commission for part of Tierra’s costs in cleaning up the lower Passaic River. Strickland, who is Acting Director of the Environmental Law Clinic, was quoted in a May 21 *Record* article on a proposal under consideration by the Department of Environmental Protection (DEP) to relax some groundwater quality standards; and in a May 9 *Asbury Park Press* article about the Appellate Division’s ruling in favor of the DEP rule requiring buffers of preserved land along the State’s most critical waterways.

Reports by Voice of America (June 12) and the *Kansas City Star* (June 21), as well as other Knight Ridder newspapers, on the 40th anniversary of the *Miranda* decision included comments by **Professor George Thomas**.

A June 21 *New York Times* article on the state of the Newark public school system included a quote by **Professor Paul Tractenberg**.

The May 25 *Star-Ledger* covered the Appellate Court’s hearing on the constitutionality of electronic voting machines. The case, brought by the Constitutional Litigation Clinic, was argued by **Clinical Professor Penny Venetis**. The June 14 *Philadelphia Inquirer*, June 1 *Montclair Time*, and May 8 *Herald News* quoted Venetis in their voting machine stories.

Environmental Law Clinic staff attorney **Richard Webster** was quoted in the April 12 *Cranbury Press* about additional concerns that the clinic and its clients have with the New Jersey Statehouse Commission's approval of Monroe Township's request to build a high school on county-owned park land.

EVENTS

Upcoming **Alumni Association** events include:

— Sept. 25, 3rd Annual Golf Outing at Baltusrol Golf Club. For information on registration or sponsorship opportunities, contact Senior Associate Director of Development Rick Stempler at 973-353-3066 or golf@kinoy.rutgers.edu.

— Nov. 2, Annual Recognition Dinner at the Hilton at Short Hills. Alumni Association awards will be presented to the Hon. Sybil R. Moses '74, New Jersey Superior Court Assignment Judge; the Hon. Barbara Byrd Wecker '74, New Jersey Appellate Division; and Jeffrey Fogel '69, an attorney with the New York Civil Liberties Union and former legal director of the Center for Constitutional Rights. Invitations will be mailed in September.

Homecoming for the Rutgers-Newark campus will take place Sept. 28 – Oct. 1. The theme is “Celebrate the Spirit, Share the Pride.” For information on the events schedule, visit www.newark.rutgers.edu/homecoming/.