

Faculty News and Activities

March 2006

Highlights

- [Tamanaha](#) picked to join International Rule of Law Expert Seminar
- [Barrett](#) and [Zick](#) organize *Journal of Legal Commentary's* [Federalism Symposium](#)
- [Simons](#) and [Stabile](#) organize *Journal of Catholic Legal Studies'* [John Paul II Conference](#)
- [Warner](#) and [Zinman](#) organize American Bankruptcy Institute's Duberstein Competition
- [Weinberg](#) organizes Environmental Law Symposium
- [Chiu](#) wins CAPALF Scholarly Paper Competition
- Articles accepted by *Journal of Legal Education* ([Boyle](#)), *America* ([Gregory](#))
- Articles published in *Texas Law Review* ([Zick](#)), *Michigan Journal of Law Reform* ([Baynes](#)), *St. John's Law Review* ([Barrett](#)), *Seattle Journal for Social Justice* ([Stabile](#)), *Syllabus* ([Baynes](#)), *ABA Supreme Court Preview* ([Hennigan](#))
- [Barrett's](#) book chapter published in *Criminal Procedure Stories*
- [Turano's](#) estates law book to be published by Lexis/Nexis
- [Daly](#) named to Top 100 Irish-Americans list

Federalism Past, Federalism Future: A Constitutional Law Symposium



On March 3, several of the nation's top constitutional law scholars gathered at St. John's to discuss the legacy of the Rehnquist court's so-called "federalism revolution." Organized by Professors John Barrett and Timothy Zick and sponsored by the [Journal of Legal Commentary](#), the symposium centered around two panels. The first panel, which addressed "Federalism Past: The Current State of the Revolution," included presentations by [Preeta Bansal](#), currently a partner at Skadden Arps and formerly the Solicitor General of the State of New York; [Barbara Underwood](#), currently Counsel to the United States Attorney for the Eastern District of New York and formerly Acting Solicitor General of the United States; [Neil Devins](#), the Goodrich Professor of Law and Director of the Institute of Bill of Rights Law at William & Mary's Marshall-Wythe School of Law; and [Professor Barrett](#). The second panel, which addressed "Federalism Future: The Prospects for Future Revolutions," included [Michael Dorf](#), the Michael I. Sovern Professor of Law at Columbia; [Stephen Griffin](#), the Rutledge C. Clement, Jr. Professor of Constitutional Law at Tulane; [William Van Alstyne](#), the Lee Professor of Law at William & Mary, and [Professor Zick](#).

The symposium began with an opening address by [Akhil Reed Amar](#), the Southmayd Professor of Law and Political Science at Yale University, whose remarks drew on his recent book, *America's Constitution: A Biography*. The Keynote Address was given by lawyer and journalist [Jeffrey Toobin](#) of *The New Yorker* and CNN.

For more information about this outstanding event, click on the links below.

[Symposium Web Site](#) • [Photo Gallery](#) • [News Release](#)

The Jurisprudential Legacy of John Paul II



As the first anniversary of Pope John Paul II's death approached, legal scholars, philosophers, and theologians from around the country convened at St. John's on March 23-24 to explore the late-pope's influence on law, politics, and culture in general and on Catholic legal studies in particular. The conference, which was the first ever sponsored by [Journal of Catholic Legal Studies](#), was organized by Professors Susan Stabile and Michael Simons.

The two-day conference included presentations from over a dozen scholars, and the wide variety of topics indicated the breadth of John Paul II's influence. Topics included the role of religious rhetoric in public debates, the pope's vision of international law, his view of the "preferential option for the poor," Biblical roots of his jurisprudence and its relationship to Jewish understandings of justice, and the particular ways in which his thought relates to property rights, corporate law, employer-employee relations, the death penalty, abortion, euthanasia, and the "Culture of Life." The Keynote Address was given by [John L. Allen](#), Vatican Correspondent for the *National Catholic Reporter*. After surveying the areas in which John Paul II's impact was felt most keenly and the areas in which the late-pope's jurisprudential legacy has left "open questions," Allen concluded that the conference was a model for how legal thinkers can bring "the best of Catholic moral and social reflection together with the highest standards of Western legal thought."

In addition to Professors Stabile and Simons, conference participants included [Robert Araujo, S.J.](#) (Gonzaga Law School and Pontifical Gregorian University), [Charles Clark](#) (St. John's University), [John Coverdale](#) (Seton Hall Law School), [Dr. Saby Ghoshray](#), [Joseph Koterski, S.J.](#) (Fordham University), [Randy Lee](#) (Widener Law School), [Samuel Levine](#) (Pepperdine Law School), [Graham McAleer](#) (Loyola College of Maryland), [Michael Perry](#) (Emory Law School), [Michael Scaperlanda](#) (Oklahoma College of Law), [Elizabeth Schiltz](#) (University of St. Thomas School of Law), [Gregory Sisk](#) (University of St. Thomas School of Law), [Alison Sulentic](#) (Duquesne Law School), [Rev. Gerald Twomey](#), [Amy Uelmen](#) (Fordham Law School), and [Robert Vischer](#) (University of St. Thomas School of Law). The conference papers will be published in the [Journal of Catholic Legal Studies](#).

For more information about the conference, click on the links below.

[Conference Web Site](#) • [Photo Gallery](#) • [News Release](#)

Vincent C. Alexander, *Charles M. Sparacio Professor of Law*



Professor Alexander delivered two lectures on Evidence during March, one for the New York State Office of Court Administration's Legal Update Seminar for Court Attorneys, and the other for the Queens County Bar Association.

[Profile of Prof. Alexander](#) • [Publications](#)

John Q. Barrett, *Professor of Law*



In addition to organizing the [Federalism Symposium](#), Professor Barrett saw two publications appear in print and made three presentations. The first publication was his chapter on *Terry v. Ohio* in [Criminal Procedure Stories: An In-Depth Look at Leading Criminal Procedure Cases](#), part of Foundation Press's popular series. The second publication was the [Supreme Court Law Clerk's Recollections of Brown v. Board of Education II](#), which appeared at 79 *St. John's Law Review* 823. Professor Barrett both moderated the discussion among the former law clerks and wrote a substantial introduction that contained new historical information about the justices' deliberations in *Brown II*. This publication forms a bookend with the *Law Review's* publication of the [Brown I law clerks' recollections](#) as part of the Jackson Center's 2004 celebration of *Brown's* fiftieth anniversary.

Professor Barrett's presentations included an appearance at the Heights & Hill Community Council in Brooklyn, where he spoke about *That Man*, Justice Jackson's memoir of FDR, and an appearance at the Florida Holocaust Museum in St. Petersburg, where he participated in a program entitled [Legacy of the Nuremberg Trials](#), which was co-sponsored by Stetson University College of Law. In addition, at the [Federalism Symposium](#), Professor Barrett presented his paper *The "Federalism Five" as Supreme Court Nominees: Where Was the Federalism?*, which will be published in a forthcoming issue of the *Journal of Legal Commentary*.

Finally, Professor Barrett was quoted in a *Newsday* article about the terrorism prosecution of Zacarias Moussaoui.

[Profile of Prof. Barrett](#) • [Publications](#)

Leonard M. Baynes, *Professor of Law; Director, Ronald H. Brown Center for Civil Rights and Economic Development*

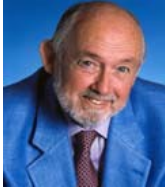


Professor Baynes' article [Race, Media Consolidation, and Online Content: The Lack of Substitutes Available to Media Consumers of Color](#), was published at 39 *Michigan Journal of Law Reform* 199. In addition, his article *Creative Solutions to Increase Law Student Diversity* appeared in the Winter 2006 edition of *Syllabus*, the newsletter of the ABA Section of Legal Education and Admissions to the Bar.

On March 24, Professor Baynes presented at a conference entitled [Issues in Community Economic Development](#) sponsored by Western New England College's Law and Business Center for Advancing Entrepreneurship. Professor Baynes' panel addressed "Barriers to Access to Financial Services for Disenfranchised Groups."

[Profile of Prof. Baynes](#) • [Publications](#)

Joseph J. Beard, Professor of Law



Professor Beard was named a Director the [Battleship Massachusetts Memorial Committee](#).

[Profile of Prof. Beard](#) • [Publications](#)

Christopher J. Borgen, Assistant Professor of Law



In connection with the annual meeting of the American Society of International Law, [Opinio Juris](#) and the ASIL hosted a reception to celebrate the blog started in January 2005 by Professor Borgen and two other international law professors. The reception, which included an informal discussion on international law and blogging, was attended by over 150 people, including two judges of the International Court of Justice and two judges from the Yugoslav War Crimes Tribunal. *Opinio Juris* now has six full-time contributors, a steady roster of guest contributors, and over 15,000 visitors each month.

[Profile of Prof. Borgen](#) • [Publications](#)

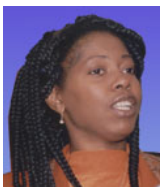
Robin A. Boyle, Assistant Professor of Legal Writing



Professor Boyle's article *Generation X In Law School: How These Law Students Are Different From Those Who Teach Them*, co-written with Joanne Ingham of New York Law School, was accepted for publication by the *Journal of Legal Education*. In addition, Professor Boyle once again hosted a group of high school students from the Bronx School of Law, Government and Justice. The students' visit to St. John's was funded by a grant from the Law School Admission Council.

[Profile of Prof. Boyle](#) • [Publications](#)

Victoria Brown-Douglas, Assistant Professor of Clinical Education



On March 25, Professor Brown-Douglas and Professor [Keri Gould](#) presented *Crossing Over: the Journey from Practitioner to Externship Seminar Professor* at the national externship conference, [Externships3: Learning from Practice](#), at Southwestern Law School and Loyola L.A. Law School.

[Profile of Prof. Brown-Douglas](#)

Elaine M. Chiu, Assistant Professor of Law



Professor Chiu's paper [Culture as Justification, Not Excuse](#) was selected as the winning paper in the scholarly paper competition conducted in connection with the annual [Conference of Asian Pacific American Law Faculty](#). Professor Chiu will deliver her paper at the conference, which will be held at Wayne State University Law School in April.

In addition, on March 18, Professor Chiu organized and chaired a panel entitled *Culture, Crime and Punishment* as part of the [Ninth Annual Meeting of the Association for the Study of Law, Culture and Humanities](#) at Syracuse University School of Law. Professor Chiu presented a paper entitled *Multiculturalism and the Criminal Law*.

[Profile of Prof. Chiu • Publications](#)

Mary C. Daly, *Dean and John V. Brennan Professor of Law and Ethics*



On March 7, Dean Daly conducted an ethics CLE for the Queens Women's Bar Association. On March 16, she was honored by [Irish America Magazine](#) as one of the *Top 100 Irish Americans* for 2006.

[Profile of Dean Daly • Publications](#)

Ann L. Goldweber, *Assistant Professor of Clinical Education; Director of Clinical Education*



On March 9, Professor Goldweber participated in "A Dialogue with the Judiciary," addressing Queens Supreme Court Justices on predatory lending practices. On March 10, she participated in the Queens Legal Services Corporation's *2006 Priority Setting Meeting: Developing Strategic Direction with Community Partners*. In addition, she has been invited by the [Jamaica Service Program for Older Adults](#) and New York City Councilperson Leroy Comrie to join a task force to develop a "Naturally Occurring Retirement Community" to enable seniors who reside in their own homes to maintain their independence.

[Profile of Prof. Goldweber • Publications](#)

Keri K. Gould, *Assistant Professor of Clinical Education; Assistant Dean for Professional Skills*



On March 25, Professor Gould and Professor [Victoria Brown-Douglas](#) presented *Crossing Over: the Journey from Practitioner to Externship Seminar Professor* at the national externship conference, [Externships3: Learning from Practice](#), at Southwestern Law School and Loyola L.A. Law School. Professor Gould also recently gave a presentation entitled *Teaching Lawyering Skills in a Global World* at a conference on Globalization and the Role of Law Schools at [Yeungnam University](#) in Daegu, South Korea.

Professor Gould was also recently appointed to two bar association positions: treasurer of the AALS Litigation Section, and writer and editor for the New York State Bar Association Trial Lawyers Section.

[Profile of Prof. Gould • Publications](#)

David L. Gregory, Professor of Law



Professor Gregory's article *The Anemic National Labor Relations Board, and the Collapse of Workers' Rights* was accepted by [America](#) magazine for its Labor Day issue. In addition, Professor Gregory was a frequent media commentator on the Delphi bankruptcy, the Transit Workers' Union contract dispute, and the AT&T merger, appearing in the *New York Times*, the *New York Post*, and *Newsday*, and on Wall Street Journal Radio and CNN Radio.

[Profile of Prof. Gregory](#) • [Publications](#)

John P. Hennigan, Professor of Law



Professor Hennigan's article *Do Claims for Workers' Compensation Insurance Premiums Have Priority in Bankruptcy? (Howard Delivery Service Inc. et al. v. Zurich American Insurance Co.)* was published in the [ABA Preview of Supreme Court Cases](#).

[Profile of Prof. Hennigan](#) • [Publications](#)

Theresa Hughes, Assistant Professor of Clinical Education



Professor Hughes was invited by Chief Judge Judith Kaye to participate in the Chief Judge's [Four C's Working Group](#), which brings together judges, practitioners, and academics to promote a better understanding of the collateral consequences of criminal prosecutions in New York.

[Profile of Prof. Hughes](#) • [Publications](#)

Lawrence Joseph, Rev. Joseph T. Tinnelly, C.M., Professor of Law



Professor Joseph conducted numerous readings from his two new books of poems, [Into It](#), and [Codes, Precepts, Biases, and Taboos: Poems 1973-1993](#), including at [KGB Bar](#) in New York City, at The Catholic Worker in New York City, and at Boston College as part of the [Lowell Humanities Series](#). He was also interviewed and read his poetry on *Tahrir*, a weekly arts and public affairs radio program on WBAI that focuses on the Arab and Muslim community. In addition, a March 5 *New York Times* article on John Malkovich's independent film company discussed the [company's project](#) to turn Professor Joseph's 1997 book *Lawyerland* into a film directed by John Walters.

[Profile of Prof. Joseph](#) • [Publications](#)

Peter S. Margulies, Visiting Professor of Law



Professor Margulies was quoted in a March 15 *New York Times* article about the Zacarias Moussaoui prosecution, discussing the importance of witness sequestration.

[Profile of Prof. Margulies](#) • [Publications](#)

Patricia Grande Montana, Assistant Professor of Legal Writing



Professor Montana presented at the [Sixth Annual Rocky Mountain Regional Legal Writing Conference](#) at the University of Arizona James E. Rogers College of Law in Tucson on March 17-18, 2006. Her presentation was entitled *Correcting Impaired Vision: Ways to Help Students See the Weaknesses in Their Own Writing*.

[Profile of Prof. Montana](#)

Rosemary C. Salomone, Kenneth Wang Professor of Law



Professor Salomone, along with Professors Tebbe and Weinberg, participated in the latest installment of *Rights Talk*, an ongoing series of discussions with students on current constitutional questions. The panel discussion, entitled *What Role Ought Religion Play in the Public Square?*, focused on a recent Second Circuit decision upholding the policy of the New York City public schools of not displaying crèches during the holiday season, even though the schools displayed menorahs and Muslim symbols.

[Profile of Prof. Salomone](#) • [Publications](#)

Michael A. Simons, Associate Dean for Faculty Scholarship and Professor of Law



At the [John Paul II Conference](#), which he organized and hosted with Professor Stabile, Professor Simons served as master of ceremonies throughout the two days, introducing panelists, introducing the Keynote Speaker John Allen, and delivering closing remarks.

[Profile of Prof. Simons](#) • [Publications](#)

Susan J. Stabile, Professor of Law



In addition to organizing and hosting the [John Paul II Conference](#) with Professor Simons, Professor Stabile served as a commentator for the panel on *John Paul II and the World of Business and Commerce*.

In addition, Professor Stabile's article [A Catholic Vision of the Corporation](#) was published at 84 *Seattle Journal for Social Justice* 181. The article was preceded by an introduction from Seattle University School of Law Dean Kellye Testy entitled [Corporate Prophet: An Introduction to Susan Stabile's A Catholic Vision of the Corporation](#). In glowing terms, Dean Testy described the article as "bold," "exciting," and "a positive development for corporate law scholarship and for the promotion of justice and human welfare." Dean Testy went on to call Professor Stabile "the corporate prophet for whom we have all been waiting."

[Profile of Prof. Stabile](#) • [Publications](#)

Brian Z. Tamanaha, Chief Judge Benjamin N. Cardozo Professor of Law



Professor Tamanaha has been invited to participate in a [Rule of Law Expert Seminar](#) sponsored by the [Hague Institute for the Internationalization of Law](#). The Institute is an international research organization devoted to studying the development of national legal orders in a global world. Most of the other participants in the Expert Seminar, which will be held in April in The Hague, are international policy-makers at the highest level. Based primarily on his recent book [On the Rule of Law: History, Politics, Theory](#) (Cambridge 2004), Professor Tamanaha has been asked to give the opening address to the other seminar participants. More information about this prestigious invitation is available [here](#).

The Expert Seminar will be Professor Tamanaha's second trip to the Netherlands in two months. On March 23, he gave a lecture at the [University of Groningen](#) entitled *How an Instrumental View of Law Corrodes the Rule of Law*. That lecture addressed the topic of his forthcoming book on instrumentalism, *Law as a Means to an End: Threat to the Rule of Law*, which will be published in the fall by Cambridge.

[Profile of Prof. Tamanaha](#) • [Publications](#)

Nelson Tebbe, Assistant Professor of Law



Professor Tebbe hosted or participated in three different events at the law school this month. First, on March 8, he participated with Professors Salomone and Weinberg in the *Rights Talk* presentation *What Role Ought Religion Play in the Public Square?* Second, also on March 8, Professor Tebbe moderated the first ever symposium of the South Asian Law Students Association, which addressed the legal and political challenges facing South Asians in the post-9/11 climate. Third, on March 14, Professor Tebbe hosted [Michael Newdow](#), the attorney and pro se litigant who is currently challenging the constitutionality of the words "under God" in the Pledge of Allegiance. Mr. Newdow spoke to an audience of students, faculty, and members of the general public about his oral argument before the United States Supreme Court and his ongoing legal campaign.

In addition, on March 31, Professor Tebbe gave a Friday evening talk at the Catholic Worker in Manhattan entitled "The Progressive Church in South Africa: Past and Future." Together with Jennifer S. Hughes, a professor of religion at Mount Holyoke College, he assessed the role of Christian churches during the struggle against apartheid and discussed their current challenges under the new democracy.

[Profile of Prof. Tebbe](#) • [Publications](#)

Margaret V. Turano, Professor of Law



Professor Turano has agreed to write a treatise on New York estates law for Lexis/Nexis. Tentatively titled *The Law of Trusts, Estates, and Powers in New York*, the book is scheduled for publication in 2007.

[Profile of Prof. Turano](#) • [Publications](#)

G. Ray Warner, *Professor of Law; Director, L.L.M. in Bankruptcy Program*



Along with Professor Zinman, Professor Warner organized and hosted the [14th Annual Conrad B. Duberstein Moot Court Competition](#). In addition, Professor Warner and the St. John's LLM bankruptcy program were featured in a Dow Jones Reuters article entitled *Bankruptcy Remains Popular at Law Schools*.

[Profile of Prof. Warner • Publications](#)

Philip Weinberg, *Professor of Law*



Professor Weinberg organized and hosted the Environmental Law Society's symposium [From Storm King to NEPA: How Well is Environmental Impact Review Working After 35 Years?](#) Jointly sponsored with the New York State Bar Association's Environmental Law Section, the symposium brought together attorney who were involved in the original *Storm King* decision, attorneys who are currently involved in environmental impact review, and academics to discuss the effectiveness of the National Environmental Policy Act. Professor Weinberg gave the opening and closing remarks at the symposium.

Professor Weinberg's other activities included speaking at the Environmental Law Institute's annual program [New York Environmental Law: Year in Review 2006](#) at the City Bar, helping to prepare a report of the New York State Bar Association's Task Force on eminent domain, and presenting at the *Rights Talk* on the role of religion in the public square with Professors Salmone and Tebbe.

[Profile of Prof. Weinberg • Publications](#)

Timothy Zick, *Associate Professor of Law*



In addition to organizing the [Federalism Symposium](#), Professor Zick presented a paper entitled *Active Sovereignty*, which will be published in the symposium issue of the *Journal of Legal Commentary*.

Professor Zick has also been selected by Dean Daly to attend an invitation-only conference for pre-tenured law professors at Washington University School of Law. Entitled *Jurisgenesis*, the conference will bring together approximately a dozen young legal scholars and their associate deans for two days of scholarly interchange. Professor Zick will present an overview of his current project, a book tentatively titled *The People Out of Doors: The First Amendment, Place, and Public Discourse*, that builds on his previous work regarding speech and expressive space.

Finally, Professor Zick's article [Speech and Spatial Tactics](#) was published at 84 *Texas Law Review* 581.

[Profile of Prof. Zick • Publications](#)

Robert M. Zinman, Professor of Law



Professor Zinman, along with Professor Warner, organized and hosted the [14th Annual Conrad B. Duberstein Moot Court Competition](#), which brought together fifty-three teams from thirty-eight law schools for a three-day competition, the nation's only moot court competition devoted entirely to bankruptcy. The final round was judged by several leading members of the federal judiciary, including Judge Thomas Ambro (3d Cir.), Chief Judge Stuart M. Bernstein (Bankr. S.D.N.Y), Chief Judge Melanie Cyganowski (Bankr. E.D.N.Y.), Chief Judge Edith Hollan Jones (5th Cir.), and Judge Jeffrey Sutton (6th Cir.). The Gala Dinner and Awards Ceremony, which was attended by almost 800 people, featured a special video tribute to Chief Judge Duberstein '41, who passed away in November.

[Profile of Prof. Zinman • Publications](#)

Faculty News and Activities is published four times each semester and is edited by [Michael A. Simons](#), Associate Dean for Faculty Scholarship.