

Faculty News and Activities

April – May 2006

Highlights

- [Baynes](#) hosts Media Diversity Conference and publishes proceedings of LSAT Conference
- [Tamanaha](#) makes multiple high-profile international and domestic appearances
- [Borgen](#) authors report on Moldovan separatist crisis
- Articles accepted by *Journal of Empirical Legal Studies* ([Perino](#)), *American Criminal Law Review* ([Chiu](#)), *Oregon Law Review* ([Kirgis](#)), *Family Court Review* ([Hughes](#))
- Articles published in *George Washington Law Review* ([Zick](#)), *William & Mary Law Review* ([Sovern](#)), *University of Miami Law Review* ([Margulies](#)), *Fordham Journal of Corporate & Financial Law* ([Di Lorenzo](#)), *Pace Law Review* ([Facciolo](#)), *Journal of Catholic Legal Studies* ([Stabile](#)), *Journal of National Security Law & Policy* ([Margulies](#)), *University of St. Thomas Law Journal* ([Gregory](#))

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



Professor Alexander has been invited to speak at the 2006 Judicial Conference of the Second Circuit, which will be held in September. His discussion of federal evidence developments within the Second Circuit will follow Justice Ruth Bader Ginsburg's report on the Second Circuit's track record in the Supreme Court during the past term. In April, Professor Alexander delivered a lecture on the Federal Rules of Evidence for the Enforcement Division of the New York Stock Exchange; and in May he provided an evidence update for the Surrogates Association of the State of New York.

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

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

John Q. Barrett, Professor of Law



On April 10, Professor Barrett was interviewed by the U.K.'s [Astraea Magazine Web Radio](#) regarding his book [That Man](#) (the interview is available [here](#)). On April 21-22, Professor Barrett attended and was a principal speaker at a Harvard Law School conference, [Criminal Procedure Stories: Challenges in Constitutional Criminal Procedure Past, Present & Future](#), held in conjunction with the publication of [Criminal Procedure Stories](#) (Foundation Press) containing his chapter on *Terry v. Ohio*. And on April 28, he moderated a [Robert H. Jackson Center roundtable](#) on the Jehovah's Witnesses/flag salute case, *West Virginia State Board of Education v. Barnette* (1943), featuring litigants Gathie Barnett Edmonds and Marie Barnett Snodgrass, joined by Bennett Boskey, who clerked for Justice Harlan Stone at the time of the case.

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

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



Professor Baynes saw his work on two different conferences come to fruition. First, he organized a two-day conference titled *Rethinking the Discourse on Race: A Symposium on How the Lack of Racial Diversity in the Media Affects Social Justice and Policy*. This interdisciplinary conference brought together approximately 100 academics, policy professionals, and media activists to discuss issues of media justice, especially the absence of fair and accurate representations of people of color in the broadcast, cable, print, and online media. In addition to hosting the conference, Professor Baynes moderated a panel on "Race, Media, and Re-Conceptualizing Regulation and the First Amendment." The conference was sponsored by the [Ronald H. Brown Center for Civil Rights and Economic Development](#) and was supported by a substantial grant from the Ford Foundation's [Knowledge, Creativity and Freedom Program](#). The papers from the conference will be published in an upcoming issue of the *St. John's Law Review*. A full description of the two-day event, including a photo gallery, is available [here](#).

Second, the papers from the Ronald H. Brown Center's conference on [The LSAT, U.S. News & World Report and Minority Admissions](#) were published in a symposium issue of the *St. John's Law Review* along with an introduction by Professor Baynes. Even before the papers were published, some of the conference's findings about the declining numbers of black law school students had received national media attention, including in *USA Today* and on CBS News. Continuing his work on minority admissions, Professor Baynes also participated in a recent ABA/LSAC Strategic Planning Meeting.

Professor Baynes also kicked off the Brown Center's [2006 Summer Law School Prep Program](#) by hosting an orientation dinner for the college students involved in this innovative "pipeline" program. Professor Baynes was also featured in a *Daily News* article about the program.

Finally, Professor Baynes attended his first meeting as a member of the board of Common Cause, where he was elected Vice Chair of the nominating committee and a member of the Executive Committee.

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

Charles E. Biblowit, Professor of Law



Professor Biblowit helped organize the *New York International Law Review's* symposium titled "[The War on Financing International Terrorism: On the Frontlines.](#)" The symposium, which was moderated by Professor Christopher Borgen, was co-sponsored by the law school and the NYSBA International Law & Practice Section. The event was held at St. John's Manhattan campus.

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

Christopher J. Borgen, Assistant Professor of Law



On May 2, the Association of the Bar of the City of New York issued [Thawing a Frozen Conflict: Legal Aspects of the Separatist Conflict in Moldova.](#) Professor Borgen was the principal author of the 97-page report, which analyzes the international legal issues raised by a separatist conflict in Moldova. The report was the result of a year-long study sponsored by the City Bar, which included a ten-day fact-finding mission to Moldova, a former Soviet republic located between Romania and Ukraine. More information is available about the report on the St. John's website ([here](#)) and on the City Bar website ([here](#)).

Following the release of the Moldova report, Professor Borgen was appointed chairperson of the bar association's United Nations Committee of the New York City Bar, which monitors developments at the UN and related agencies and sponsors programs and issues reports concerning the UN. He was also named to the Council of International Affairs, a coordinating body for the international activities of the bar association as a whole.

In addition, the [American Society of International Law](#) has appointed Professor Borgen to its Honors Committee. The Committee proposes the recipients of three awards: the Manley O. Hudson Medal "for preeminent scholarship and achievement in international law and in the promotion of the establishment and maintenance of international relations on the basis of law and justice"; the Goler T. Butcher Medal "for outstanding contributions to the development or effective realization of international human rights law"; and the Honorary Membership, awarded to a person who is not a U.S. citizen, "for rendering distinguished contributions or service in the field of international law."

Finally, Professor Borgen moderated the *New York International Law Review's* symposium titled "[The War on Financing International Terrorism: On the Frontlines.](#)"

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

Gina M. Calabrese, Assistant Professor of Clinical Education



On three separate occasions in May, Professor Calabrese brought the work of the Elder Law Clinic outside the law school. First, at the [2006 AALS Conference on Clinical Legal Education](#) in New York City, Professor Calabrese and Professor Ann Goldweber discussed the Elder Law Clinic's work in Queens as part of a panel titled "Collaboration with Other Legal Service Providers." Second, Professor Calabrese spent two days serving as a trainer for a [Financial Management Teacher Training Program](#) sponsored by the [Coalition for Consumer Bankruptcy Debtor Education](#). The Program trains a variety of service providers who work with consumers overwhelmed by debt. And third, Professor Calabrese organized and moderated a continuing legal education program on Predatory Lending for the Queens Chapter of the Women's Bar Association of the State of New York.

Elaine M. Chiu, Assistant Professor of Law



On April 7, Professor Chiu opened the Conference of Asian Pacific American Law Faculty (CAPALF) at Wayne State University School of Law with a presentation of her paper [Culture As Justification, Not Excuse](#), which had been selected as the winner of the inaugural [CAPALF Scholarly Paper Competition](#). Following the conference, the paper was accepted for publication in Georgetown's *American Criminal Law Review*.

On May 20, Professor Chiu attended the 2006 Northeast Regional Conference of the National Asian Pacific American Bar Association held in New York City. The theme of the conference was [Leader Among Us: Asian American Women](#).

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

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



Dean Daly's speaking engagements included the law school's program "Color of Justice," a St. John's Law School program designed to encourage high school-aged girls from underrepresented groups to consider careers in the law; the ABA Section on International Law's program "U.S. Lawyers Abroad: Running the Ethical Gauntlet"; the St. John's Law School's Alumnae Chapter program "Ethical Issues in Corporate Law Practice"; and the New York State Bar Association's program "Professionalism Issues in the Practice of Law."

Dean Daly also received two new appointments: as a Director of the Fund for Modern Courts, and as a member of the American Society of International Law's Task Force on the professional responsibility of international lawyers.

[Profile of Dean Daly](#) • [Publications](#)

Vincent Di Lorenzo, Professor of Law



Professor Di Lorenzo presented his paper *Federalism, Preemption and Consumer Protection: A Case for Heightened Judicial Review*, at the Spring Meeting of the Business Law Section of the American Bar Association in Tampa. The paper examines the decision of the federal banking agencies to preempt state consumer protection and fair lending laws. In addition, his article [*Does the Law Encourage Unethical Conduct in the Securities Industry?*](#) was published at 11 *Fordham Journal of Corporate & Financial Law* 765.

[Profile of Prof. Di Lorenzo](#) • [Publications](#)

Francis J. Facciolo, Assistant Professor of Legal Writing



Professor Facciolo's article [*A Broker's Duty of Best Execution in the Nineteenth and Early Twentieth Centuries*](#) was published at 26 *Pace Law Review* 155.

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

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



On April 27, Professor Goldweber gave a presentation on predatory lending practices and foreclosure rescue scams at the Robert Couche Senior Center in Queens. On May 3, she and Professor Gina Calabrese discussed their work in the Elder Law Clinic as part of a panel titled "Collaboration with Other Legal Service Providers" at the [2006 AALS Conference on Clinical Legal Education](#) in New York City. And on May 18, Professor Goldweber gave a presentation to the Queens Women's Bar Association titled *Predatory Lending and Foreclosure Rescue Scams*.

Finally, a television program featuring Professor Goldweber, Elder Law Clinic student Joshua Lieberman '06, and an Elder Law Clinic client aired on Queens Public Access television. Titled "[Elder Abuse](#)," the program was sponsored by the *Queens Journal* and was designed to educate senior citizens about predatory lending practices.

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

David L. Gregory, Professor of Law



Professor Gregory's article [*Antoine Frederic Ozanam: Building the Good Society*](#) was published at 3 *University of St. Thomas Law Journal* 21. Professor Gregory also made two presentations: he presented his paper *The Ominous Outsourcing of Irish Jobs* at the Irish Association of Law Teachers' Annual Meeting in Cork, Ireland; and he participated in a panel titled "Military Personnel and Civilian Employment Rights" as part of a program sponsored by the Industrial Relations Research Association in New York City.

Finally, Professor Gregory was a frequent media commentator on labor and employment issues, including in *The New York Times*, in the *Daily News*, in *Workforce Management*, and on WNBC News.

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

Theresa A. Hughes, Assistant Professor of Clinical Education



Professor Hughes' article *The Neglect of Children and Culture: Responding to Child Maltreatment with Cultural Competence* was accepted for publication in [Family Court Review](#), the journal of the Association of Family and Conciliation Courts. The article reviews Lisa Aronson Fontes' new book [Child Abuse and Culture: Working with Diverse Families](#).

Professor Hughes also delivered a poster presentation titled "University-Wide Collaboration" at the [2006 AALS Conference on Clinical Legal Education](#), guest lectured at Albany Law School's Children and the Law Seminar, and launched the first Clinical Teaching Fellowship for the law school's Child Advocacy Clinic.

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

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



On April 4, in a ceremony at the New York County Lawyers Association in lower Manhattan, Professor Joseph received the Association's third "Law and Literature Award." Prior recipients of the Award are the lawyer-novelists Louis Auchincloss and Louis Begley. Dean Daly introduced Professor Joseph, who then delivered remarks, excerpts of which were published in the [New York County Lawyer](#).

Professor Joseph's writing continued to receive critical attention in both legal and literary circles. *Lawyerland* was featured in Mark Sargent's article *The Moral World of Corporate Lawyers* in *The Georgetown Journal of Legal Ethics*; his poetry was featured in Michael Stanford's essay [The Cyclopean Eye, the Courtly Game, Admissions Against Interest: Five Modern American Lawyer Poets](#) in *The Legal Studies Forum*; his writing was featured in Michigan Law School's *Law Quadrangle Notes*; and his two most recent books of poetry were reviewed by Regan Upshaw in *The Bloomsbury Review*.

Professor Joseph also made several appearances: on April 11, he gave a poetry reading at St. John's University's at the invitation of the Department of English; on April 17, he read and discussed his poetry on "[The Speakeasy](#)" on WFMU-FM; on April 20, he read from his poetry at the University of Michigan's Dearborn campus; and on April 26, he was one of several writers who read from *Voices from Chernobyl: The Oral History of Nuclear Disaster*, by Svetlan Alexievitch, in an event at Housing Works in New York City, co-sponsored by the PEN World Voices Festival and the National Book Critics Circle.

Finally, Professor Joseph's poetry was included in several new publications, including most notably the new [The Oxford Book of American Poetry](#), described by Oxford University Press as "the definitive anthology of American poetry for our time ... a stunning collection [that] redefines the great canon of American poetry from its origins in

the 17th century right up to the present." Professor Joseph's poems were also included in *The Legal Studies Forum* and in [*The Hopwood Awards: 75 years of Prized Writing*](#), a collection of "poetry and prose by renowned writers who won Hopwood Awards when they were students at the University of Michigan," published by the University of Michigan Press.

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

Paul F. Kirgis, Professor of Law



Professor Kirgis's article [*The Contractarian Model of Arbitration and Its Implications for Judicial Review of Arbitral Awards*](#) was accepted for publication by the *Oregon Law Review*.

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

Peter S. Margulies, Visiting Professor of Law



Professor Margulies saw two articles in print: *Beyond Absolutism: Legal Institution in the War on Terror* was published at 60 *University of Miami Law Review* 309, and [*Risk, Deliberation, and Professional Responsibility*](#) was published at 1 *Journal of National Security Law & Policy* 357 as a foreword to a symposium on "Lawyers' Roles and the War on Terror." In addition, Professor Margulies presented his paper [*Lawyers' Independence and Collective Illegality*](#) at an April 10 faculty colloquium, and his comments on antiterrorism laws and criminal prosecution appeared in the *New York Times*.

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

Michael A. Perino, Professor of Law



Professor Perino presented his paper [*Markets and Monitors: The Impact of Competition and Experience on Attorneys' Fees in Securities Class Actions*](#) at the 2006 Annual Meeting of the [*American Law and Economics Association*](#) in Berkeley, California. In addition, his paper [*Strategic Decision Making in Federal District Courts: Evidence from Securities Fraud Actions*](#) was accepted for publication by the [*Journal of Empirical Legal Studies*](#), a peer-reviewed journal based at Cornell Law School.

Professor Perino was also quoted in a *New York Sun* article about attorney's fees in the Enron litigation and in a *Los Angeles Times* article about class actions against investment banks.

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

Rosemary C. Salomone, *Kenneth Wang Professor of Law*



Professor Salomone participated in an expert panel meeting, held in Washington, D.C., to review the final report on a comprehensive research study, funded by the Department of Education, on single-sex schooling. She was also a frequent media commentator on issues involving single-sex education, including in the *Sunday Herald* (London), in the *Richmond Times-Dispatch*, in an article distributed by the Media General News Service, and on the “State of Things,” a public radio program broadcast in Chapel Hill, North Carolina.

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

Andrew J. Simons, *Associate Academic Dean*



At the [ABA's Conference for Associate Deans](#) in Colorado, Associate Dean Simons participated in two panel discussions titled "Managing for Mission," where he discussed the law school's five-year financial plan.

[Profile of Associate Dean Simons](#)

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



Professor Simons organized and hosted the Catholic School Middle Level Mock Trial Program, which brought together over 120 students – mostly Seventh and Eighth Graders – to try their hands at being prosecutors, defense lawyers, and witnesses. The program, which was sponsored as part of St. John's “pipeline” initiative to increase diversity in law school, included sixteen teams from nine different Catholic grade schools on Long Island. The program was judged by St. John's alumni and faculty, including Professors Victoria Brown-Douglas, Theresa Hughes, and Margaret Turano. More information about this program, including a photo gallery, is available [here](#).

Professor Simons also participated in a multi-day, invitation-only roundtable on Catholic Social Thought and the Law at Fordham University School of Law,

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

Jeff Sovern, *Professor of Law*



Professor Sovern's article [Towards a New Model of Consumer Protection: The Problem of Inflated Transaction Costs](#) was published at 47 *William & Mary Law Review* 1635 (2006). In addition, Professor Sovern spoke at a conference titled [Teaching Consumer Law: The Past, Present and Future of Consumer Law](#) presented by the Center for Consumer Law at the University of Houston Law Center. Professor Sovern's panel, which

opened the conference, addressed consumer law teaching materials, and he discussed the forthcoming casebook he is co-authoring for Thomson/West.

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

Susan J. Stabile, *Professor of Law*



Professor Stabile's essay *Catholic Legal Thought* was published at 44 *Journal of Catholic Legal Studies* 421. Professor Stabile also had two speaking engagements: on May 16, she moderated a day-long program on death and dying for the Catholic Healthcare Administrative Personnel Program; and on May 18-19, she served as program co-chair and one of the two overall moderators for the [2006 NYU Annual Conference on](#)

[Labor](#).

Professor Stabile also participated in a multi-day, invitation-only roundtable on Catholic Social Thought and the Law at Fordham University School of Law, where she was elected to the Executive Committee of the newly formed Conference on Catholic Legal Thought. Finally, after several years of study and preparation, Professor Stabile received her commission as a spiritual director.

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

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



Professor Brian Tamanaha made two high-profile international appearances. First, on April 24, he delivered the opening address to an "Expert Seminar on the Rule of Law" convened by the [Hague Institute on the Internationalisation of Law](#). Other participants in the Expert Seminar included high level officials of the World Bank, the United Nations Development Fund, Amnesty International, and numerous other international legal development organizations. More information about this event is available [here](#).

Second, on May 31, he delivered the plenary address to the [7th Congress of the European Association of Legislation](#), an annual meeting hosted by the [Academy for Legislation](#) in The Hague that brings together hundreds of European national legislators and their staffs. At both appearances, Professor Tamanaha's talk centered on the themes developed in his recent book [On the Rule of Law: History, Politics, Theory](#), which was published by Cambridge University Press in 2004.

Closer to home, Professor Tamanaha also gave presentations at the [Berkeley Center for the Study of Law and Society](#), at a Stanford Law School faculty workshop, at DePaul University College of Law's 12th Annual Clifford Symposium, and at the annual meeting of the [New England Political Science Association](#), which devoted an entire panel to his book *On the Rule of Law*.

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

Nelson Tebbe, *Assistant Professor of Law*



Professor Tebbe presented his paper *Witchcraft and Statecraft: Democracy and the Occult After Apartheid* at the New York Junior Faculty Colloquium, held at Fordham Law School. He was also a guest blogger on www.prawfsblawg.com for two weeks during the month of April.

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

Philip Weinberg, *Professor of Law*



Professor Weinberg organized and ran a one-week intensive course in environmental law at NYU's Robert F. Wagner Graduate School of Public Service.

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

Timothy Zick, *Associate Professor of Law*



Professor Zick's article [*Space, Place, and Speech: The Expressive Topography*](#) was published at 74 *George Washington Law Review* 439.

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