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Rakesh K. Anand
Professor of Law

Forthcoming

A Professionally Responsible Supreme Court? 74 CASE W. RES. L. REV. ____ (forthcoming 2024).

Law Review and Other Scholarly Articles

Reasoning About Faith: On the Religious Lawyer, 16 FIU L. REV. 259 (2022).

Resisting Commercialism, 40 FORDHAM URB. L.J. 369 (2012). Conference on The Law: Business or Profession: The Continuing Relevance of Julius Henry Cohen for the Practice of Law in the Twenty-First Century.

Advancing the Cultural Study of the Lawyer: Developing Three Philosophical Claims and Introducing a New Comparative Normative Inquiry, 3 WASH. U. JURIS. REV. 107 (2010). Selected for presentation, 3rd Annual Washington University Jurisprudence Review Colloquium.

The Role of the Lawyer in the American Democracy, 77 FORDHAM L. REV. 1611 (2009).

Legal Ethics, Jurisprudence, and the Cultural Study of the Lawyer, 81 TEMP. L. REV. 737 (2008). Alternate, 2008 AALS Section on New Law Professors' Call for Papers.

Toward an Interpretive Theory of Legal Ethics, 58 RUTGERS L. REV. 653 (2006).

Contemporary Civil Litigation and the Problem of Professional Meaning: A Jurisprudential Inquiry, 13 GEO. J. LEGAL ETHICS 75 (1999).

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Forthcoming

INCLUSIVE CAPITALISM AND FREEDOM (forthcoming 2024).

Inclusive Capitalism, in TOWARD A MORE SCIENTIFIC ECONOMICS (forthcoming).

Books

TECHNOLOGY, GLOBALIZATION, AND SUSTAINABLE DEVELOPMENT (*Contributing author, with NICHOLAS A. ASHFORD & RALPH P. HALL*) (2018).

HISTORY OF ECONOMIC THOUGHT: A CONCISE TREATISE FOR BUSINESS, LAW, AND PUBLIC POLICY, VOLUME 1: FROM THE ANCIENTS THROUGH KEYNES (*with STEFAN PADFIELD*) (2017).

HISTORY OF ECONOMIC THOUGHT: A CONCISE TREATISE FOR BUSINESS, LAW, AND PUBLIC POLICY VOLUME 2: AFTER KEYNES, THROUGH THE GREAT RECESSION AND BEYOND (*with STEFAN PADFIELD*) (2017).

BINARY ECONOMICS: THE NEW PARADIGM (*with RODNEY SHAKESPEARE*) (1999).

Law Review and Other Scholarly Articles

The Case for a More Inclusive Capitalism by Democratizing the Institutions of Corporate Finance with the Future Earnings of Capital, 53 U. PAC. L. REV. 9 (2021).

Universal Basic Income and Inclusive Capitalism: Consequences for Sustainability (*with Ralph P. Hall, Nicholas A. Ashford & Johan Arango-Quiroga*), 11 SUSTAINABILITY 4481 (2019), <https://www.mdpi.com/2071-1050/11/16/4481>.

Introduction to Socio-Economics: An Ethical Foundation for Law-Related Economic Analysis, 49 AKRON L. REV. 287 (2016).

The General Theory of Second Best – An Overview, 49 AKRON L. REV. 433 (2016).

Why Working But Poor? The Need for Inclusive Capitalism, 49 AKRON L. REV. 507 (2016).

Enhancing Poor and Middle Class Earning Capacity with Stock Acquisition Mortgage Loans, (*with Demetri Kantarelis*), 11 ECON. MGMT. & FIN. MKTS. 11 (2016).

Unutilized Productive Capacity, Binary Economics and the Case for Broadening Capital Ownership, 10 ECON. MGMT. & FIN. MKTS 11 (2015).

Beyond Austerity and Stimulus: Democratizing Capital Acquisition with the Earnings of Capital as a Means to Sustainable Growth, 36 J. OF POST-KEYNESIAN ECON. 179 (2013).

The Crisis in Employment and Consumer Demand: Reconciliation with Environmental Sustainability (with Nicholas A. Ashford and Ralph P. Hall), 2 ENVTL. INNOVATION & SOCIETAL TRANSITIONS 1 (2012).

Economics, Democracy, and the Distribution of Capital Ownership, 40 F. SOC. ECON. 361 (2011).

Milton Friedman's Capitalism and Freedom: A Binary Economic Critique, 44 J. ECON. ISSUES 533 (2010).

Using Socio-Economics and Binary Economics to Serve the Interests of Poor and Working People: What Critical Schools Can Do to Help, 8 SEATTLE J. SOC. JUST. 173 (2010).

Broadening the Right to Acquire Capital with the Earnings of Capital: the Missing Link to Sustainable Economic Recovery and Growth, 39 F. SOC. ECON. 89 (2010).

Empowering People with the Right to Acquire Capital with the Earnings of Capital: A Binary Approach to the Economic Empowerment of Subordinated People, 20 ST. THOMAS L. REV. 538 (2008).

Capital Democratization (with Demetri Kantarelis), 37 J. SOCIO-ECONOMICS 1624 (2008).

Universalizing the Right to Acquire Capital with the Earnings of Capital: Binary Economic Strategies for Empowering Poor and Working People and Achieving More Sustainable Growth, 1 GLOBAL BUS. & ECON. ANTHOLOGY 235 (2007).

Memo On Binary Economics to Attorneys for Women and People of Color Re: What Else Can Public Corporations Do For Your Clients?, 79 ST. JOHN'S L. REV. 1221 (2005).

What is Socio-Economics?, 41 SAN DIEGO L. REV. 5 (2004)

Socio-Economics and Professional Responsibility in Teaching Law-Related Economic Issues, 41 SAN DIEGO L. REV. 133 (2004).

The Socio-Economic Foundation of Corporate Law and Corporate Social Responsibility, 76 TUL. L. REV. 1187 (2002).

Binary Economics, Fiduciary Duties and Corporate Social Responsibility: Comprehending Corporate Wealth Maximization for Stockholders, Stakeholders, and Society, 76 TUL. L. REV. 1531 (2002).

A New Market Paradigm for Sustainable Growth: Financing Broader Capital Ownership with Louis Kelso's Binary Economics, 14 PRAXIS 25 (1998).

Socio-Economics: What Is Its Place in Law Practice?, 1997 WIS. L. REV. 611 (1997).

Louis Kelso's Binary Economy, 25 J. SOCIO-ECONOMICS 1 (1996).

The Binary Economics of Louis Kelso: The Promise of Universal Capitalism, 22 RUTGERS L. J. 3 (1990).

Take What You Have Gathered From Coincidence: The Importance of Uncertainty Analysis, 66 B.U. L. REV. 943 (1986).

Implied Causes of Action Under Federal Laws: Calling the Court Back to Borak, 79 NW. U. L. REV. 227 (1984).

Evaluating the Potential Use of a Consumer Stock Ownership Plan for Financing the Capital Requirements of Public Utilities, PROCEEDINGS OF FOURTH NARUC BIENNIAL REGULATORY INFORMATION CONFERENCE, Ohio State University (1984).

Negligence vs. No-Fault Liability: An Analysis of the Workers' Compensation Example, (with William G. Johnson) 12 SETON HALL L. REV. 725 (1982).

Presumptions, Assumptions and Due Process in Criminal Cases: A Theoretical Overview (with D. Michael Risinger) 79 YALE L.J. 165 (1969).

Book Chapters

Financing Development (with Nicholas A. Ashford and Ralph P. Hall) in TECHNOLOGY, GLOBALIZATION, AND SUSTAINABLE DEVELOPMENT: TRANSFORMING THE INDUSTRIAL STATE (Nicholas A. Ashford and Ralph P. Hall eds. 2011).

Binary Economics, in ENCYCLOPEDIA OF LAW AND SOCIETY (David S. Clark ed. 2007).

Socioeconomics, in ENCYCLOPEDIA OF LAW AND SOCIETY (David S. Clark ed. 2007).

The Binary Economics of Louis Kelso: A Democratic Private Property System for Growth and Justice, in CURING WORLD POVERTY: THE NEW ROLE OF PROPERTY, (John H. Miller ed. 1994).

Banks and Securities Regulation Supplement, in BANKING LAW (1993).

Residential Property Used for Business and Vacation Home, in CCH FEDERAL TAX SERVICE (1989).

Reports to Governmental Bodies and Professional Associations

Report to the Ozarks Regional Commission, Department of Commerce, and the Governor of the State of Louisiana on Increasing Economic Development Activity through the Broadening of Capital Ownership: A six-month study of the laws, institutions, policies, public and private, in Louisiana areas including banking, insurance, industrial inducement bonding, taxation, public utilities and resource development (1977).

Reports, News, and Commentary

Broadening Capital Acquisition with the Earnings of Capital as a Means of Sustainable Growth and Environmental Sustainability (with Nicholas A. Ashford and Ralph P. Hall), EUR. FIN. REV. (Oct. – Nov. 2012) <http://www.europeanfinancialreview.com/?p=1321> (last visited Sept. 4, 2017).

Addressing the Crisis in Employment and Consumer Demand: Reconciliation with Environmental and Financial Sustainability (with Nicholas A. Ashford and Ralph P. Hall), EUR. FIN. REV. (Oct. – Nov. 2012) <http://www.europeanfinancialreview.com/?p=1317> (last visited Sept. 4, 2017).

Binary Economics: The Economic Theory That Gave Rise to ESOPs 19 OWNERS AT WORK 12 (2007).

ESOP: What It Can Do For You? AMERICAN AUTOMATIC MERCHANDISER (1977).

Book Reviews

A Socio-Economic Approach to Control Fraud and the Assumption of Capital Market Efficiency, 36 J. SOCIO-ECONOMICS 978 (2007) (reviewing WILLIAM K. BLACK, *THE BEST WAY TO ROB A BANK IS TO OWN ONE: HOW CORPORATE EXECUTIVES AND POLITICIANS LOOTED THE S&L INDUSTRY* (2005)).

Points of Rebellion – A Systemic Analysis, BRIEF/CASE 1 (1970) (reviewing WILLIAM O. DOUGLAS, *POINTS OF REBELLION* (1969)).

Hon. James E. Baker
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Forthcoming

Artificial Intelligence (with Laurie Hobart), in REFERENCE MANUAL ON SCIENTIFIC EVIDENCE (4th ed.) (forthcoming 2024).

Stepladders and Pole Vaults: A Guide to National Security Legal Positions and Careers (forthcoming 2024).

AI and the Future of Power, 51 AM. REV. PUB. ADMIN. __ (reviewing DARRELL M. WEST & JOHN R. ALLEN, TURNING POINT: POLICY MAKING IN THE ERA OF ARTIFICIAL INTELLIGENCE).

Books

AN INTRODUCTION TO ARTIFICIAL INTELLIGENCE FOR FEDERAL JUDGES (*with* LAURIE N. HOBART & MATTHEW MITTELSTADT) (2023).

THE CENTAUR'S DILEMMA: NATIONAL SECURITY LAW FOR THE COMING AI REVOLUTION (2020).

IN THE COMMON DEFENSE: NATIONAL SECURITY LAW FOR PERILOUS TIMES (2007).

REGULATING COVERT ACTION: PRACTICES, CONTEXTS, AND POLICIES OF COVERT COERCION ABROAD IN INTERNATIONAL AND AMERICAN LAW (*with* W. MICHAEL REISMAN) (1992).

Law Review and Other Scholarly Articles

Staying Left of Boom: The Central and Essential Role of the NSC, 12 J. NAT'L SECURITY L. & POL'Y 15 (2021).

From Shortages to Stockpiles: How the Defense Production Act Can Be Used to Save Lives, Make America the Global Arsenal of Public Health, and Address the Security Challenges Ahead, 11 J. NAT'L SECURITY L. & POL'Y 157 (2020).

Leadership in a Time of Pandemic: Act Well the Given Part, 11 J. NAT'L SECURITY L. & POL'Y 1 (2020).

National Security Law & Emerging Technologies: Toward a Decisional Framework – Key Takeaways from the ABA-OSU Symposium and Jirga, 15 I/S: J.L. & POL'Y FOR INFO. SOC'Y 65 (2019).

What Process is Due? The Role of Judging in National Security, 67 RUTGERS U. L. REV. 1523 (2015).

Is Military Justice Sentencing on the March? Should it be? And, if so, Where Should it Head? Court-Martial Sentencing Process, Practice, and Issues, 27 FED. SENT'G REP. 72 (2014).

The Importance of Building Fires: Lessons Learned as a Judge on the United States Court of Appeals for the Armed Forces, 15 J. APP. PRAC. & PROCESS 201 (2014).

Process, Practice, and Principle: Teaching National Security Law and the Knowledge that Matters Most, 27 GEO. J. LEGAL ETHICS 163 (2014).

The Master Mason: How Professor Baldus Built a Bridge from Learning to Law and the Legacy of Equal Justice He Leaves Behind, 97 IOWA L. REV. 1871 (2012).

Jupiter as Everyman: Michael Reisman and the Scholar as Teacher, 34 YALE J. INT'L L. 553 (2009).

What's International Law Got to Do With It? Transnational Law and the Intelligence Mission, 28 MICH. J. INT'L L. 639 (2007).

Internet Pandemic? The Not-So-Secret and Expanding World of Child Pornography (with Melanie Krebs-Pilotti), FED. LAW., June 2006, at 50.

Letter of Appreciation: Peter Murphy Retires After a Lifetime of Dedication as Counsel to the Commandant of the Marine Corps, FED. LAW., May 2005, at 46.

LBJ's Ghost: A Contextual Approach to Targeting Decisions and the Commander in Chief, 4 CHI. J. INT'L L. 407 (2003).

Constitutional Dignity and the Criminal Law, 174 MIL. L. REV. 125 (2002).

National Security Process and a Lawyer's Duty: Remarks to the Senior Judge Advocate Symposium, 173 MIL. L. REV. 124 (2002).

When Lawyers Advise Presidents in Wartime: Kosovo and the Law of Armed Conflict, 55 NAVAL WAR C. REV. 11 (2002).

Book Chapters

Leadership in a Time of Pandemic: Act Well the Given Part, in COVID-19: THE LEGAL CHALLENGES (Stephen Dycus & Eugene R. Fidell eds., 2021).

From Shortages to Stockpiles: How the Defense Production Act Can be Used to Save Lives, Make America a Global Arsenal of Public Health, and Address the Security Challenges Ahead, in COVID-19: THE LEGAL CHALLENGES (Stephen Dycus & Eugene R. Fidell eds., 2021).

Are We Ready: Regulating Military Uses of AI, in *THE LAW OF ARTIFICIAL INTELLIGENCE AND SMART MACHINES: UNDERSTANDING A.I. AND THE LEGAL IMPACT* (Theodore F. Claypoole ed., 2019).

The Perfect Sentinel: AI Military Applications and Implications, in *THE LAW OF ARTIFICIAL INTELLIGENCE AND SMART MACHINES: UNDERSTANDING A.I. AND THE LEGAL IMPACT* (Theodore F. Claypoole ed., 2019).

Preface, *From Horses to Hammers: Homeland Security in Law, Doctrine, and Text* (with Harvey Rishikof), Preface to *THE SOURCEBOOK OF PUBLIC-PRIVATE PARTNERSHIPS FOR SECURITY AND RESILIENCE: A COMPENDIUM OF LAWS AND POLICY DOCUMENTS* (Susan Ginsburg et al. eds., 2018).

Foreword to *THE U.S. INTELLIGENCE COMMUNITY LAW SOURCEBOOK* (Andrew Borene et al. eds., 6th ed. 2017).

From Cold War to Long War to Gray War: Covert Action in U.S. Legal Context, in *ESSENTIALS OF STRATEGIC INTELLIGENCE* (Loch K. Johnson ed., 2015).

Foreword to *MILITARY RULES OF EVIDENCE MANUAL* (STEPHEN A. SALZBURG, LEE D. SCHINASI, DAVID A. SCHLUETER & VICTOR M. HANSEN) (2015) (8th ed. 2015).

National Security Process: Constitutional Context, Presidential Process, and the Role of the Lawyer, in *NATIONAL SECURITY LAW & POLICY* (John Norton Moore et al. eds., 3rd ed. 2015).

Fair Justice – Fair Order: The Why, the What, the How, and Maybe even the Whether of Military Justice, *Foreword* to *COURT-MARTIAL PROCEDURE* (FRANCIS A. GILLIGAN & FREDERIC I. LEDERER) (4th ed. 2015).

Foreword to *ANTICIPATIVE CRIMINAL INVESTIGATION: THEORY AND COUNTERTERRORISM PRACTICE IN THE NETHERLANDS AND THE UNITED STATES* (MARIANNE F.H. HIRSCH BALLIN) (2012).

Exercising Discretion in the Middle Grey: Model Rules and Role Models in the Ethical Practice of National Security Law, in *U.S. INTELLIGENCE COMMUNITY LAW SOURCEBOOK* (Andrew M. Borene ed., 3rd ed. 2012).

Prelude to Decision: Michael Reisman, the Intelligence Function, and a Scholar's Study of Intelligence in Law, Process, and Values, in *LOOKING TO THE FUTURE: ESSAYS ON INTERNATIONAL LAW IN HONOR OF W. MICHAEL REISMAN* (Mahnoush H. Arsanjani et al. eds., 2011).

Covert Action: United States Law in Substance, Process, and Practice, in *THE OXFORD HANDBOOK OF NATIONAL SECURITY INTELLIGENCE* (Loch K. Johnson ed., 2010).

From Cold War to Long War: Covert Action in U.S. Legal Context, in *3 STRATEGIC INTELLIGENCE* (Loch K. Johnson ed., 2007).

National Security Process: Process, Decision, and the Role of the Lawyer, in NATIONAL SECURITY LAW (John Norton Moore & Robert F. Turner eds., 2nd ed. 2005.)

Reports, News, and Commentary

AI for Judges: A Framework (with Laurie N. Hobart & Matthew G. Mittelsteadt), CSET POLICY BRIEF (Ctr. for Security & Emerging Tech., Walsh Sch. of Foreign Service., Geo. U.), Dec. 2021, <https://cset.georgetown.edu/publication/ai-for-judges/>.

National Security Law and the Coming AI Revolution: Observations from a Symposium Hosted by Syracuse University Institute for Security Policy and Law and Georgetown Center for Security and Emerging Technology, Oct. 29, 2020 (with Laurie Hobart, Matt Mittelsteadt, and John Cherry) (2021), <https://cset.georgetown.edu/wp-content/uploads/Symposium-Report-National-Security-Law-and-the-Coming-AI-Revolution.pdf>.

Ethics and Artificial Intelligence: A Policymaker's Introduction, CSET POLICY BRIEF (Ctr. for Security & Emerging Tech., Walsh Sch. of Foreign Service, Geo. U.), Apr. 2021, <https://cset.georgetown.edu/publication/ethics-and-artificial-intelligence/>.

A DPA for the 21st Century: Securing America's AI National Security Innovation Base, CSET POLICY BRIEF (Ctr. for Sec. & Emerging Tech, Walsh Sch. of Foreign Serv., Georgetown Univ.), Apr. 2021, <https://cset.georgetown.edu/publication/a-dpa-for-the-21st-century/>.

Good Governance Paper No. 21: Obedience to Orders, Lawful Orders, and the Military's Constitutional Compact, JUST SECURITY, Nov. 2, 2020, <https://www.justsecurity.org/73221/good-governance-paper-no-21-obedience-to-orders-lawful-orders-and-the-militarys-constitutional-compact/>.

Opinion, *It's High Time We Fought This Virus the American Way*, N.Y. TIMES, Apr. 3, 2020, <https://www.nytimes.com/2020/04/03/opinion/defense-protection-act-covid.html>.

Use the Defense Production Act to Flatten the Curve, JUST SECURITY, Mar. 20, 2020, <https://www.justsecurity.org/69275/use-the-defense-production-act-to-flatten-the-curve/>

Between Hacks and Hostilities: Are the US Government and Private Sector Ready for Persistent Engagement?, A.B.A. J., May 9, 2019, <https://www.abajournal.com/news/article/between-hacks-and-hostilities-are-the-us-government-and-private-sector-ready-for-persistent-engagement>.

Artificial Intelligence and National Security Law: A Dangerous Nonchalance, STARR FORUM REP. (MIT Center for Int'l Stud.), May 25, 2018, <https://cis.mit.edu/publications/starr-forum-report/18-01-report>.

The Future of the U.S. Military Commissions: Legal and Policy Issues (with Laura Dickinson), JUST SECURITY, May 8, 2018, <https://www.justsecurity.org/55865/future-u-s-military-commissions-legal-policy-issues/>.

The U.S. Military Commissions: Looking Forward (with Laura Dickinson), Report, ABA, Standing Committee on L. & Nat'l Security (2018), available at:

https://www.americanbar.org/content/dam/aba/administrative/law_national_security/ABAMilitaryCommissionsWorkshopFINAL.pdf.

The NSC in Transition: Organizing the National Security Council, Process, and Staff in the Next Administration, 1 GOVERNMENT, PROCESS & STRUCTURE PROJECT (ABA, Standing Committee on L. & Nat'l Security) 5 (2017), available at: https://www.americanbar.org/groups/public_services/law_national_security/resources/gov_process_structure.html (last visited April 22, 2019).

The Twenty Year Test: Principles for an Enduring Counterterrorism Legal Architecture, 2 ADVANCE: J. OF THE ACS ISSUE GROUPS (Am. Const. Soc'y for L. & Pol'y), Fall 2008, at 21, available at: <https://www.acslaw.org/journal/advance-fall-2008/> (last visited April 22, 2019).

A Running Start: Getting "Law Ready" During a Presidential Transition, ABA NAT'L SECURITY L. REP. (Sept./Oct. 2008) at 2.

National Security Presidency in Constitutional Context: Reflections on Terrorism and the Presidency from the last Ten Years, 19 MILLER CENTER REP. 12 (2003).

The Constitutional Duty of a National Security Lawyer in a Time of Terror, 10 PUB. LAW. 3 (2002).

Ordered Liberty and the Homeland Security Mission, 11 PUB. LAW. 6 (2003).

William C. Banks
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Books

COUNTERTERRORISM LAW (*with* STEPHEN DYCUS, PETER RAVEN-HANSEN & STEPHEN I. VLADECK) (4th ed. 2020 & Supp. 2021).

NATIONAL SECURITY LAW (*with* STEPHEN DYCUS, PETER RAVEN-HANSEN & STEPHEN I. VLADECK) (7th ed. 2020 & Supp. 2021).

CONSTITUTIONAL LAW: STRUCTURE AND RIGHTS IN OUR FEDERAL SYSTEM (*with* RODNEY A. SMOLLA) (7th ed. 2019).

COUNTERTERRORISM LAW (*with* STEPHEN DYCUS, PETER RAVEN-HANSEN & STEPHEN I. VLADECK) (3rd ed. 2016 & Supp. 2018-19).

NATIONAL SECURITY LAW (*with* STEPHEN DYCUS, ARTHUR L. BERNEY, PETER RAVEN-HANSEN & STEPHEN I. VLADECK) (6th ed. 2016 & Supp. 2018-19).

SOLDIERS ON THE HOME FRONT: THE DOMESTIC ROLE OF THE AMERICAN MILITARY (*with* STEPHEN DYCUS) (2016).

COUNTERTERRORISM LAW (*with* STEPHEN DYCUS & PETER RAVEN-HANSEN) (2nd ed. 2012 & Supps. 2015-2016, 2014-2015, 2013-2014, 2012-2013).

NATIONAL SECURITY LAW (*with* STEPHEN DYCUS, ARTHUR L. BERNEY & PETER RAVEN-HANSEN) (5th ed. 2011 & Supps. 2015-2016, 2014-2015, 2013-2014, 2012-2013).

CONSTITUTIONAL LAW: STRUCTURE AND RIGHTS IN OUR FEDERAL SYSTEM (*with* RODNEY A. SMOLLA) (6th ed. 2010 & Supps. 2011, 2012, 2013, 2014, 2015, 2016, 2017).

COMBATING TERRORISM (*with* MITCHEL WALLERSTEIN & RENEE DE NEVERS) (2008).

COUNTERTERRORISM LAW (*with* STEPHEN DYCUS & PETER RAVEN-HANSEN) (2007 & Supps. 2009-2010, 2010-2011).

NATIONAL SECURITY LAW (*with* STEPHEN DYCUS, ARTHUR L. BERNEY & PETER RAVEN-HANSEN) (4th ed. 2007 & Supps. 2008-2009, 2009-2010, 2010-2011 & TEACHER'S MANUAL 2008).

CONSTITUTIONAL LAW: STRUCTURE AND RIGHTS IN OUR FEDERAL SYSTEM (*with* DAAN BRAVEMAN & RODNEY A. SMOLLA) (5th ed. 2005 & Supps. 2006, 2007, 2008, 2009).

NATIONAL SECURITY LAW (*with* STEPHEN DYCUS, ARTHUR L. BERNEY & PETER RAVEN-HANSEN) (3rd ed. 2002 & Supps. 2002-2003, 2003-2004, 2004-2005, 2005-2006 & TEACHER'S MANUAL 2003).

CONSTITUTIONAL LAW: STRUCTURE AND RIGHTS IN OUR FEDERAL SYSTEM (*with* DAAN BRAVEMAN & RODNEY A. SMOLLA) (4th ed. 2000 & Supps. 2000, 2001, 2002, 2003, 2004).

NATIONAL SECURITY LAW (*with* STEPHEN DYCUS, ARTHUR L. BERNEY & PETER RAVEN-HANSEN) (2nd ed. 1997 & TEACHER'S MANUAL 1997).

CONSTITUTIONAL LAW: STRUCTURE AND RIGHTS IN OUR FEDERAL SYSTEM (*with* DAAN BRAVEMAN & RODNEY A. SMOLLA) (3rd ed. 1996 & Supps. 1996, 1997, 1998, 1999).

NATIONAL SECURITY LAW AND THE POWER OF THE PURSE (*with* PETER RAVEN-HANSEN) (1994).

CONSTITUTIONAL LAW: STRUCTURE AND RIGHTS IN OUR FEDERAL SYSTEM (*with* DAAN BRAVEMAN & RODNEY A. SMOLLA) (2nd ed. 1991 & Supps. 1991, 1992, 1993, 1994, 1995).

NATIONAL SECURITY LAW (*with* STEPHEN DYCUS, ARTHUR L. BERNEY & PETER RAVEN-HANSEN) (1st ed. 1990 & TEACHER'S MANUAL 1991).

CONSTITUTIONAL LAW: STRUCTURE AND RIGHTS IN OUR FEDERAL SYSTEM (*with* DAAN BRAVEMAN) (1st ed. 1987 & TEACHER'S GUIDE 1987).

Books, Edited

COUNTERINSURGENCY LAW: NEW DIRECTIONS IN ASYMMETRIC WARFARE (William C. Banks ed., 2013).

NEW BATTLEFIELDS OLD LAWS: CRITICAL DEBATES ON ASYMMETRIC WARFARE (William C. Banks ed., 2011).

Law Review and Other Scholarly Articles

Cyber Attribution and State Responsibility, 97 INT'L L. STUD. SER. US NAVAL WAR COL. 1039 (2021).

The Bumpy Road to a Meaningful International Law of Cyber Attribution, 113 AJIL UNBOUND 191 (2019).

Next Generation Electronic Surveillance Law: Imaging the Future, 49 CONN. L. REV. 1702 (2017).

State Responsibility and Attribution of Cyber Intrusions After Tallinn 2.0, 95 Tex. L. Rev. 1487 (2017).

Next Generation Foreign Intelligence Surveillance Law: Renewing 702, 51 U. RICH. L. REV. 671 (2017).

Cyber Espionage and Electronic Surveillance: Beyond the Media Coverage, 66 EMORY L.J. 513 (2017).

Two Aspects of Cybersecurity – Human Rights and Economic Espionage (with Liis Vihul & Lorena Trinberg), 8 J. NAT'L SECURITY L. & POL'Y 469 (2016).

Customary Constraints on the Use of Force: Article 51 with an American Accent (with Evan J. Criddle), 29 LEIDEN J. OF INT'L L. 67 (2016).

The Role of the Courts in Time of War, 71 WASH. & LEE L. REV. ONLINE 169 (2014)
<http://scholarlycommons.law.wlu.edu/wlulr-online/vol71/iss3/3> (last visited Sept. 6, 2017).

Educating National Security Lawyers for the Twenty-first Century: The Intersection of National Security Law and International Affairs (with Harvey Rishikof), 6 J. NAT'L SECURITY L. & POL'Y 483 (2013).

Shadow Wars, 5 J. NAT'L SECURITY L. & POL'Y 315 (2012).

Introduction (with Elizabeth Rindskopf Parker), Symposium, *Cybersecurity: National Leadership, Individual Responsibility*, 4 J. NAT'L SECURITY L. & POL'Y 7 (2010).

Programmatic Surveillance and FISA: Of Needles in Haystacks, 88 TEX. L. REV. 1633 (2010),
reprinted in CURRENT CONTROVERSIES: ESPIONAGE AND INTELLIGENCE (Sylvia Engdahl ed. 2012).

Closing Guantanamo and Redirecting the U.S. Ship of State, 3 J. PARLIAMENTARY & POL. L. 5 (2009).

National Security Law Advice to the New Administration, 3 J. NAT'L SECURITY L. & POL'Y 221 (2009).

Providing “Supplemental Security” – The Insurrection Act and the Military Role in Responding to Domestic Crises, 3 J. NAT'L SECURITY L. & POL'Y 39 (2009).

Responses to the Ten Questions: 9. Is the FISA Amendments Act of 2008 good policy? Is it Constitutional?, 35 WM. MITCHELL L. REV. 5007 (2009).

Smart Counterterrorism, 8 CRIMINOLOGY & PUB. POL'Y 593 (2009).

Terror and Consent: The Long View, 37 SYRACUSE J. INT'L L. & COM. 1 (2009).

The Death of FISA, 91 MINN. L. REV. 1209 (2007).

Symposium, A Nuclear Iran: The Legal Implications of a Preemptive National Security Strategy, Introduction: A Second Nuclear Age?, 57 SYRACUSE L. REV. 429 (2007).

Who's in Charge: The Role of the Military in Disaster Response, 26 MISS. C. L. REV. 75 (2006),
reprinted in DISASTER LAW (2010).

Teaching and Learning About Terrorism, 55 J. LEGAL EDUC. 35 (2005).

The Normalization of Homeland Security After September 11: The Role of the Military in Counterterrorism Preparedness and Response, 64 LA. L. REV. 735 (2004).

And the Wall Came Tumbling Down: Secret Surveillance After the Terror, 57 U. MIAMI L. REV. 1147 (2003).

Targeted Killing and Assassination: The U.S. Legal Framework (with Peter Raven-Hansen), 37 U. RICH. L. REV. 667 (2003).

Troops Defending the Homeland: The Posse Comitatus Act and the Legal Environment for a Military Role in Domestic Counter Terrorism, 14 J. OF TERRORISM & POL. VIOLENCE 1 (2002).

A Comparison of Enforcement of Administrative Agency Rules and Orders in China and the United States (with R. Goldsmith & G. Xue), 1 STUDY ON ADMIN. L. 1 (2001).

Executive Authority for National Security Surveillance (with M. E. Bowman), 50 AM. U. L. REV. 1 (2001).

The Integration of Theory and Practice in Teaching Structural Issues in Constitutional Law (with D. Braveman), 17 CONST. COMMENT. 361 (2000).

The 'L.A. Eight' and Investigation of Terrorist Threats in the United States, 31 COL. HUM. RTS. L. REV. 479 (2000).

Defense Contingency Budgeting in the Post-Cold War World (with J. Straussman), 59 PUB. ADMIN. REV. 135 (1999).

A New Imperial Presidency? Insights From United States Involvement in Bosnia (with J. Straussman), 114 POL. SCI. Q. 195 (1999), reprinted in THE NEW AMERICAN INTERVENTIONISM LESSONS FROM SUCCESS AND FAILURES (1999).

The Legacy of Lopez: CERCLA and the Commerce Clause, 32 CHEM. WASTE LIT. REP. 224 (1996).

At the Halfway Point: Light Docket Makes it Hard to Read Trends in Supreme Court Decisions, 81 A.B.A. J. 50 (1995).

From Vietnam to Desert Shield. The Commander in Chief's Spending Power (with Peter Raven-Hansen), 81 IOWA L. REV. 79 (1995).

The Impact of Lopez v. United States: Is Environmental Regulation Limited by the Commerce Clause? 5 E.P.A. ADMIN. L. REP. 780 (1995).

Pulling the Purse Strings of the Commander in Chief (with Peter Raven-Hansen), 80 VA. L. REV. 833 (1994).

Presidential Systems in Stress: Emergency Powers in Argentina and the United States (with Alejandro D. Carrió), 15 MICH J. INT'L L. 1 (1993).

The New Colombian Constitution, Democratic Victory or Popular Surrender (with E. Alvarez), 23 INTER-AMERICAN L. REV. 39 (1991).

While Congress Slept: The Iran-Contra Affair and Institutional Responsibility for Covert Operations, 14 SYRACUSE J. INT'L L. & COM. 291 (1988).

Bowsher v. Synar: The Emerging Judicialization of the FISC (with Jeffery D. Straussman), 28 B.C. L. REV. 659 (1987).

When They get Close to the Truth: Challenging the Special Prosecutors, 38 SYRACUSE L. REV. 623 (1987).

First Use of Nuclear Weapons: The Constitutional Role of a Congressional Leadership Committee, 13 J. LEGIS. 1 (1986).

Federalism Disserved: The Drive for Deregulation, 45 MD. L. REV. 141 (1986).

Efficiency in Government: Separation of Powers Reconsidered, 35 SYRACUSE L. REV. 715 (1984).

Conservation, Federalism, and the Courts: Limiting the Judicial Role, 34 SYRACUSE L. REV. 685 (1983).

Environmental Values: Institutional Responsibility and the Supreme Court (with Richard I. Goldsmith), 7 HARV. ENVTL. L. REV. 1 (1983), *reprinted in* 15 LAND USE & ENV'T. L. REV. 319 (1984).

EPA Bends to Industry Pressure on Coal NSPS – and Breaks, 9 ECOLOGY L. Q. 67 (1980).

Book Chapters

Who Did It? Attribution of Cyber Intrusions and the Jus in Bello, in THE IMPACT OF EMERGING TECHNOLOGIES ON THE LAW OF ARMED CONFLICT (Eric Talbot Jensen, Major Ronald T. P. Alcalá eds., 2019).

Improving Disaster Risk Mitigation: Towards a 'Multi-Hazard' Approach to Terrorism, (with Katja L.H. Samuel & Daphne Richemond-Barak), in THE CAMBRIDGE HANDBOOK OF DISASTER RISK REDUCTION AND INTERNATIONAL LAW (Katja L. H. Samuel, Marie Aronsson-Storrier & Kirsten Nakjavani Bookmiller eds., 2019).

Law Enforcement by Military Means in the United States: Soldiers as Peacekeepers and Cops, Cops as Soldiers, in RECHTSDURCHSETZUNG MIT MILITÄRISCHEN MITTELN: INLANDSEINSÄTZE DER ARMEE UND MILITARISIERUNG DER POLIZEI (LAW ENFORCEMENT BY MILITARY MEANS: DOMESTIC OPERATIONS OF THE ARMY AND MILITARIZATION OF THE POLICE (U. Kischel & S. Graf von Kielmansegg, eds., 2018).

Developing Norms for Cyber Conflict, in RESEARCH HANDBOOK ON REMOTE WARFARE (Jens David Ohlin ed., 2017).

An Emerging International Legal Architecture for Cyber Conflict, in RESEARCH HANDBOOK ON THE POLITICS OF INTERNATIONAL LAW (Wayne Sandholtz & Christopher A. Whytock eds., 2017).

Predator Strikes in the War on Terrorism, in SECURITY ISSUES IN THE GREATER MIDDLE EAST (Karl Yambert ed., 2016).

Regulating Drones: Are Targeted Killings by Drones Outside Traditional Battlefields Legal?, in DRONE WARS: TRANSFORMING CONFLICT, LAW, AND POLICY (Peter L. Bergen & Daniel Rothenberg eds., 2014).

Law and Terrorism in the US and Beyond, in THE INTERNATIONAL ENCYCLOPEDIA OF THE SOCIAL AND BEHAVIORAL SCIENCES (James D. Wright ed., 2nd ed. 2014).

Exceptional Courts in Counterterrorism: Lessons from the Foreign Intelligence Surveillance Act (FISA), in GUANTÁNAMO AND BEYOND: EXCEPTIONAL COURTS AND MILITARY COMMISSIONS IN COMPARATIVE AND POLICY PERSPECTIVE (Fionnuala Ní Aoláin & Oren Gross eds., 2013).

The Role of Counterterrorism Law in Shaping ad Bellum Norms for Cyber Warfare, in ISRAEL YEARBOOK ON HUMAN RIGHTS (Yoram Dinstein & Fania Domb eds., 2013) reprinted from 89 INT'L L. STUD. 157 (2013).

Introduction – Shaping a Global Legal Framework for Counterinsurgency: Placing Postmodern War in Context, in COUNTERINSURGENCY LAW: NEW DIRECTIONS IN ASYMMETRIC WARFARE (William Banks ed., 2013).

A Brief History of the Field of National Security Law (with Peter Raven-Hansen and Stephen Dycus), in NATIONAL SECURITY LAW FIFTY YEARS OF TRANSFORMATION: AN ANTHOLOGY (Jill D. Rhodes ed., 2012).

The United States a Decade after 9/11, in GLOBAL ANTI-TERRORISM LAW AND POLICY (Victor V. Ramraj et al. eds., 2nd ed. 2012).

Toward an Adaptive International Humanitarian Law: New Norms for New Battlefields, in NEW BATTLEFIELDS OLD LAWS: CRITICAL DEBATES ON ASYMMETRIC WARFARE (William C. Banks ed., 2011).

Legal Sanctuaries and Predator Strikes in the War on Terror, in DENIAL OF SANCTUARY: UNDERSTANDING TERRORIST SAFE HAVENS (Michael Innes ed., 2007).

Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), in ENCYCLOPEDIA OF PRIVACY (William G. Staples ed., 2007).

General Warrants, in *ENCYCLOPEDIA OF AMERICAN CIVIL LIBERTIES* (Paul Finkelman ed., 2006).

United States Responses to September 11, in *GLOBAL ANTI-TERRORISM LAW AND POLICY* (Victor V. Ramraj et al. eds., 2005).

Terrorism in Argentina: Government as its own Worst Enemy (with Alejandro D. Carrió), in *GLOBAL ANTI-TERRORISM LAW AND POLICY* (Victor V. Ramraj et al. eds., 2005).

Treaties and Treaty Power, in *THE OXFORD COMPANION TO THE SUPREME COURT OF THE UNITED STATES* (Kermit L. Hall et al. eds., 2d ed. 2005).

Peacekeeping in Bosnia (with J. Straussman), in *TERRORISM AND PEACEKEEPING: NEW SECURITY CHALLENGES* (Franke Volker ed., 2004).

To Prevent and Deter International Terrorism, in *TERRORISM AND PEACEKEEPING: NEW SECURITY CHALLENGES* (Franke Volker ed., 2004).

The Predator, in *TERRORISM AND PEACEKEEPING: NEW SECURITY CHALLENGES* (Franke Volker ed., 2004).

Foreign Intelligence Surveillance Act, in *MAJOR ACTS OF CONGRESS* (Brian Landsberg ed., 2004).

The Treaty Power in the Supreme Court, in *THE OXFORD COMPANION TO THE SUPREME COURT OF THE UNITED STATES* (Kermit L. Hall et al. eds., 1992).

First Use of Nuclear Weapons: The Constitutional Role of a Congressional Leadership Committee, in *FIRST USE OF NUCLEAR WEAPONS* (Peter Raven-Hansen ed., 1987).

Reports to Governmental Bodies and Professional Associations

New Battlefields/Old Laws: Shaping a Legal Environment for Counterinsurgency, 105 *AM. SOC'Y INT'L L. PROC.* 365 (2011).

The U.S. Administrative Procedure Act (APA): History, Implementation, and Selected Contemporary Problems (with Richard Goldsmith), in *THIRD ANNUAL EAST ASIA CONFERENCE ON ADMINISTRATIVE LAW, PAPERS AND PROCEEDINGS* (1999).

Reports, News and Commentary

Expert Backgrounder: Federalizing the National Guard and Domestic Use of the Military, *JUST SECURITY*, Feb. 21, 2024, <https://www.justsecurity.org/92568/expert-backgrounder-federalizing-the-national-guard-and-domestic-use-of-the-military/>.

Cheap and Easy-to-Use Drones are Making Wars Deadlier, *THE GLOBE AND MAIL* (December 2, 2023), <https://www.theglobeandmail.com/opinion/article-cheap-and-easy-to-use-drones-are-making-wars-deadlier/>.

100 Days, Trump, and Precaution (with David M. Driesen), HUFFINGTON POST (April 28, 2017, 3:50pm), http://www.huffingtonpost.com/entry/100-days-trump-and-precaution_us_590396c9e4b05c39767f6706?ncid=engmodushpmg00000003.

Soldiers on the Home Front: President Trump and the Military (with Stephen Dycus), THE HILL (Aug. 4, 2016, 8:06am), <http://thehill.com/blogs/pundits-blog/the-military/290285-soldiers-on-the-home-front-president-trump-and-the-american>.

The Legal Landscape for Emergency Management in the United States, NEW AMERICA FOUNDATION (2011), <https://na-production.s3.amazonaws.com/documents/the-legal-landscape-for-emergency-management-in-the-united-states>.

NSA Eavesdropping and the Fourth Amendment, JURIST (Mar 8, 2006, 8:01am), <http://www.jurist.org/forum/2006/03/nsa-eavesdropping-and-fourth-amendment.php>.

Mold, Mildew, and the Military Role in Disaster Response, JURIST (Oct. 17, 2005, 8:01am), <http://www.jurist.org/forum/2005/10/mold-mildew-and-military-role-in.php>.

"If Men Were Angels" NSA Eavesdropping and the Fourth Amendment, 28 A.B.A. NAT'L SECURITY L. REP. 1 (2006).

Phantom Agent, NATIONAL SECURITY STUDIES CASE SERIES (Maxwell Sch. of Citizenship and Pub. Aff., Syracuse U., Syracuse, N. Y. & Paul Nitze Sch. of Advanced Int'l Stud., Johns Hopkins U., Washington, D.C.), 2005.

The Predator, NATIONAL SECURITY STUDIES CASE SERIES (Maxwell Sch. of Citizenship and Pub. Aff., Syracuse U., Syracuse, N. Y. & Paul Nitze Sch. of Advanced Int'l Stud., Johns Hopkins U., Washington, D. C.), 2003.

The Role of the Courts in Time of War, SYNDICUS (Syracuse U. C. of L., Syracuse, N.Y.), 2003, reprinted in 14 THE INTELLIGENCER, J. OF U.S. INTELLIGENCE STUD. 35 (2004).

Dangerous Prisoner: The Threat of Bioterrorism in the U.S., NATIONAL SECURITY STUDIES CASE SERIES (Maxwell Sch. of Citizenship and Pub. Aff., Syracuse U., Syracuse, N. Y. & Paul N. Nitze Sch. of Advanced Int'l Stud., Johns Hopkins U., Washington, D.C.), 2002.

How We Uncover Their Plots: Laws for Keeping Tabs on Terrorists Draw Difficult Lines, LEGAL TIMES, Sept. 17, 2001.

Trolling for Terrorists: New Report Outlines Surveillance Authorities, 22 A.B.A. NAT'L SECURITY L. REP. 10 (2000).

The Devil and the Demon: The Threat of Bioterrorism in the U.S., NATIONAL SECURITY STUDIES CASE SERIES (Maxwell Sch. of Citizenship and Pub. Aff., Syracuse U., Syracuse, N. Y. & Paul N. Nitze Sch. of Advanced Int'l Stud., Johns Hopkins U., Washington, D.C.), 1999.

To Prevent and Deter International Terrorism: The U.S. Responses to the Kenya and Tanzania Embassy Bombings, NATIONAL SECURITY STUDIES CASE SERIES (Maxwell Sch. of Citizenship

and Pub. Aff., Syracuse U., Syracuse, N. Y. & Paul N. Nitze Sch. of Advanced Int'l Stud., Johns Hopkins U., Washington, D.C.), 1999.

Peacekeeping in Bosnia (with J. Straussman), NATIONAL SECURITY STUDIES CASE SERIES, (Maxwell Sch. of Citizenship and Pub. Aff., Syracuse U., Syracuse, N.Y. & Paul N. Nitze Sch. of Advanced Int'l Stud., Johns Hopkins U., Washington, D.C.), 1997.

State Workers' Compensation at Federal Facilities: A Classic Federalism Struggle, 7 PREVIEW U.S. SUP. CT. CASES 207 (1988).

After One Hundred Years: A New First-Year Course is Needed, SYNDICUS (Syracuse U. C. of L., Syracuse, N.Y.), 1986.

Energy Planning – Getting Through the 1980's (with Richard Goldsmith), SYNDICUS (Syracuse U. C. of L., Syracuse, N.Y.), 1980.

Book Reviews

Still the Imperial Presidency?, 2 BOOKS-ON-LAW (1999) (reviewing CHRISTOPHER MAY, PRESIDENTIAL DEFIANCE OF “UNCONSTITUTIONAL” LAWS (1998)).

Book Review, 554 ANNALS AM. ACAD. POL. & SOC. SCI. 223 (1997) (reviewing LOUIS FRENCH, PRESIDENTIAL WAR POWERS (1995)).

Book Review (with Richard I. Goldsmith), 10 CAL. W. INT'L L.J. 157 (1980) (reviewing ENERGY FUTURE – REPORT OF THE ENERGY PROJECT AT THE HARVARD BUSINESS SCHOOL (Robert Stobaugh and Daniel Yergin eds., 1979) and BARRY COMMONER, THE POLITICS OF ENERGY (1979)).

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Law Review and Other Scholarly Articles

Reframing Housing: Incorporating Public Law Principles into Private Law, 31 DUKE J. COMP. & INT'L L. 91 (2020).

The Pieces of Housing Integration, 70 CASE W. RES. L. R. 717 (2020).

Adjudicating Equality: Antidiscrimination Education Jurisprudence in the European Court of Human Rights, 33 HARV. J. RACIAL & ETHNIC JUST. 201 (2018).

Breaking the Cycle: Countering Voter Initiatives and the Underrepresentation of Racial Minorities in the Political Process, 12 DUKE J. CONST. L. & PUB. POL'Y 123 (2017).

The Public Pension Crisis Through the Lens of State Constitutions and Statutory Law, 92 CHIKENT L. REV. 393 (2017).

Recognition and Reflection, 2 TEX. A&M J. REAL PROP. L. 187 (2015).

Pennies on the Dollar: Reallocating Risk and Deficiency Judgment Liability, 66 S.C. L. REV. 243 (2014).

Riding into the Sunset in a "Post-Racial" World: Lessons in Equal Educational Opportunity and College Admissions Schemes in France and the United States, 22 TEMP. POL. & CIV. RTS. L. REV. 95 (2012).

Book Reviews

Reconfiguring Property Theory and Legal Rules in the Sharing Economy, JOTWELL (Oct. 26, 2016) (reviewing Shelly Kreiczler-Levy, *Consumption Property in the Sharing Economy*, 43 PEPP. L. REV. 61 (2015)), <https://property.jotwell.com/reconfiguring-property-theory-and-legal-rules-in-the-sharing-economy/>.

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Books

ACCIDENTAL JUSTICE: THE DILEMMAS OF TORT LAW (*with* JEFFERY O'CONNELL) (1997).

Law Review and Other Scholarly Articles

Recent Developments in Medicine and Law (*with* Melissa A. Wojtylak, et al.), 39 TORT TRIAL & INS. PRAC. L.J. 597 (2004).

Children's Lives, Indonesians' Lives, and Generic Liability, 72 CHI.-KENT L. REV. 21 (1996).

Analyzing Tort Law: The Flawed Promise of Neocontract, 74 MINN. L. REV. 1177 (1990).

Legislative Intrusions into the Common Law of Medical Malpractice: Thoughts About the Deterrent Effect of Tort Liability, 35 SYRACUSE L. REV. 939 (1984).

The Bell Tolls: Toward Full Tort Recovery for Psychic Injury, 36 U. FLA. L. REV. 333 (1984).

Reply to a Generous Critic, 36 U. FLA. L. REV. 437 (1984).

Comment, *Extrajudicial Activity of Supreme Court Justices*, 22 STAN. L. REV. 587 (1970).

Book Chapters

Fencing and Receiving Stolen Goods: Legal Aspects, in ENCYCLOPEDIA OF CRIME AND JUSTICE (Kadish ed., 1983).

Reports, News, and Commentary

Strict Scrutiny of Scientific Evidence: A Bad Idea Whose Time Has Come (pts. 1 & 2), 20 PROD. SAFETY & LIAB. REP. (BNA) at 47 (Jan. 10, 1992), at 79 (Jan. 17, 1992) *reprinted in* 6 TOXICS L. REP. (BNA) at 1014 (Jan. 22, 1992), at 1047 (Jan. 29, 1992).

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Books

POWER, PRIVILEGE, AND LAW: A CIVIL RIGHTS READER, (with DAAN BRAVEMAN) (1994 & TEACHER'S MANUAL 1995).

Law Review and Other Scholarly Articles

"To Err Is Human" ART Mix-Ups: A Labor-Based, Relational Proposal, 9 J. GENDER RACE & JUST. 443 (2006).

Teaching Torts Stories, 55 J. LEGAL EDUC. 108 (2005).

Genes, Parents, and Assisted Reproductive Technologies: ARTs, Sex, Mistakes, Race, and Law, 12 COLUM. J. GENDER & L. 1 (2003).

Tort Law's Role as a Tool for Social Justice Struggle, 37 WASHBURN L.J. 249 (1998).

Teaching Torts as if Gender Matters: Intentional Torts, 2 VA. J. SOC. POL'Y & L. 115 (1994).

Symposium, *Is Tort Law Male? Forseeability Analysis and Property Managers' Liability for Third Party Rapes of Residents* (with Perette Lawrence), 69 CHI.- KENT L. REV. 313 (1993).

An Overview of Feminist Torts Scholarships, 78 CORNELL L. REV. 575 (1993).

Feminism's Healing Effect: A Review of Feminist Perspectives in Medical Ethics, 5 J. CLINICAL ETHICS 65 (1993).

Teaching Feminist Perspectives on Health Care Ethics and Law: A Review Essay, 61 U. CIN. L. REV. 1251 (1993).

Hidden Messages in the Required First-Year Law School Curriculum, 40 CLEV. ST. L. REV. 387 (1992).

A Feminist Analysis of Physician Assisted Dying and Voluntary Active Euthanasia, 59 TENN. L. REV. 519 (1992).

Impassioning a Civil Rights Course (with Daan Braveman) 16 VT. L. REV. 943 (1992) reprinted in 1992-1993 Sup. Ct. Preview 943 (1992-1993).

For Mary Joe Frug: Empowering Women Law Professors, 6 WIS. WOMEN'S L.J. 1 (1991).

Feminist (Re) Torts: Thoughts on the Liability Crisis, Mass Torts, Power and Responsibilities, 1990 DUKE L.J. 848 (1990).

Changing the Values in Tort Law, 25 TULSA L. J. 759 (1990).

From Gender Difference to Feminist Solidarity: Using Carol Gilligan and an Ethics of Care in Law, 15 VT. L. REV. 1 (1990).

Sex Discrimination or Gender Inequality? 57 FORDHAM L. REV. 941 (1989).

The Powell-Stevens Debates on Federalism and Separation of Powers, 15 HASTINGS CONST. L.Q. 549 (1988).

A Lawyer's Primer on Feminist Theory and Tort, 38 J. LEGAL EDUC. 3 (1988).

The Takings Clause: Principles or Politics?, 34 BUFF. L. REV. 735 (1985).

Reports, News and Commentary

In Memoriam: Mary Joe Frug, 1941-1991, 3 YALE J. L. & FEM. 186 (1991) (obituary).

Trends in Tort Law, 17 INCL J. 2 (June 1988).

Book Reviews

Fixing Feminist Jurisprudence, 2 BOOKS-ON-LAW (1999) (reviewing JUDITH A. BAER, OUR LIVES BEFORE THE LAW: CONSTRUCTING A FEMINIST JURISPRUDENCE (1999)).

Book Review, *Feminism and Bioethics: Beyond Reproduction*, 25 J.L. MED. & ETHICS 58 (1997).

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Forthcoming

ADJUDICATIVE CRIMINAL PROCEDURE IN FOCUS (forthcoming 2024).

Books

INVESTIGATIVE CRIMINAL PROCEDURE IN FOCUS (2020).

LEXISNEXIS PRACTICE GUIDE: NEW JERSEY COLLATERAL CONSEQUENCES (*with* J.C. LORE) (2019).

LEXISNEXIS PRACTICE GUIDE: NEW JERSEY COLLATERAL CONSEQUENCES (*with* J.C. LORE) (2017).

LEXISNEXIS PRACTICE GUIDE: NEW JERSEY COLLATERAL CONSEQUENCES (*with* J.C. LORE) (2016).

LEXISNEXIS PRACTICE GUIDE: NEW JERSEY COLLATERAL CONSEQUENCES (*with* J.C. LORE) (2015).

LEXISNEXIS PRACTICE GUIDE: NEW JERSEY COLLATERAL CONSEQUENCES (*with* J.C. LORE) (2014).

Law Review and Other Scholarly Articles

Problematic Problems: The Case Against Mock Trial Problems Involving Racist Speech, 94 TEMP. L. REV. ONLINE 1 (2022), available at https://www.templelawreview.org/lawreview/assets/uploads/2022/05/Berger_For-Publish.pdf

Male Legal Educators Cannot Teach Women how to Practice “Gender Judo”: The Need to Critically Re-Assess Current Pedagogical Approaches for Teaching Trial Advocacy, 45 J. LEGAL PROFESSION 1 (2020).

Professional Responsibility of the Criminal Defense Lawyer Redux: the New Three Hardest Questions, 7 ST. MARY'S J. LEGAL MAL. & ETHICS 96 (2017).

The Aftermath of Indiana v. Edwards: Re-evaluating the Standard of Competency Needed for Pro Se Representation, 68 BAYLOR L. REV. 680 (2016).

The Constitutional Limits of Client-Centered Decision-Making, 50 U. RICH. L. REV. 1089 (2016).

The Ethical Limits of Discrediting the Truthful Witness: How Modern Ethics Rules Fail to Prevent Truthful Witnesses from Being Discredited Through Unethical Means, 99 MARQ. L. REV. 283 (2015).

After Frye and Lafler: The Constitutional Right to Defense Counsel Who Plea Bargains, 38 AM. J. TRIAL ADVOC. 121 (2014).

Criminal Law (with Jason Hoge), 64 SYRACUSE. L. REV. 651 (2014).

2011-2012, Survey of New York Criminal Law (with Kelly Gonzalez), 63 SYRACUSE L. REV. 645 (2013).

Overcoming Legal Barriers to Reentry: A Law School-Based Approach to Providing Legal Services to the Reentry Community (with Joseph A. DaGrossa), 77 FED. PROB. 3 (2013).

Three Generations and Two Tiers: How Participation in Law School Clinics and the Demand for “Practice-Ready” Graduates Will Impact the Faculty Status of Clinical Law Professors, 43 WASH. U. J.L. & POL’Y 129 (2013).

A Trial Attorney's Dilemma: How Storytelling as a Trial Strategy Can Impact a Criminal Defendant's Successful Appellate Review, 4 DREXEL L. REV. 297 (2012).

Jimmy Carter’s “Malaise” Speech, Social Desirability Bias, and the Yuppie Nuremberg Defense: The Real Reason Why Law Students Say they Want to Practice Public Interest Law, Yet so Few Actually Do, 22 KAN. J.L. & PUB. POL’Y 139 (2012).

Politics, Psychology, and the Law: Why Modern Psychology Dictates an Overhaul of Federal Rule of Evidence 609, 13 J.L. & SOC. CHANGE 203-18 (2009-2010).

Reports, News, and Commentary

“How Far is too Far?: The Ethical Dilemmas Posed by the Criminal Defense Attorneys use of a False Narrative at Trial”, 4th Biennial Applied Legal Storytelling Conference, Gray’s Inn and Inn of Court at City Law School, London England (July 24, 2013).

Book Reviews

Book Review, 60 CHAMPION 62 (2016) (reviewing JILL PAPERNO, REPRESENTING THE ACCUSED: A PRACTICAL GUIDE TO CRIMINAL DEFENSE (2012)).

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Forthcoming

Supported Decision-Making Theory, Research, and Practice: The Next Five to Seven Years, in ROUTLEDGE HANDBOOK OF INTERNATIONAL DISABILITY LAW (J. Lord & R. Kayess eds.) (forthcoming 2024).

Pre- and Post-Covid-19 Outcomes for Israelis with Intellectual Developmental Disabilities Living in the Community (with A. Gur, A. Rimmerman, M. Soffer & G. Quinn) INTELL. DEVELOPMENTAL DISABILITIES (forthcoming 2024).

<https://www.aaid.org/publications/journals/articles-accepted-for-publication>

Books

ADVANCED INTRODUCTION TO U.S. DISABILITY LAW (2023).

DISABILITY LAW AND POLICY (2020).

SUPPORTED DECISION-MAKING: FROM JUSTICE FOR JENNY TO JUSTICE FOR ALL (with JONATHAN MARTINIS) (2019).

SUPPORTED DECISION-MAKING: THEORY, RESEARCH, AND PRACTICE TO ENHANCE SELF-DETERMINATION AND QUALITY OF LIFE (with KARRIE A. SHOGREN, MICHAEL L. WEHMEYER & JONATHAN MARTINIS) (2018).

HEAVY LADEN : UNION VETERANS, PSYCHOLOGICAL ILLNESS, AND SUICIDE (with LARRY M. LOGUE) (2018).

DECENT WORK FOR PERSONS WITH DISABILITIES: PROMOTING RIGHTS IN THE GLOBAL DEVELOPMENT AGENDA, (with B. MURRAY, W. MYHILL & A. O'REILLY) (3rd ed. 2015).

EQUALITY: THE STRUGGLE FOR WEB ACCESSIBILITY BY PERSONS WITH COGNITIVE DISABILITIES (2014).

DISABILITY CIVIL RIGHTS LAW AND POLICY: CASES AND MATERIALS (with MICHAEL WATERSTONE, WILLIAM N. MYHILL & CHARLES D. SIEGAL) (3rd ed. 2014).

PEOPLE WITH DISABILITIES: SIDELINED OR MAINSTREAMED? (with LISA SCHUR & DOUGLAS KRUSE) (2013).

LEGAL RIGHTS OF PERSONS WITH DISABILITIES, AN ANALYSIS OF FEDERAL LAW (with BRUCE A. GOLDSTEIN, ESQ. & WILLIAM N. MYHILL) (2nd ed. 2013).

RACE, ETHNICITY, AND DISABILITY: VETERANS AND BENEFITS IN POST-CIVIL WAR AMERICA (*with* LARRY M. LOGUE) (2010).

DISABILITY, CIVIL RIGHTS LAW, AND POLICY: CASES AND MATERIALS (*with* EVE HILL, CHARLES D. SIEGAL, & MICHAEL WATERSTONE) (2nd ed. 2009).

DISABILITY, CIVIL RIGHTS LAW, AND POLICY (*with* EVE HILL, CHARLES D. SIEGAL, & MICHAEL WATERSTONE) (2004).

CHEVRON V. ECHAZABAL: THE ADA'S "DIRECT THREAT TO SELF" DEFENSE (2003).

THE AMERICANS WITH DISABILITIES ACT AND THE EMERGING WORKFORCE: EMPLOYMENT OF PEOPLE WITH MENTAL RETARDATION (*with* DAVID L. BRADDOCK) (1998).

DISASTER MITIGATION FOR PERSONS WITH DISABILITIES: FOSTERING A NEW DIALOGUE (1995).

COMMUNICATIONS TECHNOLOGY FOR EVERYONE: IMPLICATIONS FOR THE CLASSROOM AND BEYOND (1994).

Books, Edited

ROUTLEDGE HANDBOOK OF DISABILITY LAW AND HUMAN RIGHTS (*with* EILIONIR FLYNN, 2017).

GENETIC DISCRIMINATION – TRANSATLANTIC PERSPECTIVES ON THE CASE FOR A EUROPEAN LEVEL LEGAL RESPONSE (*with* GERARD QUINN & AISLING DE PAOR, 2014).

DISABILITY RIGHTS (2005).

EMPLOYMENT, DISABILITY, AND THE AMERICANS WITH DISABILITIES ACT: ISSUES IN LAW, PUBLIC POLICY, AND RESEARCH (2000).

INTERPERSONAL EXPECTATIONS: THEORY, RESEARCH, AND APPLICATIONS (1993).

NONVERBAL COMMUNICATION IN THE CLINICAL CONTEXT (*with* ROSS BUCK & ROBERT ROSENTHAL 1986).

Law Review and Other Scholarly Articles

Who Requests and Receives Workplace Accommodations? An Intersectional Analysis (*with* F. Hyseni & N. Goodman), *J. OCCUP. REHAB.* __ (2024). [doi: 10.1007/s10926-024-10172-4](https://doi.org/10.1007/s10926-024-10172-4).

Disability, Workplace Inclusion and Organizational Citizenship Behavior: an Exploratory Study of the Legal Profession (*with* F. Hyseni, D. Kruse & L. Schur), *6 J. PARTICIPATION EMP. OWNERSHIP* 31 (2023). <https://doi.org/10.1108/JPEO-10-2022-0017>

Disability Reparations and the Modernization of the Community Reinvestment Act of 1977 (*with* G. Klein, M. Morris & G. Nanette), *24 N.Y.U. J. LEGIS. & PUB. POL'Y*, 375 (2022)

Disability Inclusive Employment, Cancer Survivorship, and the American with Disabilities Act, 16 J. CANCER SURVIVORSHIP, 142 (2022). <https://doi.org/10.1007/s11764-021-01141-4>.

Diversity and Inclusion in the Legal Profession: Disclosure of Cancer and Other Conditions by Lawyers with Disabilities and Lawyers Who identify as LGBTQ+ (with Fitore Hyseni & Arzana Myderrizi), 16 J. CANCER SURVIVORSHIP, 165 (2022). <https://doi.org/10.1007/s11764-021-01143-2>.

Workplace health surveillance and COVID-19: Algorithmic Health Discrimination and Cancer Survivors (with Paul Harpur & Fitore Hyseni), 16 J. CANCER SURVIVORSHIP, 200 (2022). <https://doi.org/10.1007/s11764-021-01144-1>.

Diversity and Inclusion in the Legal Profession: Discrimination and Bias Reported by Lawyers with Disabilities and Lawyers Who Identify as LGBTQ+ (with Fatma Altunkol Wise & Fitore Hyseni), 47 AM. J. L. & MED. 9 (2021).

Supported Decision-Making: Emerging Paradigm in Research, Law, and Policy, 34 J. DISABILITY POL'Y STUD. 3 (2021), <https://doi.org/10.1177/10442073211023168>.

State Guardianship Laws and Supported Decision-Making in the United States: Analysis and Implications for Research, Education, and Advocacy (with D. Fox, J. Harris & J. G. Martinis), J. DISABILITY POL'Y STUD. (2021), <https://doi.org/10.1177/10442073211028586>.

On the Importance of the Americans with Disabilities Act at Thirty, J. OF DISABILITY POL'Y STUD. (2021), <https://doi.org/10.1177/10442073211036900>.

Thirty Years of the Americans with Disabilities Act: Law Students and Lawyers as Plaintiffs and Advocates, 45 N.Y.U. REV. LAW & SOC. CHANGE / THE HARBINGER 8 (2021), Available at <https://socialchangenyu.com/harbinger/thirty-years-of-the-americans-with-disabilities-act/>.

Disability Inclusive Employment and the Accommodation Principle: Emerging Issues in Research, Policy, and Law, 30 J. OCCUPATIONAL REHABILITATION 505 (2020).

Gig Workers with Disabilities: Opportunities, Challenges, and Regulatory Response (with Paul Harpur), 30 J. OCCUPATIONAL REHABILITATION 511, (2020).

Diversity and Inclusion in the American Legal Profession: Workplace Accommodations for Lawyers with Disabilities and Lawyers Who Identify as LGBTQ+ (with Fitore Hysein & Fatma Altunkol Wise), 30 J. OCCUPATIONAL REHABILITATION 537 (2020).

Before the Accommodation Principle: Disability and Employment Among Union Army Veterans (with Larry Logue), 30 J. OCCUPATIONAL REHABILITATION 565 (2020).

California's Response to the Status of Gig Workers with Disabilities: An Update (with Paul Harpur), 30 J. OCCUPATIONAL REHABILITATION 689 (2020).

Diversity and Inclusion in the American Legal Profession: First Phase Findings from a National Study of Lawyers with Disabilities and Lawyers Who Identify as LGBTQ+, (with Ynesse Abdul-Malak, Meera Adya, Fitore Hyseni, Mary Killeen, and Fatma Altunkol Wise) 23 UDC/DCSL L. REV. 23 (2020).

Closing the Disability Gap: Reforming the Community Reinvestment Act Regulatory Framework, (with Michael Morris, Nanette Goodman, Angel Baker, and Kyle Palmore) 26 GEO. J. ON POVERTY L. & POL'Y 355 (2019).

Why America is better off Because of the Americans with Disabilities Act and the Individuals with Disabilities Education Act, 35 TOURO L. REV. 605 (2019).

Supported Decision Making in Serious Mental Illness (with Dilip V. Jeste, Graham M. L. Eglit, Barton W. Palmer, Jonathan G. Martinis & Elyn R. Saks) 81 PSYCHIATRY 28 (2018).

Web Accessibility and Technology Protection Measures: Harmonizing the Rights of Persons with Cognitive Disabilities and Copyright Protections on the Web, CYBERPSYCHOLOGY: J. OF PSYCHOSOCIAL RES. ON CYBERSPACE (2017), doi: 10.5817/CP2017-1-5.

Universal Design's Positive Return on Investment and Social Impact: The Mary Free Bed YMCA Living Laboratory and Study (with M. Rotella), NUMBERS MAGAZINE, Nov. 3, 2017, at 22.

Universal Design and People with Disabilities: "Destiny Arms," a Global Universal Design Commission Living Laboratory (with M. Rotella), NUMBERS MAGAZINE, March 21, 2017, at 19.

Future Directions in Employment, Occupational Rehabilitation, and Disability: Introduction to the Special Section (with M. Adya), 27 J. OCCUPATIONAL REHABILITATION 481 (2017).

Disability at Work: A Look Back and Forward (with L. Schur, K. Han, A. Kim, M. Ameri, M. Adya & D. Kruse), 27 J. OCCUPATIONAL REHABILITATION 482 (2017).

Supported Decision-Making: Implications from Positive Psychology for Assessment and Intervention in Rehabilitation and Employment (with H. Uyanik & K. Shogren), 27 J. OCCUPATIONAL REHABILITATION 498 (2017).

Hierarchies of Impairments at Work in Australian and Irish Workers Access to Compensation for Injuries (with P. Harpur & U. Connolly), 27 J. OCCUPATIONAL REHABILITATION 507 (2017).

Disability in Prison, 26 S. CAL. INTERDISC. L.J. 309 (2017).

Future Directions in Supported Decision-Making (with Anna Arstein-Kerslake Melbourne et al.), 37 DISABILITY STUD. Q. 5 (2017).

ABLE Accounts: A Down Payment on Freedom (with Michael Morris & Christopher Rodriguez), 4 INCLUSION 21 (2016).

The First “A” in the ADA: And 25 More “A”s Toward Equality for Americans With Disabilities, 4 INCLUSION 46 (2016), reprinted in THE FUTURE OF DISABILITY LAW: PRESENTATIONS FROM THE 2015 JACOBUS TENBROEK DISABILITY LAW SYMPOSIUM (2016).

Introduction to the Special Issue: ADA at 25 and People With Cognitive Disabilities: From Action to Inclusion, 4 INCLUSION 1 (2016).

New Business Structures Creating Organizational Opportunities and Challenges for Work Disability Prevention (with Kerstin Ekberg et al.), 26 J. OCCUPATIONAL REHABILITATION 480 (2016).

Sustaining Work Participation Across the Life Course (with Glenn S. Pransky et al.), 26 J. OCCUPATIONAL REHABILITATION 465 (2016).

Precision Medicine and Advancing Genetic Technologies – Disability and Human Rights Perspectives (with Aisling de Paor), 5 LAWS 36, Multidisciplinary Digital Publishing Institute, <http://www.mdpi.com/2075-471X/5/3/36> (2016).

eQuality: Web Accessibility by People With Cognitive Disabilities, 3 INCLUSION 75 (2015).

ADA at 25 and People With Cognitive Disabilities: From Voice to Action, 3 INCLUSION 46 (2015).

The March Goes On: Community Access for People with Disabilities (with Katherine E. McDonald et al.), 43 J. OF COMMUNITY PSYCHOL. 348 (2015).

“The Right to Make Choices” : National Resource Center for Supported Decision-Making (with Johnathan G. Martinis), 3 INCLUSION 24 (2015).

Introduction: Disability, Law and Public Policy, and the World Wide Web, 32 BEHAV. SCI. & L. 1 (2014).

The Struggle for Web eQuality by Persons with Cognitive Disabilities, 32 BEHAV. SCI. & L. 4 (2014).

Accommodating Employees With and Without Disabilities (with Lisa Nishii et al.), 53 HUM. RESOURCE MGMT. 593 (2014).

Beyond the Orthodoxy of Rule of Law and Justice Sector Reform: A Framework for Legal Empowerment and Innovation through the Convention on the Rights of Persons with Disabilities (with Janet Lord & Deepti Samant Raja), 4 WORLD BANK LEGAL REV. 45 (2013).

What Types of Jobs Do People with Disabilities Want? (with Mohammad Ali & Lisa Schur), 21 J. OCCUPATIONAL REHABILITATION 199 (2011).

Future Disability Law in Japan: Employment and Accommodation (with Jun Nakagawa), 33 LOY. L.A. INT'L & COMP. L. REV. 173 (2010).

Media and the Israeli Disability Rights Legislation: Progress or Mixed and Contradictory Images? (with Michal Soffer, Arie Rimmerman, & Eve Hill), 25 *DISABILITY & SOC'Y* 687 (2010).

Poverty Among Adults with Disabilities: Barriers to Promoting Asset Accumulation in Individual Development Accounts (with Michal Soffer & Katherine E. McDonald), 46 *AM. J. COMMUNITY PSYCHOL.* 376 (2010).

Future of Disability Rights Advocacy and "The Right to Live in the World" (with Eve Hill), 15 *TEX. J. ON C.L. & C.R.* 1 (2009).

Future of Disability Rights: Part Three – Statutes of Limitations in Americans with Disabilities Act "Design and Construction Cases" (with Eve Hill), 60 *SYRACUSE L. REV.* 125 (2009).

Disability and Aging: Historical and Contemporary Challenges (with William N. Myhill), 11 *MARQ. ELDER'S ADVISOR* 47 (2009).

Corporate Culture and Employment of People With Disabilities: Role of Social Workers and Service Provider Organizations (with Deepti Samant et al.), 8 *J. SOCIAL WORK IN DISABILITY & REHABILITATION* 171 (2009).

Workplace Accommodations: Occupational Therapists as Mediators in the Interactive Process (with Naomi Schreuer et al.), 34 *WORK: J. OF PREVENTION, ASSESSMENT, & REHABILITATION* 149 (2009).

Is Disability Disabling in All Workplaces? Workplace Disparities and Corporate Culture (with Lisa Schur, Doug Kruse & Joseph Blasi), 48 *INDUS. REL.* 381 (2009).

"Benefit of the Doubt": African-American Civil War Veterans and Pensions (with Larry M. Logue), 38 *J. INTERDISC. HIST.* 377 (2008).

Developing Accessible Cyberinfrastructure-Enabled Knowledge Communities in the National Disability Community: Theory, Practice, and Policy (with William Myhill et. al.), 20 *ASSISTIVE TECH. J. – TESNA* 157 (2008).

Flattening the (Inaccessible) Cyberworld for People with Disabilities, 20 *ASSISTIVE TECH. J. – TESNA* 175 (2008).

"The Right to Live in the World": Disability Yesterday, Today and Tomorrow, 13 *TEX. J. C.L. & C.R.* 367 (2008).

Defying Double Discrimination (with Meera Adya, and Maria Veronica Reina), 8 *GEO. J. OF INT'L AFF.* 95 (2007).

Employment of People with Disabilities: Twenty-Five Years Back and Ahead, 25 *LAW & INEQ.* 323 (2007).

Americans with Disabilities and their Civil Rights: Past, Present, and Future, 66 U. PITT. L. REV. 687 (2005).

Breaking the Cycle of Poverty: Asset Accumulation by People with Disabilities (with Phoebe Ball, Michael Morris & Johnette Hartnette), 26 DISABILITY STUD. Q. (Winter 2006), <http://www.dsqsds.org/article/view/652/829> (last visited Sept. 8, 2017).

The Burton Blatt Institute: Centers of Innovation on Disability at Syracuse University, 56 SYRACUSE L. REV. 201 (2006).

Introduction, Emerging Issues in the Study of Disability Policy & Law, Part 2 (with Helen Scharzt), 26 DISABILITY STUD. Q. (Winter 2006), http://www.dsqsds.org/articles_html/2005/fall/intro-blanc.asp (last visited Sept. 8, 2017).

Tax Credits and Asset Accumulation: Findings from the 2004 N.O.D./Harris Survey of Americans with Disabilities (with James Schmeling, Helen A. Scharzt & Michael Morris), 26 DISABILITY STUD. Q. (Winter 2006), <http://www.dsqsds.org/article/view/654/831> (last visited Sept. 8, 2017).

Workplace Accommodations: Empirical Study of Current Employees (with Helen A. Scharzt, Kevin M. Scharzt & D. J. Hendricks), 75 MISS. L.J. 917 (2006).

Corporate Culture and the Employment of Persons with Disabilities (with Lisa Schur & Douglas Kruse), 23 BEHAV. SCI. & L. 3 (2005).

Cost and Effectiveness of Accommodations in the Workplace: Preliminary Results of a Nationwide Study (with D.J. Hendricks et al.), 25 DISABILITY STUD. Q. (Fall 2005).

Disability as Diversity in Fortune 100 Companies (with Phoebe Ball et al.), 23 BEHAV. SCI. & L. 97 (2005), <http://www.dsqsds.org/article/view/623/800> (last visited Sept. 8, 2017).

Emerging Technologies and Corporate Culture at Microsoft: A Methodological Note (with David Klein & James Schmeling), 23 BEHAV. SCI. & L. 65 (2005).

Introduction, Emerging Issues in the Study of Disability Policy & Law, Part 1, 25 DISABILITY STUD. Q. (Fall 2005), <http://dsqsds.org/issue/view/31> (last visited Sept. 8, 2017).

The Quest to Make Accessibility a Corporate Article of Faith at Microsoft: Case Study of Corporate Culture and Human Resource Dimensions (with Leonard A. Sandler), 23 BEHAV. SCI. & L. 39 (2005).

Special Issue: Corporate Culture and Disability (with Helen Scharzt), 23 BEHAV. SCI. & L. 1 (2005).

'There is Nothing That Promotes Longevity Like a Pension.' *Disability Policy and Mortality of Civil War Union Army Veterans* (with Larry M. Logue), 39 W. FOREST L. REV. 49 (2004).

Justice for All? Stories about Americans with Disabilities and their Civil Rights, 8 J. GENDER, RACE & JUST. 1 (2004).

Disability Civil Rights Law and Policy: Accessible Courtroom Technology (with Ann Wilichowski & James Schmeling), 12 W. & M. BILL OF RTS J. 825 (2004).

Hearing Loss in Union Army Veterans from 1862 to 1920 (with Ryan K. Sewell et al.), 114 THE LARYNGOSCOPE 2147 (2004).

Technology for Independence: A Community-Based Resource Center (with Heather Ritchie & James Schmeling), 21 BEHAV. SCI. & L. 51 (2003).

The Promise of the Internet for Disability: A Study of On-line Services and Web Site Accessibility at Centers for Independent Living (with Heather Ritchie), 21 BEHAV. SCI. & L. 5 (2003).

Introduction to this Issue: Disability, Public Policy, and Technology, (with Helen A. Schartz & Bonnie O'Day), 21 BEHAV. SCI. & L. 1 (2003).

'Never Forget What They Did Here': Civil War Pensions for Gettysburg Union Army Veterans and Disability in Nineteenth-Century America (with Chen Song), 44 W. & M. L. REV. 1109 (2003).

Labor Force Participation and Income of Individuals with Disabilities in Sheltered and Competitive Employment: Cross-Sectional and Longitudinal Analyses of Seven States during the 1980's and 1990's (with Helen A. Schartz & Kevin M. Schartz), 44 W. & M. L. REV. 1029 (2003).

Electronic Doors to Education: Study of High School Web Site Accessibility in Iowa (with David Klein et al.), 21 BEHAV. SCI. & L. 27 (2003).

Symposium on Disability and Employment, *Does the ADA Disable the Disabled? – More Comments* (with Susan Schwochau), 42 INDUS. REL. 67 (2003).

Calibrating the Impact of the ADA's Employment Provisions, 14 STAN. L. & POL'Y REV. 267 (2003).

Workforce Participation by Persons with Disabilities: The National Health Interview Survey Disability Supplement, 1994 to 1995 (with Craig Zwerling et al.), 44 J. OCCUPAT'L & ENVT'L MEDICINE 358 (2002).

Evolution of Disability in Late 19th Century America: Civil War Pensions for Union Army Veterans with Musculoskeletal Conditions (with Claudia Linares & Chen Song), 20 BEHAV. SCI. & L. 681 (2002).

Employment of Persons with Disabilities in Information Technology Jobs: Literature Review for 'IT Works' (with Kevin Schartz & Helen A. Schartz), 20 BEHAV. SCI. & L. 637 (2002).

Applicability of the ADA to 'Ticket to Work' Employment Networks (with Lisa Clay et al.), 20 BEHAV. SCI. & L. 621 (2002).

Introduction to this Issue: Disability, Public Policy, and Employment (with Bonnie O'Day & Helen A. Schartz), 20 BEHAV. SCI. & L. 537 (2002).

Civil War Pension Attorneys and Disability Politics (with Chen Song), 35 MICH. J. L. REFORM 137 (2002).

Americans with Disabilities Act: Recent and Pending U.S. Supreme Court Decisions and Implications for Spine Professionals (with James L. Schmeling), 27 SPINE 439 (2002).

Labor and Employment Decisions of the Supreme Court's 2001 Term: Experts Comment (with Charles Craver, et. al.), 53 LAB. L.J. 206 (2002).

'With Malice Toward None; With Charity Toward All': Civil War Pensions for Native and Foreign-Born Union Army Veterans (with Chen Song), 11 TRANSN'L L. & CONTEMP. PROBS. 1 (2001).

Introduction to the Conceptions of Disability in War and Society, 11 TRANSN'L L. & CONTEMP. PROBS. i (2001).

Debate: The Unintended Consequences of the Americans with Disabilities Act (with Walter Olson), 85 IOWA L. REV. 1811 (2001).

Civil War Pensions and Disability, 62 OHIO ST. L.J. 109 (2001).

The Emerging Workforce of Entrepreneurs with Disabilities: Preliminary Study of Entrepreneurship in Iowa (with Leonard A. Sandler, James L. Schmeling & Helen A. Schartz), 85 IOWA L. REV. 1583 (2000).

The Economics of the Americans with Disabilities Act: Part III – Does the ADA Disable the Disabled? (with Susan Schwochau), 21 BERKELEY J. EMP. & LABOR L. 271 (2000).

Before Disability Civil Rights: Civil War Pensions and the Politics of Disability in America (with Michael Millender), 52 ALA. L. REV. 1 (2000).

ADA Title III and the Internet: Technology and Civil Rights (with Leonard A. Sandler), 24 MENTAL & PHYSICAL DISABILITY L. REP. 855 (2000).

Workers with Disabilities (with G. Pransky), 14 STATE OF THE ART REVIEWS: OCCUPATIONAL MEDICINE: SPECIAL POPULATIONS & OCCUPATIONAL HEALTH 581 (1999).

Introduction to the Special Section: Employment and the Americans with Disabilities Act, 17 BEHAV. SCI. & L. 3 (1999).

Evidence of Disability after Daubert (with Heidi M. Berven), 5 PSYCHOL., PUB. POL'Y & L. 16 (1999).

Empirical Study of Disability, Employment Policy, and the ADA, 23 MENTAL & PHYSICAL DISABILITY L. REP. 275 (1999).

Assistive Technology Patenting Trends and the Americans with Disabilities Act (with Heidi M. Berven), 17 BEHAV. SCI. & L. 47 (1999).

Pregnancy-Related Impairments and the Americans with Disabilities Act (with C. Butkowski), 25 OBSTETRICS & GYNECOLOGY CLINICS OF N. AM. 435 (1998).

Patents and Innovations in Assistive Technology (with Heidi M. Berven), 12 NOTRE DAME J. L., ETHICS & PUB. POL'Y 9 (1998).

Job Placement for Employee with Disabilities: Manpower Leads the Way, 25 EMP. REL. TODAY 57 (1998).

Socially Assisted Dying: Media, Money and Meaning, Panel, 7 CORNELL J. L. & PUB. POL'Y 267 (1998).

Introduction to Conference Transcript (with Kristi Kirschner & Leigh B. Bienen), 7 CORNELL J. L. & PUB. POL'Y 255 (1998).

Commentary: Civil Rights, Learning Disability, and Academic Standards, 2 J. GENDER, RACE & JUST. 33 (1998).

Students with Learning Disabilities, Reasonable Accommodations, and the Rights of Colleges and Universities to Establish and Enforce Academic Standards: Guckenberger v. Boston University, 21 MENTAL & PHYSICAL DISABILITY L. REP. 679 (1997).

Socially-Assisted Dying and People with Disabilities: Some Emerging Legal, Medical and Policy Implications (with Kristi Kirschner & Leigh Bienen), 21 MENTAL & PHYSICAL DISABILITY L. REP. 538 (1997).

The Economics of the Employment Provisions of the Americans with Disabilities Act: Part I – Workplace Accommodations, 46 DEPAUL L. REV. 877 (1997).

Attitudes, Behavior and the Employment Provisions of the Americans with Disabilities Act (with Mollie Weighner Marti), 42 VILL. L. REV. 345 (1997).

Transcending Title I of the Americans with Disabilities Act: A Case Report on Sears, Roebuck and Co., 20 MENTAL & PHYSICAL DISABILITY L. REP. 278 (1996).

Implementing the Americans with Disabilities Act: 1996 Follow-Up Report on Sears, Roebuck and Co., 21 SPINE 1602 (1996).

Hospital Privileges and the Americans with Disabilities Act (with P. L. Moseley & R. Merritt), 21 SPINE 2288 (1996).

Genetic Discrimination and the Employment Provisions of the Americans with Disabilities Act: Emerging Legal, Empirical, and Policy Implications (with Mollie Weighner Marti), 14 BEHAV. SCI. & L. 411 (1996).

Empirical Study of the Americans with Disabilities Act: Employment Issues from 1990-1994, 14 BEHAV. SCI. & L. 5 (1996).

The Appearance of Justice Revisited, 86 J. CRIM. L. & CRIMINOLOGY 887 (1996).

Supervisor Personal Liability for ADA Discrimination: Emerging Issues for Physicians (with Eric J. Wallach & James T. Tenney), 20 SPINE 1528 (1995).

Resolving Disputes under the Americans with Disabilities Act: A Case Example of an Employee with a Back Impairment, 20 SPINE 853 (1995).

Implementing the Americans with Disabilities Act: A Case Report on Sears, Roebuck and Co., 20 SPINE 2161 (1995).

Assessing Five Years of Employment Integration and Economic Opportunity under the Americans with Disabilities Act, 19 MENTAL & PHYSICAL DISABILITY L. REP. 384 (1995).

Recent Developments in ADA Case Law and Implications for Spine Professionals, 20 SPINE 116 (1994).

Implementing Reasonable Accommodations Using ADR under the ADA: A Case of a White Collar Employee with Bipolar Mental Illness (with Jill H. Andersen, Eric J. Wallach, & James P. Tenney), 18 MENTAL & PHYSICAL DISABILITY L. REP. 458 (1994).

Employment Integration, Economic Opportunity and the Americans with Disabilities Act: Empirical Study from 1990 to 1993, 79 IOWA L. REV. 853 (1994).

Empirical Study of the Americans with Disabilities Act (1990-1993), 4 J. VOCAT.'L REHAB. 211 (1994).

Celebrating Communications Technology for Everyone, 47 FED. COMM. L. J. 185 (1994).

The Americans with Disabilities Act: Issues for Back- and Spine-Related Disability, 19 SPINE 103 (1994).

The Americans with Disabilities Act: Emerging Issues for Ophthalmologists (with R. Folberg), 101 OPHTHALMOLOGY 1635 (1994).

Science and Ethics in Conducting, Analyzing, and Reporting Social Science Research: Implications for Social Scientists, Judges, and Lawyers (with Robert Rosenthal), 68 IND. L. J. 1209 (1993).

The Institutional Review Board as a Mirror of Scientific and Ethical Standards (with Ralph L. Rosnow, Mary J. Rotheram-Borus & Stephen J. Ceci), 48 AM. PSYCHOL. 821 (1993).

Calibrating the Scales of Justice: Studying Judges' Behavior in Bench Trials, 68 IND. L.J. 1119 (1993).

Welcoming Remarks and Statement of the Issues: Proceedings: Communicating with Juries (with Newton N. Minow), 68 IND. L.J. 1033 (1993).

Scientific Rewards and Conflicts of Ethical Choices in Human Subject Research (with Alan S. Bellack, Mary J. Rotheram-Borus & Ralph L. Rosnow), 47 AM. PSYCHOLOGIST 959 (1992).

On Integrating Persons with Mental Retardation: The ADA and ADR, 22 N.M. L. REV. 259 (1992).

Justice Improved: The Unrecognized Benefits of Aggregation and Sampling in the Trial of Mass Torts (with Michael J. Saks), 44 STAN. L. REV. 815 (1992).

Empirical Study of the Employment Provisions of the Americans with Disabilities Act: Methods, Preliminary Findings and Implications, 22 N. M. L. REV. 119 (1992).

The Emerging Work Force: Empirical Study of the Americans with Disabilities Act, 16 J. CORP. L. 693 (1991).

What Empirical Research Tells Us: Studying Judges' and Juries' Behavior, 40 AM. U. L. REV. 775 (1991).

Standards in Research: APA's Mechanism for Monitoring the Challenges, 46 AM. PSYCHOLOGIST 758 (1991).

The Measure of the Judge: An Empirically-Based Framework for Exploring Trial Judges' Behavior (with Robert Rosenthal et al.), 75 IOWA L. REV. 653 (1990).

The 'Process' of Field Research in the Courtroom: A Descriptive Analysis, 11 LAW & HUM. BEHAV. 337 (1987).

Off the Record: It's What the Judge Doesn't Say in Court that Defendants Have to Worry About, 16 STUDENT LAW. 8 (December 1987).

Therapists' Tone of Voice: Descriptive, Psychometric, Interactional, and Competence Analyses (with Robert Rosenthal, Marsha Vannicelli & Tanna Lee), 4 J. SOC'L & CLINICAL PSYCH. 154 (1986).

Book Chapters

Economic Inclusion and Empowerment of People with Disabilities (with F. Hyseni & N. Goodman), in HANDBOOK OF DISABILITY (M.H. Rioux, J. Viera, A. Buettgen & E. Zubrow eds. 2023), https://doi.org/10.1007/978-981-16-1278-7_81-1.

Supported Decision Making (with E. Dean, B. Linnenkamp, J. Martinis, S. Raley, & K.A. Shogren) in DECISION MAKING BY INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES: INTEGRATING RESEARCH INTO PRACTICE (L. Hickson & I. Khemka ed., 2021).

The Americans with Disabilities Act at Thirty Years, in CRITICAL ESSAYS ON DISABILITY RIGHTS: COMBATING EXCLUSION, EMBRACING INCLUSION (Sanjay Jain ed., 2021).

Psychiatric Advanced Directives and Supported Decision-Making: Preliminary Developments and Pilot Studies in California (with J. Martinis, S. Saks & C. Schnieders), in MENTAL HEALTH, HUMAN RIGHTS, AND LEGAL CAPACITY (F. Mahomed, V. Patel, M. Stein & C. Sunkel ed., 2021).

“The Right to Make Choices”: *Supported Decision-Making Activities in the United States* (with J. Martinis), in THE WILL OF THE PROTECTED PERSON: OPPORTUNITIES, RISKS AND SAFEGUARDS 27 (Montserrat Pereña Vicente ed., 2019).

Supported Decision Making as an Alternative to Guardianship and Means of Increasing Self-Determination for People with Intellectual and Developmental Disabilities (with J. Martinis, T. Campanella, M. Wehmeyer & K. Shogren), in HANDBOOK OF POSITIVE PSYCHOLOGY IN INTELLECTUAL AND DEVELOPMENTAL DISABILITIES: TRANSLATING RESEARCH INTO PRACTICE (K. Shogren, M. Wehmeyer, & N. Singh eds., 2017).

Web Accessibility for People with Cognitive Impairments: A Legal Right?, in DISABILITY, HUMAN RIGHTS, AND INFORMATION TECHNOLOGY 41 (M. Stein & J. Lazar eds., 2017).

eQuality: The Right to the Web, in ROUTLEDGE HANDBOOK OF DISABILITY LAW AND HUMAN RIGHTS 166 (Flynn E. & Blanck, P. ed., 2017).

Advocacy and Legal Considerations to Ensure Civil Rights, in A COMPREHENSIVE GUIDE TO INTELLECTUAL AND DEVELOPMENTAL DISABILITIES 79 (Michael Wehmeyer ed., 2d ed., 2017).

Law and People with Disabilities, (with J.E. Lord & D. Raja Samant) in 13 INTERNATIONAL ENCYCLOPEDIA OF SOCIAL & BEHAVIORAL SCIENCES 497 (J. Wright ed., 2d ed., 2015).

Introduction, in GENETIC DISCRIMINATION: TRANSATLANTIC PERSPECTIVES ON THE CASE FOR A EUROPEAN LEVEL LEGAL RESPONSE 1 (A. de Paor, G. Quinn, & P. Blanck eds., 2015).

Conclusion, in GENETIC DISCRIMINATION: TRANSATLANTIC PERSPECTIVES ON THE CASE FOR A EUROPEAN LEVEL LEGAL RESPONSE 269 (A. de Paor, G. Quinn, & P. Blanck eds., 2015).

U.S. Legislative and Policy Response – Some Historical Context to GINA, in GENETIC DISCRIMINATION: TRANSATLANTIC PERSPECTIVES ON THE CASE FOR A EUROPEAN LEVEL LEGAL RESPONSE 97 (A. de Paor, G. Quinn, & P. Blanck eds., 2015).

Disability and Diversity: Historical and Contemporary Influences, Workplace Inclusion of Employees with Disabilities, in MANAGING DIVERSITY IN TODAY'S WORKPLACE: STRATEGIES FOR EMPLOYEES AND EMPLOYERS (Michele A. Paludi ed., 2012).

Disability and Aging: Historical and Contemporary Views, in *DISABILITY AND AGING DISCRIMINATION: PERSPECTIVES IN LAW AND PSYCHOLOGY* (Richard L. Wiener & Steven L. Willborn eds., 2011).

Employment of People with Disabilities (with Aaron Gottlieb & William N. Myhill), in *INTERNATIONAL ENCYCLOPEDIA OF REHABILITATION* (2010).

Employment and Labor (with Tal Araten-Bergman, Janikke Solstad Vedeler & William N. Myhill), in *ENCYCLOPEDIA OF AMERICAN DISABILITY HISTORY* 321 (2009).

Civil War (with Larry M. Logue), in *ENCYCLOPEDIA OF AMERICAN DISABILITY HISTORY* 131 (2009).

George Lemon (with Larry M. Logue), in *ENCYCLOPEDIA OF AMERICAN DISABILITY HISTORY* 559 (2009).

Disability (with Michael A. Stein & Penelope J.S. Stein), in *LEGAL HISTORY ENCYCLOPEDIA* 334 (2009).

Individuals with Cancer in the Workforce and Their Federal Rights (with William N. Myhill, Janikke Solstad Vedeler, Joanna Morales and Paula Pearlman), in *WORK AND CANCER SURVIVORS* 255 (2009).

The Care of Children with Disabilities: Legal and Public-policy Perspectives (with William N. Myhill), in *THE CHILD: AN ENCYCLOPEDIA COMPANION* 275 (2009).

Enforcing ICT Accessibility Rules, in *THE ACCESSIBILITY IMPERATIVE* 186 (2007).

Distance Education Initiatives and Their Early 21st Century Role in the Lives of People with Disabilities (with William N. Myhill, Deepti Samant, David Klein, Shelley Kaplan, and María Verónica Reina), in *FOCUS ON DISTANCE EDUCATION DEVELOPMENTS* (Edward P. Bailey ed., 2007).

The New Disability Law and Policy Framework: Implications for Case Managers (with James Schmeling & Helen A. Scharztz), in *CASE MANAGEMENT FOR REHABILITATION HEALTH PROFESSIONALS* 88 (2nd ed., Fong Chan, et. al. eds., 2005).

Country Reports: United States of America (with James Schmeling & Helen A. Scharztz), in *INTERNATIONAL DISABILITY RIGHTS MONITOR* 349 (2004).

Is It Time to Declare the ADA a Failed Law? (with Susan Schwochau & Chen Song), in *THE DECLINE IN EMPLOYMENT OF PEOPLE WITH DISABILITIES: A POLICY PUZZLE* 301 (David C. Stapleton & Richard V. Burkhauser eds., 2003).

Studying the Emerging Workforce (with Helen A. Scharztz), in *THE HUMAN RIGHTS OF PERSONS WITH INTELLECTUAL DISABILITIES: DIFFERENT BUT EQUAL* 347 (Stanley S. Herr et al. eds., 2003).

Towards Researching a National Employment Policy for Persons with Disabilities (with Helen A. Schwartz), in *EMERGING WORKFORCE ISSUES: WIA, TICKET TO WORK, AND PARTNERSHIPS* (R. McConnell ed., 2001).

Attitudes, Behavior, and the ADA (with Mollie Weighner Marti), in *EMPLOYMENT, DISABILITY, AND THE AMERICANS WITH DISABILITIES ACT: ISSUES IN LAW, PUBLIC POLICY, AND RESEARCH* 356 (Peter D. Blanck ed., 2000).

The Economics of the ADA, in *EMPLOYMENT, DISABILITY, AND THE AMERICANS WITH DISABILITIES ACT: ISSUES IN LAW, PUBLIC POLICY, AND RESEARCH* 201, (Peter D. Blanck ed., 2000).

Studying Disability, Employment Policy, and the ADA, in *AMERICANS WITH DISABILITIES* 209 (Leslie Pickering Francis & Anita Silvers eds., 2000).

Unanticipated Economic Gains and the ADA: Assistive Technology Patent Trends (with Heidi M. Berven), in *EMPLOYMENT, DISABILITY, AND THE AMERICANS WITH DISABILITIES ACT: ISSUES IN LAW, PUBLIC POLICY, AND RESEARCH* 329 (Peter D. Blanck ed., 2000).

Studying the Employment Provisions of the Americans with Disabilities Act, in *ENCYCLOPEDIA BRITANNICA: 1997 MEDICAL AND HEALTH ANNUAL* 215 (1997).

Assessing Employment Integration Under Title I of the Americans with Disabilities Act, in *THE CONTINUING STRUGGLE: CIVIL RIGHTS AND THE CLINTON ADMINISTRATION* 169 (Corrine M. Yu & William L. Taylor eds., 1997).

Reflections on the Law and Ethics of the Human Genome Initiative, in *GENES AND HUMAN SELF-KNOWLEDGE: HISTORICAL AND PHILOSOPHICAL REFLECTIONS ON MODERN GENETICS* (Robert F. Weir et al. eds., 1994).

Interpersonal Expectations in the Courtroom, in *INTERPERSONAL EXPECTATIONS: THEORY, RESEARCH, AND APPLICATIONS* 64 (Peter D. Blanck ed., 1993).

Nonverbal Behavior in the Courtroom (with Robert Rosenthal), in *APPLICATIONS OF NONVERBAL BEHAVIORAL THEORIES AND RESEARCH* (Robert S. Feldman ed., 1992).

Gestalt Research: Clinical Field Research Approaches to Studying Organizations (with A. N. Turner), in *THE HANDBOOK OF ORGANIZATIONAL BEHAVIOR* (Jay W. Lorsch ed., 1987).

General Introduction: Nonverbal Communication in the Clinical Context (with Ross Buck & Robert Rosenthal), in *NONVERBAL COMMUNICATION IN THE CLINICAL CONTEXT* (Peter D. Blank, et al. eds., 1986).

Talking To and About Patients: The Therapist's Tone of Voice (with Robert Rosenthal and M. Vannicelli), in *NONVERBAL COMMUNICATION IN THE CLINICAL CONTEXT* (Peter D. Blank et al. eds. 1986).

Patrick J. J. Rich (with J. J. Dowd & Jeffrey A. Sonnenfeld), in MANAGING CAREER SYSTEMS: CHANNELING OF EXECUTIVE CAREERS (Jeffrey A. Sonnenfeld ed., 1984).

The Wane Division of the American Instruments Corporation (B) (with Jeffrey A. Sonnenfeld), in MANAGING CAREER SYSTEMS: CHANNELING OF EXECUTIVE CAREERS (Jeffrey A. Sonnenfeld ed., 1984).

The Wane Division of the American Instruments Corporation (A) (with Jeffrey A. Sonnenfeld), in MANAGING CAREER SYSTEMS: CHANNELING OF EXECUTIVE CAREERS (Jeffrey A. Sonnenfeld ed., 1984).

Developing Strategies for Decoding ‘Leaky’ Messages: On Learning How and When to Decode Discrepant and Consistent Social Communications (with Robert Rosenthal), in DEVELOPMENT OF NONVERBAL BEHAVIOR IN CHILDREN (Roberts S. Feldman ed., 1982).

Reports, News and Commentary

Destiny Arms: A Global Universal Design Commission Living Laboratory, 18 NUMBERS MAGAZINE 46 (2017).

Universal Architectural Design and People with Disabilities, 14 NUMBERS 64 (2016).

Using ADR to Resolve ADA Disputes: A White Collar Case Study (w/ Jill H. Andersen, Eric J. Wallach, and James P. Tenney), 3 DISP. RESOL. MAG. 20 (1997) reprinted in 2 BEST ABA SEC.: GEN. PRAC., SOLO & SMALL FIRM SEC. 34 (1998).

Book Reviews

Book Review, 63 INT’L J. COMP. SOCIOLOGY 1 (2022) (reviewing THE LEGACIES OF INSTITUTIONALISATION: DISABILITY, LAW AND POLICY IN THE “DEINSTITUTIONALISED” COMMUNITY (Claire Spivakovsky, Linda Steele, & Penelope Weller eds., 2022)), <https://doi.org/10.1177/00207152211069586>.

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Law Review and Other Scholarly Articles

Optimal Tax Treaty Administrative Guidance, 88 TEX. L. REV. 175 (2009).

Change, Dependency, and Regime Plasticity in Offshore Financial Intermediation: The Saga of the Netherlands Antilles (with Andrew P. Morriss), 45 TEX. INT'L L.J. 377 (2009).

Breaking Open Offshore Piggybanks: Deferral and the Utility of Amnesty, 14 GEO. MASON L. REV. 667 (2007.)

Playing With Monopoly Money: Phony Profits, Fraud Penalties and Equity, 90 MINN. L. REV. 144 (2005).

Tax Fraud and Inflated Corporate Earnings: Is There an Alternative to the Missing Legislative Fix?, 106 TAX NOTES 191 (2005).

Book Chapters

Regulating Tax Competition in Offshore Financial Centers, in OFFSHORE FINANCIAL CENTERS AND REGULATORY COMPETITION (Andrew P. Morriss ed., 2010).

Reports to Governmental Bodies and Professional Associations

Amicus Brief in Support of Appellant Richard A. Levin, Tax Commissioner of Ohio, *HealthSouth v. Levin*, 903 N.E.2d 1179 (2009) (No. 2007-2281), 2008 WL 1927262.

Amicus Briefs in Support of Appellee Richard A. Levin, Tax Commissioner of Ohio, *MCI Metro Access Transmission Services, LLC v. Levin*, 2008-Ohio-5057 (2008) (Nos. 07AP-398, 07AP-399), 2008 WL 4416665.

Amicus Briefs in Support of Appellee Richard A. Levin, Tax Commissioner of Ohio, *MCI Metro Access Transmission Services, LLC v. Levin*, (2007) (No. 2004-K-749).

Reports, News, and Commentary

A Tightened Bar Passage Standard is Needed, (with Daniel Rodriguez), NAT. L.J. Sept. 19, 2016, <http://www.nationallawjournal.com/id=1202767658112>.

Practical and Policy Considerations in Corporate Inversion Transactions (with James C. Koenig), 3 CORP. BUS. TAX'N MONTHLY 3 (Sept. 2002).

Contingent Consideration: The Taxation of Earnouts and Escrows (with James C. Koenig), 2 MERGERS & ACQUISITIONS: MONTHLY TAX J. 3 (July 2001).

Book Reviews

Slicing the Global Tax Pie, JOTWELL (June 28, 2010) (reviewing M. F. de Wilde, SOME THOUGHTS ON A FAIR ALLOCATION OF CORPORATE TAX IN A GLOBALIZING ECONOMY, 38 *Intertax* 281 (2010)), <https://tax.jotwell.com/slicing-the-global-tax-pie/>.

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Law Review and Other Scholarly Articles

Democratic Erosion and the United States Supreme Court, 2024 UTAH L. REV. 341 (2024).

Open for Business: The Supreme Court Curbs Federal Regulatory Power, 32 NEW LAB. F. (2023).

Caring Work, Women's Work, Essential Work: Reconsidering Comparable Worth as an Approach to Pay Equity for Care Workers, 43 BERKELEY J. EMP. & LAB. L. 311 (2022).

Labor, Law Enforcement, and "Normal Times"; The Origins of Immigration's Home Within the Department of Justice and the Evolution of Attorney General Control Over Immigration Adjudications, 42 U. HAW. L. REV. 1 (2019), reprinted in IMMIGRATION BRIEFINGS (Oct. 2020).

Left Alone and Left Behind: Policy Responses to the "Displaced Homemaker" in the 1970s, 29 J. POL'Y HIST. 569 (2017).

Mandating Discretion: Juvenile Sentencing Schemes after Miller v. Alabama (with John R. Mills), 52 AM. CRIM. L. REV. 293 (2015).

Reinstatement of Removal: New Developments in a Growing Form of Removal (with Stephen Yale-Loehr), 19-8 BENDER'S IMMIGR. BULL. 2 (April 15, 2014).

Dissertation

Capitalizing Labor: What Work is Worth and Why, From the New Deal to the New Economy (2011) (Ph.D. dissertation, Univ. Pa.) (ProQuest).

Book Reviews

Book Review, *Banned: Immigration Enforcement in the Time of Trump*, 55 INT'L IMMIGR. REV. 954 (2020) (reviewing SHOBA SIVRAPRASAD WADHIA, BANNED: IMMIGRATION ENFORCEMENT IN THE TIME OF TRUMP (2019)).

Book Review, 18 J. CHILD. & POVERTY 164 (2012) (reviewing CHARLES MURRAY, COMING APART: THE STATE OF WHITE AMERICA, 1960-2010 (2012)).

Working through the Seventies: Culture, Class, and Capital in the Era of Deindustrialization, 32 NEW POL. SCI. 609 (2010) (reviewing JEFFERSON COWIE, STAYIN' ALIVE: THE 1970S AND THE LAST DAYS OF THE WORKING CLASS (2010) and JUDITH STEIN, PIVOTAL DECADE: HOW THE UNITED STATES TRADED FACTORIES FOR FINANCE IN THE SEVENTIES (2010)).

Book Review, 72 J. POLITICS 601(2010) (reviewing SCOTT W. ALLARD, OUT OF REACH: PLACE, POVERTY, AND THE NEW AMERICAN WELFARE STATE (2009)).

Reports, News and Commentary

Delegitimizing the Administrative State, NONSITE.ORG (July 2, 2022).

<https://nonsite.org/delegitimizing-the-administrative-state/>

Right-Wing Supreme Court Imperils Democratic Self-Governance, COMMON DREAMS (July 1, 2022). <https://www.commondreams.org/views/2022/07/01/right-wing-supreme-court-imperils-democratic-self-governance>

The 'Raw Judicial Power' of Samuel Alito Is an Attack on Dignity, Autonomy, and Progress, COMMON DREAMS (May 5, 2022). <https://www.commondreams.org/views/2022/05/05/raw-judicial-power-samuel-alito-attack-dignity-autonomy-and-progress>

The US Supreme Court's Latest Anti-Labor Ruling Goes Far Beyond Farm Workers, COMMON DREAMS (June 24, 2021).

<https://www.commondreams.org/views/2021/06/24/us-supreme-courts-latest-anti-labor-ruling-goes-far-beyond-farm-workers>

Abramski v. U.S. (with L. Alyssa Chen), LII SUPREME COURT BULLETIN (2013-2014).

<https://www.law.cornell.edu/supct/cert/12-1493>

Atlantic Marine Constr. Co. v. U.S. D.Ct. W.D. Tex. (with L. Alyssa Chen), LII SUPREME COURT BULLETIN (2013-2014). <https://www.law.cornell.edu/supct/cert/12-929>

Sandifer v. U.S. Steel Corp. (with L. Alyssa Chen), LII SUPREME COURT BULLETIN (2013-2014).

<https://www.law.cornell.edu/supct/cert/12-417>

White v. Woodall (with L. Alyssa Chen), LII SUPREME COURT BULLETIN (2013-2014).

<https://www.law.cornell.edu/supct/cert/12-794>

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Books

HOW CIVILITY WORKS (2016).

ALL JUDGES ARE POLITICAL—EXCEPT WHEN THEY ARE NOT: ACCEPTABLE HYPOCRISIES AND THE RULE OF LAW (2010).

MISTAKEN IDENTITY: THE SUPREME COURT AND THE POLITICS OF MINORITY REPRESENTATION (1998).

Books, Edited

STANFORD STUDIES IN LAW AND POLITICS (series editor) (2012-).

LAW, POLITICS, AND THE MEDIA (Social Science Research Network subject matter e-journal) (editor) (2009-), <https://www.ssrn.com/link/Law-Politics-Media.html>.

LAW, POLITICS, AND THE MEDIA (series editor) (2007-2011).

BENCH PRESS: THE COLLISION OF COURTS, POLITICS, AND THE MEDIA (2007).

Law Review and Other Scholarly Articles

Law and/or/as Civility, 17 ANN. REV. L. & SOC. SCI. 1 (2021).
<https://www.annualreviews.org/doi/full/10.1146/annurev-lawsocsci-120920-084221>.

The Rise of Trump and the Death of Civility, LAW, CULTURE AND THE HUMANITIES, June 28, 2018, at 00, doi.org/10.1177/1743872118785956.

Muckraking: The Case of the United States Supreme Court, 4 OÑATI SOCIO-LEGAL SERIES 597 (2014).

Symposium, *Law in the Age of Media Logic*, 4 OÑATI SOCIO-LEGAL SERIES 593 (2014).

The Supreme Court: An Autobiography (with Angela G. Narasimhan), 61 STUD. L. POL. & SOC'Y 179 (2013).

Open Secret: Why the Supreme Court has Nothing to Fear from the Internet, 88 CHI.-KENT L. REV. 309 (2013).

All Judges Are Political – Except When They Are Not: A Response, 38 LAW & SOC. INQUIRY 215 (2013).

The Limits of Debate or What We Talk About When We Talk About Gender Imbalance on the Bench, 2012 MICH. ST. L. REV. 1481 (2012).

Judging in Place: Architecture, Design, and the Operation of Courts, 37 LAW & SOC. INQUIRY 1014 (2012).

Paying Attention to What Judges Say: New Directions in the Study of Judicial Decision Making, 8 ANN. REV. L. & SOC. SCI. 69 (2012).

Will the Real Elena Kagan Please Stand Up? Conflicting Public Images in the Supreme Court Confirmation Process, 1 WAKE FOREST J. L. & POL'Y 137 (2011).

Efficient, Fair, and Incomprehensible: How the State “Sells” its Judiciary (with Heather Pincock), 33 LAW & POL'Y 1 (2011).

Symposium, *The Importance of Judicial Appearances: A Symposium on Law, Politics and the Media*, 59 SYRACUSE L. REV. 361 (2009).

Legalizing Public Reason: The American Dream, Same-Sex Marriage, and the Management of Radical Disputes (with Cyril Ghosh), 49 STUD. L. POL. & SOC'Y 125 (2009).

Symposium, *Creators vs. Consumers: The Rhetoric, Reality and Reformation of Intellectual Property Law and Policy*, 58 SYRACUSE L. REV. 427 (2008).

How Would You Know a Virtuous Citizen if You Saw One?, 30 INT'L J. PUB. ADMIN. 683 (2007).

Symposium, *Law in Action: Commentary on Article by Susan Burgess*, 59 POL. RES. Q. 415 (2006).

Legal Realism, Common Courtesy, and Hypocrisy, 1 LAW, CULTURE & HUMAN. 75 (2005).

The Forum, *Citizenship At Home and Abroad, Editor's Note*, 7 INT'L STUD. REV. 503 (2005).

The Political Significance of Legal Ambiguity: The Case of Affirmative Action, 34 LAW & SOC'Y REV. 263 (2000).

Essentially Contested Membership: Racial Minorities and the Politics of Inclusion, 21 LEGAL STUD. F. 469 (1997).

Book Chapters

Does the Constitution Protect the Right to Lie? in THE U.S. CONSTITUTION IN FIVE MINUTES (Joseph L. Smith & David E. Klein eds., 2023).

Free Speech, Free Press and Fake News: What if the Marketplace of Ideas Isn't About Identifying the Truth? (with Laura Jenkins), in FREE SPEECH THEORY: UNDERSTANDING THE CONTROVERSIES (Helen J. Knowles & Brandon T. Metroka eds., 2020).

Courts and Judges: The Legitimacy Imperative and the Importance of Appearances (with Angela G. Narasimhan), in THE HANDBOOK OF LAW AND SOCIETY (Austin Sarat & Patricia Ewick eds., 2015).

Potter Stewart Meets the Press, in JUDGING FREE SPEECH: FIRST AMENDMENT JURISPRUDENCE OF U.S. SUPREME COURT JUSTICES (Helen J. Knowles & Steven B. Lichtman eds., 2015).

The Rule of Law is Dead! Long Live the Rule of Law!, in WHAT'S LAW GOT TO DO WITH IT? WHAT JUDGES DO, WHY THEY DO IT, AND WHAT'S AT STAKE (Charles Gardner Geyh ed., 2011).

The Polite Thing to Do, in THE FUTURE OF GAY RIGHTS IN AMERICA (H. N. Hirsch ed., 2005).

The Liberal Arts, Legal Scholarship, and the Democratic Critique of Judicial Power, in LAW IN THE LIBERAL ARTS (Austin Sarat ed., 2004).

Democratic Theory and Race-Conscious Redistricting: The Supreme Court Constructs the American Voter, in THE SUPREME COURT IN AMERICAN POLITICS: NEW INSTITUTIONALIST APPROACHES (Howard Gillman & Cornell Clayton eds., 1999).

Reports, News, and Commentary

So You Read That Scandalous Report About Donald Trump and Russia – Now What?, TEEN VOGUE (Jan. 11, 2017), <http://www.teenvogue.com/story/russia-trump-report-unverified-buzzfeed-cnn-what-to-take-away-ethics> (last visited Sept. 13, 2017).

How Should We Understand Trump's "Uncivil" Behaviour, OPEN DEMOCRACY (Sept. 27, 2016), <https://www.opendemocracy.net/keith-j-bybee/how-should-we-understand-trump-s-uncivil-behaviour> (last visited Sept. 13, 2017).

Why Manners Matter, STAN. U. PRESS: BLOG (Aug. 23, 2016), <http://stanfordpress.typepad.com/blog/2016/08/why-manners-matter.html> (last visited Sept. 13, 2017).

Professor Bybee Discusses Supreme Court's New Term: What Will the Justice's Decide? And How Will They Look Doing It?, SYRACUSE UNIV. COLL. OF L.: NEWS & EVENTS (Sept. 28, 2015), http://law.syr.edu/news_events/news/professor-bybee-discusses-supreme-courts-new-term (last visited Sept. 13, 2017).

U.S. Public Perception of the Judiciary: Mixed Law and Politics, JURIST (Apr. 10, 2011), <http://jurist.org/forum/2011/04/us-public-perception-of-the-judiciary-mixed-law-and-politics.php> (last visited Sept. 13, 2017).

Politics or Impartiality in the Courtroom?, WASH. POST: POLITICAL BOOKWORM (Jan. 3, 2011), http://voices.washingtonpost.com/political-bookworm/2011/01/politics_or_impartiality_in_th.html (last visited Sept. 13, 2017).

Judicial Ethics: Appearances Still Matter, JURIST (Oct. 18, 2010), <http://jurist.org/forum/2010/10/judicial-ethics-appearances-still-matter.php> (last visited Sept. 13, 2017).

Kagan Delay Hypocrisy, WASH. POST: POLITICAL BOOKWORM (July 14, 2010), http://voices.washingtonpost.com/political-bookworm/2010/07/kagan_delay_hypocrisy.html (last visited Sept. 13, 2017).

Kagan's Confirmation: Conflicting Imagery, JURIST (June 28, 2010), <http://jurist.org/forum/2010/06/kagans-confirmation-conflicting-imagery.php> (last visited Sept. 13, 2017).

The Media's Role in Selecting Impartial Justices, CBSNEWS (Oct. 27, 2006), http://www.cbsnews.com/8301-500486_162-2130543-500486.html (last visited Sept. 13, 2017).

Op-Ed., *All Judges Are Political Actors – Except When They Aren't* (with Jeffrey Stonecash), KNIGHT-RIDDER, Dec. 14, 2005, available at http://www.maxwell.syr.edu/campbell/programs/The_Maxwell_Poll (last visited Sept. 13, 2017).

Book Reviews

Book Review, 9 AM. POL. THOUGHT 173 (2020) (reviewing LESLIE F. GOLDSTEIN, *THE U.S. SUPREME COURT AND RACIAL MINORITIES: TWO CENTURIES OF JUDICIAL REVIEW ON TRIAL* (2017)).

Book Review, 26 LAW & POL. BOOK REV. 78 (2016) (reviewing JASON E. WHITEHEAD, *JUDGING JUDGES: VALUES AND THE RULE OF LAW* (2014)).

Book Review, 22 LAW & POL. BOOK REV. 477 (2012) (reviewing JAMES L. GIBSON, *ELECTING JUDGES: THE SURPRISING EFFECTS OF CAMPAIGNING ON JUDICIAL LEGITIMACY* (2012)).

Book Review, 21 LAW & POL. BOOK REV. 214 (2011) (reviewing PAUL CANE, *THE HART-FULLER DEBATE IN THE TWENTY-FIRST CENTURY* (2010)).

Book Review, 17 LAW & POL. BOOK REV. 659 (2007) (reviewing RISA L. GOLUBOFF, *THE LOST PROMISE OF CIVIL RIGHTS* (2007)).

Book Review, 16 LAW & POL. BOOK REV. 608 (2006) (reviewing ROGER BERKOWITZ, *THE GIFT OF SCIENCE: LEIBNIZ AND THE MODERN LEGAL TRADITION* (2005)).

Book Review, 14 LAW & POL. BOOK REV. 393 (2004) (reviewing RICHARD A. PRIDE, THE POLITICAL USE OF RACIAL NARRATIVES: SCHOOL DESEGREGATION IN MOBILE ALABAMA, 1954-97 (2002)).

Book Review, 13 LAW & POL. BOOK REV. (2003) (reviewing TINSLEY E. YARBROUGH, RACE AND REDISTRICTING: THE SHAW-CROMARTIE CASES (2002)).

Book Review, 64 J. POL. 270 (2002) (reviewing JED RUBENFELD, FREEDOM AND TIME: A THEORY OF CONSTITUTIONAL SELF-GOVERNMENT (2001)).

The Jurisprudence of Uncertainty, 35 LAW & SOC'Y REV. 943 (2001) (reviewing CASS R. SUNSTEIN, ONE CASE AT A TIME: JUDICIAL MINIMALISM ON THE SUPREME COURT (1999)).

Book Review, 10 LAW & POL. BOOK REV. 287 (2000) (reviewing STEPHEN M. FELDMAN, AMERICAN LEGAL THOUGHT FROM PREMODERNISM TO POSTMODERNISM (2000)).

Book Review, 9 LAW & POL. BOOK REV. 236 (1999) (reviewing RACE AND REDISTRICTING IN THE 1990s (Bernard Grofman ed., 1998)).

Splitting the Difference: The Representation of Ideas and Identities in Modern Democracy, 22 LAW & SOC. INQUIRY 389 (1997) (reviewing ANNE PHILLIPS, THE POLITICS OF PRESENCE (1995)).

Book Review, 111 POL. SCI. Q. 375 (1996) (reviewing SCOTT DOUGLAS GERBER, TO SERVE THESE RIGHTS: THE DECLARATION OF INDEPENDENCE AND CONSTITUTIONAL INTERPRETATION (1995)).

Book Review, 4 LAW & POL. BOOK REV. 68 (1996) (reviewing PATRICIA J. WILLIAMS, THE ROOSTER'S EGG: ON THE PERSISTENCE OF PREJUDICE (1996)).

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Books

MASTERING CRIMINAL PROCEDURE (*with* PETER J. HENNING, CYNTHIA E. JONES, ELLEN S. PODGOR, & KAREN McDONALD HENNING) (3rd ed. 2020).

Law Review and Other Scholarly Articles

Chapman V. California: Harmless Error and the Warren Court's Progressive Legacy, 49 STETSON L. REV. 375 (2020).

Legitimate Justice: Using Clemency to Address Mass Incarceration, 16 U. MD. L.J. RACE, RELIGION, GENDER & CLASS 48 (2016).

Beyond Brady: An Eighth Amendment Right to Discovery in Capital Cases, 38 N.Y.U. REV. L. & SOC. CHANGE 423 (2014).

Bad Moon Rising: The Execution of Wallace Fugate, 1 PENN. UNDERGRADUATE L. J. 1 (Spring 2014).

An Exercise Exploring the Rationales for Punishment, 10 OHIO ST. J. CRIM. L. 613 (2013).

Re-framing the 'Fair Cross-Section' Requirement, 13 U. PA. J. CONST. L. 931 (2011).

Chronically Stricken: A Continuing Legacy of Ineffective Assistance of Counsel, 28 ST. LOUIS U. PUB. L. REV. 351 (2009).

Disentangling the Right to Effective Assistance of Counsel, 60 SYRACUSE L. REV. 1 (2009).

Disentangling the Sixth Amendment, 11 U. PA. J. CONST. L. 487 (2009).

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Law Review and Other Scholarly Articles

Hamilton's Law and Finance - Borrowing from the Brits (And the Dutch), 47 SYRACUSE J. INT'L L. & COM. 68 (2019).

Risky Business: Popular Images and Reality of Capital Markets Handling Risk – From the Tulip Craze to the Decade of Greed, 113 PENN ST. L. REV. 461 (2008).

The Case for Professionally Edited Law Reviews, 33 OHIO N.U. L. REV. 563 (2007).

Paper Conspiracies and the End of All Good Order: Perceptions and Speculation in Early Capital Markets, 1 ENTREPRENURIAL BUS. L.J. 283 (2006).

Dispersed Capital and Moral Authority: The Paradox of Success in the Unregulated 19th Century New York Capital Markets, 12 LAW & BUS. REV. AM. 303 (2006).

Chaos in the Markets — Moral, Legal & Economic Signals in Three Fantastic Bubbles, 85 FIN. HIST. 24 (Winter 2006).

Is There a Tulip in Your Future?: Ruminations on Tulip Mania and the Innovative Dutch Futures Market, 14 JOURNAL DES ECONOMISTES ET DES ETUDES HUMAINES 151 (2004).

Partner to Plutocrat: The Separation of Ownership From Management in Emerging Capital Markets – 19th Century Industrial America, 58 U. MIAMI L. REV. 525 (2004).

Law Schools Can Solve the “Bar Pass Problem” – “Do the Work,” 40 CAL W. L. REV. 321 (2004).

Teaching Students How to Become In-House Counsel, 51 J. LEGAL EDUC. 503 (2001).

Investor Power & Liquidity: Corporations, Capital Markets and the Industrialization of America, 5 J. SMALL & EMERGING BUS. L. 345 (2001).

Corporate Governance, Conrail and the Market: Getting on the Right Track!, 26 J. CORP. L. 1 (2000).

In Search of the Read Footnote: Techniques for Writing Legal Scholarship and Having It Published, 6 LEGAL WRITING: J. LEGAL WRITING INST. 229 (2000).

Criminal Procedure Issues Arising From Close Contacts Between Mainland China and Taiwan (with Chen Ronbing, Zheng Jingren, ed., trans., Du Lianrui, trans.), 21 SYRACUSE J. INT'L L. & COM. 105 (1995).

The Teaching of Legal Classics, 26 IND. L. REV. 263 (1993).

Resisting Serfdom: Making the Market Work in a Great Republic, 25 IND. L. REV. 799 (1992).

Riding the Rapids: Financing the Leveraged Transaction Without Getting Wet (with Lisa Dolak and Michael Walls), 41 SYRACUSE L. REV. 661 (1990).

Maintaining the Dragon's Teeth: Balanced Sales of Advanced Weapons and High Technology to the Two Chinas – An Exercise in Balance of Power Policies by the United States, 13 SYRACUSE J. INT'L L. & COM. 29 (1986).

Corporate Investment in Real Estate Ventures – Special Considerations for Special Allocations Under 704: "The Price is Right!", 10 J. CORP. L. 313 (1985).

Commissioner v. Tufts: The Fall of Footnote 37: The Confirmation of the Functional Relationship, 45 U. PITT. L. REV. 803 (1984).

The Recovery of Hong Kong by the People's Republic of China – A Fifty Year Experiment in Capitalism and Freedom, 11 SYRACUSE J. INT'L L. & COM. 625 (1984).

Implied Antitrust Repeals: Principles for Analysis (with Robert Simon Balter), 86 DICK. L. REV. 447 (1982).

A Land Retrenchment Policy for Energy and Resources-Short Times: A Modest Proposal, 10 FORDHAM URB. L.J. 71 (1982).

The Condominium Crisis: A Problem Unresolved (with Mark I. Forgel), 21 URB. L. ANN. 3 (1981).

Federal Income Tax Reform: An Important Tool for Historic Preservation, 16 WAKE FOREST L. REV. 315 (1980).

Reports, News and Commentary

Property to Market: The Transformation of Business Investments in Emerging Markets (June 2005), available at SSRN: <http://ssrn.com/abstract=676047>.

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Law Review and Other Scholarly Articles

Patent Office Contested Proceedings and the Duty of Candor, 22 J. INTELL. PROP. L. 1 (2014).

Trial Lawyers in Trouble: Litigation Misconduct and Its Ethics Fallout, 52 U. LOUISVILLE L. REV. 225 (2014).

Litigating Inequitable Conduct After Therasense, Exergen, and the AIA: Lessons for Litigants, Options for Owners, 13 CHI.-KENT J. INTELL. PROP. 51 (2013).

America Invents the Supplemental Examination But Retains the Duty of Candor: Questions and Implications, 6 AKRON INTELL. PROP. J. 147 (2012).

Ethics in Intellectual Property Negotiations: Issues and Illustrations, 40 AIPLA Q.J. 197 (2012).

The America Invents Act: Target, the Eastern District of Texas, Panel, 15 SMU SCI. & TECH. L. REV. 471 (2012).

One Patent, Two Paths: Federal Circuit Review of Divergent USPTO and District Court Decisions, 4 LANDSLIDE 22 (Nov. – Dec. 2011).

Inequitable Conduct: A Flawed Doctrine Worth Saving, 11 WAKE FOREST J. OF BUS. & INTELL. PROP. L. 1 (2010–2011).

The Inequitable Conduct Gyre Widens, 50 IDEA 215 (2010).

Beware the Inequitable Conduct Charge! (Why Practitioners Submit What They Submit), 91 J. PAT. & TRADEMARK OFF. SOC'Y 558 (2009), reprinted in PATENT LAW INSTITUTE 2010 (4TH ANNUAL), at 895 (PLI Pat. Copyrights, Trademarks & Literary Prop., Course Handbook Series No. 997, 2010).

The United States Patent System in the Media Mirror (with Blaine T. Bettinger), 58 SYRACUSE L. REV. 459 (2008).

EBay and the BlackBerry®: A Media Coverage Case Study, 2 AKRON INTELL. PROP. J. 1 (2008).

Power or Prudence: Toward a Better Standard for Evaluating Patent Litigants' Access to the Declaratory Judgment Remedy, 41 U.S.F. L. REV. 407 (2007).

The Ethics of Delaying Prosecution, 53 AM. U. L. REV. 739 (2004).

Risky Business: The Perils of Representing Competitors, 30 AIPLA Q.J. 413 (2002).

The Inequitable Conduct Doctrine: Lessons from Recent Cases, 84 J. PAT. & TRADEMARK OFF. SOC'Y 719 (2002).

Recognizing and Resolving Conflicts of Interest in Intellectual Property Matters, 42 IDEA 453 (2002).

Clients, Their Confidences, and Internet Communications, 36 TORT & INS. L.J. 829 (2001).

Responding to Prior Art Rejections—An Analytical Framework (with Michael L. Goldman), 83 J. PAT. & TRADEMARK OFF. SOC'Y 5 (2001).

As If You Didn't Have Enough to Worry About: Current Ethics Issues for Intellectual Property Practitioners, 82 J. PAT. & TRADEMARK OFF. SOC'Y 235 (2000).

Patents Without Paper: Proving a Date of Invention with Electronic Evidence, 36 HOUS. L. REV. 471 (1999).

Conflicts of Interest: Guidance for the Intellectual Property Practitioner, 39 IDEA 267 (1999).

Declaratory Judgment Jurisdiction in Patent Cases: Restoring the Balance Between the Patentee and the Accused Infringer, 38 B.C. L. REV. 903 (1997).

Riding the Rapids: Financing the Leveraged Transaction Without Getting Wet (with Christian C. Day & Michael P. Walls), 41 SYRACUSE L. REV. 661 (1990).

Book Chapters

The Ethics of Patent Assertion: Does “Purpose” Matter?, in IP MONETIZATION AND INVESTMENT 2017: MAXIMIZE YOUR FINANCIAL AND STRATEGIC OPTIONS (2017).

Negotiation Ethics: Guidance for the Intellectual Property Practitioner, in IP MONETIZATION AND INVESTMENT 2017: MAXIMIZE YOUR FINANCIAL AND STRATEGIC OPTIONS (2017).

Don't Check Your Ethics at the Door: The Ethical Implications of Legal Service Outsourcing, (with Tyler Maulsby & Michael E. McCabe), in PATENT LAW INSTITUTE 2016 (10TH ANNUAL) (PLI Intellectual Property Course Handbook Series No. G-1268, 2016) and PATENT LAW INSTITUTE 2018: CRITICAL ISSUES & BEST PRACTICES (PLI Intellectual Property Course Handbook Series No. G-1362, 2018).

Patent Office Post-Grant Trials and the Duty of Candor, in USPTO POST-GRANT PATENT TRIALS 2013, at 465 (PLI USPTO Post-Grant Patent Trials Course Handbook Series No. G-1130, 2013).

Innovation & Intellectual Property Rights in China and India: Prospects and Strategies (with Bernard Arogyaswamy), in INTELLECTUAL PROPERTY, INNOVATION AND MANAGEMENT IN EMERGING ECONOMIES (Ruth Taplin & Alojzy Z. Nowak eds. 2010).

Inequitable Conduct: A Flawed Doctrine Worth Saving, in PATENT LAW INSTITUTE 2010 (4TH ANNUAL), at 877 (PLI Pat. Copyrights, Trademarks & Literary Prop., Course Handbook Series No. 997, 2010).

Ethical Intellectual Property Opinions (and it's all legal!), in PREPARING PATENT LEGAL OPINIONS 2004, at 519 (PLI Pat. Copyrights, Trademarks & Literary Prop., Course Handbook Series No. 802, 2004) *reprinted in* PREPARING PATENT LEGAL OPINIONS 2005, at 217 (PLI Pat. Copyrights, Trademarks & Literary Prop., Course Handbook Series No. 843, 2005).

Federal Circuit Treatment of the Inequitable Conduct Defense (with Steven C. Becker), in 16 SELECTED LEGAL PAPERS: A COLLECTION OF PAPERS BASED ON PRESENTATIONS AT AIPLA FUNCTIONS 175 (Thomas E. Smith ed., 1997).

Inequitable Conduct in the Presentation of Affidavits to the U.S. Patent and Trademark Office (with Michael L. Goldman), in AM. INT. PROP. L. ASS'N BASIC CHEMICAL AND BIOTECHNOLOGY PATENT PRACTICE SEMINAR COURSE BOOK (1996).

Prosecuting Patent Applications in the Face of Prior Art Rejections (with Michael L. Goldman), in AM. INT. PROP. L. ASS'N BASIC CHEMICAL AND BIOTECHNOLOGY PATENT PRACTICE SEMINAR COURSE BOOK (1994).

Reports, News, and Commentary

USPTO Post-Grant Proceedings and the Duty of Candor, KOR. BAR ASS'N NEWS (December 2013), available at <http://news.koreanbar.or.kr/news/articleView.html?idxno=10152>.

USPTO Contested Proceedings: New Challenges, New Opportunities, KOR. BAR ASS'N NEWS (September 2013) available at: <http://news.koreanbar.or.kr/news/articleView.html?idxno=9543>.

Ideology in the Supreme Court, THE WCNY MAGAZINE, at 8 (September/October 2013).

New USPTO Professional Conduct Rules Will Take Effect on May 3, Guest Post, Patently-O (April 3, 2013). Available at <http://www.patentlyo.com/patent/2013/04/guest-post-new-uspto-professional-conduct-rules-will-take-effect-on-may-3.html>.

Major Shift for U.S. Patent System, KOR. BAR ASS'N NEWS (March 2013).

USPTO Contested Proceedings: New Challenges, New Opportunities, KOR. BAR ASS'N NEWS (September 2013) Available at: <http://news.koreanbar.or.kr/news/articleView.html?idxno=9543>.

New USPTO Proposed Ethics Rules, Guest Post, Patently-O (Oct. 18, 2012). Available at <http://www.patentlyo.com/patent/2012/10/guest-post-new-uspto-proposed-ethics-rules-part-i.html>.

Supplemental Examination in Context: Risks, Alternatives and Opportunities (June 27, 2012), available at SSRN: <http://ssrn.com/abstract=2094497>.

Supplemental Examinations and the Client-Practitioner Relationship, Guest Post, Patently-O (Dec. 30, 2011). Available at <http://www.patentlyo.com/patent/2011/12/guest-post-supplemental-examinations-and-the-client-practitioner-relationship-.html>.

Ivory Tower at Westcott Center, SYRACUSE POST STANDARD, Nov. 1, 2012, at A4.

Misrepresenting the Client's "Bottom Line": Permitted Puffery? Or Prohibited Deceit?, PLI Patent Law Practice Center (Oct. 17, 2011). Available at <http://patentlawcenter.pli.edu/2011/10/17/misrepresenting-the-clients-bottom-line-permitted-puffery-or-prohibited-deceit/>.

Resolving Differences: How the Federal Circuit Treats Divergent USPTO and District Court Rulings, PLI Patent Law Practice Center (July 19, 2011). Available at <http://patentlawcenter.pli.edu/2011/07/19/resolving-differences-how-the-federal-circuit-treats-divergent-uspto-and-district-court-rulings/>.

Whose Rules Rule? Federal Circuit Review of Divergent USPTO and District Court Decisions (Feb. 23, 2011). Available at SSRN: <http://ssrn.com/abstract=1776189>.

Supplemental Examinations to Consider, Reconsider, or Correct Patent-Related Information, PLI Patent Law Practice Center (Jan. 3, 2011). Available at <http://patentlawcenter.pli.edu/2011/01/03/supplemental-examinations-to-consider-reconsider-or-correct-patent-related-information/>.

In the Wake of MedImmune: What We Have Learned, PLI Patent Law Practice Center (Sept. 14, 2010). Available at <http://patentlawcenter.pli.edu/2010/09/14/in-the-wake-of-medimmune-what-we-have-learned/>.

Lawyers Acting Badly, or Not? Misconduct in IP Litigation: Recent Examples and the Questions They Raise, PLI Patent Law Practice Center (July 14, 2010). Available at <http://patentlawcenter.pli.edu/2010/07/14/lawyers-acting-badly-or-not-misconduct-in-ip-litigation-recent-examples-and-the-questions-they-raise/>.

Recent and Proposed Patent System Reforms: Implications for Technology Commercialization (March 19 2009). Available at SSRN: <http://ssrn.com/abstract=1365439>.

Patent Reform: A Necessary Evil?, INNOVATION: AM. J. TECH. COMMERCIALIZATION, Feb.-Mar. 2008, at 9.

Professionalism: What's In It For In-House Counsel?, INSIDE (Corp. Couns. Sec. N.Y. St. B.A.), Summer 2003, at 9.

Negotiation Ethics: Not an Oxymoron, IPL NEWSL. (A.B.A. Sec. Intell. Prop. L.), Fall 2003, at 16.

Judges Increasingly Criticize Patent Counsel, PAT. STRATEGY & MGMT., Dec. 2002, at 5.

Pre-File Investigations: Look Before You Leap, PAT. STRATEGY & MGMT., March 2002, at 1.

E-Evidence: Proving Invention Dates with Electronic Records, PAT. STRATEGY & MGMT., Aug. 2001, at 1.

How to Educate Inventors about Inequitable Conduct, INTELL. PROP. STRATEGIST, Aug. 2000, at 1.

Evaluating Conflicts of Interest: Are You Cavalier, Confident, Cautious or Clueless? (A Quiz for the Intellectual Property Law Specialist), IPL NEWSL. (A.B.A. Sec. Intell. Prop. L.), Fall 1999, at 16.

The Inequitable Conduct Defense: Down, But Not Out (with Steven C. Becker), IPL NEWSL. (A.B.A. Sec. Intell. Prop. L.), Summer 1997, at 1.

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Forthcoming

Industrial Policy, Populism, and the Political Economy of Climate Action, *NATURE CLIMATE CHANGE* (*with* David Popp & Michael Mehling) (forthcoming 2024).

Pricing, Decarbonization, and Green New Deals, *WILLIAM & MARY ENVTL. L. REV.* (*with* Michael Mehling) (forthcoming 2024).

Does the Separation of Powers Justify the Major Questions Doctrine? *U. ILLINOIS L. REV.* (forthcoming 2024)

Context, Common Sense, And the Major Questions Doctrine: A Response to Justice Barrett (forthcoming 2024 or 2025).

The Law and Economics of Subsidies (*with* David Popp) (forthcoming 2024).

Does a Removal Power Exist?: Joseph Story and Selective Living Originalism, *CONSTITUTIONAL COMMENTARY* (forthcoming 2024).

An Environmental Competition Statute, in *FUTURE PROOFING LAW IN A TIME OF ENVIRONMENTAL EMERGENCY* (Harro Van Asselt, Kaisa Huta, Seata Versa eds.) (forthcoming 2024)

Books

SPECTER OF DICTATORSHIP: JUDICIAL ENABLING OF PRESIDENTIAL POWER (2021).

ENVIRONMENTAL LAW: A CONCEPTUAL AND PRAGMATIC APPROACH (*with* ROBERT W. ADLER & KIRSTEN H. ENGEL) (3rd ed. 2016 & Teachers Manual 2016).

THE ECONOMIC DYNAMICS OF LAW (2012).

ENVIRONMENTAL LAW: A CONCEPTUAL AND PRAGMATIC APPROACH (*with* ROBERT W. ADLER & KIRSTEN H. ENGEL) (2nd ed. 2011).

ENVIRONMENTAL LAW: A CONCEPTUAL AND PRAGMATIC APPROACH (*with* ROBERT W. ADLER) (2007).

THE ECONOMIC DYNAMICS OF ENVIRONMENTAL LAW (2003).

Books, Edited

ECONOMIC THOUGHT AND U.S. CLIMATE CHANGE POLICY (2010).

BEYOND ENVIRONMENTAL LAW: POLICY PROPOSALS FOR A BETTER ENVIRONMENTAL FUTURE
(with ALYSON C. FLOURNOY ed. 2010).

Law Review and Other Scholarly Articles

Feasibility Analysis and the Climate Crisis, 39 YALE J. REG. 533 (2022).

Appointment and Removal, 74 ADMIN. L. REV. 422 (2022).

Making Appointment the Means of Presidential Removal of Officers of the United States, 26 LEWIS & CLARK L. REV. 315 (2022).

The Specter of Dictatorship: Judicial Enabling of Presidential Power: Special Issue, 73 SYR. L. REV. 1419 (2022).

The Political Remedies Doctrine, 71 EMORY L. J. 1 (2021).

Political Removal and the Plebiscitary President: An Essay on Seila Law LLC v. Consumer Financial Protection Board, 76 NYU ANNUAL SURVEY OF AMERICAN LAW 707 (2021).

The Unitary Executive Theory in Comparative Context, 72 HASTINGS L.J. 1 (2020).

Implied Presidential and Congressional Powers (with William C. Banks), 41 CARDOZO L. REV. 1301 (2020).

Toward a Populist Political Economy of Climate Disruption, 49 ENV'T L. 379 (2019).

President Trump's Executive Orders and the Rule of Law, 87 UMKC L. REV. 489 (2019).

Judicial Review of Executive Orders' Rationality, 98 B.U. L. REV. 1013 (2018).

Half a Century of Supreme Court Clean Air Act Interpretation: Purposivism, Textualism, Dynamism, and Activism (with Thomas M. Keck & Brandon T. Metroka), 75 WASH. & LEE L. REV. 1781 (2018).

Inactivity, Deregulation, and the Commerce Clause: A Thought Experiment, 53 WAKE FOREST L. REV. 479 (2018).

The Economic Dynamics of Climate Disruption and the Need for a Better Legal Theory, 8 CLIMATE L. 172 (2018).

Emissions Trading Versus Pollution Taxes: Playing Nice with Other Instruments, 48 ENV'T L. 29 (2018).

The Ends and Means of Pollution Control: Toward a Positive Theory of Environmental Law, 2017 UTAH L. REV. 57 (2017).

The Changing Climate for US Law: Extreme Weather Events, 11 CLIMATE CHANGE L. REV. 191 (2017).

The Economic/Noneconomic Activity Distinction Under the Commerce Clause, 67 CASE W. RES. L. REV. 337 (2016).

Must the States Discriminate Against Their Own Producers Under the Dormant Commerce Clause?, 54 HOUS. L. REV. 1 (2016).

Legal Theory Lessons from the Financial Crisis, 40 J. CORP. L. 55 (2014).

Phasing Out Fossil Fuels, 38 NOVA L. REV. 523 (2014).

Putting a Price on Carbon: The Metaphor, 44 ENVTL. L. 695 (2014).

The Limits of Pricing Carbon, 4 CLIMATE L. 107 (2014).

Will Latin's Scheme Replace Fossil Fuels More Quickly than Existing Approaches? 25 VILL. ENVTL. L.J. 83 (2014).

Cost-Benefit Analysis and the Precautionary Principle: Can They Be Reconciled?, 2013 MICH. ST. L. REV. 771.

Cap Without Trade: A Proposal for Resolving the Emissions Trading Problem Under CAA §111, 43 ENVTL. L. REP. 10555 (2013).

What Does Sustainability Mean in the Age of Climate Disruption? 43 ENVTL. L. REP. 10351 (2013).

Purposeless Construction, 48 WAKE FOREST L. REV. 97 (2013).

Economic Thought and Climate Disruption: Neoclassical and Economic Dynamic Approaches in the USA and the EU (with Sanja Bogojevic), 25 J. ENVTL. L. 463 (2013).

Climate Disruption: An Economic Dynamic Approach, 42 ENVTL. L. REP. 10639 (2012).

Contract Law's Inefficiency, 6 VA. L. & BUS. REV. 301 (2011).

Two Cheers for Feasible Regulation: A Modest Response to Masur and Posner, 35 HARV. ENVTL. L. REV. 313 (2011).

An Environmental Competition Statute, 2 SAN DIEGO J. CLIMATE & ENERGY L. 199 (2010).

Capping Carbon, 40 ENVTL. L. 1 (2010).

Meaningful Technology Transfer for Climate Disruption, 64 J. INT'L AFF. 1 (2010).

Duty's Promise and the Unitary Executive's Terror, 37 SYRACUSE J. INT'L L. & COM. 7 (2009).

Toward a Duty-Based Theory of Executive Power, 78 FORDHAM L. REV. 71 (2009).

Linkage and Multilevel Governance, 19 DUKE J. COMP. & INT'L L. 389 (2009).

Sustainable Development and Air Quality: The Need to Replace Basic Technologies with Cleaner Alternatives, 18 WIDENER L. J. 883 (2009).

The Missing Instrument: Dirty Input Limits (with Amy Sinden), 33 HARV. ENVTL. L. REV. 65 (2009).

Firing U.S. Attorneys: An Essay, 60 ADMIN. L. REV. 707 (2008).

An Economic Dynamic Approach to the Infrastructure Commons, 35 ECOLOGY L.Q. 215 (2007).

Sustainable Development and Market Liberalism's Shotgun Wedding: Emissions Trading Under the Kyoto Protocol, 83 IND. L.J. 21 (2008).

The Changing Climate for United States Law, 1 CLIMATE CHANGE L. REV. 35 (2007).

Regulatory Reform: The New Lochnerism, 36 ENVTL L. 603 (2006).

Is Cost-Benefit Analysis Neutral?, 77 U. COLO. L. REV. 335 (2006).

Environmental Protection, Free Trade, and Democracy, 603 ANNALS AM. ACAD. POL. & SOC. SCI. 252 (2006).

Trading and Its Limits, 14 PENN ST. ENVTL. L. REV. 169 (2006).

Efficiency, Economic Dynamics, and Climate Change: A Critical Look at the NeoClassical Paradigm for Environmental Law (with Charles A.S. Hall), 13 DIGEST: THE NAT'L ITALIAN-AMERICAN B. ASS'N L.J. 1 (2005).

The Functions of Transaction Costs: Rethinking Transaction Cost Minimization in a World of Friction (with Shubha Ghosh), 47 ARIZ. L. REV. 61 (2005).

Distributing the Costs of Environmental, Health, and Safety Protection: The Feasibility Principle, Cost-Benefit Analysis, and Regulatory Reform, 32 B.C. ENVTL. AFF. L. REV. 1 (2005).

Standing for Nothing: The Paradox of Demanding a Concrete Context for Formalist Adjudication, 89 CORNELL L. REV. 808 (2004).

The Economic Dynamics of Environmental Law: Cost-Benefit Analysis, Emissions Trading, and Priority Setting, 31 B.C. ENVTL. AFF. L. REV. 501 (2004).

Markets are Not Magic, 20 ENVTL. F. 19 (Nov.- Dec. 2003).

Thirty Years of International Environmental Law: A Retrospective and a Plea for Reinvigoration, 30 SYRACUSE J. INT'L L. & COM. 353 (2003).

Does Emissions Trading Encourage Innovation?, 33 ENVTL. L. REP. 10094 (2003).

Loose Canons: Statutory Construction and the "New" Nondelegation Doctrine, 64 U. PITT. L. REV. 1 (2002).

Sustainable Development and Air Quality: The Need to Replace Basic Technologies with Cleaner Alternatives, 32 ENVTL. L. REP. 10277 (2002).

What is Free Trade?: The Real Issue Lurking Behind the Trade and Environment Debate, 41 VA. J. INT'L L. 279 (2001).

Getting Our Priorities Straight: One Strand of the Regulatory Reform Debate, 31 ENVTL L. REP. 10003 (2001).

Choosing Environmental Instruments in a Transnational Legal Context, 27 ECOLOGY L.Q. 1 (2000).

Free Lunch or Cheap Fix?: The Emissions Trading Idea and the Climate Change Convention, 26 B.C. ENVTL. AFF. L. REV. 1 (1998).

Should Congress Direct the EPA to Allow Serious Harms to Public Health to Continue?: Cost-Benefit Tests and NAAQS Under the Clean Air Act, 11 TUL. ENVTL. L.J. 217 (1998).

Is Emissions Trading an Economic Incentive Program?: Replacing the Command and Control/Economic Incentive Dichotomy, 55 WASH. & LEE L. REV. 289 (1998).

The Societal Cost of Environmental Regulation: Beyond Administrative Cost-Benefit Analysis, 24 ECOLOGY L. Q. 545 (1997), reprinted in LAND USE & ENV'T L. REV. 369 (1998).

Five Lessons from the Clean Air Act Implementation, 14 PACE ENVTL. L. REV. 51 (1996).

The Congressional Role in International Environmental Law and its Implications for Statutory Interpretation, 19 B.C. ENVTL. AFF. L. REV. 287 (1992).

Brazil's Transition to Democracy: Agrarian Reform and the New Constitution, 8 WIS. INT'L. L. J. 51 (1989).

Book Chapters

Executive Privilege Ends with Impeachment, in EXECUTIVE PRIVILEGE AND THE POWERS OF THE PRESIDENCY (M.M. Eboch ed., 2022).

Climate Finance (with Cinnamon Carlane) in RESEARCH HANDBOOK ON CLIMATE CHANGE MITIGATION LAW (Leonie Reins & Jonathan Vershuuren eds., 2022).

Instrument Choice, in OXFORD HANDBOOK OF INTERNATIONAL ENVIRONMENTAL LAW, 2nd ed. (Lavanya Rajamani & Jacqueline Peel eds., 2021).

Critiques of Law and Economics (with Robin P. Malloy), in THE OXFORD HANDBOOK OF LAW AND ECONOMICS (Francesco Parisi ed., 2017).

Decisions about Emissions Trading Design, in DECISION MAKING IN ENVIRONMENTAL LAW (Lee Paddock, Robert Glicksman, & Nicholas Byner eds., 2016).

Traditional Regulation's Role In Greenhouse Gas Abatement, in CLIMATE CHANGE LAW (Daniel Farber & Marjan Peeters eds., 2016).

The Sleeping Giant Awakes?: U.S. Actions to Mitigate Climate Disruption, in LEGAL REGIMES FOR ENVIRONMENTAL PROTECTION: GOVERNANCE FOR CLIMATE CHANGE AND OCEAN RESOURCES (Hans-Joachim Koch et al. eds., 2015).

Sustainability, Climate Mitigation, and the Economic Dynamics of Law, in RETHINKING SUSTAINABILITY TO MEET THE CLIMATE CHANGE CHALLENGE (Jessica Owley and Keith H. Hirokawa eds., 2015).

The Economics of Climate Disruption and the Law Aiming to Reduce Greenhouse Gas Emissions, in PUBLIC ECONOMICS IN THE UNITED STATES: HOW THE FEDERAL GOVERNMENT ANALYZES AND INFLUENCES THE ECONOMY VOL. 2 (Steven Payson ed., 2014).

Alternatives to Regulation? Market Mechanisms and the Environment, in THE OXFORD HANDBOOK ON REGULATION (Robert Baldwin et al. eds., 2010).

Introduction, in ECONOMIC THOUGHT AND U.S. CLIMATE CHANGE POLICY (David M. Driesen ed. 2010).

Neoliberal Instrument Choice, in ECONOMIC THOUGHT AND U.S. CLIMATE CHANGE POLICY (David M. Driesen ed. 2010).

Toward Sustainable Technology, in ECONOMIC THOUGHT AND U.S. CLIMATE CHANGE POLICY (David M. Driesen ed. 2010).

Conclusion: Toward a Fresh Start, in ECONOMIC THOUGHT AND U.S. CLIMATE CHANGE POLICY (David M. Driesen ed. 2010).

An Environmental Competition Statute, in BEYOND ENVIRONMENTAL LAW: POLICY PROPOSALS FOR A BETTER ENVIRONMENTAL FUTURE (David M. Driesen & Alyson C. Flournoy eds. 2010).

Air Quality: The Need to Replace Basic Technologies with Cleaner Alternatives, in AGENDA FOR A SUSTAINABLE AMERICA (John Dernbach ed. 2009).

Renewable Energy under the Kyoto Protocol: The Case for Mixing Instruments, in A GLOBALLY INTEGRATED CLIMATE POLICY FOR CANADA (Steven Bernstein et al. eds., 2008).

Economic Dynamics and Progressive Lawyering, in PROGRESSIVE LAWYERING, GLOBALIZATION AND MARKETS: RETHINKING IDEOLOGY AND STRATEGY (Steven Bernstein et al. eds., 2008).

Design, Trading, and Innovation, in MOVING TO MARKETS IN ENVIRONMENTAL PROTECTION: LESSONS FROM 20 YEARS OF EXPERIENCE (Jody Freeman & Charles Kolstad eds., 2006).

Economic Instruments for Sustainable Development, in ENVIRONMENTAL LAW FOR SUSTAINABILITY: A READER (Benjamin J. Richardson & Stepan Wood eds., 2006).

What is Free Trade?: The Rorschach Test at the Heart of the Trade and Environment Debate, in HANDBOOK OF INTERNATIONAL TRADE: ECONOMIC AND LEGAL ANALYSES OF TRADE POLICY AND INSTITUTIONS (James C. Hartigan, II ed., 2004).

Why Pollution Taxes Cannot Replace Command and Control Regulation (But Should Have a Bright Future Nonetheless), in CRITICAL ISSUES IN INTERNATIONAL ENVIRONMENTAL TAXATION – INTERNATIONAL AND COMPARATIVE PERSPECTIVES VOL. 1 (2003).

Sustainable Development and Air Quality: The Need to Replace Basic Technologies with Cleaner Alternatives, in STUMBLING TOWARD SUSTAINABILITY (John Dernbach, 2002).

Air Pollution Control, in POWELL ON REAL PROPERTY 865.5A (1994).

Reports to Governmental Bodies and Professional Associations

Brief of Amicus Curiae Constitutional Law Scholars, *Trump v. Anderson* (*Sup. Ct.* 2024).

Assessing the Obama Years: Hearing Before the Subcomm. on Regulatory Reform, Commercial and Antitrust Law of the H. Comm. on the Judiciary, 114th Cong. (2016).

Brief of Amicus Curiae Constitutional Law Professors, *U.S. Fish and Wildlife Service v. People for the Ethical Treatment of Property Owners*, (10th Cir. 2015) (Nos. 14-4151 & 14-4165).

Brief of Economists Frank Ackerman et al., *Entergy v. Riverkeeper*, 556 U.S. 208 (2008) (Nos. 07-588, 07-589 & 07-597) (*with* Douglas Kysar).

Brief of Amicus Curiae Senator Hillary Rodham Clinton, et al., *New York v. U.S. EPA*, 413 F.3d 3 (D.C. Cir. 2005) (No. 02-1387) (*with* Chris Schroeder).

Brief of American Academy of Pediatrics (California District) et al., *Engine Mfr. Ass'n & W. States Petroleum Ass'n v. S. Coast Air Quality Mgmt. Dist.*, 541 U.S. 246 (2003) (No. 02-1234).

Accomplishments of the Clean Air Act, As Amended by the Clean Air Act Amendments of 1990: Hearing Before the Subcomm. on Energy and Air Quality of the H. Committee on Energy and Commerce, 107th Cong. (2002).

Brief of Amicus Curiae United States Public Interest Research Group Education Fund, *American Trucking Ass'ns, Inc. v. Browner*, 529 U.S. 1129 (2000) (No. 99-1426).

Reports, News and Commentary

The Supreme Court Granted Trump Amnesty It Has No Power To Give, THE HILL (Mar. 13, 2024), <https://thehill.com/opinion/judiciary/4524245-the-supreme-court-granted-trump-amnesty-it-has-no-power-to-give/>

Why Jack Smith Should Ask the Supreme Court to Lift Its Stay, LA PROGRESSIVE (Mar. 10, 2024), <https://www.laprogressive.com/law-and-justice/supreme-court-to-lift-its-stay>

Trump is Out for Vengeance, Not Republican Political Empowerment, THE HILL (Nov. 17, 2023), <https://thehill.com/opinion/campaign/4313044-trump-is-out-for-vengeance-not-republican-political-empowerment/>

Sackett v. EPA and the Presumption Against Federal Alteration of the Status Quo, CTR. FOR PROGRESSIVE REFORM BLOG (May 30, 2023), <https://progressivereform.org/cpr-blog/sackett-v-epa-and-the-presumption-against-federal-alteration-of-the-status-quo/>

Guest Opinion, *Williams, GOP Are Using Debt Ceiling as a Blackmail Tool: The Deficit Can Only Be Cut By Raising Taxes, Cutting Spending or Both*, SYRACUSE POST STANDARD, Apr. 30, 2023, at F2.

Opinion, *After the Jan. 6 Hearings*, WASHINGTON POST, Dec. 28, 2022, at A18.

Opinion, *Jailing Trump Won't Keep Him From Power – Exclusion Will*, THE HILL (Dec. 21, 2022), <https://thehill.com/opinion/campaign/3783550-jailing-trump-wont-keep-him-from-power-exclusion-will/>

How Will the Midterm Elections Affect Regulation? Member Scholars and Staff Offer Expert Insights (with Allison Stevens, et al.), CTR. FOR PROGRESSIVE REFORM BLOG (Nov. 21, 2022), <https://progressivereform.org/cpr-blog/how-will-the-midterm-elections-affect-regulation-member-scholars-offer-expert-insights/>

Opinion, *How the 14th Amendment Can Reinforce the Jan. 6 Committee's Trump Subpoena*, THE HILL (Oct. 24, 2022), <https://thehill.com/opinion/judiciary/3701775-how-the-14th-amendment-can-reinforce-the-jan-6-committees-trump-subpoena/>

Unreal Politik, LAP PROGRESSIVE (Jul. 24, 2022), <https://www.laprogressive.com/progressive-issues/unreal-politik>

Guest Opinion, *The Supreme Court v. the Rule of Law: Reform the Court: Justices Violated Constitutional, Procedural Norms*, SYRACUSE POST STANDARD, Jul. 24, 2022, at E2.

Parading the Horribles in Administrative Law: Some Thoughts on the Oral Argument in West Virginia v. EPA, CTR. FOR PROGRESSIVE REFORM BLOG (Mar. 8, 2022), <https://progressivereform.org/cpr-blog/parading-horribles-administrative-law-some-thoughts-oral-argument-west-virginia-v-epa/>

How Courts Can Protect Democracy From Abuse of Emergency Powers, LAWFARE (Feb. 22, 2022), <https://www.lawfareblog.com/how-courts-can-protect-democracy-abuse-emergency-powers>

Opinion, *Major Questions and Juristocracy*, REG. REV. (Jan. 31, 2022), <https://www.theregreview.org/2022/01/31/driesen-major-questions-juristocracy/>

The Death of Law and Equity: A Comment on Two COVID Cases, VERFASSUNGSBLOG: ON MATTERS CONSTITUTIONAL (Jan. 19, 2022), <https://verfassungsblog.de/the-death-of-law-and-equity/>

Opinion, *Is it Time to Rein in Premature Supreme Court Review?*, THE HILL (Jan. 11, 2022), <https://thehill.com/opinion/judiciary/589016-is-premature-review-the-supreme-courts-new-normal/>

The Specter of Dictatorship and the Supreme Court's Embrace of the Unitary Executive Theory, AMERICAN CONSTITUTION SOCIETY: EXPERT FORUM (July 21, 2021), <https://www.acslaw.org/expertforum/the-specter-of-dictatorship-and-the-supreme-courts-embrace-of-the-unitary-executive-theory/>

Justices FHFA Ruling a Small Step in a Dangerous Direction, LAW360 (June 24, 2021), <https://www.law360.com/articles/1397485/justices-fhfa-ruling-is-small-step-in-a-dangerous-direction>.

Autocracy is Bad for Business (with Eric Orts), THE HILL (June 4, 2021), <https://thehill.com/opinion/international/556869-autocracy-is-bad-for-business>.

Opinion, *Katko Must Vote to Impeach The President: Trump Presents a Great Threat to the Constitution*, SYRACUSE POST-STANDARD, Jan. 11, 2021, at A11.

Opinion, *How Science Will Save the World*, THE HILL (Dec. 16, 2020), <https://thehill.com/opinion/international/530488-how-science-will-save-the-world>.

Opinion, *Katko Should Congratulate Biden on Winning the Election*, SYRACUSE POST-STANDARD, Nov. 26, 2020, at A29.

Trump's Unclean Hands, LAP PROGRESSIVE (Nov. 20, 2020), <https://www.laprogressive.com/election-reform-campaigns/unclean-hands>

Opinion, *How Private Companies Could Step Up to Help Save Our Election* (with Eric W. Orts & George Aposporos), THE HILL (Aug. 25, 2020), <https://thehill.com/opinion/finance/513512-how-private-companies-could-step-up-to-help-save-our-election>.

Opinion, *Critics Can Disagree, But They Should Stick to Facts*, SYRACUSE POST-STANDARD, Aug. 2, 2020, at E5.

Stealth Executive Privilege: Trump v. Mazars, JURIST (July 28, 2020), <https://www.jurist.org/commentary/2020/07/david-driesen-trump-mazars/>

Opinion, *This Election is About the Survival of Our Democracy*, SYRACUSE POST-STANDARD, July 26, 2020, at E1.

SCOTUS Aids Trump's Drive to Autocracy, VERFASSUNGSBLOG: ON MATTERS CONSTITUTIONAL (July 1, 2020), <https://verfassungsblog.de/scotus-aids-trumps-drive-to-autocracy/>

Opinion, *The Seila Law Case: Liberty and Political Firing*, THE HILL (July 1, 2020), <https://thehill.com/opinion/judiciary/505393-the-seila-law-case-liberty-and-political-firing>.

Opinion, *Balter Will Finish The Job This Time*, SYRACUSE POST-STANDARD, June 18, 2020, at A19.

Opinion, *Fund Absentee Voting to Ensure Democracy*, SYRACUSE POST-STANDARD, May 10, 2020, at E1.

Trump's Quislings, HIST. NEWS NETWORK (Apr. 26, 2020), <https://historynewsnetwork.org/article/175187>.

The U.S. Supreme Court's Activism in the Wisconsin Election, VERFASSUNGSBLOG: ON MATTERS CONSTITUTIONAL (Apr. 22, 2020), <https://verfassungsblog.de/the-us-supreme-courts-activism-in-the-wisconsin-election/>

Opinion, *NY Law Requires Absentee Ballots in Response to COVID-19*, SYRACUSE POST-STANDARD, Apr. 5, 2020, at E1.

Opinion, *Trump's Abuse of Office Clears Bar for Impeachment (with Thomas M. Keck)*, SYRACUSE POST-STANDARD, Dec. 15, 2019, at E4.

Opinion, *Congress Could Impeach Trump Without an Investigation, So Why Bother?*, SYRACUSE POST-STANDARD, Oct. 6, 2019, at E1.

Opinion, *Representative Katko Contributing to Anti-Immigrant Atmosphere*, SYRACUSE POST-STANDARD (Aug. 8, 2019), <https://www.syracuse.com/opinion/2019/08/rep-katko-contributing-to-anti-immigrant-atmosphere-your-letters.html>

Comment: *Why Trump's Role Model is Hungary's Viktor Orban*, BALKAN INSIGHT (Aug. 5, 2019), <https://balkaninsight.com/2019/08/05/why-trumps-role-model-is-hungarys-viktor-orban/>

A Hungarian Autocrat is Trump's Role Model, THE DAILY STAR, Aug 1, 2019, at 6.

Trump's Role Model, PROJECT SYNDICATE (July 30, 2019), <https://www.project-syndicate.org/commentary/trump-orban-immigration-policy-aids-autocracy-by-david-m-driesen-2019-07>.

Trump's Persecution of His Investigators Follows Authoritarian Playbook, TRUTHOUT (June 22, 2019), <https://truthout.org/articles/trumps-persecution-of-his-investigators-follows-authoritarian-playbook/>.

The Risks of an Impeachment Inquiry, NEWSDAY (May 23, 2019), <https://www.newsday.com/opinion/commentary/trump-schumer-pelosi-impeachment-democrats-inquiry-1.31426181>.

Mueller Report Offers Ample Basis For Impeachment Inquiry, LAW360 (May 3, 2019), <https://www.law360.com/articles/1153645/mueller-report-offers-ample-basis-for-impeachment-inquiry>.

Opinion, *Katko's Call for Bipartisanship "A Masked Partisan Attack"*, SYRACUSE POST STANDARD, May 1, 2019.

<https://www.syracuse.com/opinion/2019/05/katkos-call-for-bipartisanship-a-masked-partisan-attack-your-letters.html>

Oversight, Executive Orders, and the Rule of Law, CPR BLOG (March 14, 2019), <http://www.progressivereform.org/CPRBlog.cfm?idBlog=B9895922-C679-25DE-EBC2B37C81028E0E>.

Opinion, *Trump's "Emergency" and the Constitution*, THE REGULATORY REVIEW (Feb. 20, 2019), <https://www.theregreview.org/2019/02/20/driesen-trump-emergency-constitution/>, reprinted at CPR BLOG (Feb. 20, 2019),

<http://www.progressivereform.org/CPRBlog.cfm?idBlog=7380C1E7-BE64-FCA8-40853E34B261DB42>.

Opinion, *Is GOP Embarrassed to Reveal Who's Funding Their Elections?*, SYRACUSE POST-STANDARD, Jan. 22, 2019.

<https://www.syracuse.com/opinion/2019/01/sen-mcconnells-view-of-hr-1-brazenly-cynical-and-other-opinions-your-letters.html>

Opinion, *Kavanaugh Is The Wrong Choice To Check Autocratic Power*, LAW360 (July 31, 2018), <https://www.law360.com/appellate/articles/1068461>.

Senate Must Preserve Rule of Law When Considering Benczkowski and Pruitt's Successor, CPR BLOG (July 9, 2018), <http://www.progressivereform.org/CPRBlog.cfm?idBlog=6A346A98-DF17-773F-BFEA535E2285FB33> (last visited Jan. 23, 2019).

Letter to the Editor, *Trump's America on the Fourth of July*, N.Y. TIMES, July 4, 2018, at A24.

Travel Ban has Slippery Slope to Giving President Too Much Power, THE HILL (May 4, 2018, 3:00pm), <http://thehill.com/opinion/judiciary/386257-travel-ban-has-slippery-slope-to-giving-president-too-much-power> (last visited May 14, 2018).

Sessions Has Undermined the Rule of Law, HUFFINGTON POST (June 16, 2017, 4:01pm), https://www.huffpost.com/entry/sessions-has-undermined-the-rule-of-law_b_59442ffde4b0f15cd5bb3eec.

100 Days, Trump, and Precaution (with William C. Banks), HUFFINGTON POST (April 28, 2017, 3:50pm), <http://www.huffingtonpost.com/entry/100-days-trump-and->

precaution_us_590396c9e4b05c39767f6706?ncid=engmodushpmsg00000003 (last visited Sept. 22, 2017).

Opinion, Ruling by Decree, THE HILL (Mar. 3, 2017, 4:30pm), <http://thehill.com/blogs/congress-blog/the-administration/322184-ruling-by-decree> (last visited Sept. 22, 2017).

The Cabinet and the Rule of Law, CPR BLOG (Feb. 6, 2017), <http://www.progressivereform.org/CPRBlog.cfm?idBlog=CBDACD9F-A0D6-132D-AB6E14F990629B9D> (last visited Jan. 23, 2019).

Tax Credits and Public Spending on Infrastructure, CPR BLOG (Jan. 30, 2017), <http://www.progressivereform.org/CPRBlog.cfm?idBlog=D2591233-912A-DAE0-9CFD92CDF9A0EC05> (last visited Jan. 23, 2019).

The Role of the Clean Air Act's Goals in Clean Power Plan Litigation, CPR BLOG (Sept. 8, 2016), <http://www.progressivereform.org/CPRBlog.cfm?idBlog=FE59AC7A-DFDD-A617-3B340B34CEFA475D> (last visited Jan. 23, 2019).

The Clean Power Plan: Unpacking the Generation Shifting Issue, CPR BLOG (Sept. 8, 2016), <http://progressivereform.org/CPRBlog.cfm?idBlog=FE6CF04C-F43B-7277-B8E8B092162DD8C9> (last visited Jan. 23, 2019).

Airlines' Bait-and-Switch Scheduling, CPR BLOG (June 2, 2016), <http://www.progressivereform.org/CPRBlog.cfm?idBlog=56F6A673-A47E-CB64-0031D1C04BEBB171> (last visited Jan. 23, 2019).

Extreme Weather and Climate Disruption Since Katrina, CPR BLOG (Aug. 28, 2015), <http://www.progressivereform.org/CPRBlog.cfm?idBlog=980144F0-E635-0F8F-BC74236084DA24B9> (last visited Jan. 23, 2019).

A Mass-Based Cap for Power Plants, CPR BLOG (Oct. 13, 2014), <http://www.progressivereform.org/CPRBlog.cfm?idBlog=0B546490-BB93-250F-E248E13707C840D8> (last visited Jan. 23, 2019).

The Keystone EIS' Grudging Acknowledgement of Environmental Impact, CPR BLOG (Mar. 7, 2014), <http://www.progressivereform.org/CPRBlog.cfm?idBlog=9CD25380-B863-881A-0F808F0247AA5B31> (last visited Jan. 23, 2019).

New Source Standards for Power Plants: The Status Quo and Sensible Government, CPR BLOG (Sept. 20, 2013), <http://www.progressivereform.org/CPRBlog.cfm?idBlog=3C9BD866-F4E3-89E6-274C190E672C0EBB> (last visited Jan. 23, 2019).

Keeping OIRA from Harming Efforts to Reduce Greenhouse Gas Emissions, CPR BLOG (Oct. 3, 2013), <http://www.progressivereform.org/CPRBlog.cfm?idBlog=7EA3913D-AB20-8945-CC033F4FBC6D530C> (last visited Jan. 23, 2019).

Phasing Out Fossil Fuels, CPR BLOG (Feb. 13, 2013), <http://www.progressivereform.org/CPRBlog.cfm?idBlog=D414FA38-E3BE-C69B-C83A2BEDD971EE63> (last visited Jan. 23, 2019).

Opinion, *Act Vigorously: President Has Authority to Act on Regulatory Issues*, SYRACUSE POST STANDARD, Jan. 28, 2013, at A9.

Opinion, *Exempting Climate Mitigation from OIRA Review*, THE REGULATORY REVIEW (Jan. 24, 2013), <https://www.theregreview.org/2013/01/24/24-driesen-climate-mitigation/> (last visited Jan. 23, 2019).

Letter to the Editor, *The First Debate: Sampling the Reviews*, N.Y. TIMES, Oct. 5, 2012 at A24.

Opinion, *Environmental Record: Buerkle No Great Steward of God's Creations*, SYRACUSE POST-STANDARD, Sep. 10, 2012, at A11.

Opinion, *Regulation as a Dynamic Macroeconomic Enterprise*, THE REGULATORY REVIEW (Aug. 29, 2012), <https://www.theregreview.org/2012/08/29/29-driesen-economic-dynamics/> (last visited Jan. 23, 2019).

Health Care's New Commerce Clause: Implications for Environmental Law, CPR BLOG (June 29, 2012), <http://www.progressivereform.org/CPRBlog.cfm?idBlog=38387E13-FBA5-918D-9C7E50D3ADCF23C> (last visited Jan. 23, 2019).

Letter to the Editor, *Obama Blocks an Air Pollution Rule*, N.Y. TIMES, Sep. 5, 2011, at A28.

Opinion, *Cave-In on Smog: Obama Disingenuous to Cite Economic Recovery*, SYRACUSE POST-STANDARD, Sep. 21, 2011, at A13.

Opinion, *The Ozone Standard as Presidential Policy: Some Concerns*, THE REGULATORY REVIEW (Sept. 13, 2011), <https://www.theregreview.org/2011/09/13/the-ozone-standard-as-presidential-policy-some-concerns/> (last visited Jan. 23, 2019).

Opinion, *Reins Act: Proposed Law Serves Interests of Corporate Contributors*, SYRACUSE POST-STANDARD, Jan. 5, 2011, at A11.

Incorporating the Best of Cantwell-Collins into KGL: Don't Forget the Missing Instrument, CPR BLOG (Mar. 24, 2010), <http://www.progressivereform.org/CPRBlog.cfm?idBlog=904E47F8-034E-8D5D-05F3AF92DA9D0587> (last visited Jan. 23, 2019).

Administrative Delay in Implementing a Cap-and-Trade Program: A Compelling Reason to Auction All Allowances, CPR BLOG (Sept. 17, 2009), <http://www.progressivereform.org/CPRBlog.cfm?idBlog=C8235EBE-9D39-229A-7286420DE6D73CEE> (last visited Jan. 23, 2019).

In Debate on Waxman-Markey, a Question on Avoiding Liability for Violating the Law, CPR BLOG (Apr. 29, 2009), <http://www.progressivereform.org/CPRBlog.cfm?idBlog=F22F4E9C-1E0B-E803-CA3C4278FF0F294C> (last visited Jan. 23, 2019).

Opinion, *Trade Programmes Enveloped by Fraud*, FIN. TIMES, May 1, 2007, at 8.

FEASIBILITY PRINCIPLE, CENTER FOR PROGRESSIVE REGULATION WHITE PAPER (Dec. 2004),

http://www.progressivereform.org/articles/Feasibility_407.pdf

LINKS BETWEEN EUROPEAN EMISSIONS TRADING AND CDM CREDITS FOR RENEWABLE ENERGY AND ENERGY EFFICIENCY PROJECTS, CISDL WORKING PAPER SERIES ON CLIMATE CHANGE LAW & POLICY

<https://cisdl.org/public/docs/legal/Driesen%20-%20Links%20between%20European%20Emissions%20Trading%20and%20CDM%20Credits%20for%20Renewable%20Energy%20and%20Energy%20Efficiency%20Projects.pdf>

Opinion, *Keep Activism on the Other Side of the Bench*, CHRISTIAN SCI. MONITOR, Nov. 6, 2000, at 9.

Letter to the Editor, *WTO and the Environment*, N.Y. TIMES, Dec. 1, 1999, at A22.

Opinion, *Don't Allow Dirty Air to Be the Victor: Strengthening Air Quality Standards Will Spur Long Overdue Beneficial Change, Despite What Polluters Claim*, CHRISTIAN SCI. MONITOR, Mar. 3, 1997, at 19.

Book Reviews

Book Review, 10 J. ENV'T STUD. & SCI. 362 (2020) (reviewing RICHARD J. LAZARUS, *THE RULE OF FIVE: MAKING CLIMATE HISTORY AT THE SUPREME COURT* (2020)).

Book Review, 12 CARBON & CLIMATE L. REV. 338 (2018) (reviewing *THE EVOLUTION OF CARBON MARKETS: DESIGN AND DIFFUSION* (Jorgen Wettestad & Lars H. Gulbrandsen eds., 2018)).

The Missing Connection, 10 CARBON & CLIMATE L. REV. 170 (2016) (reviewing MAURIUS-CHRISTIAN FRUNZA, *FRAUD AND CARBON MARKETS: THE CARBON CONNECTION* (2013)).

Does Regulation Kill Jobs?: The Limits of Quantification, 9 REG. & GOVERNANCE 193 (2015) (reviewing *DOES REGULATION KILL JOBS?* (Cary Coglianese, Adam Finkel & Chris Carrigan eds. 2014)).

Book Review, 9 CARBON & CLIMATE L. REV. 275 (2015) (reviewing JONAS DREGER, *THE EUROPEAN COMMISSION'S ENERGY AND CLIMATE POLICY: A CLIMATE FOR EXPERTISE* (2014)).

Book Review, 9 CARBON & CLIMATE L. REV. 91 (2015) (reviewing *CORPORATE RESPONSES TO EU EMISSIONS TRADING: RESISTANCE, INNOVATION, OR RESPONSIBILITY?* (Jon Birger Skjoerseth & Per Ove Eikeland eds., 2013)).

Complexity and Simplicity in Law: A Review Essay 45 ENVTL. L. 181 (2015) (reviewing CASS R. SUNSTEIN, *SIMPLER: THE FUTURE OF GOVERNMENT* (2013)).

Book Review, 8 CARBON & CLIMATE REV. 231 (2014) (reviewing STEFAN E. WEISHAAR, *EMISSIONS TRADING DESIGN: A CRITICAL OVERVIEW* (2014)).

Book Review, 8 *CARBON & CLIMATE REV.* 73 (2014) (reviewing BLAS LUIS PÉREZ HENRÍQUEZ, *ENVIRONMENTAL COMMODITIES: MARKETS AND EMISSIONS AND EMISSIONS TRADING: TOWARD A LOW-CARBON FUTURE* (2013)).

A Broad Look at US Climate Change Policy and the Lamentation of Fragmentation, 7 *CARBON & CLIMATE L. REV.* 79 (2013) (reviewing GARY BRYNER & ROBERT J. DUFFY, *INTEGRATING CLIMATE, ENERGY, AND AIR POLLUTION POLICIES* (2012)).

A Gloomy Outlook, 5 *CARBON & CLIMATE L. REV.* 404 (2011) (reviewing *ECONOMICS & POLITICS OF CLIMATE CHANGE* (Dieter Helm & Cameron Hepburn eds., 2009)).

Capping and Trading, 5 *CARBON & CLIMATE L. REV.* 498 (2011) (reviewing SCOTT D. DEATHERAGE, *CARBON TRADING LAW AND PRACTICE* (2011)).

Book Review, 9 *PERS. ON POL.* 123 (2011) (reviewing *POST-KYOTO INTERNATIONAL CLIMATE POLICY: SUMMARY FOR POLICYMAKERS* (Joseph E. Aldy & Robert N. Stavins eds., 2009)).

Cost-Benefit Analysis on Shifting Sand (with Amy Sinden and Douglas Kysar) 3 *REGULATION AND GOVERNANCE* 48 (2009) (reviewing MATTHEW D. ADLER & ERIC A. POSNER, *NEW FOUNDATIONS OF COST-BENEFIT ANALYSIS* (2006)).

Trading and Institutions, 2 *CARBON & CLIMATE L. REV.* 225 (2009) (reviewing *EMISSIONS TRADING: INSTITUTIONAL DESIGN, DECISION MAKING, AND CORPORATE STRATEGIES* (Ralph Antes, et al. eds., 2008)).

Giving Away Allowances, 2 *CARBON & CLIMATE L. REV.* 224 (2008) (reviewing *NATIONAL ALLOCATION PLANS IN THE EU EMISSIONS TRADING SCHEME: LESSONS AND IMPLICATIONS FOR PHASE II*, (Michael Grubb, Regina Betz & Karsten Neuhoff eds., 2007)).

Colonialism's Climate, 9 *INT'L STUDIES REV.* 484 (2007) (reviewing J. TIMMONS ROBERTS & BRADLEY C. PARKS, *A CLIMATE OF INJUSTICE: GLOBAL INEQUALITY, NORTH-SOUTH POLITICS, AND CLIMATE POLICY* (2007)).

Book Review, 6 *INT'L ENVTL. AGREEMENTS* 321 (2006) (reviewing *CRIMINAL ENFORCEMENT OF ENVIRONMENTAL LAW IN THE EUROPEAN UNION* (Michael Faure & Gunter Heine eds., (2005)).

What's Property Got to Do With It?, 30 *ECOLOGY L.Q.* 1003 (2004) (reviewing DANIEL COLE, *POLLUTION & PROPERTY: COMPARING OWNERSHIP INSTITUTIONS FOR ENVIRONMENTAL PROTECTION* (2002)).

Science and Regime Formation, 4 *INT'L ENVTL. AGREEMENTS* 100 (2004) (reviewing EDWARD A. PARSON, *PROTECTING THE OZONE LAYER: SCIENCE AND STRATEGY* (2003)).

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Law Review and Other Scholarly Articles

Family Law (1990 Annual Survey of New York Law), 42 SYRACUSE L. REV. 615 (1991).

Family Law (1979 Survey of New York Law) (with Dennis E.A. Lynch), 31 SYRACUSE L. REV. 281 (1980).

Family Law (1972 Survey of New York Law) (with Mario E. Occhialino), 24 SYRACUSE L. REV. 513 (1973).

Family Law (1971 Survey of New York Law) (with Mario E. Occhialino), 23 SYRACUSE L. REV. 675 (1972).

Reports, News, and Commentary

Beck, Janet, DUE PROCESS REQUIREMENTS OF THE NEW YORK WAIVER STATUTE, (Contributor) (1979) (unpublished manuscript, in collection of Syracuse University College of Law Library).

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Forthcoming

Navigating the First Year as a Semiautonomous Law Library, in ORGANIZATIONAL STRUCTURES OF ACADEMIC LAW LIBRARIES : PAST, PRESENT, AND FUTURE, vol. 2, (Elizabeth Adelman and Jessica de Perio Wittman eds., forthcoming 2024).

Law Review and Other Scholarly Articles

Does Being at War Make Them All Warriors? Categorization of Persons Involved in an Armed Conflict and Whether a Different Categorization Would Yield a Different Result in the Conflicts in Iraq and Afghanistan, 2 IMPUNITY WATCH ANN. REV. 22 (2011-2012).

Reports, News and Commentary

Creating New Spaces out of Old, AALL SPECTRUM, May 2007, at 24.

Report, Traditions for Tomorrow, CALL/ACBD Conference, ALLUNY NEWSLETTER, Summer 2002, at 5.

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Law Review and Other Scholarly Articles

Minding the Gap: 21st Century International Foreign and Comparative Law Research Issues, 35 SYRACUSE J. INT'L L. & COM. 159 (2008).

Law Librarians and Library Design, Construction, and Renovation: An Annotated Bibliography and Review of the Literature, 98 L. LIBR. J. 99 (2006).

Internet Resources for Researching International and Foreign Law, 52 SYRACUSE L. REV. 1167 (2002).

Change is in the Air: Law Librarians Share How They Accommodate Construction and Renovation Projects at Their Libraries, AALL SPECTRUM, May 2001, at 4.

We Ran Into Some Holidays: Construction and Renovation of the Law Library at UNC, AALL SPECTRUM, May 2001, at 5.

Developing Law Library Resources in Eritrea, 18 LEGAL REF. SERVICES Q. 35 (2000), reprinted in LAW LIBRARIANS ABROAD 35 (Janet Sinder ed., 2000).

Selected Sources for Locating U.S. Government Law Related Information on The World Wide Web, 24 CANADIAN L. LIBR. REV. 149 (1999). Winner of the Canadian Law Library Review Feature Article Award, 1999.

Legal Literature of Eritrea: A Bibliographic Essay, 24 N.C. J. INT'L L. & COM. REG. 417 (1999).

Covering the Waterfront – Africa: A Role for American Law Librarians in Developing Library Services in Africa, Eritrea in FROM NARRAGANSETT TO NOW: COVERING THE WATERFRONT (Educational Program Handout Materials, 90th Annual Meeting American Association of Law Libraries) 149 (1997).

Annotated Bibliography of Law Related Journal Citations on Historic Preservation, 9 N. KY. L. REV. 45 (1982).

Book Chapters

Researching American Law, in LEGAL RESEARCH HANDBOOK, 6th ed., (Neil A. Campbell & John N. Davis eds., 2013).

Researching Foreign, Comparative and International Law, in LEGAL RESEARCH HANDBOOK, 6th ed., (Neil A. Campbell & John N. Davis eds., 2013).

Bibliographic Essay (with Walter Williams), in *SOUTHEASTERN INDIANS SINCE THE REMOVAL ERA* (Walter Williams ed., 1979).

Book Reviews

Book Review, 22 *LAW BOOKS IN REVIEW* 167 (1995) (reviewing *INTRODUCTION TO TRANSNATIONAL LEGAL TRANSACTIONS* (Marylin J. Raisch & Robert I. Shaffer eds., 1995)).

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Books

TAXATION OF SECURITIES TRANSACTIONS (3rd ed, 2001).

TAXATION OF SECURITIES TRANSACTIONS (1971).

Law Review and Other Scholarly Articles

Providing for Remote Descendants: What Language do Lawyers Use? (with William P. LaPiana), TR. & EST. LAW SEC. NEWSL. 25 (Fall 2006).

Estate Planning & Taxation: Wartime Necessities, 143 TR. & EST. 20 (Jan. 2004).

The Disappointed Heir: Going Beyond the Probate Process to Remedy Wrongdoing or Rectify Mistake, 39 REAL PROP. PROB. & TR. J. 357 (2004).

The Uniform Probate Code: Intestate Succession and Related Matters, 55 ALB. L. REV. 927 (1992).

1987 Legislation Affecting Trusts and Estates (with Mark D. Elrod, Terry R. Doverspike, Rosemary Scott, & Julian Walker), 23 REAL PROP. PROB. & TR. J. 171 (1988).

Purchase Money Debt-for-Property Transactions and the OID Rules (with Andrew C. White), 27 TAX NOTES 822 (1985).

Estates and Trusts (1984 Survey of New York Law), 36 SYRACUSE L REV. 265 (1985).

Estates and Trusts (1983 Survey of New York Law), 35 SYRACUSE L REV 329 (1984).

Estates and Trusts (1980 Survey of New York Law), 32 SYRACUSE L REV 289 (1981).

Estates and Trusts (1979 Survey of New York Law), 31 SYRACUSE L. REV. 243 (1980).

Decedents' Estates (1977 Survey of New York Law), 29 SYRACUSE L. REV. 411 (1978).

Decedents' Estates (1976 Survey of New York Law), 28 SYRACUSE L. REV. 335 (1977).

Decedents' Estates (1975 Survey of New York Law), 27 SYRACUSE L. REV. 329 (1976).

Decedents' Estates (1974 Survey of New York Law), 26 SYRACUSE L. REV. 311 (1975).

The Marital Deduction, Twentieth Annual Tax Conference, 20 TAX CONF. 39 (1975).

Trusts and Administration (1973 Survey of New York Law), 25 SYRACUSE L. REV. 301 (1974).

External Pressures on Internal Revenue: The Effect of State Court Adjudications in Tax Litigation, 42 N.Y.U. L. REV. 647 (1967).

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Books

LEGAL COMMUNICATION AND RESEARCH: LAWYERING SKILLS FOR THE TWENTY-FIRST CENTURY (2015 & TEACHER'S MANUAL 2016).

COMING TO LAW SCHOOL: HOW TO PREPARE YOURSELF FOR THE NEXT THREE YEARS (2010).

A FORM AND STYLE MANUAL FOR PARALEGALS (2007).

A FORM AND STYLE MANUAL FOR LAWYERS (2005).

Law Review and Other Scholarly Articles

Here's Tae Us, Wha's Like Us: Some Thoughts on the Future of Legal Writing in American Law Schools, 24 J. LEGAL WRITING INST.29 (2020).

Swear Not at All: Time to Abandon the Testimonial Oath, 52 NEW ENG. L. REV. 247 (2018).

Four-Finger Exercises: Practicing the Violin for Legal Writers, 15 LEGAL COMM. & RHETORIC : JALWD 209 (2018).

My Grandmother was Mrs. Palsgraf: Ways to Rethink Legal Education to Help Students Become Lawyers, Rather Than Just Thinking Like Them, 46 CAP. U. L. REV. 241 (2018).

"No Country for Old Men": Junior Associates and the Real-World Practice of Law, 13 LEGAL COMM. & RHETORIC: JALWD 193 (2016).

Not Seeing Our Brains: The Future of Legal Research, 20 LEGAL WRITING: J. LEGAL WRITING INST. 13 (2015).

Enigma: A Variation on the Theme of Legal Writing's Place in Contemporary Legal Education, 1 J. EXPERIENTIAL LEARNING 301 (2014).

Lights! Camera! Law School!: Using Video Interviews to Enhance First Semester Writing Assignments, 23 PERSP.: TEACHING LEGAL RES. & WRITING 61 (2014).

"When Numbers Get Serious": A Study of Plain English Usage in Briefs Filed Before the New York Court of Appeals, 46 SUFFOLK U. L. REV. 451 (2013).

Do RoboMemos Dream of Electric Nouns?: A Search for the Soul of Legal Writing, 4 CASE W. RES. J. L. TECH. & INTERNET 41 (2012).

The Court's Dilemma: Or, Harmony and Dissonance in Legal Language, 9 LEGAL COMM. & RHETORIC: JALWD 1 (2012).

Thinking Like Nonlawyers: Why Empathy is a Core Lawyering Skill and Why Legal Education Should Change to Reflect Its Importance, 8 LEGAL COMM. & RHETORIC: JALWD 109 (2011).

"Aux Armes, Citoyens!": Time for Law Schools to Lead the Movement for Free and Open Access to the Law, 40 U. TOL. L. REV. 1 (2009).

Mapping the Social Life of the Law: An Alternative Approach to Legal Research, 36 INT'L J. OF LEGAL INFO. 1 (2008).

"Who Are Those Guys?": The Results of a Survey Studying the Information Literacy of Incoming Law Students, 44 CAL. W. L. REV. 151 (2007).

Cite Unseen: How Neutral Citations and America's Law Schools Can Cure Our Strange Devotion to Bibliographical Orthodoxy and the Construction of Open and Equal Access to the Law, 70 ALB. L. REV. 491 (2007).

Conducting the Constitution: Justice Scalia, Textualism, and the Eroica Symphony, 9 VAND. J. ENT. L. & PRAC. 301 (2006).

Forty-Two: The Hitchhiker's Guide to Teaching Legal Research to the Google Generation, 39 AKRON L. REV. 151 (2006).

Learning More Than Law from Maryland Decisions, 32 U. BALT. L. F. 3 (2001).

Medical Monitoring in Drug and Medical Device Cases: Taking the Temperature of a New Theory (with Donald L. DeVries), 68 DEF. COUNS. J. 163 (2001).

Representative Litigation in Maryland: The Past, Present, and Future of the Class Action Rule in State Court, 58 MD. L. REV. 1510 (1999).

Medical Monitoring of Medical Devices: An Industry-Based Solution Provides the Best Results, 10 LOY. CONSUMER L. REV. 239 (1998).

Back to the Future? Product Liability Class Actions and Proposed Rule 23 Changes (with Bruce R. Parker & Donald L. DeVries), 64 DEF. COUNS. J. 195 (1997).

Hazardous Substance Litigation in Maryland: Theories of Recovery and Proof of Causation, 13 J. CONTEMP. HEALTH L. & POL'Y 423 (1997).

Book Chapters

The Beggar's Opera and its Criminal Law Context, in JOHN GAY'S THE BEGGAR'S OPERA 1728-2004: ADAPTATIONS AND RE-WRITINGS (Uwe Boker, et al. eds., Internationale Forschungen zur Allgemeinen und Vergleichenden Literaturwissenschaft No. 105, 2006).

Reports, News, and Commentary

Erasing Boundaries: Inter-School Collaboration and its Pedagogical Opportunities (with Robin Boyle, et. al.), NEWSL. LEGAL REASONING, RES. & WRITING SEC. AALS (2014).

Talking in the Dark: Using Technology for Basic Academic Support, LEARNING CURVE NEWSL. (2012).

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Forthcoming

BANKRUPTCY LAW AND PRACTICE, A CASEBOOK DESIGNED TO TRAIN LAWYERS FOR THE PRACTICE OF BANKRUPTCY LAW (CALI, 5th. ed. & Teachers Manual, forthcoming 2024).

Books

BANKRUPTCY LAW AND PRACTICE, A CASEBOOK DESIGNED TO TRAIN LAWYERS FOR THE PRACTICE OF BANKRUPTCY LAW (CALI, 4th. ed. & Teachers Manual 2021).

BANKRUPTCY LAW AND PRACTICE, A CASEBOOK DESIGNED TO TRAIN LAWYERS FOR THE PRACTICE OF BANKRUPTCY LAW (CALI, 3d. ed. 2018).

BANKRUPTCY LAW AND PRACTICE, A CASEBOOK DESIGNED TO TRAIN LAWYERS FOR THE PRACTICE OF BANKRUPTCY LAW (CALI, 2d. ed. 2017).

BANKRUPTCY LAW AND PRACTICE, A CASEBOOK DESIGNED TO TRAIN LAWYERS FOR THE PRACTICE OF BANKRUPTCY LAW (CALI, 2016).

Law Review and Other Scholarly Articles

Bankruptcy Symposium 2020-2021, Introduction, 71 SYR. L. REV. 415 (2021).

From Classroom to Courtroom: A Doctrinal Teacher Supervises Pro Bono Bankruptcy Cases, 62 J. LEGAL EDUC. 612 (2013).

Due Process in Bankruptcy: Are the New Automatic Dismissal Rules Constitutional? 13 U. PA. J. BUS. L. 547 (2011).

Discharging Income Tax Liabilities In Bankruptcy: A Challenge to the New Theory of Strict Construction for Scrivener's Errors, 75 UMKC L. REV. 741 (2007).

Taxing Emotional Injury Recoveries: A Critical Analysis of Murphy v. Internal Revenue Service, 60 ARK. L. REV. 186 (2007).

Income Tax Claims In The Year Of Bankruptcy: A Congressionally Created Quagmire, 59 TAX L. 329 (2006).

Discharging Their Duty: A Critical Assessment of the Tax Court's Refusal to Consider Bankruptcy Discharge Questions, 23 VA. TAX REV. 531 (2004).

Avoiding Phantom Income in Bankruptcy: A Proposal for Reform, 5 FLA. TAX. REV. 249 (2001).

Reports, News and Commentary

What Happens If High Court Rejects Releases in Purdue Ch. 11, LAW360 (Dec. 15, 2023), <https://www.law360.com/articles/1777123>

Carpenter Says Individuals Cannot Discharge Vicarious Tax Liabilities in Bankruptcy, 35 ABA TAX TIMES 14 (2016).

A Constitutional Challenge to the Automatic-Dismissal Rules, AM. BANKR. INST. J., Mar. 2013, at 22.

Solid Waste, Kentucky Exemption Cases Could be Market-Movers, BOND BUYER, Jan. 29, 2007, at 34.

Taxing Income in the Year of Bankruptcy under BAPCPA, AM. BANKR. INST. J., Dec. 2005–Jan. 2006, at 14.

Shubha Ghosh
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Forthcoming

Efficient Expressions, 31 HIST. ECON. IDEAS 169 (forthcoming 2024).

UNDERSTANDING INTELLECTUAL PROPERTY LAW (*with* TYLER T. OCHOA & MARY LAFRANCE)
(5th ed. forthcoming 2024).

Books

ACING TORT LAW: A CHECKLIST APPROACH TO TORT LAW (4th ed. 2022).

ADVANCED INTRODUCTION TO LAW AND ENTREPRENEURSHIP (2021).

UNDERSTANDING INTELLECTUAL PROPERTY LAW (*with* TYLER T. OCHOA & MARY LAFRANCE)
(4th ed. 2020).

EXHAUSTING INTELLECTUAL PROPERTY RIGHTS: A COMPARATIVE LAW AND POLICY ANALYSIS
(*with* Irene Calboli) (2018).

TRANSACTIONAL INTELLECTUAL PROPERTY: FROM STARTUPS TO PUBLIC COMPANIES: A
SUCCESSOR TO INTELLECTUAL PROPERTY IN BUSINESS ORGANIZATIONS: CASES AND
MATERIALS (*with* RICHARD GRUNER & JAY KESAN) (4th ed. 2018).

ACING TORT LAW (3rd ed. 2017).

INTELLECTUAL PROPERTY: PRIVATE RIGHTS, THE PUBLIC INTEREST, AND THE REGULATION OF
CREATIVE ACTIVITY (*with* RICHARD GRUNER, JAY KESAN & ROBERT REIS) (3rd ed. 2016).

TRANSACTIONAL INTELLECTUAL PROPERTY: FROM STARTUPS TO PUBLIC COMPANIES: A
SUCCESSOR TO INTELLECTUAL PROPERTY IN BUSINESS ORGANIZATIONS: CASES AND
MATERIALS (*with* RICHARD GRUNER & JAY KESAN) (3rd ed. 2015).

UNDERSTANDING INTELLECTUAL PROPERTY LAW (*with* DONALD CHISUM, MARY LAFRANCE &
TYLER OCHOA) (3rd ed. 2015).

THE IMPLEMENTATION OF EXHAUSTION POLICIES: LESSONS FROM NATIONAL EXPERIENCES
(2013). Available at [http://www.ictsd.org/themes/innovation-and-ip/research/the-
implementation-of-exhaustion-policies-lessons-from-national](http://www.ictsd.org/themes/innovation-and-ip/research/the-implementation-of-exhaustion-policies-lessons-from-national).

QUESTIONS & ANSWERS: ANTITRUST (2013).

TRANSACTIONAL INTELLECTUAL PROPERTY: FROM STARTUPS TO PUBLIC COMPANIES (*with* RICHARD GRUNER & JAY KESAN) (2nd ed. 2012, *of* INTELLECTUAL PROPERTY IN BUSINESS ORGANIZATIONS, 2006).

IDENTITY, INVENTION, AND THE CULTURE OF PERSONALIZED MEDICINE PATENTING (2012).

ACING TORT LAW (2nd ed. 2012).

GLOBAL ISSUES IN PATENT LAW (*with* MARTIN ADELMAN, AMY LANDERS & TOSHIKI TAKENAKA, 2011).

UNDERSTANDING INTELLECTUAL PROPERTY (*with* DONALD CHISUM, MARY LAFRANCE & TYLER OCHOA) (2nd ed. 2011).

INTELLECTUAL PROPERTY: PRIVATE RIGHTS, THE PUBLIC INTEREST, AND THE REGULATION OF CREATIVE ACTIVITY (*with* RICHARD GRUNER, JAY KESAN & ROBERT REIS) (2nd ed. 2011).

ACING TORT LAW: A CHECKLIST APPROACH TO TORT LAW (2009).

INTELLECTUAL PROPERTY: PRIVATE RIGHTS, THE PUBLIC INTEREST, AND THE REGULATION OF CREATIVE ACTIVITY: CASES AND MATERIALS (*with* RICHARD GRUNER, JAY KESAN & ROBERT REIS) (2007).

INTELLECTUAL PROPERTY IN BUSINESS ORGANIZATIONS: CASES AND MATERIALS, (*with* RICHARD GRUNER & JAY KESAN) (2006).

THEATER LAW: CASES AND MATERIALS (*with* STEVEN E. CHAIKELSON ET AL.) (2004).

Books, Edited

FORGOTTEN INTELLECTUAL PROPERTY LORE: CREATIVITY, ENTREPRENEURSHIP AND INTELLECTUAL PROPERTY (2020).

INTELLECTUAL PROPERTY AND INNOVATION (2017).

CREATIVITY, LAW AND ENTREPRENEURSHIP (*with* Robin Paul Malloy 2011).

Law Review and Other Scholarly Articles

Beyond AI Ownership, or the Continuing Problem of Software Patenting in the AI Landscape, 33 AUSTL. INTELL. PROP. J. 59 (2023).

A Consumer Divided Cannot Stand, 68 ANTITRUST BULL. 307 (2023).

The Continuing Right to Repair, 37 BERKELEY TECH. L.J. 1096 (2022).

A La Recherche De Breyer Perdu, 21 UNIV. ILL. CHI. REV. INTELL. PROP. L. 38 (2022).

Time, Scarcity, and Abundance, 7 FRONTIERS IN RES. METRICS AND ANALYTICS 1 (2022).

Universities as Engines of Development, 14 LAW & DEV. REV. 723 (2021).

Myriad post-Myriad, 47 SCI. & PUB. POL'Y 638 (2021).

Do the Games Never End? 71 FLA. L. REV. F. 76 (2020).

The Elusive Quest for Digital Exhaustion in the US and the EU: The CJEU's Tom Kabinet Ruling a Milestone or Millstone for Legal Evolution?, 8 HUNG. YB INT'L L. & EUR. L. 249 (2020).

A Revolution Ignored?, 65 ANTITRUST BULL. 606 (2020).

The Antitrust Logic of Biologics, 2018 U. ILL. L. REV. ONLINE 46 (2018),
<https://illinoislawreview.org/online/the-antitrust-logic-of-biologics/>.

Jurisdiction Stripping of the Federal Circuit?, 52 AKRON L. REV. 391 (2018).

Free Speech, Free Markets and the Death of Trademark Law, 5 J. NAT'L L. U. DELHI 61 (2018).

Eli Lilly and the International Investment Law Challenge to a Neo-Federal IP Regime (with Jason Yackee), 21 VAND. J. ENT. & TECH. L. 517 (2018).

Introduction, *A Duty to Remember*, 68 SYRACUSE L. REV. 1 (2018).

A Court Divided, 17 CHI.-KENT J. INTELL. PROP. 346 (2018).

Remapping Copyright Functionality: The Quixotic Search for a Unified Test for Severability for PGS Works, 39 EUR. INTELL. PROP. REV. 90 (2017).

Entrepreneurship and Antitrust Enforcement, 61 ANTITRUST BULL. 595 (2016).

Are Universities Special?, 49 AKRON L. REV. 671 (2016).

Asking the Nearest Hippie, 22 MICH. TELECOMM. & TECH. L. REV. 135 (2015).

Beyond Hatch-Waxman, 67 RUTGERS U. L. REV. 779 (2015).

Decentering the Consuming Self: Personalized Medicine, Science, and the Market for Lemons, 5 WAKE FOREST J. L. & POL'Y 299 (2015).

Against Contractual Authoritarianism, 44 SW. L. REV. 239 (2014–2015).

Short-Circuiting Contract Law: The Federal Circuit's Contract Law Jurisprudence and IP Federalism, 96 J. PAT. & TRADEMARK OFF. SOC'Y 536 (2014).

Convergence?, 15 MINN. J. L. SCI. & TECH. 95 (2014).

The Implementation of Exhaustion Policies: Lessons from National Experiences (February 3, 2014). Univ. of Wisconsin Legal Studies Research Paper No. 1248. Available at <https://ssrn.com/abstract=2390232> (2014). <https://dx.doi.org/10.2139/ssrn.2390232>

Introduction, *Legal Education and Legal Reform in South Asia*, 63 J. LEGAL EDUC. 497 (2013–2014).

Reforming Software Claiming, 2013 WIS. L. REV. ONLINE 63 (2013).

Komesar's Razor: Comparative Institutional Analysis in a World of Networks, 2013 WIS. L. REV. 455 (2013).

Duty, Consequences, & Intellectual Property, 10 U. ST. THOMAS L.J. 801 (2012–2013).

Cultivating Intellectual Property, 4 WIPO J. 28 (2012-13).

Managing the Intellectual Property Sprawl, 49 SAN DIEGO L. REV. 979 (2012).

Informing and Reforming the Marketplace of Ideas: The Public-Private Model for Data Production and the First Amendment, 2012 UTAH L. REV. 653 (2012).

Razing the Funhouse? 64 FLA. L. REV. F. 23 (2012).

The Quest for Effective Traditional Knowledge Protection: Some Reflections on WIPO's Recent IGC Discussions, 6 BIORES (18 June 2012). Available at <http://www.ictsd.org/bridges-news/biores/news/the-quest-for-effective-traditional-knowledge-protection-some-reflections>.

Commercializing Data, 3 ELON L. REV. 195 (2011–2012).

Peace Song for the Tiger Mother, 17 UCLA ASIAN PAC. AM. L.J. 45 (2011–2012).

CSI: Aoki, 45 U.C. DAVIS. L. REV. 1889 (2011–2012).

Why Intergenerational Equity, 2011 WIS. L. REV. 103 (2011).

FDA Preemption of Drug and Device Labeling: Who Should Decide What Goes on a Drug Label? (with Tamsen Valoir), 21 HEALTH MATRIX 555 (2011).

The Sale of Patented Methods: Reconciling on-Sale Bar & Patent Exhaustion Doctrines in Light of In Re Kollar & Quanta v. LG (with Lucas Divine), 39 AIPLA Q. J. 295 (2011).

A Roadmap for TRIPS: Copyright and Film in Colonial and Independent India, 1 QUEEN MARY J. INTELL. PROP. 146 (2011).

Open Borders, the US Economic Espionage Act of 1996, and the Global Movement of Knowledge and People, 21 K. L.J. 1 (2010).

Open Borders, Intellectual Property & Federal Criminal Trade Secret Law, 9 J. MARSHALL REV. INTELL. PROP. L. i (2009–2010).

The Transactional Turn in Intellectual Property, 35 U. DAYTON L. REV. 329 (2009–2010).

Carte Blanche, Quanta, and Competition Policy, 34 J. CORP. L. 1209 (2008–2009).

Patenting Games: Baker v. Selden Revisited, 11 VAND. J. ENT. & TECH. L. 871 (2008–2009).

Predatory Conduct and Predatory Legislation: Exclusionary Tactics in Airline Markets (with Darren Bush), 45 HOUS. L. REV. 343 (2008–2009).

Protection and Enforcement of Well-known Mark Rights in China: History, Theory and Future, (with Jing “Brad” Luo), 7 NW. J. TECH. & INTELL. PROP. 119 (2008–2009).

Intellectual Property Rights : The View from Competition Policy, 103 NW. U. L. REV. COLLOQUY 344 (2008-2009).

Decoding and Recoding Natural Monopoly, Deregulation, and Intellectual Property, 2008 U. ILL. L. REV. 1125 (2008).

Intellectual Property: American Exceptionalism or International Harmonization (with F. Scott Kieff, et al.), 3 N.Y.U. J. L. & LIBERTY 448 (2008)

Race-Specific Patents, Commercialization, and Intellectual Property Policy, 56 BUFF. L. REV. 409 (2008).

Dilution and Competition Norms: The Case of Federal Trademark Dilution Claims Against Direct Competitors, 24 SANTA CLARA COMPUTER & HIGH TECH. L.J. 571 (2007–2008).

Who Doesn't Own Culture – Two Books on Law's Role in Shaping Culture, 8 STUD. INT'L FIN. ECON. & TECH. L. 135 (2007).

Belief: An Essay in Understanding, 54 BUFF. L. REV. 807 (2006).

What Is the Legal Standard for Determining When Bidding Is Predatory?, 34 PREVIEW U.S. SUP. CT. CASES 138 (2006).

How Specifically Must an Antitrust Plaintiff Plead a Conspiracy in Order to State a Claim?, 34 PREVIEW U.S. SUP. CT. CASES 134 (2006).

The Fable of the Commons: Exclusivity and the Construction of Intellectual Property Markets, 40 U.C. DAVIS L. REV. 855 (2006–2007).

The Market As Instrument, 59 S.M.U. L. Rev. 1717 (2006).

The Intellectual Property Incentive: Not So Natural as to Warrant Strong Exclusivity, 3 SCRIPTed 96 (2006).

Exclusivity: The Roadblock to Democracy?, 50 ST. LOUIS U. L.J. 799 (2005–2006).

Can a Business Collude with Itself?, 2005–2006 PREVIEW U.S. SUP. CT. CASES 182 (2005–2006).

When Exclusionary Conduct Meets the Exclusive Rights of Intellectual Property: Morris v. PGA Tour and the Limits of Free Riding As An Antitrust Business Justification, 37 LOY. U. CHI. L.J. 723 (2005–2006).

Market Entry and the Proper Scope of Copyright, 12 INT'L J. ECON. OF BUS. 347 (2005).

Law, Technology, and Development: Policy Debates in the New Millennium, 27 LAW & POL'Y 1 (2005).

Patent Law and the Assurance Game: Refitting Intellectual Property in the Box of Regulation, 18 CAN. J. L. & JURIS. 307 (2005).

The Functions of Transaction Costs: Rethinking Transaction Cost Minimization in a World of Friction (with David Driesen), 47 ARIZ. L. REV. 61 (2005).

On Bobbling Heads, Paparazzi, and Justice Hugo Black, 45 SANTA CLARA L. REV. 617 (2004–2005).

Patents and the Regulatory State: Rethinking the Patent Bargain Metaphor After Eldred, 19 BERKELEY TECH. L.J. 1315 (2004).

A Rose Is a Rose Is: The Thorny Case of Morris Communications Corp. v. Professional Golf Association Tour, Inc., 1 ERASMUS L. & ECON. REV. 287 (2004), *reprinted in* 3 BUFF. INTELL. PROP. L.J. 1 (2005–2006).

Globalization, Patents, and Traditional Knowledge, 17 COLUM. J. ASIAN L. 73 (2003–2004), *reprinted as* *Traditional Knowledge, Patents and the New Mechanisms*, 85 J. PAT. & TRADEMARK OFF. SOC'Y 828, 885 (2003).

What Do Patents Purchase?: In Search of Optimal Ignorance in the Patent Office (with Jay Kesan), 40 Hous. L. Rev. 1219 (2003–2004).

Copyright as Privatization: The Case of Model Codes, 78 TUL. L. REV. 653 (2003–2004).

Reflections on the Traditional Knowledge Debate, 11 CARDOZO J. INT'L & COMP. L. 497 (2003–2004).

Deprivatizing Copyright, 54 CASE W. RES. L. REV. 387 (2003–2004).

Gandhi & the Life of the Law, 53 SYRACUSE L. REV. 1273 (2003).

Traditional Knowledge, Patents and the New Mercantilism (Part II), 85 J. PAT. & TRADEMARK OFF. SOC'Y 885 (2003).

Traditional Knowledge, Patents and the New Mechanisms (Part I), 85 J. PAT. & TRADEMARK OFF. SOC'Y 828 (2003).

The Traditional Terms of the Traditional Knowledge Debate, 23 NW. J. INT'L L. & BUS. 589 (2002–2003).

Legal Code and the Need for a Broader Functionality Doctrine in Copyright, 50 J. COPYRIGHT SOC'Y U.S.A. 71 (2002–2003).

Pills, Patents, and Power: State Creation of Gray Markets as a Limit on Patent Rights, 53 FLA. L. REV. 789 (2001), *reprinted in* 14 FLA. J. INT'L L. 217 (2001–2002).

The Merits of Ownership; or, How I Learned to Stop Worrying and Love Intellectual Property, 15 HARV. J. L. TECH 453 (2001–2002).

Turning Gray into Green: Some Comments on Napster, 23 HASTINGS COMM. & ENT. L.J. 563 (2000–2001).

Colloquium on Privacy and Security (with Gary M. Schober et al.), 50 BUFF. L. REV. 703 (2002).

Relaxing Antitrust during Economic Downturns: A Real Options Analysis of Appalachian Coals and the Failing Firm Defense, 68 ANTITRUST L.J. 111 (2000–2001).

Panel One, The Road to Napster: Internet Technology & Digital Content, 50 AM. U. L. REV. 363 (2000–2001).

Toward a Theory of Regulatory Takings for Intellectual Property: The Path Left Open after College Savings v. Florida Prepaid, 37 SAN DIEGO L. REV. 637 (2000).

Methods, Conclusions, and the Search for Scientific Validity in Economics and Other Social Sciences, 8 DIGEST: THE NAT'L ITALIAN-AMERICAN B. ASS'N L.J. 1 (2000).

Where's the Sense in Hill v. Gateway 2000?: Reflections on the Visible Hand of Norm Creation, 16 TOURO L. REV. 1125 (1999–2000).

Gray Markets in Cyberspace, 7 J. INTELL. PROP. L. 1 (1999–2000).

Reconciling Property Rights and States' Rights in the Information Age: Federalism, the Sovereign's Prerogative and Takings after College Savings, 31 U. TOL. L. REV. 17 (1999–2000).

Whistling Dixie: The Invalidity and Unconstitutionality of Covenants Against Yankees (with Alfred Brophy), 10 VILL. ENVTL. L.J. 57 (1999).

Fragmenting Knowledge, Misconstruing Rule 702: How Lower Courts Have Resolved the Problem of Technical and Other Specialized Knowledge in Daubert v. Merrell Dow Pharmaceuticals, Inc., 1 CHI.-KENT J. INTELL. PROP. 1 (1999).

Casting Light on Originalism, 24 OKLA. CITY U. L. REV. 431 (1999).

W[h]ither Daubert? What Courts Mean by “Scientific” Evidence, 29 TRIAL LAW. Q. 9 (1999).

Federal and State Resolutions of the Problem of Daubert and “Technical or Other Specialized Knowledge,” 22 AM. J. TRIAL ADVOC. 237 (1998–1999).

The Legal, Economic, and Policy Roles of Immigrant Entrepreneurs in the Immigration Debate, 5 UCLA ASIAN PAC. AM. L.J. 15 (1998).

The Morphing of Property Rules and Liability Rules: An Intellectual Property Optimist Examines Article 9 and Bankruptcy, 8 FORDHAM INTELL. PROP. MEDIA & ENT. L.J. 99 (1997–1998).

Takings, the Exit Option, and Just Compensation, 17 INT’L REV. L. & ECON. 157 (1997).

Property Rules, Liability Rules, and Termination Rights: A Fresh Look at the Employment at Will Debate with Applications to Franchising and Family Law, 75 OR. L. REV. 969 (1996).

An Economic Analysis of the Common Control Exception to Gray Market Exclusion, 15 U. PA. J. INT’L BUS. L. 373 (1994–1995).

Book Chapters

Crisis, Invention, & Innovation, in INTELLECTUAL PROPERTY RIGHTS IN THE POST-PANDEMIC WORLD, (Tania Pihljarinne et al. eds., 2023).

Protecting Custom Fit, Aspiring for Social Justice, in CAMBRIDGE HANDBOOK ON INTELLECTUAL PROPERTY AND SOCIAL JUSTICE (Lateef Mtima & Steve Jamar eds., 2023).

Make Without Take, in RELEVANCE OF DUTIES IN THE CONTEMPORARY WORLD (Raman Mittal & Kshitij Kuman Singh eds., 2022).

Ain’t It Just Software?, in RESEARCH HANDBOOK ON INTELLECTUAL PROPERTY AND ARTIFICIAL INTELLIGENCE (Ryan Abbott ed., 2022).

Consequentialist Thinking and Economic Analysis in Intellectual Property, HANDBOOK OF INTELLECTUAL PROPERTY RESEARCH: LENSES, METHODS, AND PERSPECTIVES (Irene Calboli & Maria Lilla Montagnani eds., 2021).

“If Music Did Not Pay”: The State Court Roots of Justice Holmes’ Intellectual Property Jurisprudence, in FORGOTTEN INTELLECTUAL PROPERTY LORE (2020).

Competition in Digital Markets, Research Handbook on Intellectual Property and Digital Technologies (Tanya Aplin ed., 2020).

Bayh-Dole Beyond Patents, RESEARCH HANDBOOK ON INTELLECTUAL PROPERTY AND TECHNOLOGY TRANSFER (Jacob H. Rooksby ed., 2020).

Intellectual Property and Economic Development: a Guide for Scholarly and Policy Research, RESEARCH HANDBOOK ON THE ECONOMICS OF INTELLECTUAL PROPERTY LAW (Ben Depoorter & Peter S. Menel eds., 2019).

Contemporary Views on the Economics of Patents, OXFORD RESEARCH ENCYCLOPEDIA OF ECONOMICS AND FINANCE ONLINE (2018).

The Mirror, the Lamp, and Public Performances, OXFORD HANDBOOKS ONLINE (2017).

Injunctive Relief and Compulsory Licensing under Indian Patent Law, in ANNOTATED LEADING PATENT CASES IN MAJOR ASIAN JURISDICTIONS (Kung-Chung Liu ed., 2017).

Patent Exhaustion on Trial in the United States, in GLOBAL GOVERNANCE OF INTELLECTUAL PROPERTY IN THE 21ST CENTURY: REFLECTING POLICY THROUGH CHANGE (Mark Perry ed., 2016).

Competition, Markets, and Trademark Transactions, in THE LAW AND PRACTICE OF TRADEMARK TRANSACTIONS (Irene Calboli & Jacques de Werra eds., 2016).

Incentives, Contracts, and Intellectual Property Exhaustion, in RESEARCH HANDBOOK ON INTELLECTUAL PROPERTY EXHAUSTION AND PARALLEL IMPORTS (Irene Calboli & Edward Lee eds., 2016).

FRAND in India (with D. Daniel Sokol), University of Florida Levin College of Law, Legal Studies Research Paper No. 16-46 (2016.)

The Colorblind Marketplace?, in INTELLECTUAL PROPERTY, ENTREPRENEURSHIP AND SOCIAL JUSTICE: FROM SWORDS TO PLOUGHSHARES (Lateef Mtima ed., 2015).

Genetic Identity and Personalized Medicine Patenting: An Update on Myriad's Patents Related to Ashkenazim Jewish Ancestry, in DIVERSITY IN INTELLECTUAL PROPERTY: IDENTITIES, INTERESTS, AND IINTERSECTIONS (Irene Calboli & Srividhya Ragavan eds., 2015).

The Idea of International Intellectual Property, in THE SAGE HANDBOOK OF INTELLECTUAL PROPERTY (Matthew David & Debora J. Halbert eds., 2015).

What the Treatment of Covenants not to Compete Teaches About Intellectual Property and Competition Norms, in INTELLECTUAL PROPERTY IN COMMON LAW AND CIVIL LAW (Toshiko Takenaka ed., 2013).

The Movement of Skilled Labor and Knowledge Across Borders, in THE ASHGATE RESEARCH COMPANION TO MIGRATION LAW, THEORY AND POLICY. (Satvinder Juss ed., 2013).

Propriedade Intelectuel no novo Projeto de Direito e Desenvolvimento, in DIREITO E DESENVOLVIMENTO: UM DIALOGO ENTRE OS BRICS (Mario G. Schapiro & David M. Trubek eds., 2012).

The Strategic Lawyer, in ENTREPRENEURSHIP AND INNOVATION IN EVOLVING ECONOMIES: THE ROLE OF LAW (Megan M. Carpenter ed., 2012).

Vertical Restraints, Competition, and the Rule of Reason, in ANTITRUST LAW AND ECONOMICS (Keith Hylton ed., 2010).

When Property is Something Else: Understanding Intellectual Property Through the Lens of Regulatory Justice, in INTELLECTUAL PROPERTY AND THEORIES OF JUSTICE (Alain Marciano et al. eds., 2008).

Who Doesn't Own Culture? Two Books on Law's Role in Shaping Culture, in LAW, CULTURE, AND ECONOMIC DEVELOPMENT: A LIBER AMERICORUM FOR PROFESSOR ROBERTO MCLEAN (Joseph J. Norton & C. Paul Rogers eds., 2007).

Recognizing Authority in the Marketplace: The Curious and Ubiquitous Problem of Gray Markets, in INTELLECTUAL PROPERTY AND INFORMATION WEALTH, vol. 4: INTERNATIONAL INTELLECTUAL PROPERTY LAW AND POLICY (Peter Yu ed., 2007).

How to Build a Commons: Is Intellectual Property Constrictive, Facilitating, or Irrelevant? in UNDERSTANDING KNOWLEDGE AS A COMMONS: FROM THEORY TO PRACTICE (Elinor Ostrom & Charlotte Hess eds., 2007).

The Importance of Patents, Trade-marks and Copyright for Innovation and Economic Performance: Developing a Research Agenda for Canadian Policy, (with Dr. Mohammed Rafiquzzaman) in INTELLECTUAL PROPERTY AND INNOVATION IN THE KNOWLEDGE-BASED ECONOMY (Jonathan D. Putnam ed., 2006).

Competitive Baselines for Intellectual Property Systems, in INTERNATIONAL PUBLIC GOODS AND TECHNOLOGY TRANSFER (Keith Maskus & Jerome Reichmann eds., 2005).

Copyright Act of 1790, MAJOR ACTS OF CONGRESS, vol. 1, at 181 (Brian K. Landsberg ed., 2004).

Copyright Act of 1976, MAJOR ACTS OF CONGRESS, vol. 1, at 185 (Brian K. Landsberg ed., 2004).

Patent Acts, MAJOR ACTS OF CONGRESS, vol. 3, at 116 (Brian K. Landsberg ed., 2004).

Understanding Immigrant Entrepreneurs: Theoretical and Empirical Issues, in THE STATE OF ASIAN PACIFIC AMERICA: REFRAMING THE IMMIGRATION DEBATE: A PUBLIC POLICY REPORT (Bill Hing & Ronald Lee eds., 1996).

Reports to Governmental Bodies and Professional Associations

Brief of Amici Curiae US Inventor, Inc. et al., *Retractable Technologies, Inc. and Thomas J. Shaw v. Becton, Dickinson & Co.*, No. 16-953 (5th Cir. 2017).

Reports, News, and Commentary

Fuck the Draft ®: *Notes on the First Amendment and Trademark Law* (February 24, 2016), <https://ssrn.com/abstract=2737220>

Patent Exhaustion and Self-Replicating Technologies: Amicus Brief in Support of Bowman by the American Antitrust Institute (with Peter C. Carstensen & Randy Stutz) UNIV. WIS. LEGAL STUDIES RES. PAPER NO. 1213 (Dec. 12, 2012), <https://ssrn.com/abstract=2188618>

RAND Patents and Exclusion Orders: Submission of 19 Economics and Law Professors to the International Trade Commission (with Colleen V. Chien et al.) SANTA CLARA U. LEGAL STUD. RES. PAPER NO. 07-12; UC BERKELEY PUB. L. RES. PAPER NO. 2102865 (July 9, 2012). <https://ssrn.com/abstract=2102865>

Transparent and Commercialized?: Managing the Public-Private Model for Data Production and Use, UNIV. WIS. LEGAL STUD. RES. PAPER NO. 1155 (Mar. 7, 2011), <https://ssrn.com/abstract=1780486>

Life in the Anticommons, criticism of CURB YOUR ENTHUSIASM, published on the PICTURING JUSTICE website, www.usfca.edu/pj (2005).

Myriad Troubles Facing Gene Patents, 2 PRECLINICA 300 (2004) (discussion of cancellation of patent on breast cancer gene sequence in Europe).

Intellectual Property in Bankruptcy, 2 PRECLINICA 239 (2004) (presentation to general audience on bankruptcy and intellectual property).

The Bayh-Dole Act Under Fire, 2 PRECLINICA 13 (2004) (commentary on Bayh-Dole Act and recent claims of conflict of interest at the National Institute of Health).

Shooting Gus van Sant's Elephant, film criticism of ELEPHANT, published on the PICTURING JUSTICE web site, www.usfca.edu/pj (2004).

A Social Insurance Perspective on Security and Privacy (with Vikram Mangalmurti) (July 26, 2004), <https://ssrn.com/abstract=569643>

Leaving the Friedmans Alone, film criticism of CAPTURING THE FRIEDMANS, published on the PICTURING JUSTICE web site, www.usfca.edu/pj (2003).

The Relationship Between Antitrust and Intellectual Property Laws, published at www.gigalaw.com (December 2000).

The Legal Importance of Defining Markets on the Internet, published at www.gigalaw.com (November 2000).

Antitrust Scrutiny of Business to Business Websites, published at www.gigalaw.com (October 2000).

The Antitrust Implications of B2B Electronic Marketplaces, published at www.gigalaw.com (September 2000).

MP3 v. the Law: How the Internet Could (But Won't) Become Your Personal Jukebox, published at www.gigalaw.com (July 2000).

Unscrambling Free Speech Law for Cable...and the Internet?, published at www.gigalaw.com (June 2000).

Deciphering Free Speech and the Encryption Debate, published at www.gigalaw.com (May 2000).

Source Code as Free Speech in Encryption Cases, published at www.gigalaw.com (April 2000).

Analyzing Fair Use and the First Amendment on the Internet, published at www.gigalaw.com (March 2000).

Limiting Speech: The Consequences of Quashing Cybersquatting, published at www.gigalaw.com (February 2000).

Revealing the Microsoft Windows Source Code, published at www.gigalaw.com (January 2000).

Book Reviews

A Tribute That Turns One Inside-Out, JOTWELL (Feb. 15, 2022) (reviewing FEI-HSIEN WANG, *PIRATES AND PUBLISHERS: A SOCIAL HISTORY OF COPYRIGHT IN MODERN CHINA* (2019)).

Book Review, 10 IP L. Book Rev. 11 (2020) (reviewing CHRIS SAGERS, *UNITED STATES V. APPLE: COMPETITION IN AMERICA* (2019)).

Recognizing and Correcting a Discrepancy, JOTWELL (September 21, 2020) (reviewing MARKETA TRIMBLE, *THE TERRITORIAL DISCREPANCY BETWEEN INTELLECTUAL PROPERTY RIGHTS INFRINGEMENT CLAIMS AND REMEDIES*, 23 LEWIS & CLARK L. REV. 501 (2019)).

Layering Property, Disseminating Knowledge, JOTWELL (July 19, 2019) (reviewing RUTH L. OKEDIJI, *A TIERED APPROACH TO TRADITIONAL KNOWLEDGE*, 58 WASHBURN L.J. 271 (2019)).

All's Well That Ends Well, Sort of, JOTWELL (October 1, 2018) (reviewing OONA A. HATHAWAY & SCOTT J. SHAPIRO, *THE INTERNATIONALISTS: HOW A RADICAL PLAN TO OUTLAW WAR REMADE THE WORLD* (2018)).

A Blueprint for the Global Microbial Commons, JOTWELL (September 29, 2017) (reviewing JEROME REICHMAN, PAUL F. UHLIR, AND TOM DEDEURWAERDERE, *GOVERNING DIGITALLY INTEGRATED GENETIC RESOURCES, DATA, AND LITERATURE: GLOBAL INTELLECTUAL PROPERTY STRATEGIES FOR A REDESIGNED MICROBIAL RESEARCH COMMONS* (2016)).

Sheltering the Public from Intellectual Property, JOTWELL (October 19, 2016) (reviewing Sam Halabi, *International Intellectual Property Shelters*, 90 TUL. L. REV. 903 (2016)).

Reviving the Original Scope of Intellectual Property, Internationally, JOTWELL (Jan. 12, 2016) (reviewing Rochelle Dreyfuss & Susy Frankel, *FROM INCENTIVE TO COMMODITY TO ASSET: HOW INTERNATIONAL LAW IS RECONCEPTUALIZING INTELLECTUAL PROPERTY*, 36 MICH. J. INTL. L. 4 (2015)).

Marks on Markets and Competition, JOTWELL (March 22, 2013) (reviewing Mark A. Lemley & Mark P. McKenna, *Is Pepsi Really a Substitute for Coke? Market Definition in Antitrust and IP*, 100 GEO. L.J. 2055 (2012)).

Rationalizing Heuristics, JOTWELL (May 18, 2012) (reviewing MARK KELMAN, *THE HEURISTICS DEBATE* (2011)).

Book review, IP L. BOOK REV., June 2010, at 8 (reviewing DAN L. BURK & MARK A. LEMLEY, *THE PATENT CRISIS AND HOW THE COURTS CAN SOLVE IT* (2009)), available at http://gguipic.com/the_ip_law_book_review/archive_-_vol_1_no_1_june_2010.

Modeling Globalization from the Bottom Up: A Review Essay of John Braithwaite and Peter Drahos, GLOBAL BUSINESS REGULATION, 39 L. & SOC'Y REV. 965 (2005).

Belling the Cat, Virtually, Review of Stuart Biegel's, *BEYOND OUR CONTROL?*, 1 BUFF. INTELL. PROP. L.J. 240 (2002).

Enlightening Identity and Copyright, (reviewing Emma Rothschild, *ECONOMIC SENTIMENTS*, 49 BUFF. L. REV. 1315 (2001)).

Book Review 23 LEGAL STUD. F. 599 (reviewing 1999 LAW AND ECONOMICS ANTHOLOGY (Kenneth G. Dau-Schmidt & Thomas S. Ulen eds.), and FOUNDATIONS OF THE ECONOMICS APPROACH TO LAW (Avery Katz ed.)).

Book Review: 13 STAN. ENVTL. L.J. 251 (1994) (reviewing Jamie Cassels, *THE UNCERTAIN PROMISE OF LAW: LESSONS FROM BHOPAL* (Univ. of Toronto Press, 1993)).

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Forthcoming

Honorários Advocatícios em Processos Coletivos Sindicais, in *REVISTA DE PROCESSO* (forthcoming 2024).

REDAÇÃO JURÍDICA: ESTILO ACADÊMICO (forthcoming 2024).

Books

REDAÇÃO JURÍDICA: ESTILO PROFISSIONAL (2d ed. 2023).

LEGAL WRITING STYLE (3d ed. 2018).

SCHLESINGER'S COMPARATIVE LAW (*with* UGO A. MATTEI & TEEMU RUSKOLA) (2009).

RUMO A UM CÓDIGO DE PROCESSO CIVIL COLETIVO (2008).

A CLASS ACTION COMO INSTRUMENTO DE TUTELA COLETIVA DOS DIREITOS. AS AÇÕES COLETIVAS EM UMA PERSPECTIVA COMPARADA (2007).

PRINCIPLES OF TRANSNATIONAL CIVIL PROCEDURE (*with* GEOFFREY C. HAZARD, JR., ROLF STÜRNER, & MICHELE TARUFFO) (AM. LAW. INST. & INT'L INST. FOR UNIFICATION OF PRIV. L. 2006).

LAS ACCIONES COLECTIVAS Y LA TUTELA DE LOS DERECHOS DIFUSOS, COLECTIVOS INDIVIDUALES EN BRASIL: UN MODELO PARA PAÍSES DE DERECHO CIVIL (2004).

COISA JULGADA E LITISPENDÊNCIA EM AÇÕES COLECTIVAS (1995).

ANOTAÇÕES PARA UMA HISTÓRIA DA FACULDADE DE DIREITO DA BAHIA (1991).

Books, Edited

AÇÃO CIVIL PÚBLICA E AÇÕES COLETIVAS (*with* José Maria Tesheiner e Tereza Cristina Sorice Baracho Thibau) (2015).

SÉRIE PROCESSO COLETIVO, COMPARADO E INTERNACIONAL (5 vols.) (2012).

COMENTÁRIOS AO CÓDIGO MODELO DE PROCESSOS COLETIVOS (*with* Eduardo Ferrer Mac-Gregor, 2009).

CÓDIGO MODELO O DE PROCESOS COLECTIVOS. UN DIÁLOGO IBEROAMERICANO (*with* Eduardo Ferrer Mac-Gregor, 2009).

PROCESOS COLECTIVOS (*with* Eduardo Ferrer Mac-Gregor, 2nd ed. 2004).

LA TUTELA DE LOS DERECHOS DIFUSOS, COLECTIVOS E INDIVIDUALES HOMOGÉNEOS (*with* Eduardo Ferrer Mac-Gregor, 2nd ed. 2004)

Law Review and Other Scholarly Articles

Las Acciones Colectivas y el Arbitraje, 99 PAUTA – ARBITRAJE Y MEDIOS ALTERNATIVOS DE SOLUCIÓN DE CONTROVERSIAS 4 (2022).

The Cost of Access to Justice Revisited—The ‘Age of Austerity’ in Brazilian Civil Procedure Five Years Later. Winds of Change? (*with* Hermes Zaneti, Jr.), 52 U. MIAMI INTER-AM. L. REV. 49 (2021).

Amicus Curiae Presentado a la Suprema Corte de Justicia de la Nación (México): Opt In vs. Opt Out, Cosa Juzgada, Notificación, Ejecución de la Condena, Gastos y Costas, 16 REVISTA PRIMERA INSTANCIA 139 (2021).

O Projeto CNJ de Lei de Ação Civil Pública. Avanços, inutilidades, imprecisões e retrocessos: a decadência das ações coletivas no Brasil, 18 REVISTA BRASILEIRA DE DIREITO PUBLICO 9 (2021), *reprinted at*: 12 CIV. PROC. REV. 25 (2021).

Civil Justice: a European Perspective (*with* Lea Querzola), 46 REVISTA DE PROCESSO 359 (2021).

Aplicação Retrospectiva e Prospectiva de Precedentes em Lei Federal dos Estados Unidos (Retrospective and Prospective Application of Precedents in United States Federal Law), 296 REVISTA DE PROCESSO 303 (2019).

Incorporation by Reference: Requiem for a Useless Tradition, 70 HASTINGS L.J. 989 (2019).

O Processo Civil Brasileiro na “Era da Austeridade”? Efetividade, Celeridade e Segurança Jurídica: Pequenas Causas, Causas Não Contestadas e Outras Matérias de Simplificação das Decisões Judiciais e dos Procedimentos (*with* Hermes Zaneti, Jr.), 44 REVISTA DE PROCESSO 41 (2019), *trans. & reprinted in* TENDENCIAS ACTUALES DEL DERECHO PROCESAL 231 (2019).

قانون دعوی جمعی الگویی برای کشورهای سیستم سیویل لا (Majid Pourostad, trans.), 31 JOURNAL OF LEGAL RESEARCH (SDIL) [Iran] (2017).

Brazilian Civil Procedure in the “Age of Austerity”? Effectiveness, Speed, and Legal Certainty: Small Claims, Uncontested Claims, and Simplification of Judicial Decisions and Proceedings (*with* Hermes Zaneti, Jr.), 8 ERASMUS L. REV. (2015).

Civil Procedure in Cross-Cultural Dialogue: Eurasia Context (*with* Stefaan Voet), 2 RUSS. L.J. 125 (2014).

Loneliness in the Crowd: Why Nobody Wants Opt-Out Class Members to Assert Offensive Issue Preclusion Against a Class Defendant, 66 SMU L. REV. 1 (2013).

The Recognition of U.S. Class Action Judgments Abroad: The Case of Latin America, 37 BROOK. J. INT'L L. 893 (2012).

Issue Preclusion Effect of Class Certification Orders, 63 HASTINGS L.J. 1023 (2012).

Limites Objetivos da Coisa Julgada no Projeto de Código de Processo Civil: Reflexões Inspiradas na Experiência Norte-Americana (with José Maria Rosa Tesheiner & Marília Zanella Prates), 194 REVISTA DE PROCESSO 101 (2011).

Twombly e Iqbal: Il Ruolo Della Civil Procedure Nello Scontro Politico-Ideologico Della Società Statunitense, INT'L LIS. 104 (2010).

Кодекс Группового Судопроизводства: Модель Для Стран Континентального Права, 11 ZAKON 151 (Grigiri Arziani & Dmitry Mareshin trans., 2013).

El Concepto de Accion Colectiva y los Derechos Difusos, Colectivos e Individuales Homogeneos, 126 REVISTA JURIDICA DEL PERU 49 (2011).

Διδάσκοντας Συγκριτική Πολιτική Δικονομία, 64 HARMENOPOULOS L. REV. 1637 (Anastasia Vezirtzi trans., 2010).

Teaching Comparative Civil Procedure, 56 J. LEGAL EDUC. 502 (2007).

The Class Action Code: A Model for Civil-Law Countries, 23 ARIZ J. INT'L COMP. L. 37 (2005), reprinted as *A Csoportperes Törvénykönyv: Minta a Polgárjogi Államoknak* (Noémi Suri trans., 2013).

Anteproyeto de Código Modelo de Procesos Coletivos para Ibero-América (with Ada Grinover & Kazuo Watanabe), 5 REVISTA IBERAMERICANA DE DERECH PROCESAL 36 (2004), reprinted in XXVI CONGRESO COLOMBIANO DE DERECHO PROCESAL 1093 (2005).

Class Actions in Brazil – A Model for Civil Law Countries, 51 AM. J. COMP. L. 311 (2003).

ブラジルのクラスアクション制度—シビルロー国へのモデル, 34 J. JAPANESE INST. INT'L BUS. L. 997 (2006).

Código de Processo Civil Coletivo. Um Modelo Para Países de Direito Escrito, 111 REPRO 192 (2003).

Código de Proceso Civil Colectivo. Un Modelo Para Países de Derecho Civil, 11 REVISTA PRÁCTICA DE DERECHO DE DAÑOS 56 (Adriana León & Joaquín Silguero Estagnan trans., 2003), reprinted in REVISTA DE DERECHO PROCESAL (2004), and in 16 REVISTA VASCA DE DERECHO PROCESAL Y ARBITRAJE 753 (2004), and in XXVI CONGRESO COLOMBIANO DE DERECHO PROCESAL, UNIV. LIBRE 601 (2005), and in 59 RIVISTA TRIMESTRALE DI DIRITTO E PROCEDURA CIVILE 697 (Alessandro Barzaghi trans., 2005).

Enseñando Derecho Procesal Civil Comparado, 2 REVISTA URUGUAYA DE DERECHO PROCESAL 241 (2003).

Iniciativas para la Formulación de Normas Uniformes en el Ámbito del Derecho Procesal Civil Internacional, 11 TRIBUNALES DE JUSTICIA 21 (2002), *reprinted in* 54 DERECHO L. REV. 245 (2002).

Principios Fundamentales de Proceso Civil Transnacional (with Geoffrey C. Hazard Jr., Rolf Stürner, & Michele Taruffo), 11 TRIBUNALES DE JUSTICIA 27 (2002), *reprinted in* 54 DERECHO L. REV. 253 (2002).

Normas de Proceso Civil Transnacional (with Geoffrey C. Hazard Jr., Rolf Stürner, & Michele Taruffo), 11 TRIBUNALES DE JUSTICIA 31 (2002), *reprinted in* 54 DERECHO L. REV. 263 (2002).

Adequacy of Representation in Class Actions: A Proposal, 108 REVISTA DE PROCESSO 61 (2002).

Notes on Criticizing the Proposed ALI/Unidroit Principles and Rules of Transnational Civil Procedure, 6 UNIFORM L. REV. 819 (2001).

Introduction to the Principles and Rules of Transnational Civil Procedure (with Geoffrey C. Hazard Jr., Rolf Stürner, & Michele Taruffo), 33 N.Y.U. J. INT'L L. & POL. 769 (2001).

Fundamental Principles of Transnational Civil Procedure (with Geoffrey C. Hazard Jr., Rolf Stürner, & Michele Taruffo), 33 N.Y.U. J. INT'L L. & POL. 785 (2001).

Rules of Transnational Civil Procedure (with Geoffrey C. Hazard Jr., Rolf Stürner, & Michele Taruffo), 33 N.Y.U. J. INT'L L. & POL. 793 (2001).

Colóquio Internacional de Direito Processual Civil, 102 REVISTA DE PROCESSO 403 (2001).

Colóquio Internacional de Direito Processual Civil em Thesaloniki, REVISTA DE PROCESSO.

Apresentação às Normas Transnacionais de Processo Civil, 52 DERECHO L. REV. 593 (1998), *reprinted in* ROMA E AMERICA 335 (2000).

Notas Esparsas Sobre o Processo Civil nos Estados Unidos, 6 REV. DIR. PROC. CIV. 851 (1997).

Aspectos da Inversão do Ônus da Prova no Código do Consumidor. 13 REVISTA DOS TRIBUNAIS, Jan/Mar 1995, at 32.

Book Chapters

Effectividad, Celeridad y Seguridad Jurídica: Pequeñas Causas, Causas No Impugnadas y Otras Materias de Simplificación de las Decisiones Judiciales y de los Procedimientos (*Effectiveness, Speed, and Legal Certainty: Small Claims, Uncontested Claims, and Simplification of Judicial Decisions and Proceedings*) (with Hermes Zaneti, Jr.), in TENDENCIAS ACTUALES DEL DERECHO PROCESAL (2019).

Brazilian Civil Procedure in the “Age of Austerity”?, in EPPUR SI MUOVE: THE AGE OF UNIFORM LAW – FESTSCHRIFT (Michael Joachim Bonell ed., 2016).

Patrocinio de Intereses Difusos (Art. 82), in CÓDIGO PROCESAL CIVIL COMENTADO POR LOS MEJORES ESPECIALISTAS 361 (Johan S. Camargo ed., 2010).

Iniciativa de Reforma al Código Federal de Procedimientos Civiles (with A. Benítez & Eduardo Ferrer Mac-Gregor), in CÓDIGO MODELO DE PROCESOS COLECTIVOS: UN DIÁLOGO IMBEROAMERICANO 447 (2008).

Le Code de L’Action Collective: Un Modèle Pour les Pays de Droit Civil, in VERS UNE “CLASS ACTION” EN DROIT BELGE? 147 (Closset-Marchal & Compennolle eds., M. Guy Sohou & Caroline Gilbert trans., 2008).

Enseigner la Procédure Civile Comparée, STUDIA IN HONOREM PELAYIA YESSIOU-FALTSI 201 (Guy Sohou, Muriel Fourrier & Caroline Gilbert trans., 2007).

Legitimación Para Demandar en las Acciones Colectivas, in LA TUTELA DE LOS DERECHOS DIFUSOS, COLETIVOS E INDIVIDUALES HOMOGÉNEOS 107 (2004).

Diffuse, Collective, and Homogeneous Individual Rights (Derechos Difusos, Colectivos e Individuales Homogéneos)(with Eduardo Ferrer Mac-Gregor), in LA TUTELA DE LOS DERECHOS DIFUSOS, COLETIVOS E INDIVIDUALES HOMOGÉNEOS, 2nd ed. (2004).

Res Judicata in Class Actions (Cosa Juzgada en Acciones Colectivas)(with Eduardo Ferrer Mac-Gregor), in LA TUTELA DE LOS DERECHOS DIFUSOS, COLETIVOS E INDIVIDUALES HOMOGÉNEOS, 2nd ed. (2004).

El Concepto de Acción Colectiva (The Definition of Class Actions)(with Eduardo Ferrer Mac-Gregor), in LA TUTELA DE LOS DERECHOS DIFUSOS, COLETIVOS E INDIVIDUALES HOMOGÉNEOS, 2nd ed. (2004).

La Representación Adecuada en las Acciones Colectivas Brasileñas y el Avance del Código Modelo, in LA TUTELA DE LOS DERECHOS DIFUSOS, COLETIVOS E INDIVIDUALES HOMOGÉNEOS 142 (2004).

Cosa Juzgada en las Acciones Colectivas, in LA TUTELA DE LOS DERECHOS DIFUSOS, COLETIVOS E INDIVIDUALES HOMOGÉNEOS 261 (2004).

Litispendencia en las Acciones Colectivas, in LA TUTELA DE LOS DERECHOS DIFUSOS, COLETIVOS E INDIVIDUALES HOMOGÉNEOS 314 (2004).

Notas Críticas al Anteproyecto de Código Modelo de Procesos Colectivos del Instituto Iberoamericano de Derecho Procesal, in LA TUTELA DE LOS DERECHOS DIFUSOS, COLETIVOS E INDIVIDUALES HOMOGÉNEOS 405 (2004).

Las Acciones Colectivas en Estados Unidos, in PROCESOS COLECTIVOS 1 ((Antonio Gidi & Eduardo Ferrer Mac-Gregor eds., 2nd ed. 2004), *reprinted in ESTUDIOS IBERAMERICANOS DE DERECHO PROCESAL* 239 (2005).

Towards a Transnational Civil Procedure. A Brief Response to Comments and Criticisms, in VERS UN PROCÉS CIVIL UNIVERSEL? (Phillipe Fouchard ed., 2001), *reprinted in VERS UN PROCÉS CIVIL UNIVERSEL?* (Phillipe Fouchard ed., G. Mecarelli trans., 2001).

Acciones de Grupo y “Amparo Colectivo” en Brasil. La Protección de Derechos Difusos, Colectivos e Individuales Homogéneos, in DERECHO PROCESAL CONSTITUTIONAL (2001).

Prefaces

Preface to JOAO PAULO LORDELO, A CERTIFICAÇÃO COLETIVA (2020).

Preface to GREGÓRIO ASSAGRA DE ALMEIDA & RAFAEL DE OLIVEIRA COSTA, DIREITO PROCESSUAL PENAL COLETIVO (2019).

Preface to FELIPE NOYA, REPRESENTATIVIDADE E ATUAÇÃO ADEQUADAS NAS AÇÕES COLETIVAS (2014).

Preface in JUAN CARLOS GUAYACAN, LAS ACCIONES POPULARES Y DE GRUPO FRENTE A LAS ACCIONES COLECTIVAS (2014).

Preface in MARCELO HOLANDA, AÇÕES COLETIVAS – LEGITIMIDADE E CONTROLE JUDICIAL DA ADEQUAÇÃO DO AUTOR COLETIVO (2012).

Preface in JORDÃO VIOLIN, PROCESSO COLETIVO E PROTAGONISMO JUDICIÁRIO (2012).

Preface in MARÍLIA PRATES, A COISA JULGADA NO DIREITO COMPRADO: BRASIL E ESTADOS UNIDOS (2012).

Preface in EDUARDO CÂNDIA, LEGITIMIDADE ATIVA NO AÇÃO CIVIL PÚBLICA (2012).

Preface in ELPÍDIO DONIZETTI & MARCELO MALHEIROS, CURSO DE PROCESSO COLETIVO (2010).

Preface in ANTONIO ARAÚJO, DIREITO DA PROPRIEDADE INDUSTRIAL E O MÉTODO PIPA (2009).

Preface in FREDIE DIDIER JR. & HERMES ZANETI JR., CURSO DE DIREITO PROCESSUAL CIVIL (2007).

Preface in 52 DERECHO L. REV. 1 (1998).

Reports to Governmental Bodies and Professional Associations

Study LXXVI – Secretary’s Report, PRINCIPLES OF TRANSNATIONAL CIVIL PROCEDURE (INT’L INST. FOR UNIFICATION OF PRIV. L. 2004).

Proposed Final Draft, PRINCIPLES OF TRANSNATIONAL CIVIL PROCEDURE (INT’L INST. FOR UNIFICATION OF PRIV. L. 2003).

Study LXXVI – Doc. 10, PRINCIPLES OF TRANSNATIONAL CIVIL PROCEDURE (INT’L INST. FOR UNIFICATION OF PRIV. L. 2003).

Study LXXVI – Secretary’s Report, PRINCIPLES OF TRANSNATIONAL CIVIL PROCEDURE (INT’L INST. FOR UNIFICATION OF PRIV. L. 2002).

Study LXXVI – Doc. 9, PRINCIPLES OF TRANSNATIONAL CIVIL PROCEDURE (INT’L INST. FOR UNIFICATION OF PRIV. L. 2002).

Study LXXVI – Doc. 5, PRINCIPLES OF TRANSNATIONAL CIVIL PROCEDURE (INT’L INST. FOR UNIFICATION OF PRIV. L. 2002).

Study LXXVI – Secretary’s Report, PRINCIPLES OF TRANSNATIONAL CIVIL PROCEDURE (INT’L INST. FOR UNIFICATION OF PRIV. L. 2001).

Study LXXVI – Doc. 4, PRINCIPLES OF TRANSNATIONAL CIVIL PROCEDURE (INT’L INST. FOR UNIFICATION OF PRIV. L. 2001).

PRINCIPLES OF TRANSNATIONAL CIVIL PROCEDURE, PROPOSED FINAL DRAFT (*with* GEOFFREY C. HAZARD, JR., ROLF STÜRNER, & MICHELE TARUFFO) (AM. LAW. INST. & INT’L INST. FOR UNIFICATION OF PRIV. L. 2004).

PRINCIPLES OF TRANSNATIONAL CIVIL PROCEDURE, COUNCIL DRAFT NO. 2 (*with* GEOFFREY C. HAZARD, JR., ROLF STÜRNER, & MICHELE TARUFFO) (AM. LAW. INST. & INT’L INST. FOR UNIFICATION OF PRIV. L. 2003).

PRINCIPLES OF TRANSNATIONAL CIVIL PROCEDURE, DISCUSSION DRAFT NO. 4 (*with* GEOFFREY C. HAZARD, JR., ROLF STÜRNER, & MICHELE TARUFFO) (AM. LAW. INST. & INT’L INST. FOR UNIFICATION OF PRIV. L. 2003).

PRINCIPLES OF TRANSNATIONAL CIVIL PROCEDURE, PRELIMINARY DRAFT NO. 3 (*with* GEOFFREY C. HAZARD, JR., ROLF STÜRNER, & MICHELE TARUFFO) (AM. LAW. INST. & INT’L INST. FOR UNIFICATION OF PRIV. L. 2002).

PRINCIPLES OF TRANSNATIONAL CIVIL PROCEDURE, COUNCIL DRAFT NO. 1 (*with* GEOFFREY C. HAZARD, JR., ROLF STÜRNER, & MICHELE TARUFFO) (AM. LAW. INST. & INT’L INST. FOR UNIFICATION OF PRIV. L. 2001).

PRINCIPLES OF TRANSNATIONAL CIVIL PROCEDURE, DISCUSSION DRAFT NO. 2 (*with* GEOFFREY C. HAZARD, JR., ROLF STÜRNER, & MICHELE TARUFFO) (AM. LAW. INST. & INT’L INST. FOR UNIFICATION OF PRIV. L. 2001).

PRINCIPLES OF TRANSNATIONAL CIVIL PROCEDURE, PRELIMINARY DRAFT NO. 2 (*with* GEOFFREY C. HAZARD, JR., ROLF STÜRNER, & MICHELE TARUFFO) (AM. LAW. INST. & INT’L INST. FOR UNIFICATION OF PRIV. L. 2000).

PRINCIPLES OF TRANSNATIONAL CIVIL PROCEDURE, DISCUSSION DRAFT NO. 1 (*with* GEOFFREY C. HAZARD, JR., ROLF STÜRNER, & MICHELE TARUFFO) (AM. LAW. INST. & INT'L INST. FOR UNIFICATION OF PRIV. L. 1999).

PRINCIPLES OF TRANSNATIONAL CIVIL PROCEDURE, INTERIM REVISION (*with* GEOFFREY C. HAZARD, JR., ROLF STÜRNER, & MICHELE TARUFFO) (AM. LAW. INST. & INT'L INST. FOR UNIFICATION OF PRIV. L. 1998).

PRINCIPLES OF TRANSNATIONAL CIVIL PROCEDURE, PRELIMINARY DRAFT NO. 1 (*with* GEOFFREY C. HAZARD, JR., ROLF STÜRNER, & MICHELE TARUFFO) (AM. LAW. INST. & INT'L INST. FOR UNIFICATION OF PRIV. L. 1998).

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Forthcoming

Keeping Up Appearances, ___ U.C. DAVIS L. REV. ___ (forthcoming 2024).

Law Review and Other Scholarly Articles

Crimes of Suspicion, 72 EMORY L.J. 1429 (2023).

The Language of Reform: Reflections on Karakatsanis' Usual Cruelty, 55 NEW ENG. L. REV. 1 (2020-21).

Reforming Pretrial Decision-making, 55 WAKE FOREST L. REV. 857 (2020).

Defining Flight Risk, 85 U. CHI. L. REV. 677 (2018).

Disentangling Flight Risk from Dangerousness, 2016 BYU L. REV. 837 (2016).

Redefining Reasonable Seizures, 93 DENV. L. REV. 53 (2015), *reprinted as Redefining Reasonable Seizures in the Twenty-First Century*, SEARCH AND SEIZURE LAW REPORT, Vol. 44, No. 4 (2017).

Criminal Records and Immigration: Comparing the United States and the European Union (with Dimitra Blitsa, James B. Jacobs & Elena Larrauri), 39 FORD. INT'L L.J. 205 (2015), *reprinted in* 36 IMMIGR. & NAT'LITY L. REV. 813 (2015).

When Deference is Dangerous: The Judicial Role in Material-Witness Detentions, 49 AM. CRIM. L. REV. 1333 (2012).

Cosa Nostra: The Final Chapter? (with James B. Jacobs), 25 CRIME & JUST. 129 (1999).

Cannabis, Compassionate Use and the Commerce Clause: Why Developments in California May Limit the Constitutional Reach of the Federal Drug Laws, 1999 ANN. SURV. AM. L. 471 (1999).

Book Chapters

New Perspectives on Pretrial Nonappearance, in HANDBOOK ON PRETRIAL JUSTICE (Christine S. Scott-Hayward, Jennifer E. Copp & Stephen Demuth eds., 2021).

Reports, News and Commentary

Opinion, *Why is There Over-Policing for Low-Level Offenses?*, The Hill (Apr. 23, 2021), <https://thehill.com/opinion/criminal-justice/549902-why-is-there-over-policing-for-low-level-offenses>.

Opinion, *Don't Let Fearmongering Sabotage Criminal Justice Reforms: Senate Proposal for Judicial Discretion Open Door To Racial Bias*, TIMES UNION, Feb. 20, 2020. <https://www.timesunion.com/opinion/article/Don-t-let-fear-mongering-sabotage-criminal-15067584.php>

Miller v. Alabama (with Rachel A. Campbell), in *ENCYCLOPEDIA OF CRIMINAL JUSTICE ETHICS* (Bruce A. Arrigo ed., 2014).

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Books

LEARNING CONTRACTS (3d ed. 2022).

LEARNING CONTRACTS (2d ed. 2019).

THE ABCS OF THE CISG (2013).

INTERNATIONAL SALES LAW & ARBITRATION: PROBLEMS, CASES & COMMENTARY (*with J. Morrissey*) (2008).

Law Review and Other Scholarly Articles

Leveraging Technology for More Cost-Effective Arbitration of Cross-Border Commercial Disputes: An Introduction to the Range of Possibilities with a Focus on MSMEs, 1 J. TECH. INT'L ARB. 35 (2015).

Fiduciary Duties of LLC Managers: Are They Subject to Prospective Waiver under the New York LLC Statute? (*with Yelena Davydan*), 31 TOURO L. REV. 439 (2015).

Penalty Clauses as Remedies: Exploring Comparative Approaches to Enforceability, 29 TOURO L. REV. 681 (2013).

An Essay on Rebuilding and Renewal in American Legal Education, 29 TOURO L. REV. 375 (2013).

Penalty Clauses and the CISG, 30 J. L. & COMM. 153 (2012).

Court Litigation over Arbitration Agreements: Is it Time for a New Default Rule? 23 AM. REV. INT'L ARB. 113 (2012).

CISG Article 6 and Issues of Formation: The Problem of Circularity, 2011 ANNALS FAC. L. BELGRADE INT'L ED. 124 (2011), *reprinted in* 15 VINDOBONA J. INT'L COM. L & ARB. 105 (2011).

Arbitration as Contract: The Need for a Fully Developed and Comprehensive Set of Statutory Default Legal Rules, 2 WM. & MARY BUS. L. REV. 225 (2011).

ICA and the Writing Requirement: Following Modern Trends Towards Liberalization or Are We Stuck in 1958? 2009 ANNALS FAC. L. BELGRADE INT'L ED. 36 (2009).

The Willem C. Vis International Commercial Arbitration Moot: Making the Most of an Extraordinary Educational Opportunity (with Stephanie Vaughan), 10 VINDOBONA J. INT'L COM. L. & ARB. 173 (2006).

Party Autonomy in Choice of Commercial Law: The Failure of Revised U.C.C. § 1-301 and a Proposal for Broader Reform, 36 SETON HALL L. REV. 59 (2005).

Course of Performance as Evidence of Intent or Waiver: A Meaningful Preference for the Latter and Implications for Newly Broadened Use under Revised U.C.C. § 1-303, 52 DRAKE L. REV. 235 (2004).

Book Chapters

Court Litigation over Arbitration Agreements: Is it Time for a New Default Rule? in, INTERACTION BETWEEN INTERNATIONAL ARBITRATION AND NATIONAL COURTS (2015).

Competence-Competence and Separability: American Style (with Yelena Davydan) in, INTERNATIONAL ARBITRATION AND INTERNATIONAL COMMERCIAL LAW: SYNERGY, CONVERGENCE AND EVOLUTION (2011).

Reports, News, and Commentary

Law and Crypto—An Oxymoron?, SYR. L. MAG. Y.B. 2022, at 5.
<https://law.syr.edu/publication/magazine/law-crypto-an-oxymoron>

Educating Tomorrow's Lawyer for Digital Success (with Patricia Salkin), N.Y.L.J., (August 17, 2015) <https://www.law.com/newyorklawjournal/almID/1202734593391/Educating-Tomorrows-Lawyer-for-Digital-Success/?sreturn=20150907161336>

A More Cost-Effective Model for Legal Education, 85 N.Y. ST. B.A.J. 17 (2013).

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Books

L. REV.: THE LAW REVIEW EXPERIENCE IN AMERICAN LEGAL EDUCATION: A PERSONAL MEMOIR (2003).

Law Review and Other Scholarly Articles

Hexing, Vexing, and Flexing: A Look at the Legal and First Amendment Implications of Curses, Spells, and Witchcraft, 75 RUTGERS L. REV. 897 (2023).

Media Law (2022-2023 Survey of New York Law), 73 SYRACUSE L. REV. 849 (2023).

Media Law (2020-2021 Survey of New York Law), 72 SYRACUSE L. REV. 959 (2022).

Masking Free Speech: The First Amendment Implications of Masks, Clothing and Public Health, 53 LOY. U. CHI. L. J. 475 (2022).

Liable, Naaht: The Mockumentary: Litigation, Liability and the First Amendment in the works of Sacha Baron Cohen, 13 HARV. J. SPORTS & ENT. L. 141 (2022).

Media Law (2019-2020 Survey of New York Law), 71 SYRACUSE L. REV. 301 (2021).

New Voices, New Rights, New York: A Case Study and a Call for Student Journalist Protections in New York, 83 ALBANY L. REV. 1115 (2020), <https://www.albanylawreview.org/article/55636-new-voices-new-rights-new-york-a-case-study-and-a-call-for-student-journalist-protections-in-new-york>.

Media Law (2018-2019 Survey of New York Law), 70 SYRACUSE L. REV. 535 (2020).

Feiner and the Heckler's Veto, ASS'N FOR EDUC. JOURNALISM & MASS COMM.: JOURNALISM HISTORY FIRST AMENDMENT HISTORY SPECIAL, (August 2019). <https://journalism-history.org/2019/08/06/gutterman-essay-feiner-and-the-hecklers-veto/>

Media Law (2017-2018 Survey of New York Law), 69 SYRACUSE L. REV. 937 (2019).

Media Law (2016-2017 Survey of New York Law), 68 SYRACUSE L. REV. 1011 (2018).

Actually ... A Renewed Stand for the First Amendment Actual Malice Defense, 68 SYRACUSE L. REV. 579 (2018).

The Heat is On: Thermal Sensing and Newsgathering – A Look at the Legal Implications of Modern Newsgathering, (with Angela Rulffes), 23 COMM. L. & POL'Y 21 (2018).

Ballot Selfies: New Political Speech in Search of First Amendment Protection in Social Media, 8 WAKE FOREST J. L. & POL'Y 211 (2018).

Liar! Liar? The Defamatory Impact of 'Liar' in the Modern World, 27 FORDHAM INTELL. PROP. MEDIA & ENT. L. J. 253 (2017).

Media Law (2015-2016 Survey of New York Law), 67 SYRACUSE L. REV. 1127 (2017).

Media Law (2014-2015 Survey of New York Law), 66 SYRACUSE L. REV. 1075 (2016).

Media Law (2013-2014 Survey of New York Law), 65 SYRACUSE L. REV. 865 (2015).

Media Law (2012-2013 Survey of New York Law), 64 SYRACUSE L. REV. 867 (2014).

New York Times Co. v. Sullivan: No Joking Matter – 50 Years of Protecting Humor, Satire and Jokers, 12 FIRST AMEND. L. REV. 497 (2014).

Media Law (2011-2012 Survey of New York Law), 63 SYRACUSE L. REV. 865 (2013).

Media Law (2010-2011 Survey of New York Law), 62 SYRACUSE L. REV. 739 (2012).

Media Law (2009-2010 Survey of New York Law), 61 SYRACUSE L. REV. 879 (2011).

Media Law (2008-2009 Survey of New York Law), 60 SYRACUSE L. REV. 1041 (2010).

Media Law (2007-2008 Survey of New York Law), 59 SYRACUSE L. REV. 953 (2009).

Media Law (2006-2007 Survey of New York Law), 58 SYRACUSE L. REV. 1075 (2008).

Chilled Bananas: Why Newsgathering Demands More First Amendment Protection, 50 SYRACUSE L. REV. 197 (2000).

Book Chapters

Student Press Law, in SCHOLASTIC JOURNALISM (C. Dow Tate & Sherri A. Taylor eds., 2013).

Ethics for Student Journalists, in SCHOLASTIC JOURNALISM (C. Dow Tate & Sherri A. Taylor eds., 2013).

Reports, News and Commentary

Spectacle of O.J. trial is one reason we won't get to see Trump's [syracuse.com](https://www.syracuse.com/opinion/2024/04/spectacle-of-oj-trial-is-one-reason-we-wont-get-to-see-trumps-guest-column-by-roy-s-guttermen.html), April 18, 2024, <https://www.syracuse.com/opinion/2024/04/spectacle-of-oj-trial-is-one-reason-we-wont-get-to-see-trumps-guest-column-by-roy-s-guttermen.html>.

Order Denouncing Possibly the 'Most Massive Attack Against Free Speech' is Full of Hyperbole and Short on Specifics, cnn.com, July 10, 2023,

<https://www.cnn.com/2023/07/10/opinions/social-media-ruling-biden-administration-guterman/index.html>.

TikTok Ban Tests Limits of Law and Social Media, syracuse.com, May 24, 2023,

<https://www.syracuse.com/opinion/2023/05/law-struggles-to-keep-up-with-challenges-raised-by-social-media-guest-opinion-by-roy-s-guterman.html>, SYRACUSE POST-STANDARD, May 28, 2023 at F1.

NY Court Agrees: You Have the Right to see Police Disciplinary Records, SYRACUSE POST-

STANDARD, February 3, 2023, <https://www.syracuse.com/opinion/2023/02/ny-court-agrees-you-have-the-right-to-see-police-disciplinary-records-guest-opinion-by-roy-s-guterman.html>.

Prince, Syracuse University Football and Justice Clarence Thomas, SYRACUSE POST-STANDARD,

October 21, 2022, <https://www.syracuse.com/opinion/2022/10/prince-syracuse-university-football-and-justice-clarence-thomas-guest-opinion-by-roy-s-guterman.html>.

Depp v. Heard Portends More Defamation Lawsuits, Less Free Speech, SYRACUSE POST-

STANDARD, JUNE 10, 2022, <https://www.syracuse.com/opinion/2022/06/depp-v-heard-portends-more-defamation-lawsuits-less-free-speech-guest-opinion-by-roy-s-guterman.html>.

Censorship of Tully Student Offers an Inadvertent Civics Lesson, SYRACUSE POST-STANDARD,

February 4, 2022, <https://www.syracuse.com/opinion/2022/02/censorship-of-tully-student-offers-an-inadvertent-civics-lesson-guest-opinion-by-roy-s-guterman.html>.

Harry Rosenfeld, Editor Behind Watergate, Knew How Fragile the World Is, SYRACUSE POST-

STANDARD, August 8, 2021 at E1, <https://www.syracuse.com/opinion/2021/08/harry-rosenfeld-editor-behind-watergate-knew-how-fragile-the-world-is-guest-opinion-by-roy-guterman.html>.

Supreme Court Boosts More Than Just a Cheerleader's Free Speech, SYRACUSE POST-

STANDARD, July 2, 2021, <https://www.syracuse.com/opinion/2021/07/supreme-court-boosts-more-than-just-a-cheerleaders-free-speech-guest-opinion-by-roy-guterman.html>.

"Or of the Press": A Deeper Look into the History of the Free Press, DIVIDED WE FALL, June 17, 2021. <https://dividedwefall.com/2021/06/17/history-of-the-free-press/>.

Assaults on Press Freedom, Here and Abroad, Endanger Democracy, SYRACUSE POST-

STANDARD, April 30, 2021, <https://www.syracuse.com/opinion/2021/04/assaults-on-press-freedom-here-and-abroad-endanger-democracy-guest-opinion-by-roy-guterman.html>.

Is Election Disinformation Free Speech or Defamation? Courts will Decide, SYRACUSE POST-

STANDARD, February 26, 2021 at E1, <https://www.syracuse.com/opinion/2021/02/is-election-disinformation-free-speech-or-defamation-courts-will-decide-roy-s-guterman.html>.

Biden Must Swiftly Restore Press Freedom, SYRACUSE POST-STANDARD, December 13, 2020 at E1, <https://www.syracuse.com/opinion/2020/12/after-4-damaging-years-biden-must-restore-press-freedom-roy-s-guttermann.html>.

The Right to Vote is 'the Essence of a Democratic Society.' Exercise it., SYRACUSE POST-STANDARD, October 25, 2020 at E1, <https://www.syracuse.com/opinion/2020/10/the-right-to-vote-is-the-essence-of-a-democratic-society-exercise-it-roy-s-guttermann.html>.

Trump, Twitter and the Distraction of Censorship Order Likely Violates First Amendment and Contradicts His New Neutrality Policy, SYRACUSE POST-STANDARD, May 31, 2020 at E3.

The Public Needs Information during a Public Health Crisis, SYRACUSE POST-STANDARD, March 29, 2020 at E1, <https://www.syracuse.com/opinion/2020/03/the-public-needs-information-during-a-public-health-crisis-commentary-by-roy-s-guttermann.html>.

The Answer to Hate Speech is More Speech to Expose it, Fuel Change. Hate Speech: Social Media Gives Global Platform to Speakers, SYRACUSE POST-STANDARD, December 29, 2019 at E1, <https://www.syracuse.com/opinion/2019/12/answer-to-hate-speech-is-more-speech-roy-s-guttermann.html>.

You Have a First Amendment Right to Follow Trump on Twitter, SYRACUSE POST-STANDARD, September 8, 2019 at E1, <https://www.syracuse.com/opinion/2019/09/you-have-a-first-amendment-right-to-follow-trump-on-twitter-roy-s-guttermann.html>.

Villainous Hacker or Journalistic Informer? Julian Assange It's too Early to Tell which Assange is. But His Case Threatens All Newsgathering., SYRACUSE POST-STANDARD, June 16, 2019 at E1, <https://www.syracuse.com/opinion/2019/06/assange-case-could-make-news-reporting-a-crime-roy-s-guttermann.html>.

NY's Mug Shot Ban Clouds Government Transparency, SYRACUSE POST-STANDARD, April 27, 2019 at E1.

The Heckler's Veto, SYRACUSE POST-STANDARD, March 10, 2019 at E1.

News Story Errors: There's a Difference Between Fakes, Mistakes, SYRACUSE POST-STANDARD, January 27, 2019 at E1.

World Taking Cues from White House Media Bashing, SYRACUSE POST-STANDARD (November 30, 2018), https://www.syracuse.com/opinion/2018/11/world_taking_cues_from_white_house_media_bashing_roy_s_guttermann.html.

It's Not a Crime to Mock the President, SYRACUSE POST-STANDARD (September 28, 2018), https://www.syracuse.com/opinion/2018/09/trump_woodward_book_op-ed_protect_confidential_sources_roy_s_guttermann.html.

Alex Jones, Facebook and Free Speech, SYRACUSE POST-STANDARD (August 16, 2018), https://www.syracuse.com/politics/2018/08/alex_jones_facebook_and_free_speech_roy_s_gutter

[man.html](#)

Clothing is protected under the First Amendment, SYRACUSE POST-STANDARD (July 19, 2018), https://www.syracuse.com/opinion/2018/07/clothing_protected_by_first_amendment_too_commentary_roy_s_guttermann.html

Journalists in Jeopardy, SYRACUSE POST-STANDARD, June 10, 2018 at E1.

Lamponing Leaders as American as Apple Pie, SYRACUSE POST-STANDARD, May 6, 2018 at S1.

Whistleblowers and Reporters: Trust, THE SOCIETY OF PROFESSIONAL JOURNALISTS WHISTLEBLOWER PROJECT (March 12, 2018), <https://www.spj.org/whistleblower/whistleblowers-and-reporters-trust.asp>.

NY Should Join Other States in Extending Free Press Rights, SYRACUSE POST-STANDARD, February 18, 2018 at S1.

A Matter of Malice, SYRACUSE POST-STANDARD, January 21, 2018 at S1.

Backing Free Speech on Campus is Always Right, SYRACUSE POST-STANDARD, October 29, 2017 at E1.

Devolution in Charlottesville, SYRACUSE POST-STANDARD, August 20, 2017 at E1.

What's in a Name? The Right to Free Speech, SYRACUSE POST-STANDARD, July 9, 2017 at E1.

Sedition Laws and Free Speech, JURIST, (May 14, 2005) <https://www.jurist.org/commentary/2015/05/roy-guttermann-sedition-laws/>.

Media Can't Hack, But Can Publish Leaked Data, SYRACUSE POST-STANDARD, December 21, 2014 at E1.

Why Do We Care?, SYRACUSE POST-STANDARD, December 29, 2013 at E3.

Even Unpalatable Speech Nourishes Freedom, SYRACUSE POST-STANDARD, October 7, 2012 at E1.

On This Night At The Dome, Free Speech Won, SYRACUSE POST-STANDARD, December 11, 2011 at E1.

The Pentagon Papers Declassified, SYRACUSE POST-STANDARD, June 26, 2011 at E1.

Cheer Ruling on Hate Speech, SYRACUSE POST-STANDARD, March 20, 2011 at E1.

Does Free Speech End at School Entrance?, SYRACUSE POST-STANDARD, September 9, 2007 at E1.

Chill Wind Blows on SU's Hill, SYRACUSE POST-STANDARD, November 6, 2005 at D1.

Book Reviews

Book Review, *JOURNALISM & MASS COMM. EDUCATOR* (2022). (reviewing Ian Rosenberg, *THE FIGHT FOR FREE SPEECH: TEN CASES THAT DEFINE OUR FIRST AMENDMENT FREEDOMS* (NYU Press, 2021)).

Advice for Individuals, Not Governments, to Safeguard Free Speech, *WASHINGTON POST*, August 2, 2020 at B6, (reviewing Suzanne Nossel, *DEFENDING FREE SPEECH FOR ALL*, Harper Collins (2020)) https://www.washingtonpost.com/outlook/why-individuals-not-governments-should-safeguard-free-speech/2020/07/30/6859e90e-cab2-11ea-91f1-28aca4d833a0_story.html, reprinted at *The Oregonian* (August 30, 2020), *The Huntsville Times* (August 30, 2020).

Book Review, 25 *COMM. L. & POL'Y* 418 (2020) (reviewing Larissa Lidsky, *Prying, Spying, and Lying: Intrusive Newsgathering and What the Law Should Do about It*, 73 *TUL. L.REV.* 173 (1998)).

Book Review, 96 *JOURNALISM & MASS COMM. Q.* 635 (2019) (reviewing Rodney Sieh, *JOURNALIST ON TRIAL: FIGHTING CORRUPTION, MEDIA MUZZLING AND A 5,000-YEAR PRISON SENTENCE IN LIBERIA* (Manor House, 2018)).

Book Review, 95 *JOURNALISM & MASS COMM. Q.* 551 (2018) (reviewing Kim McNamara, *PAPARAZZI: MEDIA PRACTICES AND CELEBRITY CULTURE* (Polity Press, 2016)).

First Amendment: Often Challenged But Consistently Enduring, *WASH. POST*, May 19, 2017 (reviewing Floyd Abrams, *THE SOUL OF THE FIRST AMENDMENT*, Yale University Press (2017)) https://www.washingtonpost.com/opinions/first-amendment-often-challenged-but-consistently-enduring/2017/05/19/92b271ea-18a8-11e7-bcc2-7d1a0973e7b2_story.html?noredirect=on&utm_term=.ac04c4c9d8fa.

Book Review, 94 *JOURNALISM & MASS COMM. Q.* 379 (2017) (reviewing Victoria Smith Ekstrand, *HOT NEWS IN THE AGE OF BIG DATA* (LFB Scholarly Publishing LLC, 2015)).

Book Review, 93 *JOURNALISM & MASS COMM. Q.* 450 (2016) (reviewing Michael Schudon, *THE RISE OF THE RIGHT TO KNOW* (Harvard University Press, 2015)).

Book Review, 92 *JOURNALISM & MASS COMM. Q.* 992 (2015) (reviewing Dana D. Bagwell, *AN OPEN INTERNET FOR ALL: FREE SPEECH AND NETWORK NEUTRALITY* (LFB Scholarly Publishing, 2012)).

Book Review, 91 *JOURNALISM & MASS COMM. Q.* 853 (2014) (reviewing E. Gabriella Coleman, *CODING FREEDOM: THE ETHICS AND AESTHETICS OF HACKING* (Princeton University Press, 2013)).

Book Review, 91 *JOURNALISM & MASS COMM. Q.* 398 (2014) (reviewing Erin K. Coyle, *THE PRESS AND RIGHTS TO PRIVACY: FIRST AMENDMENT FREEDOMS VS. INVASION OF PRIVACY CLAIMS* (LFB Scholarly Publishing, 2012)).

Book Review, WASH. POST, September 6, 2013 (reviewing Thomas Healy, THE GREAT DISSENT – HOW OLIVER WENDELL HOLMES CHANGED HIS MIND AND CHANGED THE HISTORY OF FREE SPEECH IN AMERICA, Metropolitan Books (2013))

https://www.washingtonpost.com/opinions/2013/09/06/24750fd2-fabe-11e2-8752-b41d7ed1f685_story.html?_ddid=5-1554126180&utm_term=.6315f5a99853.

Book Review, 90 JOURNALISM & MASS COMM. Q. 804 (2013) (reviewing James C. Goodale, Fighting for the Press (CUNY Journalism Press, 2013)).

Book review, 12 J. MEDIA & RELIGION 94 (2013) (reviewing Clifford G. Christians, Mark Fackler & John P. Ferre, ETHICS FOR PUBLIC COMMUNICATION (Oxford University Press, 2011)).

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Law Review and Other Scholarly Articles

The Limits of the Due Process Protocols, 19 OHIO ST. J. ON DISP. RESOL. 369 (2004).

The Redefinition of Arbitration by Those with Superior Bargaining Power, 1999 UTAH L. REV. 857 (2000).

The Clash Between Federal and State Arbitration Law and the Appropriateness of Arbitration as a Dispute Resolution Process, 77 NEB. L. REV. 397 (1998).

The Cause and Effect of the Eligibility Rule in Securities Arbitration: The Further Aggravation of Unequal Bargaining Power, 46 DEPAUL L. REV. 109 (1996).

Environmental Crimes, 23 AM. CRIM. L. REV. 268 (1986).

Reports to Governmental Bodies and Professional Associations

REPORT OF THE ABA SECTION OF DISPUTE RESOLUTION TASK FORCE ON CONSUMER ARBITRATION (2001).

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Forthcoming

AI, Bias, and National Security Profiling, BERKELEY TECH. L.J. (forthcoming 2024).

Artificial Intelligence (with James E. Baker), in REFERENCE MANUAL ON SCIENTIFIC EVIDENCE (4th ed.) (forthcoming 2024).

Books

AN INTRODUCTION TO ARTIFICIAL INTELLIGENCE FOR FEDERAL JUDGES (with JAMES E. BAKER & MATTHEW MITTELSTEADT) (2023).

Reports, News, and Commentary

AI for Judges: A Framework (with James E. Baker & Matthew G. Mittelsteadt), CSET POLICY BRIEF (Ctr. for Security & Emerging Tech., Walsh Sch. of Foreign Service., Geo. U.), Dec. 2021.

National Security Law and the Coming AI Revolution: Observations from a Symposium Hosted by Syracuse University Institute for Security Policy and Law and Georgetown Center for Security and Emerging Technology, Oct. 29, 2020 (with Jamie Baker, Matt Mittelsteadt, and John Cherry) (2021), <https://cset.georgetown.edu/wp-content/uploads/Symposium-Report-National-Security-Law-and-the-Coming-AI-Revolution.pdf>.

Workshop Report: UAS Law and Policy: Toward a Framework for State and Local Governments (Syracuse U. Inst. Nat'l Security & Counterterrorism) (2017), https://securitypolicy.syr.edu/wp-content/uploads/2017/05/UAS_Workshop_Report_INSCT-061217.pdf.

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Books

INNER LIVES: PROFILES OF AFRICAN AMERICAN WOMEN IN PRISON (2002).

Books, Edited

INTERRUPTED LIFE: EXPERIENCES OF INCARCERATED WOMEN IN THE UNITED STATES (with Rickie Solinger et al., 2010).

Law Review and Other Scholarly Articles

Tribute to Professor Deborah Waire Post, 8 TOURO L. J. RACE GENDER & ETHNICITY 14 (2019).

Voting Rights and Civil Rights Era Cold Cases: Section Five and the Five Cities Project, 7 TOURO L. J. RACE GENDER & ETHNICITY 377 (2014-2015), *reprinted in* 16 BERKELEY J. AFR.-AM. L. & POL'Y 377 (2015).

Honoring William H. Johnson, Class of 1903: The First African American Graduate of Syracuse University College of Law, 55 SYRACUSE L. REV. 429 (2005).

Ad-In/Ad-Out: Deciding Victory and Defeat in Affirmative Action Legal Contestations, 66 ALB. L. REV. 433 (2003).

Jam Tomorrow, Jam Today: Reflections on Grutter, Gratz and The Future of Affirmative Action, JURIST: THE LEGAL EDUC. NETWORK ONLINE J., (Summer 2003).

Panel on Plea Bargaining and Witness Immunity (with Thomas J. Maroney, Stephen C. Thaman, Hans-Heiner Kuhne, & James W. Diehm), 27 SYRACUSE J. INT'L L. & COM. 4 (2000).

How Does the Universal Declaration of Human Rights Protect African Women, 26 SYRACUSE J. INT'L L. & COM. 195 (1999).

Danger in the Diaspora: Law, Culture and Violence against Women of African Descent in the United States and South Africa, 1 J. GENDER RACE & JUST. 471 (1998).

The Social Construction of Identity in Criminal Cases: Cinema Verité and the Pedagogy of Vincent Chin, 1 MICH. J. RACE & L. 347 (1996).

At the Intersection of Injustice: Experiences of African American Women in Crime and Sentencing, 4 AM U. J. GENDER & L. 1 (1995).

Silence Equals Death: The Response to AIDS Within Communities of Color, 1992 U. ILL. L. REV. 1075 (1992).

The Role of Minority Faculty in the Recruitment and Retention of Students of Color, 12 N. ILL. U. L. REV. 313 (1992).

Regulation, Remedy, and Exported Tobacco Products: The Need for A Response from the United States Government, 25 SUFFOLK U.L. REV. 1 (1991).

Book Chapters

Sandra's Sisters: Black Women in the U.S. Criminal Justice System and Critical Resistance to Injustice, in GENDER, SEXUALITY AND RIGHT: DISSENT AND RESISTANCE (Luisa Santos Paulo and Leticia Leite Vieira trans., 2020).

Beyond Displacement: Gentrification of Racialized Spaces as Violence – Harlem, New York and New Orleans, Louisiana, in ACCUMULATING INSECURITY: VIOLENCE AND DISPOSSESSION IN THE MAKING OF EVERYDAY LIFE (Shelley Feldman, Charles Geisler, & Gayatri A. Menon eds., 2011).

At the Intersection of Injustice: Experiences of African American Women in Crime and Sentencing, in CRITICAL RACE FEMINISM (Adrien K. Wing ed., 2nd. ed. 2003).

Reports, News, and Commentary

It's Time to Replace 'Replacement Theory', SYRACUSE POST-STANDARD, May 23, 2022. <https://www.syracuse.com/opinion/2022/05/its-time-to-replace-replacement-theory-guest-opinion-by-paula-c-johnson.html>

Supreme Court Nominee Speaks for Americans Unheard by the Law, SYRACUSE POST-STANDARD, April 03, 2022, at II. <https://www.syracuse.com/opinion/2022/03/supreme-court-nominee-speaks-for-americans-unheard-by-the-law-guest-opinion-by-paula-c-johnson.html>.

John Lewis and C.T. Vivian Made an Impact on SU, too, SYRACUSE POST-STANDARD, July 19, 2020 at B4. https://www.syracuse.com/opinion/2020/07/rep-john-lewis-rev-ct-vivian-men-of-principle-and-sacrifice-commentary.html?_ga=2.137879671.618294868.1596462440-1273672772.1576701847

Bar Finally Admits SU's First Black Law Graduate, THE POST-STANDARD (Syracuse, NY), Oct. 17, 2019, at A23; SYRACUSE.COM (Oct. 16, 2019), <https://www.syracuse.com/opinion/2019/10/nys-bar-to-admit-syracuses-first-black-law-graduate-correcting-century-old-injustice-commentary.html>.

Opinion, Plaintiff in Brown v. Board Never Stopped Fighting for Equality (with Linda Carty), THE POST-STANDARD, Apr. 8, 2018, at E1; SYRACUSE.COM (Apr. 3, 2018), http://www.syracuse.com/opinion/index.ssf/2018/04/plaintiff_in_brown_v_board_never_stopped_fighting_for_equality_commentary.html.

Maintaining the Audacity of Hope, HUFFINGTON POST (Jan. 17, 2017),
<http://www.huffingtonpost.com/entry/587eca36e4b06a0baf64916f?timestamp=1484708120017>.

Book Review

Book Review, 83 J. OF S. HIST. 1001 (2017) (reviewing PIPPA HOLLOWAY, *LIVING IN INFAMY: FELON DISFRANCHISEMENT AND THE HISTORY OF AMERICAN CITIZENSHIP* (2014)).

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Books

THE GLOBAL WORKPLACE: INTERNATIONAL AND COMPARATIVE EMPLOYMENT LAW: CASES AND MATERIALS (*with* ROGER BLANPAIN, et al. 2nd ed., 2012).

THE GLOBAL WORKPLACE: INTERNATIONAL AND COMPARATIVE EMPLOYMENT LAW – UPDATES (*with* ROGER BLANPAIN et al.) (2008 - 2009),
<http://www.luc.edu/law/faculty/globalwork/updates.html>.

THE GLOBAL WORKPLACE: INTERNATIONAL AND COMPARATIVE EMPLOYMENT LAW (*with* ROGER BLANPAIN et al.) (2007).

LABOR LAW IN CHINA: CHOICE AND RESPONSIBILITY (2nd ed., 2003).

LABOR LAW IN CHINA: CHOICE AND RESPONSIBILITY (1990).

Books, Edited

CRIES FOR DEMOCRACY: WRITINGS AND SPEECHES FROM THE 1989 CHINESE DEMOCRACY MOVEMENT (contributing trans., 1990).

Law Review and Other Scholarly Articles

Production Chains and Workplace Law Violations: the Case of Apple and Foxconn, 3 GLOBAL BUS. L. REV. 211 (2013).

Residence and Nationality as Determinants of Status in Modern China, 46 TEX. INT'L L.J. 295 (2011).

Youth Chances and China's Urban/Rural Divide, 73 BULL. COMP. LAB. REL. 97 (2010).

Measuring Progress Under China's Labor Law: Goals, Processes, Outcomes, 30 COMP. LAB. L. & POL'Y J. 373 (2009).

Learning from the Developing World, 14 KAN. J. L. & PUB. POL'Y 231 (2005).

The Remedy of Apology in Comparative and International Law: Self-Healing and Reconciliation, 18 EMORY INT'L L. REV. (2004).

Upstairs, Trade Law; Downstairs, Labor Law, 33 GEO. WASH. INT'L L. REV. 849 (2001).

The Upright and the Low-Down: An Examination of Official Corruption in the United States and the People's Republic of China, 27 SYRACUSE J. INT'L L. & COM. 269 (2000).

The Multinational Corporation, Integrated International Production, and the United States Antidumping Laws, 5 TULANE J. INT'L & COMP. L. 51 (1997).

A Tribute to Professor Peter E. Herzog (with Patricia Hassett), 22 SYRACUSE J. INT'L L. & COM. 75 (1996).

Labor Law in a "Socialist Market Economy": The Case of China, 33 COLUM. J. TRANSNAT'L L. 559 (1995).

Independence for Tibet: An International Law Analysis (with D. Harvey & M. Landergan), 8 CHINA L. REP. 21 (1995).

Closing Argument: The Future of China's Legal System, 22 CHINA EXCHANGE NEWS: SPECIAL ISSUE ON L. & LEGAL STUD. IN THE PEOPLE'S REPUBLIC OF CHINA 28 (1994).

Defamation, Invasion of Privacy, and the Press in the People's Republic of China, 11 UCLA PAC. BASIN L.J. 191 (1993).

The Chinese Democracy Movement in U.S. Perspective, 10 UCLA PAC. BASIN L.J. 285 (1992).

Labor Reform in the Workers' State: The Chinese Experience, 2 J. CHINESE L. 201 (1988).

Book Chapters

Defamation, Invasion of Privacy, and the Press in the People's Republic of China, in CONTRACT, GUANXI, AND DISPUTE RESOLUTION 337 (Tahirih V. Lee ed., 1997).

Book Reviews

Book Review, 28 J.L. SOC'Y 328 (2001) (reviewing MATTHEW H. SOMMER, SEX, LAW, AND SOCIETY IN LATE IMPERIAL CHINA (2000)).

Book Review, 60 LA. L. REV. 1123 (2000) (reviewing SYMEON SYMEONIDES ET AL., CONFLICT OF LAWS: AMERICAN, COMPARATIVE, INTERNATIONAL: CASES AND MATERIALS (1998)).

Book Review, 32 INT'L L. 189 (1998) (reviewing PETER HOWARD CORNE, FOREIGN INVESTMENT IN CHINA: THE ADMINISTRATIVE LEGAL SYSTEM (1997)).

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Books

MAKING IT WORK: INITIATIVE ON GENDER AND DISABILITY INCLUSION: ADVANCING EQUITY FOR WOMEN AND GIRLS WITH DISABILITIES (*with* LISA ADAMS et al., 2015). Available at <http://www.endabusepwd.org/resource/making-it-work-initiative/>.

THE DEVELOPMENT OF DISABILITY RIGHTS UNDER INTERNATIONAL LAW: FROM CHARITY TO HUMAN RIGHTS (2015).

CASES AND MATERIALS ON INTERNATIONAL HUMAN RIGHTS AND DOMESTIC MENTAL DISABILITY LAW (*with* MICHAEL PERLIN et al.) (2006).

INTERNATIONAL HUMAN RIGHTS AND COMPARATIVE MENTAL DISABILITY LAW: CASES AND MATERIALS (*with* MICHAEL PERLIN et al.) (2006, Supp. 2006).

THE PUBLIC ASSISTANCE MANUAL: AN ADVOCATE'S GUIDE (*with* S. ZAKRE) (1991).

CURRENT ISSUES IN MENTAL HEALTH LAW (1989).

Books, Edited

DISABILITY STUDIES: A READER, (Hebrew), (*with* Sagit Mor, Neta Ziv, Ada Eichengreen, and Nissim Mizrachi, 2016).

RIGHTING EDUCATIONAL WRONGS: DISABILITY STUDIES IN LAW AND EDUCATION, (*with* Beth A. Ferri, 2013).

LEARNING FROM PRACTICE: A PROFESSIONAL DEVELOPMENT TEXT FOR LEGAL EXTERNS, 2ND ED. (*with* J.P. Ogilvy, Lisa G. Lerman & Leah Wortham, eds.) (West, 2007).

LEARNING FROM PRACTICE: A PROFESSIONAL DEVELOPMENT TEXT FOR LEGAL EXTERNS, 2ND ED. TEACHERS' MANUAL (*with* J.P. Ogilvy, Lisa G. Lerman & Leah Wortham, eds., 2007).

Law Review and Other Scholarly Articles

The Role of Human Rights Indicators in Assessing Compliance with the UN Convention on the Rights of People with Disabilities, 58 GA. L. REV. 663 (2024).

Remote Work and the Future of Disability Accommodations, 107 CORNELL L. R. 1927 (2022).

Potential Benefits and Limitations of the New Human rights Indicators for the Convention on the Rights of People With Disabilities, 116 AJILUNB 69 (2022) <https://doi.org/10.1017/aju.2022.10>.

The ADA at Thirty: Its Limits and Potential, 71 SYRACUSE L. R. 621 (2021).

Do Human Rights Treaties Matter: The Case for the United Nations Convention on the Rights of People with Disabilities, 52 VAND. J. TRANSNAT'L L. 577 (2019), reprinted in 8 L. J. SOC. & LAB. REL. 10 (2022).

Let's Try Again: Why the U.S. Should Ratify the UN Convention on the Rights of People with Disabilities, 35 TOURO L. REV. 301 (2019).

Legal capacity, Mental capacity and Supported Decision-Making: Report from a Panel Event (with Jillian Craigie, et al.), 62 INT'L J. L. & PSYCHIATRY 160 (2019).

A Call for an End to Violence Against Women and Girls with Disabilities Under International and Regional Human Rights Law (with Carla Villarreal López), 10 N.E. U. L. REV. 583 (2018).

The Right of People with Disabilities to Asylum and Protection from Deportation on the Grounds of Persecution or Torture Related to Their Disability, HUMAN RIGHTS BRIEF, FRIDAY APRIL 20, 2018, <http://hrbrief.org/2018/04/right-people-disabilities-asylum-protection-deportation-grounds-persecution-torture-related-disability/>

The Fight for Personhood, Legal Capacity and Equal Recognition Under Law for People with Disabilities in Israel and Beyond, 39 CARDOZO L. REV. 557 (2017).

Children with Disabilities and the Syrian Conflict (with Khawla Wakaaf), 7 IMPUNITY WATCH L.J. ANN. REV. v (2017).

A Comparative View of Equality Under the UN Convention on the Rights of People with Disabilities and the Disability Laws of United States and Canada, 32 WINDSOR Y.B. ACCESS JUST. no. 2, at 65 (2015).

Presumption of Incompetence: The Systematic Assignment of Guardianship within the Transition Process (with Carrie E. Rood & Julie Causton), 39 RES. & PRAC. FOR PERSONS WITH SEVERE DISABILITIES 319 (2015).

Guardianship for Young Adults with Disabilities as a Violation of the Purpose of the Individuals with Disabilities Education Improvement Act, 8 J. INT'L AGING L. & POL'Y 1 (2015).

The Americans with Disabilities Act at 25 Years: Lessons to Learn from the Convention on the Rights of People with Disabilities, 63 DRAKE L. REV. 819 (2015).

Country Report: Morocco (with Inviolata Sore & Daniel Van Sant), 3 AFR. DISABILITY RTS. Y.B. 203 (2015).

Country report: Tunisia (with Inviolata Sore & Daniel Van Sant), 3 AFR. DISABILITY RTS. Y.B. 265 (2015).

The Basic Education Act of Kenya of 2013: One Step Forward and Two Steps Back for Children with Disabilities in Kenya (with William Aseka), AFR. DISABILITY RTS. Y.B. 33 (2014).

The Right to Inclusive Education under International Law: Following Italy's Lead (with B. Ferry & M. Damiani), 17 J. INT'L SPECIAL NEEDS EDUC. 21 (2014).

של מי החיים שלי? המאבק להשבת האוטונומיה והכשרות המשפטית לאנשים עם מוגבלויות מרדכי (with Yotam Tolub) (2014).

There's No Place Like Home: The Right to Live in the Community for People with Disabilities, Under International Law and the Domestic Laws of the United States and Israel, 45 ISRAEL L. REV. 181 (2012).

The Law: What's Disability Studies Got To Do With It or An Introduction to Disability Legal Studies, 42 COLUM. HUM. RTS. L. REV. 403 (2011).

The United Nations Convention on the Rights of Persons With Disabilities and its Implications for the Rights of Elderly People Under International Law, 25 GA. ST. U.L. REV. 527 (2009).

Permanency Planning for Children with Disabilities: The Right to Live with a Family for Every Child, 28 CHILD. LEGAL RTS. J. 1 (2008).

The Promise and Challenge of the United Nations Convention on the Rights of Persons with Disabilities, 34 SYRACUSE J. INT'L L. & COM. 287 (2007).

The Right of People with Disabilities to Exercise Their Right to Vote under the Help America Vote Act (with R. Russo), 30 MENTAL AND PHYSICAL DISABILITY L. RPTR. 852 (2006).

The Globalization of Disability Rights Law, 30 SYRACUSE J. INT'L L. & COM. 241 (2003), reprinted in DISABILITY RIGHTS 489 (Peter D. Blanck ed., 2005).

Ethics in Externships: Confidentiality, Conflicts and Competence; Issues in the Field and in the Classroom (with A. Anderson & C. Slane), 10 CLINICAL L. REV. 473 (2004).

The Presumption Against Extraterritoriality as Applied to Disability Discrimination Laws: Where Does it Leave Students with Disabilities Studying Abroad? 14 STAN. L. & POL'Y. REV. 291 (2003).

The Right to Asylum and Need for Legal Representation of People with Disabilities in Immigration Proceedings (with C. Nugent & C. B. Chisam), 25 MENTAL & PHYSICAL DISABILITY L. RPTR. 511 (2002).

Involuntary Outpatient Commitment in Israel: Treatment or Control? (with M. Ajzenstadt, U. Aviram, & M. Kalian), 24 INT'L J. L. & PSYCHIATRY 637 (2001).

The Right to Asylum for People with Disabilities (with K. Dadey), 73 TEMP. L. REV. 1117 (2000).

Introduction to the Symposium on Prosecuting Transnational Crimes: Cross-Cultural Insight for the Former Soviet Union, 27 SYRACUSE J. INT'L L. & COM. 1 (2000).

Introductory Statement to the Human Rights Symposium on the Concept of Human Rights and Its Application to Africa, 26 SYRACUSE J. INT'L L. & COM. 173 (Spring 1999).

Involuntary Outpatient Commitment in Israel (with U. Aviram & M. Ajzenstadt), MISHPATIM 9 (1998-99).

Israel's Involuntary Outpatient Commitment Law: Lessons from the American Experience, (with U. Aviram), 29 ISRAEL L. REV. (1995).

A Home of One's Own: the Fair Housing Amendments Act of 1988 and Housing Discrimination Against People with Mental Disabilities, 43 AM. U. L. REV. 925 (1994).

Abandoned But Not Forgotten: The Illegal Confinement of Elderly People in State Psychiatric Institutions, 19 N.Y.U. REV. L. & SOC. CHANGE 273 (1991).

Advocating for Freedom: The Community Placement of Elders From State Psychiatric Hospitals (with E. Jones), 23 CLEARINGHOUSE REV. 444 (1989).

Homeless But Not Helpless: Legal Issues in the Care of Homeless People with Mental Illness, 45 J. SOC. ISSUES 91 (Winter 1989).

Homeless Mentally Ill People: No Longer Out of Sight and Out of Mind, 3 N.Y. L. SCH. J. HUMAN RTS. ANN. 331 (1986).

Recent Zoning Cases Uphold the Establishment of Group Homes for the Mentally Retarded, 18 CLEARINGHOUSE REV. 515 (1984).

Patients Rights, (with W. Olson) 1980 ANN. SURV. AM. L. 321 (1981).

Book Chapters

Legal Protections Against Violence for Girls and Women with Disabilities in Kenya (with Evelyn Milanoi Koiyiet), in DISABILITY AND SOCIAL JUSTICE IN KENYA: SCHOLARS, POLICYMAKERS, AND ACTIVISTS IN CONVERSATION (N. Berman, R. Monteleone, eds., 2022).

The Failure of the United States to Ratify the CRPD, in RECOGNISING HUMAN RIGHTS IN DIFFERENT CULTURAL CONTEXTS: THE UNITED NATIONS CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES (CRPD) (Emily J. Kakoullis & Kelley Johnson eds., 2020).

The Right to Inclusive Education for Students With Disabilities Under International Human Rights Law, in THE RIGHT TO INCLUSIVE EDUCATION IN INTERNATIONAL HUMAN RIGHTS LAW (G. de Beco, S. Quinlivan & J. E. Lord eds., 2019).

Reports by State Parties, in THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES: A COMMENTARY (Ilias Bantekas, Michael A. Stein & Demetres Anastasiou, eds., 2018).

מבוא לגישה הביקורתית למוגבלות ומשפט *in* DISABILITY STUDIES: A READER (Sagit Mor et al., eds., 2016).

Disability Legal Studies, in NORMA E NORMALITÀ NEI DISABILITY STUDIES. RIFLESSIONI E ANALISI CRITICA PER RIPENSARE LA DISABILITÀ (Roberto Medeghini ed., 2015).

Introduction, in MAKING IT WORK: INITIATIVE ON GENDER AND DISABILITY INCLUSION: ADVANCING EQUITY FOR WOMEN AND GIRLS WITH DISABILITIES (2015). Available at <http://www.endabusepwd.org/resource/making-it-work-initiative/>.

Introduction (with Beth A. Ferri), in RIGHTING EDUCATIONAL WRONGS: DISABILITY STUDIES IN LAW AND EDUCATION, (Arlene S. Kanter and Beth A. Ferri eds., 2013).

The Relationship between Disability Studies and Law, in RIGHTING EDUCATIONAL WRONGS: DISABILITY STUDIES IN LAW AND EDUCATION, (Arlene S. Kanter and Beth A. Ferri eds., 2013).

The Right to Community Living Under International Law (with F. Z. Dagidir), in THE RIGHT TO LIVE IN THE COMMUNITY: COMMUNITY-BASED SERVICES FOR PEOPLE WITH MENTAL DISABILITIES (2010).

Uluslararası Hukuk Uyarınca Toplum İçinde Yaşama Hakkı, in TOPLUM İÇİNDE YAŞAMAK HERKESİN HAKKI (Ruh Sağlığında İnsan Hakları Girişimi (Human Rights in Mental Health Initiative), 2010).

Disability Rights: Convention on the Rights of Persons with Disabilities, in 4 ENCYCLOPEDIA OF HUMAN RIGHTS 44 (David P. Forsythe ed., 2009).

Bazelon Center for Mental Health Law, in 1 ENCYCLOPEDIA OF AMERICAN DISABILITY HISTORY 92 (Susan Burch ed., 2009).

Ethical Issues in Externships: Conflicts of Interest (with Cindy Roman Slane), in LEARNING FROM PRACTICE: A PROFESSIONAL DEVELOPMENT TEXT FOR LEGAL EXTERNS (J.P. Ogilvy et al., 2d ed. 2007).

Ethical Issues in Externships: Conflicts of Interest (with Cindy Roman Slane), in *LEARNING FROM PRACTICE: A PROFESSIONAL DEVELOPMENT TEXT FOR LEGAL EXTERNS, TEACHERS' MANUAL* (J.P. Ogilvy et al., 2d ed. 2007).

The Right of Students with Disabilities to Equal Participation in Study Abroad Programs, in *RIGHTS AND RESPONSIBILITIES: A GUIDE TO NATIONAL AND INTERNATIONAL DISABILITY-RELATED LAWS FOR INTERNATIONAL EXCHANGE ORGANIZATIONS AND PARTICIPANTS* (2004).

The Right to Community Integration: Protections under United States and International Law, (with E. ROSENTHAL), in *DISABILITY RIGHTS LAW AND POLICY: INTERNATIONAL AND NATIONAL PERSPECTIVES* (M. Breslin, S. Yee & A. Meyerson eds., 2002).

Towards Equality: The Americans with Disabilities Act and Accommodation of Differences, in *DISABILITY, DIVERS(ABILITY) AND LEGAL CHANGE* (L.A. Basser Marks & M. Jones eds., 1999).

Legal and Ethical Issues in the Community Care of Older People, in *AT HOME: STRATEGIES FOR SERVING OLDER PEOPLE WITH MENTAL DISABILITIES IN THE COMMUNITY* (1995).

Protecting Elders Rights, in *AT HOME: STRATEGIES FOR SERVING OLDER PEOPLE WITH MENTAL DISABILITIES IN THE COMMUNITY* (1995).

Reports to Governmental Bodies and Professional Associations

Infanticide and Abuse: Killing and Confinement of Children with Disabilities in Kenya, Disability Rights International Report (with Priscila Rodríguez et al., 2018).
<https://www.driadvocacy.org/wp-content/uploads/Infanticide-and-Abuse.pdf>

The Right to Legal Capacity and Supported Decision Making for All: A Preliminary Brief to the Law Commission of Ontario in Response to Legal Capacity, Decision-Making and Guardianship, Interim Report, Oct. 2015 (with The Coalition on Alternatives to Guardianship et al., 2015). <http://www.cacl.ca/sites/default/files/uploads/Coalition%20Brief%20to%20LCO%20with%20Expert%20Opinions%20-%20March%202016%20-%20final.pdf>.

The Rights of Children with Disabilities in Vietnam: Bringing Vietnam's Laws Into Compliance with the UN Convention on the Rights of Persons with Disabilities, Report Prepared for UNICEF, (with E. Rosenthal, Mental Disability Rights Int'l, Dec. 10, 2009).
http://www.disabilityrightsintl.org/wordpress/wp-content/uploads/UNICEF_final_legal_analysis_report_in_Vietnam1.pdf

Behind Closed Doors: Human Rights Abuses in the Psychiatric Facilities, Orphanages and Rehabilitation Centers of Turkey (with E. Rosenthal), Report by Mental Disability Rights Int'l (Sep. 28, 2005), <http://www.mdri.org/projects/turkey/turkey%20final%209-26-05.pdf>.

Foreign Policy and Disability: Legislative Strategies and Civil Rights Protections to Ensure Inclusion of People with Disabilities (with E. Rosenthal), Report commissioned by the Nat'l Council on Disability (Sep. 9, 2003), <http://www.ncd.gov/newsroom/publications/2003/foreign03.htm>.

The Housing Needs of People with Mental Illness, in OUTCASTS ON MAIN STREET: REPORT OF THE FEDERAL TASK FORCE ON HOMELESSNESS & SEVERE MENTAL ILLNESS (1993).

Zoning, Real Estate and Related Issues (Presidential Committee on Mental Retardation, Washington, D.C.), Feb. 1988.

Legal Barriers to Access: The Unmet Health Care Needs of Homeless People, Report to the Inst. of Medicine, Nat'l Acad'y of Sciences (May 1987).

A Brief History of Deinstitutionalization, in PROTECTION AND ADVOCACY FOR PEOPLE WHO ARE LABELED MENTALLY ILL, (Mental Health Law Project for the Nat'l Ass'n of Protection & Advoc. Sys. ed., 1987).

Combating NIMBY: Recent Zoning Cases Uphold the Establishment of Group Homes for the Mentally Disabled, in PROTECTION AND ADVOCACY FOR PEOPLE WHO ARE LABELED MENTALLY ILL, (Mental Health Law Project for the Nat'l Ass'n of Protection & Advoc. Sys. ed., 1987).

Reports, News, and Commentary

Remote Work and the Future of Disability Accommodations (July 1, 2021). available at SSRN: <https://ssrn.com/abstract=3895798>.

What a Day to Recognize People with Disabilities Should Mean to All of Us, SYRACUSE POST-STANDARD, December 3, 2020 at A19, <https://www.syracuse.com/opinion/2020/12/what-a-day-to-recognize-people-with-disabilities-should-mean-to-us-all-commentary.html>.

Religious Freedom Is No Reason to Deny People with Disabilities the Right to Equality in the Workplace, THE HILL (July 26, 2020). Available at <https://thehill.com/opinion/judiciary/509032-religious-freedom-is-no-reason-to-deny-people-with-disabilities-the-right>.

Turning Their Back on People with Disabilities in the Name of Religious Freedom, JURIST (July 26, 2020). Available at <https://www.jurist.org/commentary/2020/07/arlene-kanter-ada30-st-james-v-biel/>.

Can Faculty Be Forced Back on Campus?: Several Covid-related regulations and federal and state laws provide guidance, THE CHRONICLE OF HIGHER EDUCATION, June 15, 2020, Available at https://bi.gale.com/essentials/article/GALE|A632868556?u=nysl_ce_syr.

Op-Ed, The Education Ministry is Turning its Back on Children with Disabilities, JERUSALEM POST, July 1, 2018. <https://www.jpost.com/Opinion/The-Education-Ministry-is-turning-its-back-on-children-with-disabilities-561301>.

Justice for the Disabled on International Persons with Disabilities Day, Commentary, SYRACUSE POST-STANDARD at SYRACUSE.COM, Dec. 2, 2014.

A Day for Justice: We Can and Must Do Better for Disabled People, Op-Ed, SYRACUSE POST-STANDARD Dec. 3, 2011.

In Search of Justice, and Not Just Charity, Op-Ed, THE JERUSALEM POST May 15, 2011.

People with Disabilities Need an International Convention, Op-Ed, SYRACUSE POST-STANDARD
June 25, 2003.

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Law Review and Other Scholarly Articles

Criminal Procedure, 2003-2004 Survey of New York Law, 55 SYRACUSE L. REV. 889 (2005).

Criminal Procedure, 1995 Survey of New York Law, 47 SYRACUSE L. REV. 465 (1997).

Criminal Procedure, 1989 Survey of New York Law, 41 SYRACUSE L. REV. 209 (1990).

Criminal Procedure, 1988 Survey of New York Law (with Travis H.D. Lewin), 40 SYRACUSE L. REV. 245 (1989).

Criminal Law and Procedure, 1985 Survey of New York Law, 37 SYRACUSE L. REV. 415 (1986).

The Protective Sweep Doctrine: Recurrent Questions Regarding the Propriety of Searches Conducted Contemporaneously with an Arrest on or Near Private Premises (with Alan J. Statman), 30 SYRACUSE L. REV. 973 (1979).

Criminal Procedure, 1978 Survey of New York Law, 30 SYRACUSE L. REV. 15 (1979).

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Law Review and Other Scholarly Articles

Immigrant Torts, 57 UC DAVIS L. REV. 1059 (2023).

Penalizing Presence, 88 GEO. WASH. L. REV. 76 (2020), *reprinted in* 41 IMMIGR. & NAT'LITY L. REV. 211 (2020).

Deportation Deadline, 95 WASH. U. L. REV. 531 (2017).

Immigrant Passing, 105 KY. L.J. 95 (2016).

Rethinking Review Standards in Asylum, 55 WM. & MARY L. REV. 581 (2013).

Culture Matters: Cultural Differences in the Reporting of Employment Discrimination Claims, 20 WM. & MARY BILL RTS. J. 405 (2011).

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Forthcoming

Age-Based Classifications in an Age of Centenarians, in LAW AND THE 100-YEAR LIFE (Anne Alstott & Abbe Gluck eds., forthcoming 2024).

Books

ELDER LAW: PRACTICE, POLICY, AND PROBLEMS (2nd ed. 2020).

ELDER LAW: PRACTICE, POLICY, AND PROBLEMS (2014).

Law Review and Other Scholarly Articles

Using What We Have: How Existing Legal Authorities Can Fix America's Nursing Home Crisis (with Adrianna Duggan, Justin Cole, & Nada Aljassar), 65 WM & MARY L. REV. 127 (2023).

Defending Voting Rights in Long-Term Care Institutions (with Casey Smith), 103 B.U. L. REV. 1025 (2023).

Malpractice Litigation in Elective Lumbar Spinal Fusion: a Comprehensive Review of Reported Legal Claims in the U.S. in the Past 50 Years (with Justin K. Zhang, et al), 22 SPINE J. 1254 (2022).

Protective Orders & Limited Guardianships: Legal Tools for Sidelining Plenary Guardianship (with David A. English), 72 SYR. L. REV. 225 (2022).

Teaching Law Online: A Guide for Faculty, 70 J. LEGAL EDUC. 230 (2021).

Realizing Supported Decision-Making: What it Does – and Does Not – Require, 21 AM. J. BIOETHICS 37 (2021).

Legislating Supported Decision-Making, 58 HARV. J. LEGIS. 313 (2021).

Nursing Homes, COVID-19, and the Consequences of Regulatory Failure, 110 GEO. L.J. ONLINE 1 (2021).

How the Guardianship System Can Help Address Gun Violence, 48 Supp. J. L. MED. & ETHICS 133 (2020).

Online Learning and the Future of Legal Education, 70 SYRACUSE L. REV. 1 (2020).

A Framework for Theoretical Inquiry Into law and Aging, 21 THEORETICAL INQUIRIES IN L. 187 (2020).

For Love and Affection: Elder Care and the Law's Denial of Intra-Family Contracts, 54 HARV. C.R.-C.L. L. REV. 211 (2019).

Building Bridges between Gerontology and Elder Law (with Maria Brown & Israel A. Doron), 65 GERONTOLOGY 98 (2018).

Whom Do You Represent?: The Role of Attorneys Representing Individuals with Surrogate Decision Makers, 53 CT. REV. 64 (2017).

Introduction to Special Issue, 53 CT. REV. 53 (2017).

Identifying Connections Between Elder Law and Gerontology: Implications for Teaching, Research, and Practice (with Maria T. Brown & Israel Doron), 25 ELDER L.J. 69 (2017).

Lawyers for Legal Ghosts: The Legality and Ethics of Representing Persons Subject to Guardianship (with Catheryn Koss), 91 WASH. L. REV. 581 (2016).

Matched Preferences and Values: A New Approach to Selecting Legal Surrogates, 52 SAN DIEGO L. REV. 399 (2015).

The Nasty Business of Aging, 40 LAW & SOC. INQUIRY 506 (2015).

A Call to Expand Elder Law Education (with Edward D. Spurgeon), 35 BIFOCAL 123 (2014).

Vulnerability Theory and the Role of Government, 26 YALE J. L. & FEMINISM 1 (2014).

A Call to Action on Elder Law Education: An Assessment and Recommendations Based on National Survey (with Edward D. Spurgeon), 21 ELDER L.J. 345 (2014).

A Critical Assessment of Supported Decision-Making for Persons Aging with Intellectual Disabilities (with Jeremy A. Blumenthal), 7 DISABILITY & HEALTH J. S40 (2014).

Supported Decision-Making: A Viable Alternative to Guardianship (with Jeremy A. Blumenthal & Amy T. Campbell), 117 PENN ST. L. REV. 1111 (2013).

Elder (In)Justice: A Critique of the Criminalization of Elder Abuse, 49 AM. CRIM. L. REV. 1 (2012).

Elder Rights: The Next Civil Rights Movement, Keynote Address at the Temple Political & Civil Rights Law Review Symposium: Aging in the U.S.: The Next Civil Rights Movement? (Oct. 22, 2011), 21 TEMP. POL. & CIV. RTS. L. REV. 321 (2012).

Elder Law Teaching and Scholarship: An Empirical Analysis of an Evolving Field (with Edward D. Spurgeon), 59 J. LEGAL EDUC. 414 (2010).

Rethinking the Constitutionality of Age Discrimination: A Challenge to a Decade-Old Consensus, 44 U.C. DAVIS L. REV. 213 (2010).

The Lawyer's Role in Fostering an Elder Rights Movement, 37 WM. MITCHELL L. REV. 49 (2010).

Outliving Civil Rights, 86 WASH. U. L. REV. 1053 (2009).

Cognitive Impairment and the Right to Vote: Rethinking the Meaning of Accessible Elections, 1 CAN. J. OF ELDER L. 28 (2008).

Designating Health Care Decisionmakers for Patients without Advance Directives: a Psychological Critique (with Jeremy A. Blumenthal), 42 GA. L. REV. 979 (2008).

Preserving Voting Rights in Long-Term Care Institutions: Facilitating Resident Voting While Maintaining Election Integrity, 38 MCGEORGE L. REV. 1065 (2007).

Elder Empowerment as a Strategy for Curbing the Hidden Abuses of Durable Powers of Attorney, 59 RUTGERS L. REV. 1 (2006).

Cambridge Law School for Women: The Evolution and Legacy of the Nation's First Graduate Law School Exclusively for Women, 12 MICH. J. GENDER & L. 119 (2005).

Second Childhood: What Child Protection Systems Can Teach Elder Protection Systems, 14 STAN. L. & POL'Y REV. 175 (2003).

Book Chapters

Humane and Resilient Long-Term Care: A Post-COVID Vision, in COVID-19 AND THE LAW: DISRUPTION, IMPACT, AND LEGACY (I. Glenn Cohen et al. eds, 2023).

Fiduciary Principles in Surrogate Decision-Making, in OXFORD HANDBOOK OF FIDUCIARY LAW (R. Sitkoff et al. eds., 2019).

Improving Health Care Decision-Making Through a Shared Values and Shared Preferences Approach to Surrogate Selection, in NUDGING HEALTH: HEALTH LAW AND BEHAVIORAL ECONOMICS (I. Glenn Cohen et al. eds., 2016).

Voting & Political Participation, in THE LAW AND ETHICS OF DEMENTIA (Charles Foster et al. eds., 2014).

Legal Gerontology: How a Legal Perspective Can Contribute to the Gerontological Imagination, in GERONTOLOGY: PERSPECTIVES AND ISSUES (Kenneth F. Ferraro & Janet M. Wilmoth eds., 4th ed. 2013).

A Civil Rights Approach to Elder Law, in BEYOND ELDER LAW: NEW DIRECTIONS IN LAW AND AGING (Israel Doron & Ann M. Soden eds., 2012).

Aging and Law: Using a Multi-Dimensional Model to Understand the Legal Response to Aging (with Israel Doron), in AGING IN PERSPECTIVE AND THE CASE OF CHINA: ISSUES AND APPROACHES (Sheying Chen & Jason L. Powell eds., 2010).

Reports, News and Commentary

The New Uniform Health Care Decisions Act: An Overview (with David M. Levy), BIFOCAL (Sept. 10, 2023).

Voters Live Here: Understanding the Voting Rights and Needs of Long-Term Care Residents, Generations Today March-April 2023 (American Society on Aging) (Mar. 15, 2023) <https://generations.asaging.org/voting-rights-and-needs-ltc-residents>

Opinion, *Modern Laws and Out-of-Court Solutions Can Advance Guardianship – Expert Views on Adult Guardianship* (with Robert Dinerstein, Deborah Enix-Ross & Ellie Lanier), U.S.L.W. (Mar. 9, 2023).

Hospitals That Ditch Masks Risk Exposure (with Irina D. Manta), BILL OF HEALTH (Harvard Law Petrie-Flom Center, Feb. 20, 2023). <https://blog.petrieflom.law.harvard.edu/2023/02/20/hospital-liability-covid-infection/>

Opinion, *Britney Spears' Case Has Shown Why Guardianship Laws Need to Change*, THE GUARDIAN (Online) (Aug. 19, 2021), <https://www.theguardian.com/commentisfree/2021/aug/18/britney-spears-case-guardianship-laws>

Long-Term Care After Covid: A Roadmap for Reform, BILL OF HEALTH (Harvard Law Petrie-Flom Center, June 2, 2021), <https://blog.petrieflom.law.harvard.edu/2021/06/02/long-term-care-covid-reform/>.

It's Time to Care About Home Care, THE HILL (May 31, 2021), <https://thehill.com/opinion/healthcare/556178-its-time-to-care-about-home-care>.

COVID Awakened Americans to a Nursing Home Crisis. Now Comes the Hard Part, WASH. POST (Apr. 28, 2021), <https://www.washingtonpost.com/outlook/2021/04/28/nursing-homes-covid-pandemic-reform-staffing/> (featured in the SUNDAY OUTLOOK section, May 9, 2020 and reprinted in NEWSDAY, Aug. 29, 2021, <https://www.newsday.com/opinion/coronavirus/covid-19-pandemic-nursing-home-crisis-elder-care-solutions-america-staffing-funds-1.50232965>).

Netflix's "I Care a Lot" Should Worry You (with David M. English), THE HILL (Feb. 24, 2021), <https://thehill.com/opinion/civil-rights/540212-netflixs-i-care-a-lot-should-worry-you>.

When it Comes to Healthy Aging: Location, Location, Location (with Jennifer Goldberg), THE HILL (Oct. 15, 2020), <https://thehill.com/opinion/civil-rights/521267-when-it-comes-to-healthy-aging-location-location-location>.

Coronavirus Isolated Nursing Home Residents. Now it Might Keep Them From Voting: States Can Step In to Help, But Many Aren't, WASH. POST (Oct. 14, 2020), <https://www.washingtonpost.com/outlook/2020/10/14/nursing-homes-voting-covid-discrimination/>.

Older Adults are Feeling the Heat, Literally (with Karl Pillemer), THE HILL (Aug. 29, 2020), <https://thehill.com/opinion/civil-rights/514236-older-adults-are-feeling-the-heat-literally>.

Come Fall, Universities Must Expand Vision: Traditional Learning Can be Replicated Online, ALBANY TIMES UNION (June 6, 2020), <https://www.timesunion.com/opinion/article/Come-fall-universities-must-expand-vision-15322062.php>.

Nursing Homes Need Increased Staffing, not Legal Immunity (with Jessica L. Roberts), THE HILL (May 23, 2020), <https://thehill.com/opinion/healthcare/499286-nursing-homes-need-increased-staffing-not-legal-immunity>.

The Pandemic Exposed a Painful Truth: America Doesn't Care About Old People, THE WASHINGTON POST, May 10, 2020 at B4 (reprinted as *Not Enough Care About Old People*, THE POST-STANDARD, May 10, 2020 at E5).

Addressing the Crisis in Long-Term Care Facilities, THE HILL (Apr. 23, 2020), <https://thehill.com/opinion/civil-rights/494337-addressing-the-crisis-in-long-term-care-facilities?rnd=1587666321>

Move Class Online ... But Do It Right, SYRACUSE.COM (Mar. 19, 2020), <https://www.syracuse.com/opinion/2020/03/syracuse-law-prof-move-class-online-but-do-it-right-commentary.html>.

JDinteractive: An Online Law Degree Program Designed to Expand Access to Justice, N.Y. ST. B.A. J., Sept. 2018, at 30.

Legal Update Column, *The Criminal Justice System's Response to Elder Abuse: Law-Psychology Research to the Rescue?*, AMERICAN PSYCHOLOGY LAW SOCIETY NEWSLETTER (Spring 2010).

Book Review

Old Age in an Era of Migrant Elder Care, 15 INT'L J. OF LAW IN CONTEXT 234 (2019) (reviewing DAPHNA HACKER, LEGALIZED FAMILIES IN THE ERA OF BORDERED GLOBALIZATION (2017)).

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Law Review and Other Scholarly Articles

Preventing the Erosion of the Law of Armed Conflict: Our Moral Obligation to Uphold and Apply the Law of War amidst a Rogue State's Actions, 73 SYR. L. REV. 521 (2023).

Book Chapters

Deploying Justice, A HANDBOOK FOR THE CHIEF OF MILITARY JUSTICE, OFFICE OF THE JUDGE ADVOCATE GENERAL – CRIMINAL LAW DIVISION, U.S. ARMY. (2008).

Reports to Governmental Bodies and Professional Associations

Amicus Brief in Support of Petitioner Peter Van Dermark, *Van Dermark v. McDonough*, 144 S.Ct. 549 (2024) (No. 23-178), 2023 WL 6298261.

Laura G. Lape
Associate Professor of Law

Law Review and Other Scholarly Articles

A Narrow View of Creative Cooperation: The Current State of Joint Work Doctrine, 61 ALB. L. REV. 43 (1997).

Transforming Fair Use: The Productive Use Factor in Fair Use Doctrine, 58 ALB. L. REV. 677 (1995).

The Metaphysics of the Law: Bringing Substantial Similarity Down to Earth, 98 DICK. L. REV. 181 (1994), reprinted in 27 INTELL. PROP. L. REV. 425 (1995).

Ownership of Copyrightable Works of University Professors: The Interplay Between the Copyright Act and University Copyright Policies, 37 VILL. L. REV. 223 (1992).

Mayer v. Mayer: Estoppel and Foreign Divorce, 63 N.C. L. REV. 1189 (1985).

Book Chapters

A Balancing Act: Copyright in the Electronic Network Environment, in SAFEGUARDING ELECTRONIC INFORMATION (Jana Varlejs ed., 1996).

Travis H. D. Lewin
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Books

PROPOSED CODE OF EVIDENCE FOR THE STATE OF NEW YORK (1983).

THE AGED AND THE NEED FOR SURROGATE MANAGEMENT (*with* GEORGE J. ALEXANDER) (1972).

Law Review and Other Scholarly Articles

Criminal Procedure, 1988 Survey of New York Law (*with* Gary T. Kelder), 40 SYRACUSE L. REV. 245 (1989).

Evidence, 1985 Survey of New York Law, 37 SYRACUSE L. REV. 475 (1986).

Criminal Law and Procedure, 1984 Survey of New York Law, 36 SYRACUSE L. REV. 173 (1985).

Criminal Procedure, 1983 Survey of New York Law, 35 SYRACUSE L. REV. 239 (1984).

Criminal Procedure, 1982 Survey of New York Law, 34 SYRACUSE L. REV. 173 (1983).

Article VI of the New York Proposed Code of Evidence, 47 BROOK. L. REV. 1303 (1981).

Criminal Law and Procedure, 1980 Survey of New York Law, 32 SYRACUSE L. REV. 223 (1981).

Criminal Law and Procedure 1979 Survey of New York Law, 31 SYRACUSE L. REV. 189 (1980).

Criminal Procedure, 1977 Survey of New York Law: Part One: Public Law, 29 SYRACUSE L. REV. 53 (1978).

Criminal Procedure, 1976 Survey of New York Law: Part One: Public Law, 28 SYRACUSE L. REV. 23 (1977).

Criminal Procedure, 1975 Survey of New York Law: Part One: Public Law, 27 SYRACUSE L. REV. 69 (1976).

Psychiatric Evidence in Criminal Cases for Purposes Other than the Defense of Insanity, 26 SYRACUSE L. REV. 1051 (1975).

Criminal Procedure, 1974 Survey of New York: Part One: Public Law, 26 SYRACUSE L. REV. 65 (1975).

Criminal Law and Procedure, 1972 Survey of New York Law: Part Two: Public Law, 24 SYRACUSE L. REV. 73 (1973).

Criminal Procedure, 1971 Survey of New York Law: Part Four: Public Law, 23 SYRACUSE L. REV. 465 (1972).

Criminal Procedure, 1970 Survey of New York Law: Part Two: Public Law, Commercial Law, Property Law, Adjective Law, 22 SYRACUSE L. REV. 381 (1971).

Criminal Law and Procedure, 1969 Survey of New York Law: Part Two: Public Law, 21 SYRACUSE L. REV. 417 (1970).

Symposium of the Aging Poor (Editor and Contributor), 23 SYRACUSE L. REV. 45 (1972).

Incompetency to Stand Trial: Legal and Ethical Aspects of an Abused Doctrine, 1969 L. & SOC. ORDER 233 (1969).

Disposition of the Irresponsible: Protection Following Commitment, 66 MICH. L. REV. 721 (1968).

Tale of Two Districts: A Comparative Study of the Operation of the Criminal Justice Act of 1964 in the United States District Courts of the Eastern District of Michigan and the District of South Dakota, 14 WAYNE L. REV. 528 (1968).

Indigency – Informal and Formal Procedures to Provide Partisan Psychiatric Assistance to the Poor, 52 IOWA L. REV. 458 (1966).

Mental Disorder and the Federal Indigent, 11 S.D. L. REV. 198 (1966), Reprinted in EFFECTIVE UTILIZATION OF PSYCHIATRIC EVIDENCE (Practicing Law Institute 1970).

Reports to Governmental Bodies and Professional Associations

Psychiatric Evaluation in Criminal Cases, Report to Michigan Department of Mental Health (with John P. Acher & Rafael Guzman) (1967).

Book Reviews

Book Review, 22 TRIAL 83 (1986) (reviewing LAWRENCE J. SMITH & LORETTA A. MALANDRO, COURTROOM COMMUNICATION STRATEGIES (1985)).

Book Review, 20 TRIAL 84 (1984) (reviewing EDWARD J. IMWINKELRIED, UNCHARGED MISCONDUCT EVIDENCE (1984)).

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Law Review and Other Scholarly Articles

Let's Be Honest about Law School Cheating: A Low-Tech Solution to a High-Tech Problem
(with Lori Roberts), 52 AKRON L REV. 1155 (2019).

Matchmaking in Law School: Practical Skills and Doctrine in Family Law Course Design, 46 W.
ST. U. L. REV. 127 (2019).

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Forthcoming

Constitutional Case Assignment, 102 N.C. L. REV. (forthcoming 2024).

Self-Accommodation at Work, 28 EMPLOYEE RTS. & EMP. POL'Y J. 1 (forthcoming 2024).

Ben Crump and Racialized Professionalism, ST. JOHN'S L. REV. (forthcoming 2024) (symposium essay).

Law Review and Other Scholarly Articles

Section 1983 Dealmaking, 97 TUL. L. REV. 1 (2022).

Disability Without Documentation, 90 FORDHAM L. REV. 59 (2021).

Procedural Animus, 71 ALA. L. REV. 1185 (2020).

Foreseeable Police Shootings, 119 COLUM. L. REV. FORUM 283 (2019),
<https://columbialawreview.org/content/foreseeable-police-shootings/>.

Accelerated Civil Rights Settlements in the Shadow of Section 1983, 2018 UTAH L. REV. 639 (2018).

Los Angeles v. Mendez: Proximate Cause Promise for Police Shooting Victims, 118 COLUM. L. REV. ONLINE 48 (2018), <https://columbialawreview.org/content/los-angeles-v-mendez-proximate-cause-promise-for-police-shooting-victims/>.

The New Jim Crow's Equal Protection Potential, 27 WM. & MARY BILL RTS. J. 61 (2018).

Posner Tackles the Pro Se Prisoner Problem: A Book Review of Reforming the Federal Judiciary, 83 MO. L. REV. 113 (2018).

Introduction, Symposium, Terry v. Ohio: Considering The Past, Present, & Future of Stop And Frisk, 54 IDAHO L. REV. 279 (2018).

Camouflaging State Biosimilar Laws as Pro-Patient Legislation, 26 ANNALS HEALTH L. 52 (2017).

Shadow Judges: Staff Attorney Adjudication of Prisoner Claims, 95 OR. L. REV. 97 (2016).

Predicting Utah v. Strieff's Civil Rights Impact, 126 YALE L.J. F. 139 (2016),
<https://www.yalelawjournal.org/forum/predicting-utah-v-streiffs-civil-rights-impact>.

A New Approach to Local Rules, 11 STAN. J. C.R. & C.L. 121 (2015).

Analyzing the Southern District of New York's Amended "Related Cases" Rule: The Process For Challenging Nonrandom Case Assignment Remains Inadequate, 69 N.Y.U. Ann. Surv. AM. L. 699 (2015).

The Danger of Nonrandom Case Assignment: How the Southern District of New York's "Related Cases" Rule Shaped Stop-and-Frisk Rulings, 19 Mich. J. Race & L. 199 (2014).

Adversarial No More: How Sua Sponte Assertion of Affirmative Defenses to Habeas Wreaks Havoc on the Rules of Civil Procedure, 91 Or. L. Rev. 177 (2012).

The Improper Dismissal of Title VII Claims on "Jurisdictional" Exhaustion Grounds: How Federal Courts Require that Allegations be Presented to an Agency Without the Resources to Consider Them, 21 Geo. Mason Univ. C.R. L.J. 213 (2011).

Note, *Derungs v. Wal-Mart Stores: A Federal Interpretation Excluding Breast-Feeding from a State's Sex Discrimination Protection*, 38 LOY. L.A. L. REV. 2319 (2005).

Book Chapters

Teaching the Americans with Disabilities Act's Constitutionality without Othering Law Students with Disabilities in INTEGRATING DOCTRINE AND DIVERSITY: INCLUSION & EQUITY BEYOND THE FIRST YEAR (Nicole P. Dyszlewski et al. eds., 2024).

Prisoner Procedure in A GUIDE TO CIVIL PROCEDURE: INTEGRATING CRITICAL LEGAL PERSPECTIVES (Brooke Coleman et al. eds., 2022).

Commentary on Kulko v. Superior Court of California (with Mary-Beth Moylan), in FEMINIST JUDGMENTS: FAMILY LAW OPINIONS REWRITTEN (Rachel Rebouché eds., 2020).

Reports to Governmental Bodies and Professional Associations

Brief of Amici Curiae Law Professors in Support of Plaintiff-Appellees, *E.T. v. Paxton*, (5th Cir. 2022) (No. 21-51083).

Reports, News, and Commentary

A Categorical No to Categorical Accommodation Denials Related to COVID-19? (with Irina D. Manta), BILL OF HEALTH (Harvard Law Petrie-Flom Center, Sept. 11, 2023),

<https://blog.petrieflom.law.harvard.edu/2023/09/11/a-categorical-no-to-categorical-accommodation-denials-related-to-covid-19/>.

A Patient's Right to Masked Health Care Providers, BILL OF HEALTH (Harvard Law Petrie-Flom Center, July 20, 2023). <https://blog.petrieflom.law.harvard.edu/2023/07/20/a-patients-right-to-masked-health-care-providers/>.

Personal Crusades for Public Health, BILL OF HEALTH (Harvard Law Petrie-Flom Center, Feb. 14, 2023), <https://blog.petrieflom.law.harvard.edu/2023/02/14/personal-crusades-for-public-health/>.

Negotiating Masks in the Workplace When the ADA Does and Does Not Apply, BILL OF HEALTH (Harvard Law Petrie-Flom Center, March 8, 2022), <https://blog.petrieflom.law.harvard.edu/2022/03/08/masks-workplace-ada-reasonable-accomodation/>.

Using Health Justice to Identify Inequities Experienced by Employees with Disabilities, BILL OF HEALTH (Harvard Law Petrie-Flom Center, Oct. 4, 2021). <https://blog.petrieflom.law.harvard.edu/2021/10/04/health-justice-disability/>

So Sorry to Bother You, But I Might Die If You Don't Wear a Mask, INTIMA: A JOURNAL OF NARRATIVE MEDICINE (Fall 2020), <https://static1.squarespace.com/static/54bc1287e4b09cb81d8d8439/t/5f9cda9b98f8bd6abc712ecf/1604115198866/So+Sorry+to+Bother+You%2C+But+I+Might+Die+If+You+Don%27t+Wear+a+Mask.pdf>.

Employers Have the Power to Make Workplaces More Accessible, BLOOMBERG LAW: DAILY LABOR REPORT (Oct. 22, 2021), <https://news.bloomberglaw.com/daily-labor-report/employers-have-the-power-to-make-workplaces-more-accessible>.

Vaccinate High-Risk People with Disabilities. Now, MS. MAGAZINE (Mar. 4, 2021), <https://msmagazine.com/2021/03/04/vaccinate-high-risk-disabilities-priority/>.

Testing Accommodations are not a Gift of Extra Time, Ms. JD (Jan. 10, 2019), <https://ms-jd.org/blog/article/testing-accommodations-are-not-a-gift-of-extra-time>.

Surviving Inaccessible Work Retreats, Ms. JD (Dec. 16, 2018), <https://ms-jd.org/blog/article/surviving-inaccessible-work-retreats>.

What does it mean to be a lawyer? Navigating disability and unexpected physical demands, Ms. JD (Nov. 10, 2019), <https://ms-jd.org/blog/article/what-does-it-mean-to-be-a-lawyer-navigating-disability-and-unexpected-physi>.

Pushed & Pulled: The Kavanaugh Effect, Ms. JD (Sept. 30, 2018), <https://ms-jd.org/blog/article/pushed-pulled-the-kavanaugh-effect>.

Owning Up to My Reality: I'm Disabled, and I Always Will Be, Ms. JD (Aug. 27, 2018), <https://ms-jd.org/blog/article/owning-up-to-my-reality-im-disabled-and-i-always-will-be>.

Obtaining Accommodations at Your New Law Job, Ms. JD (July 29, 2018), <https://ms-jd.org/blog/article/obtaining-accommodations-at-your-new-law-job>.

Doctors v. Lawyers, Ms. JD (June 25, 2018), <https://ms-jd.org/blog/article/doctors-v.-lawyers>.

Disability & the Summer Associate Gig: To Disclose or Not to Disclose?, Ms. JD (June 3, 2018), <https://ms-jd.org/blog/article/disability-the-summer-associate-gig-to-disclose-or-not-to-disclose>.

When the Law Empowers: Learning Disability Advocacy by Helping Yourself, Ms. JD (May 3, 2018), <https://ms-jd.org/blog/article/when-the-law-empowers-learning-disability-advocacy-by-helping-yourself>.

Controlling the Conversation About (Your) Disability, Ms. JD (March 28, 2018), <https://ms-jd.org/blog/article/controlling-the-conversation-about-your-disability>.

Can a Disabled Lawyer Achieve Work-Life Balance?, Ms. JD (Feb. 28, 2018), <https://ms-jd.org/blog/article/is-it-possible-for-a-disabled-lawyer-to-achieve-work-life-balance>.

Making Peace with Testing Accommodations, Ms. JD (Jan. 28, 2018), <https://ms-jd.org/blog/article/making-peace-with-testing-accommodations>.

Do What You Love, But Be Open to Doing It Anywhere, Ms. JD (Nov. 10, 2017), <https://ms-jd.org/blog/article/do-what-you-love-but-be-open-to-doing-it-anywhere>.

Opinion: Trump Wrong But Stop-And-Frisk Still Constitutional, LAW360 (Sept. 22, 2016), <https://www.law360.com/articles/843445/opinion-trump-wrong-but-stop-and-frisk-still-constitutional>.

When I'm 'Stalled' by Someone Without a Disability in the Accessible Bathroom, THE MIGHTY (Jun. 20, 2016), <https://themighty.com/topic/disability/why-people-without-disabilities-shouldnt-use-the-accessible-bathroom/>.

Uterus Transplants and the Social Pressures of Biological Motherhood, MS. MAGAZINE (Nov. 20, 2015), BLOG (Nov. 2015), <https://msmagazine.com/2015/11/20/uterus-transplants-and-the-social-p pressures-of-biological-motherhood/>.

Procedure Takes Center Stage in Stop-and-Frisk Litigation, SUMMARY JUDGEMENTS, THE LMU LOYOLA LAW SCHOOL FACULTY BLOG (Nov. 18, 2013), <http://summaryjudgments.lls.edu/2013/11/procedure-takes-center-stage-in-stop.html?m=1>.

New York City's Stop-and-Frisk Appeals are Still Alive, BROOKLYN LAW SCHOOL PRACTICUM (Dec. 20, 2013), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2370556.

Motion to Dismiss: From Catcalls to Kisses, Gender Bias in the Courtroom, OBSERVER (Jul. 10, 2013), <https://observer.com/2013/07/women-lawyers-sexism-nyc/>.

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Books, Edited

LOVING v. VIRGINIA IN A POST-RACIAL WORLD: RETHINKING RACE, SEX, AND MARRIAGE (with Rose Cuison Villazor, 2012).

Law Review and Other Scholarly Articles

Hollywood Loving, 86 FORDHAM L. REV. 2647 (2018).

Other Mothers, 85 FORDHAM L. REV. 2629 (2017).

Serial Paternity, 2013 MICH. ST. L. REV. 1369 (2013).

Rethinking Children as Property: The Transitive Family, 32 CARDOZO L. REV. 225 (2010).

The Color of Testamentary Freedom, 62 SMU L. REV. 1783 (2009).

Miscegenation – An American Leviathan, 36 HUM. RTS. 15 (2009).

Redwashing History: Tribal Anachronisms in the Seminole Nation Cases, 1 FREEDOM CTR. J. 96 (2008), reprinted in *THE INDIAN CIVIL RIGHTS ACT AT FORTY* (Kristen A. Carpenter, Matthew L.M. Fletcher, & Angela R. Riley eds., 2012).

The Anatomy of Grey: A Theory of Interracial Convergence (with Janis L. McDonald), 26 LAW & INEQ. 305 (2008).

The Multiracial Epiphany of Loving, 76 FORDHAM L. REV. 2709 (2008).

The Pocahontas Exception: The Exemption of the American Indian Ancestry from Racial Purity Law, 12 MICH. J. RACE & L. 351 (2007).

Parental Ratification: Legal Manifestations of Cultural Authenticity in Cross-Racial Adoption, 28 AM. INDIAN L. REV. 107 (2003).

Foreword: *Native Americans and the Constitution*, 5 U. PA. J. CONST. L. 219 (2003).

Student and Faculty Perspectives on Black Americans' Success in the White Academy (with Anita L. Allen-Castellito), 52 NEGRO EDUC. REV. 89 (July 2001).

Book Chapters

Commentary: Reber v. Reiss, 42 A.3d 1131 (2012), in *FEMINIST JUDGMENTS: REPRODUCTIVE JUSTICE REWRITTEN* (Kimberly Mutcherson ed. 2020).

A View of a Will: Miscegenation, Inheritance, and Family in Civil War Era Charleston, in FAMILY VALUES IN THE OLD SOUTH, (Craig T. Friend & Anya Jabour eds., 2009).

Many Nations, Under Glass, with Nostalgia and Romance for All, in NATIVE AMERICAN VOICES ON IDENTITY, ART, AND CULTURE: OBJECTS OF EVERLASTING ESTEEM (Lucy Fowler Williams & William Wierzbowski eds., 2005).

Just Trees: Reflections on Ancestry among Black Indians, in MULTIRACIAL CHILD RESOURCE BOOK, (Maria P. Root & Matt Kelley eds., 2003).

Reports, News and Commentary

Native American Movement Grows, N.Y. TIMES, Aug. 31, 2022, at D7.
<https://www.nytimes.com/2022/08/26/dining/native-american-agriculture.html>

The Beauty of Grape Dumplings, N.Y. TIMES, April 20, 2022 at D7.
<https://www.nytimes.com/2022/04/18/dining/native-american-grape-dumplings.html?searchResultPosition=1>

Fry Bread is Beloved, but Also Divisive, N.Y. TIMES, November 3, 2021.
<https://www.nytimes.com/2021/11/01/dining/indigenous-people-fry-bread.html?searchResultPosition=1>

Parenting by FaceTime in Coronavirus Quarantine, N.Y. TIMES, March 20, 2020.
<https://www.nytimes.com/2020/03/20/well/family/parenting-by-facetime-in-coronavirus-quarantine.html?searchResultPosition=2>

Giving In to ‘Let It Go’, N.Y. TIMES, November 20, 2019 at C1.
<https://www.nytimes.com/2019/11/19/movies/frozen-let-it-go-families.html?searchResultPosition=11>

Beyond a Mother and Wife, N.Y. TIMES, July 15, 2019 at C1.
<https://www.nytimes.com/2019/07/04/arts/television/stranger-things-mrs-wheeler-and-billy.html?searchResultPosition=10>

When Being a Good ‘Dad’ Gets You Promoted to ‘Mommy,’ N.Y. TIMES, July 27, 2018.
<https://www.nytimes.com/2018/07/27/well/when-being-a-good-dad-gets-you-promoted-to-mommy.html>

I Took 7th Graders to See “Black Panther.” Here’s What They Said, N.Y. TIMES, Feb. 18, 2018.
<https://www.nytimes.com/2018/02/18/movies/black-panther-challenge-students.html>

What’s So Hard About Casting Indian Actors in Indian Roles?, N.Y. TIMES, Aug. 1, 2017.
<https://www.nytimes.com/2017/08/01/movies/wind-river-native-american-actors-casting.html>

Erased Onscreen: Where are All the Interracial Couples?, N.Y. TIMES, Mar. 3, 2017.
<https://www.nytimes.com/2017/03/03/movies/interracial-couples-onscreen-loving-get-out.html>

A Cough Is No Longer Just a Cough, N.Y. TIMES, Aug. 29, 2016.

<https://www.nytimes.com/roomfordebate/2016/08/29/are-medical-websites-like-webmd-healthful/with-medical-websites-a-cough-is-no-longer-just-a-cough>

A Father's Struggle to Stop His Daughter's Adoption, Cont'd, ATLANTIC, Aug. 4, 2016.

<https://www.theatlantic.com/national/archive/2016/08/a-fathers-struggle-to-stop-his-daughters-adoption-contd/623424/>

A Father's Struggle to Stop His Daughter's Adoption, ATLANTIC, July 7, 2015.

<https://www.theatlantic.com/national/archive/2016/08/a-fathers-struggle-to-stop-his-daughters-adoption-contd/623424/>

Why We Should Embrace the Racial Chaos, N.Y. TIMES, June 16, 2015.

<https://www.nytimes.com/roomfordebate/2015/06/16/how-fluid-is-racial-identity/why-we-should-embrace-the-racial-chaos>

Fatherhood is One Area Where Men Are Unequal, N.Y. TIMES, June 13, 2014.

<https://www.nytimes.com/roomfordebate/2014/06/13/fathers-rights-and-womens-equality/fatherhood-is-one-area-where-men-are-unequal>

Sex and the Single Man: What If Your Partner Has a Kid?, ATLANTIC, Apr. 21, 2014.

<https://www.theatlantic.com/national/archive/2014/04/sex-and-the-single-man/360979/>

In Adoption, Does Race Matter?, N.Y. TIMES, Feb. 2, 2014.

Not Cutting Ties, but Adding Them, N.Y. TIMES, Dec. 3, 2013.

<https://www.nytimes.com/roomfordebate/2013/12/03/life-in-a-mobile-nation/mobility-doesnt-sever-ties-it-adds-new-ones>

Biracial Cool: Bill de Blasio's Fresh Electoral Asset, ATLANTIC, Nov. 6, 2013.

<https://www.theatlantic.com/politics/archive/2013/11/biracial-cool-bill-de-blasios-fresh-electoral-asset/281173/>

Racially Profiled in Palm Beach, ATLANTIC, July 23, 2013.

<https://www.theatlantic.com/national/archive/2013/07/racially-profiled-in-palm-beach/278047/>

Incorporate and Change, N.Y. TIMES, June 27, 2013.

<https://www.nytimes.com/roomfordebate/2013/06/26/is-the-civil-rights-era-over/the-civil-rights-movement-must-incorporate-and-change>

The Myth of Rarity, N.Y. TIMES, June 14, 2013.

<https://www.nytimes.com/roomfordebate/2013/06/13/is-interracial-marriage-still-scandalous/interracial-couples-are-still-seen-as-rare>

The Right to Police Indifference, WEEK MAG., May 17, 2013.

Split the Baby With an Open Adoption, N.Y. TIMES, Jan. 24, 2013.

<https://www.nytimes.com/roomfordebate/2013/01/24/adoptive-parents-vs-tribal-rights/splitting-the-indian-baby-by-law-and-tradition>

Of Human Binders, N.Y. TIMES, Oct. 17, 2012.

<https://campaignstops.blogs.nytimes.com/2012/10/16/debating-points-obama-vs-romney-round-two/#Maillard>

Not Married, Not Single, ESSENCE MAG., Oct. 10, 2012,

<https://www.essence.com/love/relationships/not-married-not-single/>

Modern Parenting: Scary! Read This Now!, N.Y. TIMES, Aug. 28, 2012.

<https://www.nytimes.com/roomfordebate/2012/08/27/are-modern-parents-self-absorbed/modern-parenting-scary-read-this-now>

Playing the Interracial Card, N.Y. TIMES, July 12, 2012.

<https://campaignstops.blogs.nytimes.com/2012/07/12/playing-the-interracial-card/?ref=opinion>,
reprinted at CAMBRIDGE UNIV. PRESS BLOG, Aug. 8, 2012,
<http://www.cambridgeblog.org/2012/08/interracial-relationship/>

Where is the Dad in Parenting?, N.Y. TIMES, June 15, 2012.

<https://www.nytimes.com/roomfordebate/2012/06/15/what-about-dad/where-is-the-dad-in-parenting>

The Mysterious Age of Consent in Establishing Who Is an Adult, N.Y. TIMES, May, 28, 2012,

<https://www.nytimes.com/roomfordebate/2012/05/28/do-we-need-to-redefine-adulthood/the-mysterious-age-of-consent-in-establishing-who-is-an-adult>

Elizabeth Warren's Birther Moment, N.Y. TIMES, May 4, 2012,

<https://campaignstops.blogs.nytimes.com/2012/05/04/elizabeth-warrens-birther-moment/?ref=opinion>

The Myth of the Traditional Family, N.Y. TIMES, April 24, 2012,

<https://www.nytimes.com/roomfordebate/2012/04/24/are-family-values-outdated/the-myth-of-the-traditional-family>

Beyond Marriage, Blood or Adoption, N.Y. TIMES, Feb. 13, 2012,

<https://www.nytimes.com/roomfordebate/2012/02/13/family-ties-without-tying-the-knot/beyond-marriage-blood-or-adoption>

We Are Family: A Tale of Racial Identity, N.Y. TIMES, Oct. 20, 2011,

https://www.nytimes.com/2011/10/21/opinion/we-are-family-a-tale-of-racial-identity.html?_r=1&scp=1&sq=maillard&st=cse

Define 'Real Indians', N.Y. TIMES, Sept. 15, 2011,

<https://www.nytimes.com/roomfordebate/2011/09/15/tribal-sovereignty-vs-racial-justice/define-real-indians>

The Right Preparation for Lawyer-Citizens, N.Y. TIMES, July, 21, 2011,
<https://www.nytimes.com/roomfordebate/2011/07/21/the-case-against-law-school/the-right-preparation-for-lawyer-citizens>

Same-Sex Marriage: Rejecting the 'Real Family', N.Y. TIMES, June 29, 2011,
<https://www.nytimes.com/roomfordebate/2011/06/29/are-religion-and-marriage-indivisible/same-sex-marriage-rejecting-the-real-family>

The T'aint of Taint: Memory and the Denial of Mixed Race in the U.S. (2004) (Ph.D. Dissertation, Univ. Michigan).

Book Reviews

Book Review, 52 AM. J. LEGAL HIST. 395 (2012) (Reviewing BERNIE D. JONES, *FATHERS OF CONSCIENCE: MIXED-RACE INHERITANCE IN THE ANTEBELLUM SOUTH* (2009)).

Book Review, 25 LAW & HIST. REV. 443 (2007) (Reviewing ROBERT A. WILLIAMS, JR., *LIKE A LOADED WEAPON: THE REHNQUIST COURT, INDIAN RIGHTS, AND THE LEGAL THEORY OF RACISM IN AMERICA* (2005)).

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Books

REAL ESTATE TRANSACTIONS: PROBLEMS, CASES AND MATERIALS (*with* JAMES C. SMITH, ANDREA J. BOYACK, JAMES J. KELLY, JR.) (6th ed. 2023).

LAND USE AND ZONING LAW: PLANNING FOR ACCESSIBLE COMMUNITIES (*with* DYLAN OLIVER MALAGRINÒ) (2nd ed., 2022 & Teacher's Manual 2022).

LAW AND THE INVISIBLE HAND: A THEORY OF ADAM SMITH JURISPRUDENCE (2021).

REAL ESTATE (*with* JAMES C. SMITH) (4th ed. 2021).

DISABILITY LAW FOR PROPERTY, LAND USE, AND ZONING LAWYERS (2020).

LAW AND ECONOMICS: AN INTRODUCTORY TOOLKIT FOR LAWYERS (2019).

LAND USE AND ZONING LAW: PLANNING FOR ACCESSIBLE COMMUNITIES (2018 & TEACHER'S MANUAL 2018).

REAL ESTATE TRANSACTIONS: PROBLEMS, CASES AND MATERIALS, (*with* JAMES C. SMITH) (5th ed. 2017).

LAND USE LAW AND DISABILITY: PLANNING AND ZONING FOR ACCESSIBLE COMMUNITIES (2015).

REAL ESTATE (*with* JAMES C. SMITH) (3rd ed. 2014).

REAL ESTATE TRANSACTIONS: PROBLEMS, CASES, AND MATERIALS, (*with* JAMES C. SMITH) (4th ed. 2013).

REAL ESTATE (*with* JAMES C. SMITH) (2nd ed. 2010).

REAL ESTATE TRANSACTIONS: PROBLEMS, CASES, AND MATERIALS (*with* JAMES C. SMITH) (3rd ed. 2007 & Transactional Problems and Document Supp. on CD-Rom 2007).

REAL ESTATE (*with* JAMES C. SMITH) (2006).

LAW IN A MARKET CONTEXT: AN INTRODUCTION TO MARKET CONCEPTS IN LEGAL REASONING (2004).

LAW AND MARKET ECONOMY: REINTERPRETING THE VALUES OF LAW AND ECONOMICS (2000).

REAL ESTATE TRANSACTIONS: PROBLEMS, CASES & MATERIALS (*with* JAMES C. SMITH) (2nd ed. 2002 & TEACHER'S MANUAL, TRANSACTIONAL PROBLEMS AND DOCUMENT SUPP. 2002).

REAL ESTATE TRANSACTIONS: ROAD MAP SERIES, (*with* JAMES C. SMITH) (2000).

REAL ESTATE TRANSACTIONS: PROBLEMS, CASES & MATERIALS, (*with* JAMES C. SMITH) (1998 & TEACHER'S MANUAL, TRANSACTIONAL PROBLEMS AND DOCUMENT SUPP. 1998).

PLANNING FOR SERFDOM: LEGAL ECONOMICS DISCOURSE AND DOWNTOWN DEVELOPMENT (1991).

LAW AND ECONOMICS: A COMPARATIVE APPROACH TO THEORY AND PRACTICE (1990).

Books, Edited

ADAM SMITH AND LAW (2017).

THE PUBLIC NATURE OF PRIVATE PROPERTY (*with* MICHAEL DIAMOND 2011).

CREATIVITY, LAW AND ENTREPRENEURSHIP (*with* SHUBHA GHOSH 2011).

AFFORDABLE HOUSING AND PUBLIC-PRIVATE PARTNERSHIPS (*with* NESTOR M. DAVIDSON, 2009). Chinese language translation by China Architecture & Building Press, 2012.

LAW AND RECOVERY FROM DISASTER: HURRICANE KATRINA (2009).

PRIVATE PROPERTY, COMMUNITY DEVELOPMENT, AND EMINENT DOMAIN (2008, Kindle edition 2013).

LAW, PROPERTY, AND SOCIETY (series editor) (2008-).

LAW AND ECONOMICS: NEW AND CRITICAL PERSPECTIVES (*with* CHRISTOPHER K. BRAUN 1995).

ADAM SMITH AND THE PHILOSOPHY OF LAW AND ECONOMICS (*with* Jerry Evensky, 1994), *Reviewed at* 30:1 *History of Political Economy* 166 (1998).

Law Review and Other Scholarly Articles

Adam Smith's Market Jurisprudence: An Introduction to – Law and the Invisible Hand: A Theory of Adam Smith's Jurisprudence, 73 SYRACUSE L. REV. 159 (2023).

Advancing Accessible Communities, 27 VA. J. SOC. POL'Y & L. 233 (2020).

Sidewalks and the Americans With Disabilities Act (*with* Sarah K. Spencer), ZONING & PLAN. L. REP., April 2018, at 1.

- A Primer on Disability for Land Use and Zoning Law*, 4 J.L. PROP. & SOC'Y 1 (2018).
- Land Use Regulation, Disability, and Aging in Place*, 9 CONTEMP. READINGS L. & SOC. JUST. 198 (2017).
- Land Use Law and Sidewalk Requirements under the Americans with Disabilities Act (with Sarah Spencer & Shannon Crane)*, 51 REAL PROP. TR. & EST. L.J. 403 (2017).
- Law, Markets, and Marketization*, 1 U. BOLOGNA L. REV. 166 (2016).
- Celebrating a Wonderful Life: Robert C.L. Moffat*, 63 FLA. L. REV. x (2011).
- U.S. Mortgages and Global Financial Markets: A Need for Better Authentication*, 19 DIGEST: THE NAT'L ITALIAN-AMERICAN B. ASS'N L.J. 13 (2011).
- Adam Smith in the Courts of the United States*, 56 LOY. L. REV. 33 (2010) (Italian translation 2012).
- Real Estate Transactions and Entrepreneurship: Transforming Value through Exchange*, 43 IND. L. REV. 1105 (2010).
- Place, Space, and Time in the Sign of Property*, 22 INT'L J. FOR THE SEMIOTICS OF L. 265 (2009).
- Mortgage Market Reform and the Fallacy of Self-Correcting Markets*, 30 PACE L. REV. 79 (2009).
- Inclusion by Design: Accessible Housing and Mobility Impairment*, 60 HASTINGS L.J. 699 (2009).
- Real Estate Transactions: Policy Considerations for Law, Technology and Globalization*, 27 L. & POL. 81 (2005).
- Framing the Market: Representations of Meaning and Value in Law, Markets, and Culture*, 51 BUFF. L. REV. 1 (2003).
- Using Title Insurance to Avoid Malpractice and Protect Clients in a Changing Marketplace*, 11 DIGEST: THE NAT'L ITALIAN-AMERICAN B. ASS'N L.J. 51 (2003).
- Law and Humanities: Symposium on the Image of Law(yers) in Popular Culture. *Introduction to the Symposium*, 53 SYRACUSE L. REV. 1161 (2003)
- The Public Prosecutor as Representational Image: Introduction*, 34 U. TOL. L. REV. 749 (2003).
- Advertising and the Commodification of Law(yers)*, 14 CARDOZO STUD. L. & LIT. 197 (2002).
- Law and The Color of Markets*, 9 DIGEST: THE NAT'L ITALIAN-AMERICAN B. ASS'N L.J. 65 (2001).
- Attorney Malpractice for Failure to Require Fee Owner's Title Insurance in a Residential Real Estate Transaction (with Mark Klapow)*, 74 ST. JOHN'S REV. 407 (2000).

Law and Market Economy: The Triadic Linking of Law, Economics, and Semiotics, 12 INT'L J. FOR THE SEMIOTICS OF L. 285 (1999).

China's Market Economy: A Semiosis of Cross Boundary Discourse Between Law and Economics and Feminist Jurisprudence, (with Sharon Hom), 45 SYRACUSE L. REV. 815 (1994).

Letters from the Longhouse: Law, Economics and Native American Values, 1992 WIS. L. REV. 1569 (1992).

Planning for Serfdom – An Introduction to a New Theory of Law and Economics, 25 IND. L. REV. 621 (1991).

Planning for Serfdom – An Epilogue on Law, Economics and Values, 25 IND. L. REV. 825 (1991).

If Pigs Could Fly Where Would They Go? A Reply to Professor Posin, 38 WAYNE L. REV. 83 (1991).

Toward A New Discourse of Law and Economics, 42 SYRACUSE L. REV. 27 (1991).

Law and Economics and the Semiotic Process: Introduction to the Symposium, 42 SYRACUSE L. REV. 1 (1991).

Debate, Is Law and Economics Moral?: Humanistic Economics and a Classical Liberal Critique of Posner's Economic Analysis, 24 VAL. U. L. REV. 147 (1990).

Debate, Is Law and Economics Moral?: The Limits of "Science" in Legal Discourse - A Reply to Posner, 24 VAL. U. L. REV. 175 (1990).

Equity Participations and Lender Liability Under CERCLA, 15 COLUM. J. ENVTL. L. 63 (1990).

Market Philosophy in the Legal Tension Between Children's Autonomy and Parental Authority, 21 IND. L. REV. 889 (1988), reprinted in PERSPECTIVES ON THE FAMILY (R. Moffat, J. Grcic, & M. Bayles eds., 1990).

Invisible Hand or Sleight of Hand? Adam Smith, Richard Posner, and the Philosophy of Law and Economics, 36 U. KAN. L. REV. 209 (1988).

The Merits of the Smithian Critique: A Final Word on Smith and Posner, 36 U. KAN. L. REV. 267 (1988).

The Political Economy of Co-Financing America's Urban Renaissance, 40 VAND. L. REV. 67 (1987).

Mortgage Insurers Should Be the Risk Takers, 17 REAL ESTATE REV. 94 (1987).

Equating Human Rights and Property Rights – The Need for Moral Judgment in an Economic Analysis of Law and Social Policy, 47 OHIO ST. L. J. 163 (1986).

The Secondary Mortgage Market: A Catalyst for Change in Real Estate Transactions, 39 SW. L. J. 991 (1986).

The Economics of Rent Control – A Texas Perspective, 17 TEX. TECH. L. REV. 797 (1986).

The Shattered Dream of American Housing Policy – The Need for Reform, (with Michael Hoeflich), 26 B.C. L. REV. 655 (1985).

Creative Financing Exposes Lenders to Developers' Liabilities, 15 REAL ESTATE REV. 60 (1985).

Lender Liability for Negligent Real Estate Appraisals, 1984 U. ILL. L. REV. 53 (1984).

The Interstate Land Sales Full Disclosure Act: Its Requirements, Consequences, and Implications for Persons Participating in Real Estate Development, 24 B.C. L. REV. 1187 (1983).

Book Chapters

Critiques of Law and Economics (with David Driesen), in THE OXFORD HANDBOOK OF LAW AND ECONOMICS (Francesco Parisi ed., 2017).

Opening Neighborhoods to People with Mobility Impairment: Property, Disability and Inclusive Design Housing, in THE PUBLIC NATURE OF PRIVATE PROPERTY (Robin Paul Malloy & Michael Diamond eds., 2011).

Real Estate Transactions and Entrepreneurship, in CREATIVITY, LAW AND ENTREPRENEURSHIP (Shubha Ghosh & Robin Paul Malloy eds., 2011).

A Need for Better Authentication, in LAW AND ECONOMICS OF GLOBAL FINANCIAL INSTITUTIONS (Peter Nobel, Katrin Krehan & Anne-Cathrine Tanner eds., 2010).

U.S. Mortgage Markets: A Tale of Self-correcting Markets, Parallel Lives and Other People's Money, in THE FUTURE OF FINANCIAL REGULATION (Iain G. MacNeil & Justin O'Brien eds., 2010).

Accessible Housing and Affordability, in AFFORDABLE HOUSING AND PUBLIC-PRIVATE PARTNERSHIPS (Robin Paul Malloy & Nestor M. Davidson eds., 2009).

Economics as a Map in Law and Market Economy, in LAW AND ECONOMICS: TOWARD SOCIAL JUSTICE (Dana L. Gold ed., 2009).

Private Property, Community Development, and Eminent Domain (with James C. Smith), in PRIVATE PROPERTY, COMMUNITY DEVELOPMENT, AND EMINENT DOMAIN (Robin Paul Malloy ed., 2008).

Law in a Market Context, in NEW FRONTIERS OF LAW AND ECONOMICS (2006).

Law, Economics and the Encounter with Strangers, in IX SEMIOTICS AND THE HUMAN SCIENCES

(R. Kevelson ed., 1996).

Impressions of a Market Economy in China, in IX SEMIOTICS AND THE HUMAN SCIENCES (R. Kevelson ed., 1996).

A New Law and Economics, in I CRITIC OF INSTITUTIONS: CODE AND CUSTOMS 213 (R. Kevelson ed., 1994).

A Law and Economics Perspective on Politically Correct Thinking, in IX SEMIOTICS AND THE HUMAN SCIENCES (R. Kevelson ed., 1993).

A Classical Liberal Critique of Takings Law, in TAKING PROPERTY AND JUST COMPENSATION: LAW AND ECONOMICS PERSPECTIVES OF THE TAKINGS ISSUE (N. Mercurio ed., 1992).

Expanding Boundaries: Law and Economics as Creative Discourse, in III SEMIOTICS AND THE HUMAN SCIENCES (R. Kevelson ed., 1992).

Individualist and Communitarian Norms in Takings Law – An Introductory Framework, in LIBERALISM AND COMMUNITY (R. Moffat ed., 1992).

Freedom From Authority – Discovering "The Discovery of Freedom" by Rose Wilder Lane, in III SEMIOTICS AND THE HUMAN SCIENCES: ACTION AND AGENCY (R. Kevelson ed., 1991).

Of Icons, Metaphors, and Private Property – The Recognition of "Welfare" Claims in the Philosophy of Adam Smith, in III LAW AND SEMIOTICS (R. Kevelson ed., 1989).

Adam Smith's Conception of Individual Liberty, in LAW AND ENLIGHTENMENT IN BRITAIN 82 (T. Campbell & N. McCormick eds., 1990).

Book Reviews

Book Review, 27 EUR. J. HIST. ECON. THOUGHT 467 (2020), (reviewing ERIC SCHLIESSER, ADAM SMITH: SYSTEMATIC PHILOSOPHER AND PUBLIC THINKER (2017)), May 6, 2020, DOI: [10.1080/09672567.2020.1761666](https://doi.org/10.1080/09672567.2020.1761666).

Book Review, 42 J. OF ECON. LITERATURE 185 (2004) (reviewing PETER SINGER, ONE WORLD: THE ETHICS OF GLOBALIZATION (2002)).

Book Review, 8 DIGEST: THE NAT'L ITALIAN-AMERICAN B. ASS'N L.J. 37 (2000) (reviewing KENNETH G. DAU-SCHMIDT & THOMAS S. ULEN, LAW AND ECONOMICS ANTHOLOGY (1998) and NICHOLAS MERCURO & STEVEN G. MEDEMA, ECONOMICS AND THE LAW: FROM POSNER TO POST-MODERNISM (1998)).

Book Review, 42 J. LEGAL EDUC. 324 (1992) (reviewing DONALD N. MCCLOSKEY, IF YOU'RE SO SMART: THE NARRATIVE OF ECONOMIC EXPERTISE (1990)).

A Sign of the Times – Law and Semiotics, 65 TUL. L. REV. 211 (1990) (reviewing R. KEVELSON, THE LAW AS A SYSTEM OF SIGNS (1988)).

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Law Review and Other Scholarly Articles

Fifty Years of Federalization of Criminal Law: Sounding the Alarm or Crying Wolf?, 50 SYRACUSE L. REV. 1317 (2000).

Symposium, *Prosecuting Transnational Crimes: Cross-Cultural Insights for the Former Soviet Union: Plea Bargaining and Immunity in Federal Courts in the United States – Some Comments*, 27 SYRACUSE J. INT’L & COM. 19 (2000).

Bowers v. Hardwick – A Case Study in Federalism, Legal Procedure and Constitutional Interpretation, 38 SYRACUSE L. REV. 1223 (1987).

Symposium, *The Impact of Legal Education on Law*, 36 SYRACUSE L. REV. 885, 917–921 (1986).

“Averting the Flood:” Henry J. Friendly, the Comity Doctrine, and the Jurisdiction of the Federal Courts – Part II (with Daan Braveman), 31 SYRACUSE L. REV. 469 (1980).

“Averting the Flood:” Henry J. Friendly and the Jurisdiction of the Federal Courts – Part I, 27 SYRACUSE L. REV. 1071 (1976).

1973-74 Developments in Antitrust: Part IX, Judicial Practice and Procedure, 43 ANTITRUST L.J. 936 (1975).

197-73 Developments in Antitrust: Part IX(B), Judicial Practice and Procedure (with David N. Sexton), 42 ANTITRUST L.J. 935 (1974).

Antitrust in the Empire State: Regulation of Restrictive Business Practices in New York State, 19 SYRACUSE L. REV. 819 (1968).

Book Chapters

Drugs and the Law, in READINGS ON DRUG EDUCATION (Michael V. Reagen ed., 1972).

Book Reviews

Book Review (with David S. Hunt), 22 ANTITRUST BULL. 915 (1977) (reviewing Ernest Gellhorn, *Antitrust Law and Economics in a Nutshell* (1976)).

Book Review, 18 ANTITRUST BULL. 889 (1973) (REVIEWING MICHAEL A. DUGGAN, *ANTITRUST AND THE U.S. SUPREME COURT 1829–1971* (1972)).

Book Review, 17 ANTITRUST BULL. 1141 (1972) (reviewing ANTITRUST ADVISER (Carla Anderson Hills ed., 1971)).

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Books

EMPLOYMENT DISCRIMINATION LAW: PROBLEMS, CASES AND CRITICAL PERSPECTIVES (*with* FRANK S. RAVITCH & PAMELA SUMNERS) (2006).

Law Review and Other Scholarly Articles

Heroes or Spoilers? The Role of the Media in the Prosecutions of Unsolved Civil Rights Era Murders, 34 OHIO N.U. L. REV. 797 (2008).

The Anatomy of Grey: A Theory of Interracial Convergence (*with* Kevin Noble Maillard), 26 LAW & INEQ. 305 (2008).

Looking in the Honest Mirror of Privilege: "Polite White" Reflections, 12 COLUM. J. GENDER & L. 650 (2003).

The Need for Contextual ReVision: Mercy Otis Warren, a Case in Point, 5 YALE J. L. & FEMINISM 183 (1992).

The Republican Revival: Revolutionary Republicanism's Relevance for Charles Sumner's Theory of Equality and Reconstruction, 38 BUFF. L. REV. 465 (1990).

Starting from Scratch: A Revisionist View of 42 U.S.C. § 1985(3) and Class-based Animus, 19 CONN. L. REV. 471 (1987).

Book Chapters

American Revolution, in ENCYCLOPEDIA OF AMERICAN CIVIL LIBERTIES (Paul Finkelman ed., 2006).

Book Reviews

Book Review, 46 AM. J. LEGAL HIST. 104 (2004) (reviewing N.E.H. HULL & PETER CHARLES HOFFER, *ROE V. WADE: THE ABORTION RIGHTS CONTROVERSY IN AMERICAN HISTORY* (2001)).

Book Review, 41 AM. J. LEGAL HIST. 401 (1997) (reviewing MARY BETH NORTON, *FOUNDING MOTHERS AND FATHERS: GENDER POWER AND THE FORMING OF AMERICAN SOCIETY* (1996)).

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Law Review and Other Scholarly Articles

Addressing Elder Abuse: Service Provider Perspectives on the Potential of Restorative Processes, 32 J. ELDER ABUSE & NEGLECT 357 (2020).

Elder Restorative Justice (with Maria Brown), 21 CARDOZO J. OF CONFLICT RESOL. 91 (2019).

Affordable and Accessible Hearing Health for Seniors, 13 NAELA J. 97 (2017).

Affordable and Accessible Hearing Health Care: Responding to a Public Health Concern, 38 BIFOCAL 43 (2017), reprinted in NYSBA ELDER & SPECIAL NEEDS L.J. 7 (2017).

Say What? The Affordable Care Act, Medicare, and Hearing Aids, 53 HARV. J. ON LEGIS. 621 (2016).

Transcript: Gideon v. Wainwright Fifty Years Later: The Need for a Right to Counsel in Civil Matters (with Tara Helfman, et al.), 64 SYRACUSE L. REV. 391 (2014).

Civil Right to Counsel: The Continuing Evolution of a Movement, 64 SYRACUSE L. REV. 357 (2014).

Barred Forever: Seniors, Housing and Sex Offense Registration (with Patricia Warth), 22 KAN. J. L. & PUB. POL'Y 317 (2013).

Slow Lawyering: Representing Seniors in Light of Cognitive Changes Accompanying Aging, 117 PENN ST. L. REV. 1081 (2013).

Clinical Faculty in the Legal Academy: Hiring, Promotion and Retention (with Bryan L. Adamson, et. al.), 62 J. LEGAL EDUC. 115 (2012–13).

The Status of Clinical Faculty in the Legal Academy: Report of the Task Force on the Status of Clinicians and the Legal Academy (with Bryan L. Adamson, et. al.), 36 J. LEGAL PROF. 353 (2012).

Slow Down, People Breathing^{*}: Lawyering, Culture and Place*, 18 CLINICAL L. REV. 183 (2011).

Toward a “Civil Gideon” Under the Montana Constitution: Parental Rights as the Starting Point, 66 MONT. L. REV. 81 (2005).

Unbundling and Law School Clinics: Where’s the Pedagogy?, 7 CLINICAL L. REV. 341 (2001).

Report of the Working Group on Limited Legal Assistance, 67 *FORDHAM L. REV.* 1819 (1999).

Having One Oar or Being without a Boat: Reflections on the Fordham Recommendations on Limited Legal Assistance, 67 *FORDHAM L. REV.* 2617 (1999).

Redefining Attorney-Client Roles: Unbundling and Moderate-Income Elderly Clients, 32 *WAKE FOREST L. REV.* 295 (1997).

Reports to Governmental Bodies and Professional Associations

Report and Recommendations on the Status of Clinical Faculty in the Legal Academy (prepared by The Ass'n of Am. L. Schs. Section on Clinical Legal Educ.'s Task Force on the Status of Clinicians and the Legal Acad.) (2010) available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1628117.

Unbundling, the American Experience: Reflections on Fifteen Years of Innovation, in Legal Aid in the Global Era: International Legal Aid Group Conference, 8–10 June 2005: Conference Reports and Papers (2005).

Legal Barriers to Access: The Unmet Health Care Needs of Homeless People, *INST. OF MEDICINE, NAT'L ACAD'Y OF SCIENCES* (May 1987).

Reports, News, and Commentary

Opinion, Syracuse University Ready to Collaborate on Aging Issues, (with Janet Wilmoth) *SYRACUSE POST-STANDARD*, Nov. 5, 2017, at E3.

Say What? The Affordable Care Act, Medicare, and Hearing Aids, 27 *NYSBA ELDER & SPECIAL NEEDS L.J.* (Spring 2017) at 7.

Montana's New Equal Justice Task Force Has Gotten Down to Work, 27 *MONT. LAW.* 8 (2001).

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Law Review and Other Scholarly Articles

Medical-Legal Partnership: Evolution or Revolution, 45 CLEARINGHOUSE Rev. 124 (2011-2012)

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Books

JUDICIAL CLERKSHIP: LEGAL METHODS IN MOTION (2011).

Law Review and Other Scholarly Articles

Walking the Line, Tracing the Science of Miller v. Alabama in State Appellate Opinions, 2 SYRACUSE J. OF L. AND CIVIC ENGAGEMENT 41 (2015), available at <https://syracuse-journal-law-civ-engagement.scholasticahq.com/article/393-walking-the-line-tracing-the-science-of-miller-v-alabama-in-state-appellate-opinions>.

Book Chapters

Triple Step: The Choreography of Teaching Reading in the Doctrinal Classroom, in LAWYERING SKILLS IN THE DOCTRINAL CLASSROOM: USING LEGAL WRITING PEDAGOGY TO ENHANCE TEACHING ACROSS THE LAW SCHOOL CURRICULUM (Tammy Pettinato Oltz ed., 2021).

Cause of Action against College or University for Injury Inflicted on Student by Third Party, *in* 31 CAUSES OF ACTION 2D 675 (2006).

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Reports, News and Commentary

Protecting Trademarks Around the World, ROCHESTER BUS. J. GUIDE TO BUSINESS AND ACCOUNTING, May, 2010, at ___.

A Prescription for Noncompete Agreements, WESTERN NY/ROCHESTER M.D. NEWS, Oct. 2009, at ___.

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Forthcoming

Claims and Suits for Refunds of Overpayments, in EFFECTIVELY REPRESENTING YOUR CLIENT BEFORE THE IRS: A PRACTICAL MANUAL FOR THE TAX PRACTITIONER WITH SAMPLE CORRESPONDENCE AND FORMS (9th ed., forthcoming 2024).

Book

TAX ISSUES FOR IMMIGRANTS (*with SARAH LORA & SAM ROCK*) (2022).

Law Review and Other Scholarly Articles

An Introduction to District Court Income Tax Jurisdiction, PRAC. TAX L., Summer 2017, at 27.

An Introduction to Tax Court Litigation, PRAC. TAX L., Winter 2017, at 36.

Generosity is Not Subject to Income Tax, KOREAN B. ASS'N NEWS, Mar. 17, 2014.

United States Income Taxation of Korean Gamblers, KOREAN B. ASS'N NEWS, Nov. 5, 2013.

Avoiding the United States Worldwide Tax Regime, KOREAN B. ASS'N NEWS, July 8, 2013.

United States Tax Classification of Korean Business Entities, KOREAN B. ASS'N NEWS, Feb. 25, 2013.

Tax Humor: An Ad for TaxHarmony.com, 134 TAX NOTES 895 (2012).

The Undead Tax Recognition Act of 2011, 133 TAX NOTES 641 (2011).

Baseball, Taxes, and TRA 1986, 133 TAX NOTES 367 (2011).

Fixing a Tax 'Orphan': An Unintended Disallowance of EITC, (with Megan Michaloski), 132 TAX NOTES 623 (2011).

April Madness: We Have a Champion!, 131 TAX NOTES 93 (2011).

April Madness: The Final Four, 130 TAX NOTES 1613 (2011).

April Madness: The Sweet Sixteen, 130 TAX NOTES 1489 (2011).

April Madness, 130 TAX NOTES 1351 (2011).

How To Split The Tax Baby: What Would Solomon Do?, 61 SYRACUSE L. REV. 83 (2010).

Da Vinci and the Code, 109 TAX NOTES 843 (2005).

Update on Issues Regarding Worker Classification (co-author), NYSBA Tax Section Report, 98 TAX NOTES TODAY 39–36 (1998).

Report on Revisions to Nonresident Audit Guidelines (co-author), NYSBA Tax Section Report, 12 ST. TAX NOTES 445 (1997).

Report on Nexus Standards for Out-of-State Vendors (with Robert E. Brown), NYSBA Tax Section Report, 10 ST. TAX NOTES 982 (1996).

Green Eggs and Sham, 71 TAX NOTES 137 (1996).

Report on Proposed Reforms to Administration and Enforcement of Employment Tax and Income Taxes on Individual Workers (co-author), NYSBA Tax Section Report, 95 TAX NOTES TODAY 208 (1995).

Cancellation of Gambling Income and Not-So-Phantom Income, 50 TAX NOTES 188 (1991).

New Foreign Currency Regulations Provide Guidance Under Section 988 (with Randall M. Wilson), 72 J. TAX'N 96 (1990).

Report on Regulations Relating to the Definitions of a Controlled Foreign Corporation, Foreign Base Company Income, and Foreign Personal Holding Company Income (co-author), NYSBA Tax Section Report, 89 TAX NOTES TODAY 41 (1989).

Frequent Flyer Bonuses: A Tax Compliance Dilemma, 31 TAX NOTES 1345 (1986).

Book Chapters

Claims and Suits for Refunds of Overpayments, in EFFECTIVELY REPRESENTING YOUR CLIENT BEFORE THE IRS: A PRACTICAL MANUAL FOR THE TAX PRACTITIONER WITH SAMPLE CORRESPONDENCE AND FORMS (8th ed., 2021).

Claims and Suits for Refunds of Overpayments, in EFFECTIVELY REPRESENTING YOUR CLIENT BEFORE THE IRS: A PRACTICAL MANUAL FOR THE TAX PRACTITIONER WITH SAMPLE CORRESPONDENCE AND FORMS (7th ed., 2018).

Claims and Suits for Refunds of Overpayments, in EFFECTIVELY REPRESENTING YOUR CLIENT BEFORE THE IRS: A PRACTICAL MANUAL FOR THE TAX PRACTITIONER WITH SAMPLE CORRESPONDENCE AND FORMS (6th ed., 2015).

Taxation of For-Profit Business Entities, in COMMUNITY ECONOMIC DEVELOPMENT LAW: A TEXT FOR ENGAGED LEARNING (2012).

Claims and Suits for Refunds of Overpayments, in EFFECTIVELY REPRESENTING YOUR CLIENT BEFORE THE IRS; A PRACTICAL MANUAL FOR THE TAX PRACTITIONER WITH SAMPLE CORRESPONDENCE AND FORMS (5th ed., 2011).

Claims and Suits for Refund of Overpayments, in EFFECTIVELY REPRESENTING YOUR CLIENT BEFORE THE IRS: A PRACTICAL MANUAL FOR THE TAX PRACTITIONER WITH SAMPLE CORRESPONDENCE AND FORMS (4th ed., 2009).

Litigation of Tax Matters of Low Income Taxpayers, in ADVOCATING FOR LOW INCOME TAXPAYERS: A CLINICAL STUDIES CASEBOOK (2008).

Reports, News, and Commentary

Are Nonresident Aliens Exempt From the Loss of Personal Exemptions?, PROCEDURALLY TAXING (January 29, 2019), <https://procedurallytaxing.com/are-nonresident-aliens-exempt-from-the-loss-of-personal-exemptions/>.

Using a Refund Suit to Remedy Identity Theft or Return Preparer Fraud, PROCEDURALLY TAXING (March 16, 2017), available at <http://procedurallytaxing.com/using-a-refund-suit-to-remedy-identity-theft-of-return-preparer-fraud/>.

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Law Review and Other Scholarly Articles

Assessing Cyber Attacks on Local Electricity Markets Using Simulation Analysis: Impacts and Possible Mitigations (with Jason Detric, Ehsan Sabaghian, & Peter J. Wilcoxon), 34 SUSTAINABLE ENERGY, GRIDS & NETWORKS 1 (2023), <https://doi.org/10.1016/j.segan.2023.100993>.

Building Resilient Communities: A Preliminary Framework for Assessment (with Patricia H. Longstaff, Nicholas J. Armstrong, Whitney May Parker & Matthew A. Hidek), 6 HOMELAND SECURITY AFF. No. 3 (2010), <https://www.hsaj.org/articles/81>.

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Books

LABOR AND EMPLOYMENT LAW: PROBLEMS, CASES AND MATERIALS IN THE LAW OF WORK (*with* EILEEN SILVERSTEIN, GEORGE SCHATZKI, & KENNETH G. DAU-SCHMIDT) (3rd ed. 2002).

LABOR AND EMPLOYMENT LAW: PROBLEMS, CASES AND MATERIALS IN THE LAW OF WORK (*with* EILEEN SILVERSTEIN & GEORGE SCHATZKI) (2nd ed. 1995).

LABOR AND EMPLOYMENT LAW: PROBLEMS, CASES AND MATERIALS IN THE LAW OF WORK (*with* EILEEN SILVERSTEIN & GEORGE SCHATZKI) (1988).

THE RIGHTS OF EMPLOYEES AND UNION MEMBERS (*with* WAYNE N. OUTTEN & LISA R. LIPMAN) (2d ed. 1994).

THE RIGHTS OF UNION MEMBERS (*with* CLYDE W. SUMMERS) (1979).

LABOR RELATIONS AND SOCIAL PROBLEMS: A COURSE BOOK. UNIT ONE : COLLECTIVE BARGAINING IN PRIVATE EMPLOYEMENT (*with* JAMES B. ATLESON, GEORGE SCHATZKI, HERBERT L. SHERMAN, JR., & EILEEN SILVERSTEEN) (1978).

Law Review and Other Scholarly Articles

Some Personal Observations About Values and Assumptions: What Can Jim Teach Wilma and the Board?, 57 BUFF. L. REV. 709 (2009).

Editor's Page, 23 LAB. LAW., no. 2, 2007, at v.

Editor's Page: Tough Questions, 23 LAB. LAW., no. 1, 2007, at v.

Editor's Page, 22 LAB. LAW., no. 3, 2007, at v.

A Review of the Supreme Court's Labor and Employment Law Decisions: 2005-2006 Term, 22 LAB. LAW. 115 (2006).

Editor's Page: On the Road with the Section Secretary, 22 LAB. LAW., no. 1, 2006, at v.

Editor's Page, 21 LAB. LAW., no. 3, 2006, at v.

Editor's Page: Sharing Our Riches, 21 LAB. LAW., no. 1, 2005, at v.

Editor's Page, 20 LAB. LAW., no. 2, 2004, at v.

Editor's Page, 20 LAB. LAW., no. 1, 2004, at v.

Editor's Page, 19 LAB. LAW., no. 2, 2003, at v.

Editor's Page: The National Labor Relations Board: Stability and Change, 19 LAB. LAW., no. 1, 2003, at v.

Editor's Page, 18 LAB. LAW., no. 2, 2002, at v.

Editor's Page, 18 LAB. LAW., no. 1, 2002, at v.

Editor's Page: September 11, 2001, 17 LAB. LAW., no. 2, 2001, at v.

Editor's Page: Worker Participation in the Nonunion Workplace, 17 LAB. LAW., no. 1, 2001, at v.

Editor's Page, 16 LAB. LAW., no. 2, 2000, at v.

Editor's Page, 16 LAB. LAW., no. 1, 2000, at v.

Editor's Page, 15 LAB. LAW., no. 2, 1999, at v.

Editor's Page, 14 LAB. LAW., no. 3, 1999, at v.

Editor's Page, 14 LAB. LAW., no. 2, 1998, at v.

Editor's Page, 13 LAB. LAW., no. 3, 1998, at v.

The Role of Government in Regulating the Workplace, 13 LAB. LAW. 1 (1997).

Editor's Page: Watersheds?, 13 LAB. LAW., no. 2, 1997, at v.

Editor's Page, 12 LAB. LAW., no. 2, 1996, at v.

Editor's Page: Family Values, 12 LAB. LAW., no. 1, 1996, at vii.

Editor's Page, 11 LAB. LAW., no. 3, 1996, at v.

Editor's Page, 11 LAB. LAW., no. 2, 1995, at v.

Editor's Page, 11 LAB. LAW., no. 1, 1995, at vii.

Editor's Page, 10 LAB. LAW., no. 4, 1994, at vii.

Editor's Page, 10 LAB. LAW., no. 2, 1994 at vii.

Editor's Page, 9 LAB. LAW., no.4, 1993, at vii.

Editor's Page, 9 LAB. LAW., no. 1, 1993, at vii.

Editor's Page, 8 LAB. LAW., no. 4, 1992, at vii.

Editor's Page: Supplemental Editor's Page, 8 LAB. LAW., no. 2, 1992, at viii.

Editor's Page, 8 LAB. LAW., no. 1, 1992, at vii.

The Role of Unions in the Rights-Based Workplace, 25 U.S.F. L. REV. 169 (1991).

Editor's Page, 7 LAB. LAW., no. 4, 1991, at vii.

Editor's Page: Postscript, 7 LAB. LAW., no. 2, 1991, at viii.

Editor's Page, 7 LAB. LAW., no. 1, 1991, at vii.

Editor's Page: Justice Brennan, 6 LAB. LAW., no. 4, 1990, at vii.

Editor's Page: Additional Comments, 6 LAB. LAW., no. 2, 1990, at ix.

Editor's Page, 6 LAB. LAW., no. 1, 1990, at vii.

Editor's Page, 6 LAB. LAW., no. 1, 1990, at ix.

Editor's Page, 5 LAB. LAW., no. 4, 1989, at vii.

Editor's Page, 5 LAB. LAW., no. 2, 1989, at vii.

Editor's Page, 5 LAB. LAW., no. 1, 1989, at vii.

Editor's Page, 4 LAB. LAW., no. 4, 1988, at vii.

Editor's Page, 4 LAB. LAW., no. 2, 1988, at vii.

Editor's Page, 4 LAB. LAW., no. 1, 1988, at vii.

Editor's Page, 3 LAB. LAW., no. 4, 1987, at v.

Editor's Page, 3 LAB. LAW., no. 2, 1987, at v.

Editor's Page, 3 LAB. LAW., no. 1, 1987, at v.

Editor's Page, 2 LAB. LAW., no. 4 1986, at v.

Editor's Page, 2 LAB. LAW., no. 2, 1986, at v.

Editor's Page, 2 LAB. LAW., no. 1, 1986, at v.

Some Comments on Obscenities, Health and Safety, and Workplace Values, 34 BUFF. L. REV. 725 (1985).

Editor's Page, 1 LAB. LAW., no. 4, 1985, at vii.

Editor's Page, 1 LAB. LAW., no. 3, 1985, at v.

Editor's Page, 1 LAB. LAW., no. 2, 1985, at v.

Editor's Page, 1 LAB. LAW., no. 1, 1985, at v.

An Overview of the Chadha Case, 35 SYRACUSE L. REV. 703 (1984).

Response, 11 N.Y.U. REV. L. & SOC. CHANGE 190 (1983) (responding to James B. Atleson, *Management Prerogatives, Plant Closings, and the NLRA*, 11 N.Y.U. REV. L. & SOC. CHANGE 83 (1983)).

The View of a Neutral, 34 PROC. N.Y.U. 34TH ANN. CONF. LAB. 43 (1982).

Labor Relations Law, 1977 Survey of New York Law (with Robert F. Koretz), 29 SYRACUSE L. REV. 153 (1978).

The Impact of the Duty of Fair Representation Upon Labor Arbitration, 29 SYRACUSE L. REV. 851 (1978).

The Development and History of Protected Concerted Activity (with Robert F. Koretz), 24 SYRACUSE L. REV. 715 (1973).

Fibreboard and the Termination of Bargaining Unit Work: The Search for Standards in Defining the Scope of the Duty to Bargain, 71 COLUM. L. REV. 803 (1971).

Book Chapters

How Arbitrators Run A Hearing: An Arbitrator's View, in HOW ADR WORKS (Norman Brand ed., 2002).

Labor and Employment Law Decisions of the United States Supreme Court 1990 Term, in LABOR LAW DEVELOPMENTS 1992 (Carol J. Holgren ed., 1992).

"Salting" the Workplace, in PROCEEDINGS OF NEW YORK UNIVERSITY 49TH ANNUAL CONFERENCE ON LABOR (Samuel Estreicher ed., 1990).

The 1987-1988 Supreme Court Term: A Discussion of Selected Cases in Labor and Employment Law, in LABOR LAW DEVELOPMENTS 1989 (Carol J. Holgren ed., 1989).

Fair Representation in Arbitration, in THE CHANGING LAW OF FAIR REPRESENTATION (Jean T. McKelvey ed., 1985).

Book Reviews

Book Review, 10 LAB. LAW. 761 (1994) (reviewing THE LEGAL FUTURE OF EMPLOYEE REPRESENTATION (Matthew W. Finkin ed., 1994)).

Book Review, 33 INDUS. & LAB. REL. REV. 569 (1980) (reviewing TIMOTHY J. BOYCE, FAIR REPRESENTATION, THE NLRB, AND THE COURTS (1978)).

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Books

CHILDREN AND THE LAW IN A NUTSHELL (*with* DOUGLAS E. ABRAMS & SUSAN VIVIAN MANGOLD) (5th ed. 2015).

CHILDREN AND THE LAW; DOCTRINE, POLICY AND PRACTICE (*with* DOUGLAS E. ADAMS & SUSAN V. MANGOLD) (5th ed. 2014 & TEACHER'S MANUAL 5th ed. 2014).

CHILDREN AND THE LAW IN A NUTSHELL (*with* DOUGLAS E. ABRAMS) (4th ed. 2011).

CHILDREN AND THE LAW: DOCTRINE, POLICY, AND PRACTICE (*with* DOUGLAS E. ABRAMS) (4th ed. 2010 & TEACHER'S MANUAL 4th ed. 2010).

CHILDREN AND THE LAW IN A NUTSHELL (*with* DOUGLAS E. ABRAMS) (3rd ed. 2008).

CHILDREN AND THE LAW: DOCTRINE, POLICY, AND PRACTICE (*with* DOUGLAS E. ABRAMS) (3rd ed. 2007 & TEACHER'S MANUAL 3rd ed. 2007).

CHILDREN AND THE LAW IN A NUTSHELL (*with* DOUGLAS E. ABRAMS) (2nd ed. 2003).

CHILDREN AND THE LAW: DOCTRINE, POLICY AND PRACTICE (*with* DOUGLAS E. ABRAMS) (2nd ed. 2003 & TEACHER'S MANUAL 2nd ed. 2003).

CHILDREN AND THE LAW: DOCTRINE, POLICY AND PRACTICE (*with* DOUGLAS E. ABRAMS) (2000 & TEACHER'S MANUAL 2000).

Law Review and Other Scholarly Articles

A Primer on Child Abuse and Neglect Law (*with* Douglas E. Adams), 61 JUV. & FAM. CT. J. 1 (2010).

Child Custody Evaluations: Social Science and Public Policy Child Custody Evaluations: The Need for Systems-Level Outcome Assessments (*with* Robert F. Kelly), 47 FAM. CT. REV. 2 (2009-2010).

As Iowa Goes, So Goes the Nation: Varnum v. Brien and its Impact on Marriage Rights for Same-Sex Couples: Symposium Article: Standards for Social Science Amicus Briefs in Family and Child Law Cases (*with* Robert F. Kelly), 13 J. GENDER RACE & JUST. 81 (2009).

Assessing and Communicating Social Science Information in Family and Child Judicial Settings: Standards for Judges and Allied Professionals (*with* Robert F. Kelly), 45 FAMILY CT. REV. 22 (2007).

Child Well Being: A Beneficial Advocacy Framework for Improving the Child Welfare System?, 41 U. MICH. J. L. REFORM 9 (Fall, 2007).

Assessing Social Science Studies: Eleven Tips For Judges And Lawyers (with Robert F. Kelly), 40 FAM. L. Q. 367 (2006).

The Bookshelf: Protecting Children From Domestic Violence: Strategies for Community Intervention, 44 FAM. CT. REV. 182 (2006).

Dedication (in Honor of Retiring Professor Patricia Hassett), 56 SYRACUSE L. REV. preface to Book No. 4 (2006).

Fixing Foster Care or Reducing Child Poverty: The Pew Commission Recommendations and the Transracial Adoption Debate, 66 MONT. L. REV. 21 (2005).

Social Science Knowledge in Family Law Cases: Judicial Gate-Keeping in the Daubert Era (with Robert F. Kelly), 59 MIAMI L. REV. 1 (2004).

Children in Poverty: Reconciling Children's Interests with Child Protective and Welfare Policies, 61 MD. L. REV. 437 (2002).

Constructing Parenthood for Stepparents: Parents by Estoppel and De Facto Parents under the American Law Institute's Principles of the Law of Family Dissolution, 8 DUKE J. OF GENDER L. & POL'Y 285 (2001).

A Primer on Adoption Law (with Douglas E. Abrams), 52 JUV. & FAM. CT. J. 23 (2001).

High-Conflict Custody Cases: Reforming the System for Children – Conference Report and Action Plan, 34 FAM. L. Q. 589 (2001), *Reprinted in* 39 FAM. CT. REV. 146 (2001).

The United States' Child Protective System – A Triangle of Tensions, 13 CHILD & FAM. L. Q. 25 (2001).

Child Protection: New Perspectives for The 21st Century, 34 FAM. L. Q. 301 (2000).

Welfare Reform: Myths and Realities About Welfare and Work, 2 SYRACUSE J. OF LEGIS. & POL'Y 165 (1999).

When Welfare Ends: Removing Children From the Home for 'Poverty Alone' (with Daan Braveman), 70 TEMP. L. REV. 447 (1997).

Let Them Starve: Government's Obligation to Children in Poverty, (with Daan Braveman), 68 TEMP. L. REV. 1607 (1996).

1993–94 Survey of New York Law: Family Law, 45 SYRACUSE L. REV. 417 (1994).

1994–95 Survey of New York Law: Family Law, 46 SYRACUSE L. REV. 661 (1995).

Using Social Science Research in Family Law Analysis and Formation: Problems and Prospects (with Robert F. Kelly), 3 S. CAL. INTERDISC. L.J. 631 (1994).

Poverty, Children, and Public Policies: The Need for Diversity in Programs and Research (with Robert F. Kelly), 12 J. OF FAM. ISSUES 388 (1991).

A Piece in the Puzzle of Providing Adequate Housing: Court Effectiveness in Code Enforcement (with Fred Zolna), 18 FORDHAM URB. L.J. 605 (1991).

Joint Degrees and Careers: A Survey of Syracuse University College of Law Graduates, 39 J. OF LEGAL EDUC. 239 (1989).

Monitoring Attorney Performance and Evaluating Program Outcomes: A Case Study of Attorneys for Abused and Neglected Children (with Robert F. Kelly), 40 RUTGERS L. REV. 1217 (1988).

Representation of Children in Child Abuse and Neglect Cases: An Empirical look at What Constitutes Effective Representation (with Donald N. Duquette), 20 MICH. J. OF L. REFORM 341 (1987).

Using Lay Volunteers to Represent Children in Child Protection Court Proceedings (with Donald N. Duquette), 10 CHILD ABUSE & NEGLECT: THE INT'L J. 293 (1986).

Stepparent Support of Stepchildren: The Changing Legal Context and the Need for Empirical Policy Research, 35 FAMILY RELATIONS 363 (1986).

Courts, Kin and Children: Determinants of Court-Ordered Kin Involvement in Child Protection Proceedings (with Linda S. Herskovitz & Robert F. Kelly), 8 CHILD. & YOUTH SERV. REV. 107 (1986).

Legal Representation for Parents and Children in Child Protection Proceedings: Two Empirical Models of Acquisitional Processes and a Proposal for Reform (with Robert F. Kelly), 89 DICK. L. REV. 605 (1985).

Stepparent Support of Stepchildren: A Comparative Analysis of Policies and Problems in the American and English Experience (with Judith M. Masson), 36 SYRACUSE L. REV. 659 (1985).

Legal and Other Determinants of Effective Court Intervention in Child Protection Proceedings: A Policy Analysis (with Robert F. Kelly), 8 J. OF SOC. SERV. RES. 25 (1985).

The Legal Representation of Children in Protection Proceedings: Some Empirical Findings and a Reflection on Public Policy (with Robert F. Kelly), 34 FAM. RELATIONS 277 (1985), reprinted in CHILD ABUSE: A MULTIDISCIPLINARY SURVEY (1995).

Representation of the Child in Protection Proceedings: The Determination of Decision-Making Capacity, 17 FAM. L. Q. 287 (1983), reprinted in AMBAR Database 1984, indexed in 10 THE INVENTORY OF MARRIAGE & FAM. LITERATURE (1984).

Do Attorneys for Children in Protection Proceedings Make a Difference? A Study of the Impact of Representation Under Conditions of High Judicial Intervention (with Robert F. Kelly), 21 J. OF FAM. L. 405 (1983).

Ohio's Domestic Violence Law, 8 OHIO N.U. L. REV. 895 (1981).

Child Abuse and Neglect: Against the Law, 8 S. EXPOSURE 76 (1980).

Book Chapters

Law Making through the Adversarial Process: The Need for Standards for Social Science Briefs in Family Law Cases (with Robert F. Kelly) in FAMILY LAW: BALANCING INTERESTS AND PURSUING PRIORITIES (2007).

Stepparents and the Law, in STEPPARENTING: ISSUES IN THEORY, RESEARCH AND PRACTICE (1994).

Reports, News and Commentary

A Summary Report on the Status of Children's Rights in Seven Southern States (with Stephen W. Bricker) (Duke Univ. Inst. of Pol'y Sci., Working Paper in Pol'y Analysis, 1979).

Constitutional Protection for the Private Realm of the Family (Duke Univ. Inst. of Pol'y Sci. Working Paper in Pol'y Analysis, 1978).

An Analysis of Nursing Home Services and Resources in North Carolina, (Soc. Research Section, Div. of Health Affairs, U.N.C.-Chapel Hill, 1971).

Book Reviews

Book Review, 41 FAM. CT. REV. 276 (2003) (reviewing CHILDREN, SOCIAL SCIENCE AND THE LAW (Bette L. Bottoms, et al. eds., 2002)).

Book Review, 62 J. OF MARRIAGE & THE FAM. 588 (2000) (reviewing MARY ANN MASON, THE CUSTODY WARS: WHY CHILDREN ARE LOSING THE LEGAL BATTLE AND WHAT WE CAN DO ABOUT IT (2000)).

Book Review, 54 J. OF MARRIAGE & THE FAM. 1009 (1992) (reviewing REMI CLIGNET, DEATH, DEEDS AND DESCENDANTS: INHERITANCE IN MODERN AMERICA (1992)).

Book Review, 53 J. OF MARRIAGE & THE FAM. 525 (1991) (reviewing DIVORCE REFORM AT THE CROSSROADS (Stephen D. Sugarman & Herma Hill Kay eds., 1991)).

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Law Review and Other Scholarly Articles

Falling through the Cracks: Deaf New Americans and Their Unsupported Educational Needs (with Brent C. Elder, Monu Chhetri & Zenna Preli), 12 EDUC. SCI. (2022), <https://doi.org/10.3390/educsci12010035>.

Qualitative Research Within the Deaf Community in Northern Ireland: A Multilingual Approach (with Brent C. Elder), 15 ALTER- EUR. J. DISABILITY RSCH. 230 (2021). <https://doi.org/10.1016/j.alter.2021.04.001>

Enhancing Deaf People's Access to Justice in Northern Ireland: Implementing Article 13 of the UN Convention on the Rights of Persons with Disabilities (with Bronagh Byrne & Brent C. Elder), 23 SCANDINAVIAN J. DISABILITY RSCH. 74 (2021), <https://doi.org/10.16993/sjdr.744>.

What's the Craic? Health Care for Deaf People in Northern Ireland, 35 TOURO L. REV. 481 (2019), <https://digitalcommons.tourolaw.edu/lawreview/vol35/iss1/19>.

Deaf Access to Justice in Northern Ireland: Rethinking 'Reasonable Adjustment' in the Disability Discrimination Act (with Brent C. Elder), 33 DISABILITY & SOC'Y 1003 (2018).

Effective Deaf Access to Justice (with Brent C. Elder), 23 J. DEAF STUD. & DEAF EDUC. 331 (2018).

Admission of Deaf Soldiers to the Military: Rethinking the Undifferentiated Soldier Paradigm, 71 ARK. L. REV. 297 (2018).

Providing Effective Communication Access for Deaf People: An Insider's Perspective, 23 no. 4 BIAŁOSTOCKIE STUDIA PRAWNICZE 35 (2018).

Propelling Aviation to New Heights: Accessibility to In-Flight Entertainment for Deaf and Hard of Hearing Passengers, 77 J. AIR L. & COM. 151 (2012).

America's Transformation: The Arc of Justice Bends toward the Deaf Community, 45 VAL. U. L. REV. 845 (2011).

Health Care under the ADA: A Vision or a Mirage? (with Nancy R. Mudrick), 3 DISABILITY & HEALTH J. 233 (2010).

Disability Angst. The Search for Belonging – Filling the Hole in my Soul, 6 INT'L J. LEADERSHIP IN PUBLIC SERVS. Sept. Supp. 21. (2010). (Available at deepdyve).

Technical Standards for Admission to Medical School: Deaf Candidates Don't Get No Respect,

28 BUFF. PUB. INT. L.J. 31 (2009–2010).

Deaf Patients, Doctors, and the Law: Compelling a Conversation about Communication, 35 FLA. ST. U. L. REV. 947 (2008).

Limits on Injunctive Relief Under the ADA: Rethinking the Standing Rule for Deaf Patients in the Medical Setting, 11 J. HEALTH CARE L. & POL'Y 163 (2008).

Deafness in Vietnam: Will the United Nations Convention on the Rights of Persons With Disabilities Make a Difference? 34 SYRACUSE J. INT'L L. & COM. 483 (2007).

Book Chapters

Deaf Research Methodologies? Confronting Epistemological Silences and Challenges in Qualitative Research (with Bronagh Byrne), in SOCIAL RESEARCH AND DISABILITY: DEVELOPING INCLUSIVE RESEARCH SPACES FOR DISABLED RESEARCHERS (Ciaran Burke & Bronagh Byrne eds., 2021).

Teaching With a Disability in the Classroom: A Dialogue About Disability Praxis Between a Deaf Law Professor and a Hearing Education Professor (with Brent C. Elder) in INTERNATIONAL PERSPECTIVES ON TEACHING WITH DISABILITY (Michael Jeffress ed., 2018).

Awareness-Building in the Profession, in LAWYERS, LEAD ON: LAWYERS WITH DISABILITIES SHARE THEIR INSIGHTS (Carrie G. Basas, Rebecca S. Willford & Stephanie L. Enyart eds., 2011).

The Americans with Disabilities Act and Section 504 of the Rehabilitation Act: A Summary and an Argument for Going Beyond the Law, in BEYOND COMPLIANCE: AN INFORMATION PACKAGE ON THE INCLUSION OF PEOPLE WITH DISABILITIES IN POSTSECONDARY EDUCATION (Steven Taylor et al. eds., 2003).

To CART or Not To CART...? A Brief for Stenographic Transcription (with Steven Taylor), in BEYOND COMPLIANCE: AN INFORMATION PACKAGE ON THE INCLUSION OF PEOPLE WITH DISABILITIES IN POSTSECONDARY EDUCATION (Steven Taylor, et. al. eds., 2003).

Some Common Misperceptions about Deafness in the Workplace: Attitudinal Barriers Resistant to Change, in WORKPLACE DIVERSITY (Alfrieda Daly ed., 1996).

How to Represent Hearing Impaired Clients, in DISABILITY DISCRIMINATION IN THE WORKPLACE (Gary Phelan & Janet Arterton eds., 1992).

Reports, News, and Commentary

Opinion, [28 Years Later, ADA Non-Compliance Leaves Deaf Patients At Risk](#), (with Maureen Belluscio), GOTHAM GAZETTE (August 1, 2018).

[Communication in the Doctor's Office: Deaf Patients Talk About Their Physicians](#) (2006) (Ph.D. Dissertation, Syracuse University).

Ask Not Who Speaks for the Deaf Community, But With Whom Should We Speak?, in A DEAF AMERICAN MONOGRAPH (1997).

Book Reviews

[Book Review](#), DISABILITY STUD. Q. 17(1) at 64 (1997) (reviewing MENTAL AND PHYSICAL DISABILITY LAW REPORTER).

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Books

SPECIAL PROJECT ON THE PROFESSIONAL RESPONSIBILITIES OF INSURANCE DEFENSE LAWYERS, PART I: FULL COVERAGE REPRESENTATIONS (*with* CHARLES SILVER) (1995).

Law Review and Other Scholarly Articles

Foreword, *Veterans Law at Syracuse University*, 68 SYRACUSE L. REV. 299 (2018).

Diversity Trends and Current Issues, 78 B. EXAMINER no. 4, 2009, at 21.

How Deans (and Presidents) Should Quit, 56 J. LEGAL EDUC. 3 (2006).

Lessons from Working for Sandra Day O'Connor, 58 STAN. L. REV. 1731 (2006).

A Parable of Law School Leadership, 35 U. TOL. L. REV. 207 (2003), *reprinted in* 36 U. TOL. L. REV. 195 (2004).

Better Writing, Better Thinking: Concluding Thoughts, 10 LEGAL WRITING: J. LEGAL WRITING INST. 83 (2004).

The Professional Professor (Tribute to Jonathan Charney), 36 VAND. J. TRANSNAT'L L. 3 (2003).

The Caste System and Best Practices in Legal Education, 1 J. ASS'N LEGAL WRITING DIRECTORS 12 (2002).

The Dynamic Market for Law Faculty in the United States, 51 J. LEGAL EDUC. 423 (2001).

El Mercado Dinamico Para El Profesorado de Derecho en Los Estados Unidos, 70 REV. JUR. U.P.R. 839 (2001).

Three Principles of Effective Deaning, 31 U. TOL. L. REV. 751 (2000).

Expert Report of Kent D. Syverud: Grutter, et al. v. Bollinger, et al., No. 97-75928 (E.D. Mich.), 5 MICH. J. RACE & L. 451 (1999), *reprinted in* 79 PEABODY J. EDUC. 136 (2004).

The Ethics of Insurer Litigation Management Guidelines and Legal Audits, 21 INS. LITIG. REP. 180 (1999).

Introduction, 52 VAND. L. REV. 869 (1999).

What Professional Responsibility Scholars Should Know About Insurance, 4 CONN. INS. L.J. 17 (1998).

ADR and the Decline of the American Civil Jury, 44 UCLA L. REV. 1935 (1997), reprinted in 32 INT'L. SOC'Y BARRISTERS Q. 418 (1997).

Why Civil Cases Go To Trial: Strategic Bargaining and the Desire for Vindication (with Samuel R. Gross), DISP. RESOL. MAG. Winter 1997, at 21.

Don't Try: Civil Jury Verdicts In A System Geared To Settlement (with Samuel R. Gross), 44 UCLA L. REV. 1 (1996).

The Professional Responsibilities of Insurance Defense Lawyers (with Charles Silver), 45 DUKE L.J. 255 (1995).

Special Project on Professional Responsibilities of Insurance Defense Lawyers (with Charles Silver), 62 DEF. COUNSEL J. 503 (1995)

On the Demand for Liability Insurance, 72 TEX. L. REV. 1629 (1994).

Taking Students Seriously: A Guide For New Law Teachers, 43 J. LEGAL EDUC. 247 (1993).

Eleonora v. Eckert, 92 MICH. L. REV. 1 (1993).

Getting to No: A Study of Settlement Negotiations and the Selection of Cases for Trial (with Samuel Gross), 90 MICH. L. REV. 319 (1991).

Toward a Workable Duty to Settle for Liability Insurers: A Reply, 77 VA. L. REV. 1597 (1991).

The Duty To Settle, 76 VA. L. REV. 1113 (1990), reprinted in 40 DEFENSE L.J. 155 (1991) and LAW AND ECONOMICS OF INSURANCE (Daniel Schwarcz ed., 2012).

Note: *Contribution and Antitrust Policy*, 78 MICH. L. REV. 890 (1980).

Book Chapters

Bargaining Impediments and Settlement Behavior (with Charles Silver & Samuel Issacharoff), in DISPUTE RESOLUTION: BRIDGING THE SETTLEMENT GAP (D. Anderson ed., 1996).

How to Improve Insurance Law Scholarship, VI INSURANCE LAW ANTHOLOGY XIII (1992).

Reports to Governmental Bodies and Professional Associations

Foreword: *Embracing the Opportunities for Increasing Diversity Into the Legal Profession: Collaborating to Expand the Pipeline (Let's Get Real)* in AM. BAR ASS'N.; L. SCH. ADMISSIONS COUNCIL, POST-CONFERENCE REPORT: STRATEGIES AND SOLUTIONS, A SUMMARY REPORT OF THE CONFERENCE (2005).

Electronic Mail and Public Disclosure Laws: A Study Report for the Michigan Law Revision Commission (with Daniel Hunter), 1994 ANNUAL REPORT OF THE MICHIGAN LAW REVISION COMMISSION (1995).

Revisions to the Michigan "Lemon Law," MCL § 257.1401–.1410 (with Helen Melia & Tracey Prosser), in MICHIGAN LAW REVISION COMMISSION, THIRTIETH ANNUAL REPORT, (1995).

LEGAL CONSTRAINTS TO THE RESEARCH, DEVELOPMENT, AND DEPLOYMENT OF IVHS TECHNOLOGY IN THE UNITED STATES, FINAL REPORT. Federal Highway Administration (rev. Mar. 1993).

Smart Car and Smart Highway Liability: Lessons from Experience with Air Bags, Antilock Brakes, Cruise Control, and Cellular Telephones (IVHS Technical Paper 92–2 (1992).

Reports, News and Commentary

Video, *How to Reopen: Getting Back to the 'College Experience'*, FORTUNE, May 31, 2020, <https://fortune.com/videos/watch/How-to-Reopen-Getting-back-to-the-college-experience/4185e52d-2c3e-44a7-9412-8f937980927b>.

Q&A: Kent Syverud, Chancellor of Syracuse University, MARY CHRISTIE QUARTERLY, January 14, 2020, <https://marychristieinstitute.org/mary-christie-quarterly/qa-kent-syverud/>.

Universities Need to Better Serve Military Students and Veterans, US NEWS (June 21, 2019), <https://www.usnews.com/news/education-news/articles/2019-06-21/commentary-higher-education-must-better-serve-military-students-and-veterans>

Working Together: The Challenges Facing Law Schools (with Annette Clark, Dean, St. Louis University Law School), ST. LOUIS LAWYER, March 2012.

Why I Teach, WASH. U. L. MAG., Spring 2009, at 1.

Student Scholarship and the Bar, ST. LOUIS LAWYER, July 2009.

Video, *A One Hour Course in How to Negotiate*, held by Washington University School of Law, (2009).

Reflections on Affirmative Action Before and After Grutter v. Bollinger, NASHVILLE BAR J., May 2004.

If Racial Diversity isn't Compelling, Law Schools will Lose Integration, DET. NEWS, Apr. 1, 2001.

Taking Law School Examinations; a Videolecture (North By Northwest Productions 2001).

A Eulogy for Allan Smith, 37 L. QUADRANGLE NOTES, Summer 1994, at 29.

Zoe Baird's Excuse, DET. NEWS, January 19, 1993.

Smart Car and Smart Highway Liability: Lessons from Experience with Airbags, Antilock Brakes, Cruise Control, and Cellular Telephones. (IVHS Paper Series P92-04, 1992).

A Bibliography of Legal Constraints to the Research, Development, and Deployment of IVHS Systems in the United States, (IVHS Paper Series P92-05, 1992).

IVHS Legal Issues: Perceived or Real? (IVHS Paper Series, 92-06, 1992).

Insurable Interest in the Classroom, OCCURRENCES (Newsletter of AALS Section on Insurance Law), Aug. 1991.

The Case Against Firing Michigan's Day Care Inspectors, (with Joan D. Horton), DET. NEWS, Feb. 16, 1991.

Liability and Insurance Implications of IVHS Technology (SAE Technical Paper A#901507), reprinted in AUTOMATED HIGHWAY/INTELLIGENT VEHICLE SYSTEMS: TECHNOLOGY AND SOCIOECONOMIC ASPECTS (1990); reprinted in 1990 TRANSACTIONS OF THE S.A.E. (1990).

Mixed-Race Children and the 1990 Census, DET. FREE PRESS, Apr. 11, 1990.

Michigan's Prepaid Tuition Plan (with Jeffrey S. Lehman), DET. FREE PRESS, June 8, 1988.

Book Reviews

Book Review: *Insurance Law Out of the Shadows*, 89 MICH. L. REV. 1429 (1991) (reviewing KENNETH S. ABRAHAM, INSURANCE LAW AND REGULATION (1990)).

Mary Szto
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Books, Edited

MEIGUO CAI CHAN FA (*with* CHEN HUIPING, 2006).

Law Review and Other Scholarly Articles

Barring Diversity? The American Bar Exam as Initiation Rite and Its Eugenics Origin, 21 CONN. PUB. INT. L.J. 38 (2022).

Chinese Gift-Giving, Anti-Corruption Law, and the Rule of Law and Virtue, 39 FORDHAM INT'L L.J. 591 (2016).

From Exclusion to Exclusivity: Chinese American Property Ownership and Discrimination in Historical Perspective, 25 J. TRANSNAT'L L. & POL'Y 33 (2015-2016).

Representing Chinese Real Estate Investors in the US, 23 MINN. J. INT'L L. 173 (2014).

Chinese Ritual and the Practice of Law, 30 Touro L. Rev. 103 (2014).

Real Estate Agents as Agents of Social Change: Redlining, Reverse Redlining and Greenlining, 11 SEATTLE J. FOR SOC. JUST. 1 (2013).

Contract in My Soup: Chinese Contract Formation and Ritual Eating and Drunkenness, 25 PACE INT'L L. REV. 1 (2013).

Dual Real Estate Agents and the Double Duty of Loyalty, 41 REAL ESTATE L.J. 22 (2012).

Strengthening the Rule of Virtue and Finding Chinese Law in 'Other' Places: Gods, Kin, Guilds, and Gifts, 35 SUFFOLK TRANSNAT'L L. REV. 1 (2012), *reprinted in* THE CHINESE LEGAL SYSTEM (2014).

Gender and the Chinese Legal Profession: From Heaven and Earth to Rule of Woman? 18 TEX. J. WOMEN & L. 195 (2009).

Towards a Global Bar: A Look at China, Germany, England and the United States, 14 IND. INT'L & COMP. L. REV. 585 (2004).

Limited Liability Company Morality: Fiduciary Duties in Historical Context, 23 QUINN. L. REV. 61 (2004).

Strategic Alliances: Legal and Ethical Challenges, 16 REGENT U. L. REV. 351 (2004).

Lawyers as Hired Doves: Lessons from the Sermon on the Mount, 31 CUMB. L. REV. 27 (2000-2001).

“Family” Law: Multigenerational, 11 LAW TCHR. 6 (2003).

Book Chapters

Chinese Women Lawyers and Judges as Priests, in FEMINISM, LAW AND RELIGION, (Marie Failing, Elizabeth Schiltz, and Susan Stabile, eds., 2013).

Towards a Global Bar: A Look at China, Germany, England and the United States, in GREAT LEGAL TRADITIONS: CIVIL LAW, COMMON LAW, AND CHINESE LAW IN HISTORICAL AND OPERATIONAL PERSPECTIVE, (John Head, ed., 2012).

Reports, News, and Commentary

Businesses Must Act to Stop COVID-19 Anti-Asian Racism, SYRACUSE POST-STANDARD, April 19, 2020 at E4. <https://www.syracuse.com/opinion/2020/04/su-law-professor-businesses-must-act-to-stop-covid-19-anti-asian-racism-commentary.html>

The Advocate: A Biblical Approach to Legal Ethics, Christian Legal Society (1995), available at <https://www.clsnet.org/document.doc?id=68>.

Book Reviews

Book Review, 11 J.L. & RELIGION 449 (1994) (reviewing STEPHEN L. CARTER, THE CULTURE OF DISBELIEF: HOW AMERICAN LAW AND POLITICS TRIVIALIZE RELIGIOUS DEVOTION (1993)).

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Forthcoming

People Having Ordinary Skills in the Arts (with Ben Armstrong), HARV. J.L. & TECH. ___ (forthcoming 2024).

Dissertation

Patents Over Planning: Industrial Capital and Federal Innovation Policy (2021) (Ph.D. dissertation, Massachusetts Institute of Technology) (ProQuest).

Law Review and Other Scholarly Articles

Collaboration in the Making: Innovation and the State in Advanced Manufacturing, 21 COLUM. SCI. & TECH. L. REV. 328 (2020).

A Flood-Not a Ripple-Of Harm: Proximate Cause Under the Fair Housing Act (with Justin Steil), 40 CARDOZO L. REV. 1237 (2019).

Book Chapter

Blockchain and Cryptocurrency: Technology without Law?, in RESEARCH HANDBOOK ON LAW AND TECHNOLOGY (Bartosz Brożek et al. eds., 2023).

Reports, News and Commentary

Factories of the Future: Technology, Skills, and Digital Innovation at Large Manufacturing Firms (with Susan Helper, Elisabeth Reynolds & Anuraag Singh) (MIT Work of the Future Task Force, Research Brief No. 19, 2021).

Strengthening Manufacturing Innovation Ecosystems Before, During, and After COVID: Lessons from Massachusetts (with Elisabeth Reynolds & Anna Waldman-Brown) (MIT Work of the Future Task Force, Working Paper 11-2021, 2021).

Manufacturing in America: A View from the Field (with Suzanne Berger et al.) (MIT Work of the Future Task Force, Research Brief 16, 2020).

An Innovation Policy for the Green New Deal (with Ian Wells) (People's Policy Project, Research Brief (2019).

Brief of Amicus Curiae International Municipal Lawyers Assoc. & Housing Scholars, *City of Miami v. Bank of America et al. and Wells Fargo et al.* (11th Cir. 2018) (Nos. 14-14543 & 14-14544) (with Justin Steil).

Brief of Amicus Curiae National Fair Housing Alliance, Lawyers Committee for Civil Rights Under Law, Poverty and Race Research Action Council, and Housing Scholars, *City of Oakland v. Wells Fargo, et al.* (N.D. Cal. 2017) (No. 15-cv-04321) (with Justin Steil & Peter Damrosch).

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Books, Edited

THE FIRST GLOBAL PROSECUTOR: PROMISE AND CONSTRAINTS (Martha Minow, C. Cora True-Frost, & Alex Whiting eds., 2015).

Law Review and Other Scholarly Articles

Listening to Dissonance at the Intersections of International Human Rights Law, 43 MICH. J. INT'L L. 361 (2022).

Can International Criminal Law Help Express the Unrealized Value of Disabled Lives? 116 AJIL UNBOUND 79 (2022).

International Disability Law and the Experience of Marginality: Introductory Remarks, 113 AM. SOC'Y INT'L L. PROC. 287 (2019).

American Law, Global Norms: The Challenge of Enforcing Children with Disabilities' Right to a Free and Appropriate Education, 23 BIALOSTOCKIE STUDIA PRAWNICZE 87 (2018).

When the UN Addresses the Conditions Conducive to Terrorism, What Happens to Human Rights?, 2017 MICH. ST. L. REV. 805 (2017).

Weapons of the Weak: The Prosecutor of the ICC's Power to Engage in the UN Security Council, 44 FLA. ST. U. L. REV. 261 (2016).

The Development of Individual Standing in International Security, 32 CARDOZO L. REV. 1183 (2011).

The Security Council and Norm Consumption, 40 N.Y.U. J. INT'L L. & POL. 115 (2007).

Beyond Levittown Towards a Quality Education for All Children: Litigating High Minimum Standards for Public Education: The CFE case, 51 SYRACUSE L. REV. 1015 (2001).

Fighting the Gender Gap in Education in Sub-Saharan Africa: Ghana's Efforts and Malawi's Success, 9 MAXWELL REV. 44 (Spring 2001).

Book Chapters

Power Politics v. the Rule of Law in the United States: a Case Study, in THE RULE OF LAW IN RETREAT: CHALLENGES TO JUSTICE IN THE UNITED NATIONS WORLD (Slawomir Redo ed., 2022).

The International Civil Servant: How the First Prosecutor Engaged the U.N. Security Council, in *THE FIRST GLOBAL PROSECUTOR: PROMISE AND CONSTRAINTS* (Martha Minow, C. Cora True-Frost, & Alex Whiting eds., 2015).

Reports, News, and Commentary

Parenting in the Shadow of Scarce Ventilators, *NEWSDAY* (March 28, 2020), <https://www.newsday.com/opinion/commentary/coronavirus-covid-19-ventilators-parenting-cora-true-frost-children-disabilities-1.43479261>

Commentary, *What Have We Learned from the Rwandan Genocide?*, *U.S. News & World Report* (April 5, 2019, 4:52pm), <https://www.usnews.com/news/best-countries/articles/2019-04-05/commentary-25-years-after-rwanda-genocide-words-matter> (last visited May 3, 2019).

The UN Security Council Marks Seventh Anniversary of Resolution 1325 on Women, Peace and Security with Open Debate, 11 *ASIL INSIGHT* No. 29 (Dec. 17, 2007).

Book Reviews

Book Review, 123 *POL. SCI. Q.* 356 (Summer 2008) (reviewing IAN HURD, *AFTER ANARCHY: LEGITIMACY & POWER IN THE UNITED NATIONS SECURITY COUNCIL* (2007)).

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Law Review and Other Scholarly Articles

Business Development Companies: Venture Capital for Retail Investors, 76 BUSINESS LAWYER 59 (2021).

Mutual Funds that Borrow, (with Michael Simkovic) 16 J. EMPIRICAL LEGAL STUD. 767 (2019).

Mutual Fund Capital Structure, 100 MARQ. L. REV. 671 (2017).

The Chrysler Effect: The Impact of Government Intervention on Borrowing Costs (with Deniz Anginer), 40 J. OF BANKING & FIN. 62 (2014).

Competition in Financial Services: Evidence from British Mutual Funds, 9 J. EMPIRICAL LEGAL STUD. 827 (2012).

Do Fiduciary Duties Matter? 11 CORP. GOVERNANCE 541 (2011).

Trusts Versus Corporations: An Empirical Analysis Of Competing Organizational Forms, 36 J. CORP. L. 183 (2010).

Understanding the Bankruptcies of Chrysler and General Motors: A Primer, 60 SYRACUSE L. REV. 531 (2010).

Should Mutual Funds Be Corporations? A Legal & Econometric Analysis, 33 J. CORP. L. 745 (2008).

Working Papers

The End of Market Discipline? Investor Expectations of Implicit Government Guarantees (with Acharya and Anginer).

Firm Reputation and the Cost of Debt Capital (with D. Anginer, S. Mansi, C. Yildizhan).

Labor Unions and the Cost of Debt.

Reports, News, and Commentary

The Chrysler Effect: The Impact of the Chrysler Bailout on Borrowing Costs (with Anginer) (The World Bank Dev. Res. Grp., Fin. & Private Sector Dev. Team, Working Paper 5462, Oct. 2010).
https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1699612.

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Books

THE BIRTH OF THE MODERN CONSTITUTION: THE UNITED STATES SUPREME COURT, 1941–1953 (2006).

OLIVER WENDELL HOLMES JR.: THE SUPREME COURT AND AMERICAN LEGAL THOUGHT (*with* SOPHIE W. LITTLEFIELD) (2005).

THE LOST WORLD OF CLASSICAL LEGAL THOUGHT: LAW AND IDEOLOGY IN AMERICA, 1886–1937 (1998).

AMERICAN LEGAL HISTORY: CASES AND MATERIALS, (*with* KERMIT L. HALL & PAUL FINKELMAN) (2nd ed. 1996).

THE OXFORD COMPANION TO THE SUPREME COURT OF THE UNITED STATES (*with* KERMIT L. HALL, et al.) (1992).

AMERICAN LEGAL HISTORY: CASES AND MATERIALS (*with* KERMIT L. HALL & PAUL FINKELMAN) (1991).

LIBERTY UNDER LAW: THE SUPREME COURT IN AMERICAN LIFE (1988).

CONSTITUTIONAL DEVELOPMENT IN A MODERNIZING SOCIETY: THE UNITED STATES, 1803–1917 (1985).

NUCLEAR AMERICA: MILITARY AND CIVILIAN NUCLEAR POWER IN THE UNITED STATES, 1940–1980 (1984).

EQUAL JUSTICE UNDER LAW: CONSTITUTIONAL DEVELOPMENT, 1835–1982 (1982).

THE SOURCES OF ANTISLAVERY CONSTITUTIONALISM IN AMERICA, 1760–1848 (1977).

THE GUARANTEE CLAUSE OF THE U.S. CONSTITUTION (1972).

Law Review and Other Scholarly Articles

Beyond the Civil Rights Act of 1964: Confronting Structural Racism in the Workplace (*with* Judy L. Hamilton), 74 LA. L. REV. 1095 (2014).

Structural Racism and the Law in America Today: An Introduction, 100 KY. L.J. 1 (2011).

Justice David J. Brewer and “the Constitution in Exile,” 33 J. SUP. CT. HIST. 170 (2008).

The Emergence of Equality as a Constitutional Value: The First Century, 82 CHI. KENT L. REV. 233 (2007).

The Debut of Modern Constitutional Procedure, 26 REV. LITIG. 641 (2007).

Synoptic of United States Supreme Court Decisions Affecting the Rights of African-Americans, 1873–1940, 4 BARRY L. REV. 21 (2003).

The Legal Foundations of Domestic Anticommunism: The Background of Dennis v. United States, 2001 SUP. CT. REV. 375 (2002).

Felix Frankfurter, Incorporation, and the Willie Francis Case, 26 J. SUP. CT. HIST. 53 (2001).

The Origins of the Law of Slavery in British North America, 17 CARDOZO L. REV. 1711 (1996).

Gladly Wolde He Teche: Students, Canon, and Supreme Court History, 1995 J. SUP. CT. HIST. 11 (1995).

Constitutional Snipe Hunt, 23 RUTGERS L.J. 253 (1992).

Clio as Hostage: The United States Supreme Court and the Uses of History, 24 CAL. W. L. REV. 227 (1988).

Preface, *Historical Race Relations Symposium*, 17 RUTGERS L.J. 407 (1986).

The “Imperial Judiciary” in Historical Perspective, YEARBOOK 1984 SUP. CT. HIST. SOC’Y 61 (1985).

A Peculiar Conservatism and the Dorr Rebellion: Constitutional Clash in Jacksonian America, 22 AM. J. LEGAL HIST. 237 (1978).

Slavery and Abolition Before the United States Supreme Court, 1820–1860, 65 J. AM. HIST. 34 (1978).

The Statutory Law of Slavery and Race in the Thirteen Mainland Colonies of British America, 34 WM & MARY Q. 258 (1977).

Somerset: Lord Mansfield and the Legitimacy of Slavery in the Anglo-American World, 42 CHI. L. REV. 86 (1974).

Popular Sovereignty in the Dorr War: Conservative Counterblast, 32 R.I. HIST. 35 (1973).

The Place of Chief Judge Irving Lehman in American Constitutional Development, 60 AM. JEWISH HIST. Q. 280 (1971).

The Great Writ and Reconstruction: The Habeas Corpus Act of 1867, 36 J. SOUTHERN. HIST. 530 (1970).

The Reconstruction of Federal Judicial Power 1863–1876, 13 AM. J. LEGAL HIST. 333 (1969).

The Nation and the State: 1868, 1968 WIS. L. REV. 312 (1968).

The Origin of the United States Court of Claims, 20 ADMIN. L. REV. 387 (1968).

Book Chapters

Emancipation and Civic Status: The American Experience, 1865-1915, in THE PROMISES OF LIBERTY: THE HISTORY AND CONTEMPORARY RELEVANCE OF THE THIRTEENTH AMENDMENT (Alexander Tsesis ed., 2010).

Rhode Island's Distinctive Contribution to American Constitutional Development, in CONSTITUTION DAY: REFLECTIONS BY RESPECTED SCHOLARS (Patrick T. Conley ed., 2010).

The Stone and Vinson Courts (1941–1953): Transition and Transformation, in THE UNITED STATES SUPREME COURT: THE PURSUIT OF JUSTICE (Christopher Tomlin ed., 2005).

The Rise and Fall of Classical Legal Thought, in CONSTITUTIONALISM AND AMERICAN CULTURE (S. Van Burkleo et al. eds., 2002).

Sabotage, Treason, and Military Tribunals in World War II, in TOTAL WAR AND THE LAW: THE AMERICAN HOME FRONT IN WORLD WAR II (D. Ernst & V. Jew eds., 2002).

Joseph R. Lamar, in AMERICAN NATIONAL BIOGRAPHY (John A. Garraty & Mark C. Carnes eds., 1999).

Stanley Matthews, in AMERICAN NATIONAL BIOGRAPHY (John A. Garraty & Mark C. Carnes eds., 1999).

Felix Frankfurter, Supreme Court, Legal Thought and Jurisprudence, in READER'S GUIDE TO AMERICAN HISTORY (Peter J. Parish ed., 1997).

Sandra Day O'Connor, in ENCYCLOPEDIA OF AMERICAN BIOGRAPHY, 2nd ed. (John H. Garraty & Jerome L. Sternstein eds., 1996).

Scott v. Sandford, in THE ENCYCLOPEDIA OF THE UNITED STATES CONGRESS 1770–1772 (Donald C. Bacon et al. eds., 1995).

Murdock v. Memphis: Section 25 of the 1789 Judiciary Act and Judicial Federalism, in ORIGINS OF THE FEDERAL JUDICIARY: ESSAYS ON THE JUDICIARY ACT OF 1789 (Maeva Marcus ed., 1992).

State Protection of Personal Liberty: Remembering the Future, in TOWARD A USABLE PAST: LIBERTY UNDER STATE CONSTITUTIONS (Paul Finkelman & Stephen E. Gottlieb eds., 1991).

United States Supreme Court, in THE HARRY S. TRUMAN ENCYCLOPEDIA (Richard S. Kirkendall ed., 1990).

The Liberal Critique of the U.S. Supreme Court, in GERMAN AND AMERICAN CONSTITUTIONAL THOUGHT: CONTEXTS, INTERACTION, AND HISTORICAL REALITIES (Hermann Wellenreuther ed., 1990), German translation, *Die liberale Kritik an Obersten Gerichtshof der Vereinigten Staaten*, in DIE AMERIKANISCHE VERFASSUNG UND DEUTSCH-AMERIKANISCHES VERFASSUNGSDENKEN (Hermann Wellenreuther ed., 1991).

Old Times There Are Not Forgotten: The Distinctiveness of the Southern Constitutional Experience, in AN UNCERTAIN TRADITION: CONSTITUTIONALISM AND THE HISTORY OF THE SOUTH (Kermit L. Hall & James W. Ely, Jr. eds., 1989).

The Blessings of Liberty: Slavery in the American Constitutional Order, in SLAVERY AND ITS CONSEQUENCES: THE CONSTITUTION, EQUALITY, AND RACE (Robert A. Goldwin & Art Kaufman eds., 1988).

Slavery and the United States Constitution, in ZWEIHUNDERT JAHRE AMERIKANISCHE VERFASSUNG (ANGLISTIK & ENGLISCHUNTERRICHT, BD. 34) (Raimund Borgmeier ed., 1988).

The Witch at the Christening: Slavery and the Constitution's Origins, in THE FRAMING AND RATIFICATION OF THE CONSTITUTION (Leonard W. Levy & Dennis J. Mahoney eds., 1987).

Forty-eight articles in ENCYCLOPEDIA OF THE AMERICAN CONSTITUTION (Leonard M. Levy et al. eds., 1986).

Chief Justice Taney and his Court, in THIS CONSTITUTION (1985).

Judicial Systems, in ENCYCLOPEDIA OF AMERICAN POLITICAL HISTORY (Jack P. Greene ed., 1984).

Latimer: Lawyers, Abolitionists, and the Problem of Unjust Law, in ANTISLAVERY RECONSIDERED: NEW PERSPECTIVES ON THE ABOLITIONISTS (Lewis Perry & Michael Fellman eds., 1979).

Dred Scott Case and Ex parte Merryman, in ENCYCLOPEDIA OF SOUTHERN HISTORY (David C. Roller & Robert W. Twyman eds., 1979).

The Reconstruction of Federal Judicial Power 1863–1876, in AMERICAN LAW AND THE CONSTITUTIONAL ORDER (Lawrence M. Friedman & Harry N. Scheiber eds., 1977).

Irving Lehman, in DICTIONARY OF AMERICAN BIOGRAPHY, Supplement Three; 1941–1945.

Reports, News, and Commentary

Voice of Troubled Intellectuals, SAT. REV., Jan. 3, 1970, at 23–25.

Book Reviews

Book Review, 15 AM. COMMUNIST HIST. 349 (2016) (reviewing ROBERT M. LICHTMAN, THE SUPREME COURT AND MCCARTHY-ERA REPRESSION: ONE HUNDRED DECISIONS).

BOOK REVIEW, 33 LAW & HIST. REV. 1017 (2015) (reviewing HERBERT HOVENKAMP, THE OPENING OF AMERICAN LAW: NEOCLASSICAL LEGAL THOUGHT, 1870–1970).