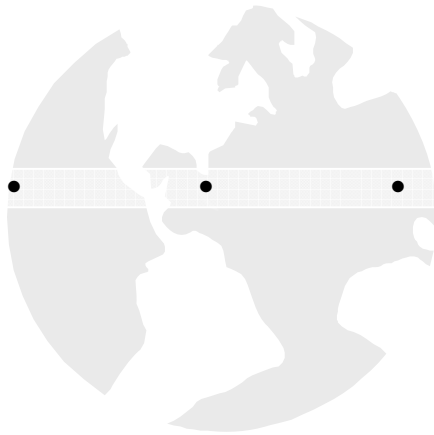


October 2005

# Media Report and Faculty Activities

## American University Washington College of Law



The Office of Public Relations exists to meet the media, communications and Web site needs of *American University Washington College of Law*.

The department consists of Media Relations, Publications & Marketing and elements of the Web team.

## AU Washington College of Law Media Report

*Welcome to the monthly Media Report. This report includes faculty media appearances, publications, presentations, appointments and awards for October 2005.*

*Don't hesitate to contact me at 202-274-4279, or e-mail: [kthomp@wcl.american.edu](mailto:kthomp@wcl.american.edu) for assistance in publicizing your research, events and activities throughout the year.*

## Media Appearances

**Pamela Bridgewater** was interviewed by the *Washington Times* regarding the investigations of Sen. Bill Frist and others (10/18/05).

**Randall Eliason** was quoted in the *National Law Journal* in "Rove Assured Bush He was Not Leaker" (10/07/05); interviewed by **CNN** regarding Karl Rove's call to return to the Grand Jury in the Valerie Plame leak case (10/11/05); interviewed by **CNN** regarding Grand Jury powers (10/12/05); interviewed by **MSNBC** regarding the Valerie Plame leak (10/13/05); quoted in the *National Law Journal* in "Rove Assured Bush He was Not Leaker" (10/07/05); interviewed by **CNN's Aaron Brown Show** regarding the Karl Rove Investigation (10/10/05); interviewed by **BeLo** television (10/14/05) and **NPR** (10/17/05) also on the Karl Rove investigation; interviewed by **CNN** regarding the Karl Rove investigation (10/17/05); interviewed by **NBC Nightly News** on the Karl Rove investigation (10/20/05); interviewed several times each **NBC Nightly News**, the **Today Show**, **CNN** and others regarding the CIA Leak investigation and possible indictments against Karl Rove and Scooter Libby (10/26-28/05).

**Christine Haight Farley** was profiled in "Art Draws a Legal Eye," *American Weekly* (10/11/05); quoted in "Trademark Ruling Creates Confusion: 3rd Circuit Sets Two-Part Test in Nominative Fair Use Cases," *ABA Journal e-Report* (10/21/05).

**Claudio Grossman** was interviewed by the *Washington Post* regarding AU's Acting President Cornelius Kerwin (10/11/05); interviewed by the *Wall Street Journal* on the Dean and the group of students and alumni who argued a case against Cuba before the OAS Inter-American Commission on Human Rights (10/17/05); interviewed by *Voice of America* on the same case (10/18/05); interviewed by **CNN Spanish** regarding the National Latina/o Law Students Assoc. Conf. (10/19/05).

**Hadar Harris** published a letter to the editor published in the *Washington Post* concerning the ongoing genocide in Sudan (10/05).

**John Heywood** was a guest on the *Dave Sturgeon Show*, a daily show on a Canadian Radio station regarding the Saddam Hussein trial (10/21/05).

**David Hunter** was interviewed by the *Wall Street Journal* on the development of environmental standards at the World Bank (10/05); interviewed by *Clean Air Reports* regarding upcoming climate change conferences at WCL (10/05).

**Korin Munsterman** was interviewed by *Newsweek* for a story they are doing on podcasting (11/01/05).

**Diane Orentlicher** was quoted in the *Associated Press* in "Yugoslavia war crimes tribunal abandons use of sealed indictments to capture suspects" (09/30/05); interviewed on **NPR's "Morning Edition"** about the International Criminal Court as it prepares to issue its first indictments (10/05/05); quoted in the *Washington Times* in article about the trial of Saddam Hussein (10/19/05); quoted in the *Ocala Banner*

in article about the trial of Saddam Hussein (10/20/05).

**Andy Popper** was interviewed by Seth Stern of **Congressional Quarterly** on two pieces of proposed legislation. The first, S397 would limit or eliminate liability for firearms manufacturers and would destroy the cases brought by 32 State AG's against the major manufacturers in the US. The second bill, HR554 involved obesity claims brought against fast food manufacturers (10/19/05).

**Jamie Raskin** was interviewed re Harriet Miers' nomination to the Supreme Court by **WRC NBC4, WTOP Radio, Pacifica Radio**, and the **Bev Smith Show** (a Los Angeles radio program) (10/05/05).

**Ira Robbins** was quoted on the subject of habeas corpus reform in the **Miami Daily Business Review** (07/29/05); quoted in the **National Law Journal** (10/17/05) and **The Recorder** (10/18/05) on the habeas corpus reform bills pending in Congress; quoted on habeas corpus reform in two articles in the **Miami Daily Business Review** (10/19/05).

**Susan SáCouto** was interviewed by **American Weekly** for an article appearing in the October 11 issue entitled on "WCL's War Crimes Research Office: A decade spent helping hold war criminals accountable" (10/05).

**Herman Schwartz** was interviewed by **WRC NBC4** about Harriet Miers' nomination to the Supreme Court (10/03/05); interviewed by **WRC NBC4** regarding Harriet Miers' withdrawal from consideration for the Supreme Court (10/27/05).

**Michael Tigar** has been quoted in **media** lately in reference to the Sen. Hutchison case a few years ago in the context of the Delay case. Tigar & deGuerin are sometimes referred to (in this media coverage) as a "dream team" (10/05).

**Richard Ugelow** was interviewed on **NPR** concerning employment practices of the Civil Rights Division of the U.S. Department of Justice (10/06/05).

**Steve Wermiel** was interviewed about Harriet Miers' nomination to the Supreme Court by **Bloomberg Radio, WTTG Fox5 News, Associated Press Radio, WTOP Radio** and the **Legal Times** (10/03/05); interviewed by **Gannett News Service** on Justice O'Connor's effect on the new Supreme Court Term (10/03/05); interviewed by the **Associated Press** on the Supreme Court's refusal to block an abortion for a Missouri prison inmate (10/17/05); interviewed by **WTOP Radio** about the Harriet Miers' nomination (10/24/05); interviewed by **KNTV NBC11** in San Francisco regarding Harriet Miers' withdrawal from consideration for the Supreme Court (10/27/05); interviewed by **KNTV NBC11** in San Francisco regarding the nomination of Samuel Alito (10/31/05).

**Paul Williams** was a guest on the **NewsHour with Jim Lehrer** (10/13/05); **Fox News Channel** (10/15/05); **Fox News Channel** (10/16/05); **Diane Rehm** (10/17/05) **Australian Broadcasting Company** (10/17/05) all on the Iraqi Constitution; interviewed by **Hearst-Argyle Television, Fox News Channel** and **CNN** regarding the Saddam Hussein Trial (10/18-19/05); did an on-line chat for the **Washington Post** on the Saddam Hussein Trial (10/19/05).

**C-SPAN** covered the National Security & Law Society event, Ethical Issues for Government Lawyers (10/28/05).

**The Pence Law Library** served as the backdrop for a brochure featuring WCL student **Grace Pazdan** and the National Women's Law Center (10/05).

## Faculty Awards, Appointments, Presentations, Publications

**Muneer Ahmad** presented: "Race, Class, and Katrina, Human Rights Implications for Hurricane Katrina," WCL (09/16/05); "Recent U.S. Experience with Preventive Detention: Enemy Combatants, Guantánamo, and the Promise of Habeas Corpus: A Response to Professor H.P. Lee," Faculty Workshop with Professors from Monash University, WCL (09/27/05); "Treacherous Lawyering: Race, Language, and Lawyering," LatCrit: Latina and Latino Critical Legal Studies Conference, San Juan, Puerto Rico (10/07/05); "Re-Centering Justice in Client Centeredness: A Response to Professor Susan Carle," Faculty Speaker Series, WCL (10/14/05); "Interpreted Communities: Lawyering Across Language Difference," UCLA School of Law/University of London 6<sup>th</sup> Annual International Clinical Conference, Lake Arrowhead, CA (10/29/05); "Interpreted Communities: Lawyering Across Language Difference," UCLA School of Law Faculty Workshop (10/31/05); with Susan Bennett, spoke at a Roundtable on language access issues, organized by the District of Columbia's Access to Justice Commission. Prof. Ahmad presented on the use of community interpreters, and Prof. Bennett presented on efforts at WCL and other clinical programs to create interpreter networks (11/02/05).

**Donna Bain Butler** (Adjunct ILSP) co-presented "English for Lawyers and for Economists," Third Annual Symposium on Teaching and Learning Languages to Native-like Levels of Proficiency, co-sponsored by Coalition of Distinguished Language Centers and American Councils for International Education (10/22/05).

**Susan Bennett**, with Muneer Ahmad, spoke at a Roundtable on language access issues, organized by the District of Columbia's Access to Justice Commission. Prof. Ahmad presented on the use of community interpreters, and Prof. Bennett presented on efforts at WCL and other clinical programs to create interpreter networks (11/02/05).

**Susan Carle** was a speaker at the annual state CEOs meeting of the National Disability Rights Network in Phoenix, Arizona, discussing legal ethics topics including non-lawyer supervision of lawyers, unauthorized practice of law pitfalls in the provision of services through non-attorney advocates, and allowing outside auditors access to client files (10/05); appointed to the D.C. Bar Rules of Professional Conduct Review Committee, which makes recommendations to the D.C. Court of Appeals on modifications to legal ethics regulations (10/05).

**Janie Chang** was panel co-chair (with Justice Sujata Manohar), "Women and Migration," International Law Association, International Law Weekend, New York, NY (10/20-22/05); panelist, "State Responsibility and Human Trafficking," sponsored by District of Columbia Bar and WCL Women and International Law Program (10/27/05); appointed U.S. Member, International Law Association, International Committee on Feminism and International Law (10/05); co-Author (with Anne Gallagher), "Promotion and Implementation of CEDAW with Particular Emphasis on Violence against Women and Trafficking in Women," Expert Report commissioned by the United Nations Economic and Social Commission for Asia and the Pacific (10/05).

**Christine Haight Farley** presented paper, "Trademark Liability for Search Engines' Use of Keyword Ads," Third Party Liability in Intellectual Property Law, Santa Clara University School of Law (10/07/05); moderated "Addressing a Global Criminal Operation: The Looting of Rare Map, Manuscript and Book Collections" WCL (10/25/05).

**Charlene Gomes** was co-panelist for "Increasing Public Interest Opportunities for Students," Annual Equal Justice Works Conference and Career Fair (10/27-28/05).

**Claudio Grossman** participated as a member of the AALS Nominating Committee (10/11/05); with a group of students and alumni, participated in a hearing on WCL's case before the Inter-American

Commission on Human Rights on behalf of three Cuban nationals executed without due process (10/17/05); keynote speaker at 12th Annual International Law Career Forum, WCL (10/30/05).

**Egon Guttman** participated in teleconferences on UNIDROIT Convention on "Harmonized Substantive Rules Regarding Securities Held With An Intermediary" (10/28/05).

**Hadar Harris** spoke to the visiting Iraqi Minister of Women's Affairs and an accompanying delegation of female judges, attorneys and activists to discuss ways in which international treaty norms could impact the constitutional drafting process in Iraq. She also conducted an afternoon seminar with a group of visiting law and government students from Ritsumeiken University in Japan on the ways in which human rights are integrated in domestic law (07/05); guest lecture to AU's Washington Semester program comparing the creation of human rights provisions in the new Iraqi and Afghan constitutions (09/05); a primary trainer at a workshop organized by the ACLU in collaboration with the Center for Human Rights and Humanitarian Law and other partner organizations titled, "Shadow Reports: Documenting U.S. Failure to Comply with Human Rights Treaties," Los Angeles (10/05); spoke on the use of international law in anti-death penalty advocacy in the United States, as part of the legal seminar at the National Coalition Against the Death Penalty National Conference, Austin, Texas. The seminar was co-sponsored by the Texas Criminal Defense Lawyers Association (10/05); served on the Conference Committee for the U.S. Human Rights Network first national conference, Atlanta, Georgia in November and led introductory workshop on using the human rights framework in U.S.-based social justice advocacy at the conference (10/05); drafted a memo, which was submitted to the United Nations Human Rights Committee, and co-signed by twenty US-based human rights organizations and individuals identifying key issues regarding U.S. compliance with the International Covenant on Civil and Political Rights (10/05).

**David Hunter** presented on "Economic and Legal Empowerment," Annual National Latina/o Law Student Association Conference, WCL (10/21/05); nominated to sit on the state-mandated committee to review the proposed LL.M. Program in Environmental Law at the University of Oregon (10/05).

**Margaret Johnson** attended the first meeting of the D.C. Superior Court's Committee for Improving Court Access, to which she was appointed by Judge Puig-Lugo (10/21/05); presented paper, "The Role of Critical Theory in Clinical Education," UCLA/IALS Sixth International Clinical Conference, Lake Arrowhead, California (10/29/05).

**Billie Jo Kaufman** was elected vice president/president elect of the Law Librarian's Society of D.C. (LLSDC - local chapter of the American Association of Law Libraries - AALL) (10/05); appointed by Dean Steven Smith to serve three-year term on the Law Libraries Committee for the ABA, Section of Legal Education (10/05).

**Jeff Lubbers** published *In Memoriam, Ernest Gellhorn (1935-2005)*, 57 ADMIN. L. REV. iv (2005); moderated forum on the proposed rules issued by the Social Security Administration to revise its disability adjudication procedures, Rayburn House Office Building (10/17/05).

**Binny Miller** presented a paper, "A 28-Day Parent: Revealing the Hidden Landscape of Decision-making," UCLA/Institute of Advanced Legal Studies Sixth International Clinic Conference, Lake Arrowhead, CA (10/28/05).

**Diane Orentlicher** was a panelist, Conference on "Effectiveness of International Tribunals," Aspen Wye River Conference Center (10/24/05).

**Nancy Polikoff** spoke on "Valuing All Families: Marriage and More," sponsored by the Institute for the Study of Research and Gender, University of Michigan (09/28/05); plenary speaker, National Lesbian and Gay Law Association Lavender Law Conference, San Diego, CA (10/28/05).

**Paul Rice** addressed a conference of the National Association of State Courts, a round table discussion of the attorney-client privilege in the corporate context and practices of Government agencies and attorneys that threatens the privilege. Conference was attended by the Chief Justices of most state

supreme courts, general counsel of many of the country's largest corporations, and senior partners from some of the nation's largest law firms, Washington, D.C. (10/28/05).

**Susana SáCouto** moderated a panel on "Alternative Models of Accountability: Hybrid Courts, Domestic War Crimes Chambers and Regional Criminal Courts," War Crimes Research Office's 10-year anniversary celebration conference *International Criminal Tribunals in the 21<sup>st</sup> Century*; wrote essay on "The Role of Victims in Bringing former Khmer Rouge Leaders to Justice in Cambodia," for the Open Society Justice Initiative publication *Justice Initiatives* (09/30/05).

**Joshua Sarnoff** Invited Speaker, University of California, Berkeley, Patents and Interoperability Conference, "Essential Facilities Doctrine and Refusals to Deal" (09/15/05); presenter, BNA Advisory Board, "Copyright and DMCA preemption and misuse issues in recent cases" (09/22/05); presenter, AAAS Committee on Scientific Freedom and Responsibility, "H.R. 2795 and Patent Law Reform" (09/30/05); presenter, 3d Annual Works In Progress in Intellectual Property Conference, "Disclosure of Origins of Genetic Resources and Traditional Knowledge" (10/07/05); panelist, Innovation and its Discontents, John Marshall Law School, "Reforming Innovation Policy in the United States" (10/14/05); drafted and filed an amicus brief on behalf of Consumer Project on Technology, Electronic Frontier Foundation, and Public Knowledge in *Integra v. Merck*, Nos. 02-1052, 02-1065, on remand from the U.S. Supreme Court in No. 03-1237, addressing the scope of the safe harbor to patent law infringement for drug development research and its relation to the experimental use exception in patent law (10/17/05); selected and trained as a mediator by the United States Court of Appeals in their pro bono pilot mediation program (10/20-21/05).

**Herman Schwartz** is writing an entry for the Civil Liberties Encyclopedia on The Burger Court (Fall 05); appointed to an advisory committee for the Israeli constitution (10/05).

**Sophie Smyth** will publish "Can Business Learn To Love the Environment?: The Case For A U.S. Corporate Carbon Fund, Volume 58, Issue 2 Rutgers Law Review (Forthcoming, Winter 2006); working with Susan Bennett, Louise Howells and Danny Bradlow, submitted a proposal to the Duke Law Journal, in response to a call for papers, for a symposium to be held on the administrative law issues raised by Hurricanes Katrina and Rita. The proposal suggests that a "Hurricane Housing Reconstruction Fund" be formed, funded by private resources, to raise funds to build affordable housing in the hurricane-affected areas, and the corporate finance and administrative law issues such a fund would raise (10/05).

**Michael Tigar** gave two lectures at Yale Law School on human rights litigation, a talk to the Yale Buddhist Fellowship on Buddhism and Human Rights, and will be a guest at Saybrook College, Yale, master's tea on human rights issues (10/24/05); gave two lectures on judicial power at Western New England College of Law (10/27/05).

**Richard Ugelow** submitted to the editors a chapter titled "Title VII of the Civil Rights Act of 1964, the U.S. Department of Justice, And the Gender Integration of Physically Demanding Positions" for publication in "Sex Discrimination in Employment," an undergraduate text book.

**Perry Wallace** presented "Contract Law and Public Interest Law Practice," WCL Public Interest Roundtable (10/05); presented on "Climate Change and Corporate Governance," WCL Business Law Society event (10/05).

**Steve Wermiel** spoke about the uses of podcasting at a conference on the AU main campus (10/05/05); did a podcast interview with Prof. Rick Wilson on representing a prisoner at Guantanamo Bay (10/07/05); served as moderator for WCL Media and the Law Society panel discussion titled, "The News Media and Public Perceptions of the Supreme Court" (10/20/05).

**Rick Wilson** served as moderator, panel on "Globalization of Clinical Legal Education: Transplanting Clinical Models into Other Cultures and Families of Law," Sixth International Clinical Conference, UCLA/IALS, Lake Arrowhead, California (10/05); was sponsor for a report, "A Moral Choice for the United States: The Human Rights Implications for the Gwich'in Peoples of Drilling in the Arctic National Wildlife

Refuge,” with the Gwich’in Steering Committee and the Episcopal Church (10/05); commentator, “Perspectives on Economic, Social and Cultural Rights,” Justice Richard Goldstone, WCL (10/05); moderator, panel on “International Prevention of Torture: The Role of the United Nations, International Law and the United States,” United Nations Association, National Capitol Area, co-sponsored by the ABA Section of International Law, Cannon Office Building, Washington, D.C. (10/05).

**Summary of Faculty Speakers at 6<sup>th</sup> International Clinical Conference:**

(Submitted by Susan Bennett)

Ten WCL faculty members represented WCL and the Clinical Program at the Sixth International Clinical Conference, sponsored by UCLA and held at Lake Arrowhead, California. Faculty papers and presentations, **listed below in order of presentation**, were well-received and generated significant “buzz” (10/27-30/05):

**Elliott Milstein**, *Clinical Education, Indeterminacy, and Reform of the Law School Curriculum* (plenary session)

**Binny Miller**, *A 28 Day Parent: Exploring the Complexity of Decisionmaking*

**Ann Shalleck**, *Narrative Theory and Practice: Client Desire, Client Choice, and the Lawyer-Client Relationship*

**Rick Wilson** (moderator), Plenary Session on Globalization of Clinical Legal Education: Transplanting Clinical Models into Other Cultures and Families of Law

**Muneer Ahmad**, *Lawyering Across Language Difference: Ethics, Practice, Pedagogy*

**Bob Dinerstein**, *The Philosophy of Client Counseling*

**Margaret Johnson**, *Teaching the Value of Critical Legal Theory in Clinical Education*

**Sarah Paoletti**, *When Your Client is Six Million Undocumented Workers: Pursuing International Human Rights Strategies to Assist in Organizing and Organizing to Pursue International Human Rights Strategies*

**David Chavkin**, *Clinic Under the Stars*

**Carolyn Grose**, *A Persistent Critique: Constructing Clients’ Stories*

**Susan Bennett**, *The Community Lawyer: Enhancer of Social Capital, Manager of Structural Holes*