

Central States Law Schools Association
2014 Annual Scholarship Conference
Louisiana State University Paul M. Hebert Law Center
Baton Rouge, Louisiana
October 10 & 11, 2014

“Academics as Instrumentalists”

FRIDAY, OCTOBER 10th

12:00-1:30 **Conference Registration (Law Center First Floor Atrium)**

1:30-2:00 **Opening Remarks (Robinson Courtroom)**

Chancellor Jack M. Weiss, Louisiana State University Paul M. Hebert Law Center

2:00-4:00 **Session 1: Concurrent Panels**

Panel A: Civil Procedure & Remedies (212)

- Chris French, Penn State Law, *Intellectual Property Infringement, Corporate Wrongdoing and Insurance Coverage: Insuring Claims for Restitutionary Relief*
- Jill Lens, Baylor Law School, *Making Time Stand Still: Stays Pending Appeal*
- Katherine Macfarlane, Louisiana State University Paul M. Hebert Law Center, *A New Approach to Local Rules*
- Tanya Pierce, Texas A&M University School of Law, *A Call for Cross-Jurisdictional Tolling*

Panel B: Criminal Law, Procedure & Policy (214)

- Jelani Jefferson Exum, The University of Toledo College of Law, *Unreasonable Review: The Need for Purpose-Focused Sentencing Norms*
- Jalila Jefferson-Bullock, Arizona Summit Law School, *Are You (Still) My Great and Worthy Opponent?: A Case for Compassionate Release*
- Jason Nance, University of Florida Levin College of Law, *Schools, Cops, and the School-to-Prison Pipeline: An Empirical Analysis*
- Milena Sterio, Cleveland-Marshall College of Law, *Juvenile Pirates: “Lost Boys” or Violent Criminals?*

Panel C: Health, Science & the Law (216)

- Eric C. Chaffee, The University of Toledo College of Law, *The Death and Rebirth of Codes of Legal Ethics: The Role of Neuroscientific Evidence of Irrational Ethical Decision-Making in Formulating Regulation for the Practice of Law*
- Eric E. Johnson, University of North Dakota, *Science-Experiment Catastrophe and the Administrative Law Gap*

- Chelangat Koros, Moi University, *Refocusing Health Priorities for Sustainable Development*
- Browne Lewis, Cleveland Marshall College of Law, *Human Oocyte Cryopreservation: Ethical Solutions May Lead to Legal Complications*

Panel D: Immigration Law (Robinson Courtroom)

- Stella Elias, University of Iowa College of Law, *Immigrant Covering*
- Kit Johnson, The University of Oklahoma College of Law, *The Economics of Crimmigration*
- Mark Noferi, Immigration Policy Center of the American Immigration Council, *Assessing the Evidence: The Human Rights Model for Detention and Due Process of Asylum Seekers*
- Elizabeth Young, University of Arkansas School of Law, *Reimagining U Visa Certifications*

4:00-4:15 Refreshments (Law Center Student Lounge)

4:15-5:30 Session 2: Plenary Panel (Robinson Courtroom)

Academics as Instrumentalists: Faculty Perspectives

- Kathleen Guzman, University of Oklahoma College of Law
- Mark Noferi, Immigration Policy Center of the American Immigration Council
- James C. Smith, University of Georgia School of Law

6:00-9:00 Dinner

Location:

Louisiana Art and Science Museum
The Burt S. Turner Family Atrium
100 River Road South
Downtown Baton Rouge

Schedule:

Reception and Gallery Viewing (6:00-7:00)
Meal and Keynote Address (7:00-9:00)

Keynote Speaker:

Dean Lucy S. McGough
Appalachian School of Law
"Writing for Pay"

SATURDAY, OCTOBER 11th

7:30-8:30 **Breakfast (Law Center Student Lounge)**

8:30-9:30 **Session 3: Concurrent Panels**

Panel A: Biography and the Law (212)

- Paul Baier, Louisiana State University Paul M. Hebert Law Center, *The Book of Peppercorns*
- Emily Grant, Washburn University School of Law, *Adapting Montessori Teaching Methods for Law School*

Panel B: Constitutional Law (214)

- Ken Levy, Louisiana State University Paul M. Hebert Law Center, *Why Justice Scalia Is Wrong: Making Sense of Inferentialism and the Dynamic Approach to Constitutional Interpretation*
- Carlo Pedrioli, Barry University School of Law, *New York Times v. Sullivan and the Rhetorics of Race: A Look at the Briefs, Oral Arguments, and Opinions*

9:30-9:40 **Break**

9:40-11:10 **Session 4: Concurrent Panels**

Panel A: Family Law (212)

- Deborah Paruch, University of Detroit Mercy School of Law, *Putting the Child Back Into Child Protection Proceedings*
- Angela Upchurch, Southern Illinois University School of Law, *Rethinking How to Think Like a Lawyer: Cognitive Science and Cultural Competency Training in the Family Law Curriculum*
- Sandi Varnado, Loyola University New Orleans, *The Ever-Changing Face of the Family and Notions of Equitable Adoption: A Comparative Study*

Panel B: Law & Economics (214)

- Catherine Hardee, Tulane University Law School, *Considering Consequences: Autonomy's Missing Half*
- David Kwok, University of Houston Law Center, *Risk Allocation for Whistleblowers*
- Adam Thimmesch, University of Nebraska College of Law, *Testing the Models of Tax Compliance: The Use-Tax Experiment*

Panel C: International Law (216)

- Cindy Buys, Southern Illinois University School of Law, *New Thinking regarding the Use of Conditions in U.S. Treaty Practice*
- DeLeith Gossett, Texas Tech University School of Law, *Take off the [Color] Blinders: How Ignoring the Hague Convention's Subsidiarity Principle Furthers Structural Racism Against Black American Children*
- Scott Sullivan, Louisiana State University Paul M. Hebert Law Center, *Statutory Decay and Authorizations of Force*

11:10-11:20 Refreshments (Law Center Student Lounge)

11:20-12:50 Session 5: Concurrent Panels

Panel A: Civil Rights & Anti-Discrimination Law (212)

- Kristen Barnes, University of Akron School of Law, *Minorities, the Right to Education, and Indirect Discrimination Claims: An Analysis of the European Court of Human Rights Cases and the EU Race Equality Directive*
- Craig Senn, Loyola University New Orleans College of Law, *Redefining Protected, Opposition Activity in Retaliation Cases*
- Nancy Marcus, Indiana Tech Law School, *The Bi Bridge: Moving Beyond Bisexual Erasure in LGBT Rights Discourse and Litigation*

Panel B: Property Law (214)

- Desiree Hensley, University of Mississippi School of Law, *Getting Around Gonzaga: Righting Federal Wrongs Through Contract and Tort Duties*
- Dave Fagundes, Southwestern Law School, *The Law and Norms of Waiting in Line*
- Kellen Zale, University of Houston Law Center, *Sharing Property*

Panel C: Comparative Law (216)

- Olivier Moreteau, Louisiana State University Paul M. Hebert Law Center, *Abrogation Clauses, Peripheral Provisions, and their Impact on the Concept of Civil Code: France, Louisiana, California, and Quebec*
- Tracy Pearl, Texas Tech University School of Law, *Critical Mass: A Critique of Liability Analysis in Crowd Crush Cases*
- Bernard Vetter, Loyola University New Orleans College of Law, *How the La. Legal System Differs from that of the Other States - And How It Doesn't*

12:50-1:50 Lunch (Tucker Room and Parlor)

1:50-3:50

Session 6: Concurrent Panels

Panel A: Business & Transactional Law (212)

- John Anderson, Mississippi College School of Law, *The Paradox of Insider Trading Compliance*
- William Foster, University of Arkansas School of Law, *Enduring Design for Business Entities*
- Mark Glover, University of Wyoming College of Law, *A Taxonomy of Testamentary Intent*
- Carol Newman, University of Missouri School of Law, *Duty to Disclose Potentially Unenforceable Contract Clauses?*

Panel B: Property Law (214)

- Chelangat Koros, Moi University, *Public Participation and Sustainable Development*
- Missy Lonegrass, Louisiana State University Paul M. Hebert Law Center, *Landlord Retaliation in the United States—Lessons for Law Reform in the United Kingdom*
- Christopher Odinet, Southern University Law Center, *Banks, Break-Ins, and Bad Actors in Mortgage Foreclosures*
- Jessica Shoemaker, University of Nebraska College of Law, *Emulsified Property*

Panel C: Criminal Law, Procedure & Policy (216)

- Sharon Cop, University of Virginia School of Law, *Gorillas in the Midst of a Philosophical Debate*
- Tiffany Murphy, University of Arkansas School of Law, *“But I Still Haven’t Found What I’m Looking For.” The Supreme Court’s Struggle Understanding Factual Investigations in Federal Habeas Corpus*
- Laurent Sacharoff, University of Arkansas School of Law, *Does the Third Party Doctrine Matter?*

Panel D: Bankruptcy & Debtor-Creditor Law (Robinson Courtroom)

- Kara Bruce, The University of Toledo College of Law, *Vindicating Bankruptcy Rights: Can the Debtor Class Survive Modern Class Action Theory?*
- Neil Sobol, Texas A&M University School of Law, *Charging the Poor: Modern-Day Debtors’ Prisons*
- Kristen van de Biezenbos, Loyola University New Orleans College of Law, *A Sea Change in Creditor Priorities*

3:50-4:00 Refreshments (Law Center Student Lounge)

4:00-5:30 Session 7: Plenary Panel (Robinson Courtroom)

Spotlight on the Louisiana State Law Institute

- Glenn G. Morris, Louisiana State University Paul M. Hebert Law Center
- Dian Tooley-Knoblett, Loyola University New Orleans College of Law
- Evelyn L. Wilson, Southern University Law Center
- A.N. Yiannopoulos, Tulane University Law School

5:30-6:15 Business Meeting (212)

6:30-9:30 Dinner

Location:

Restaurant IPO

421 Third Street

Downtown Baton Rouge