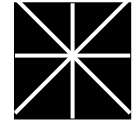


**RES IPSA LOQUITUR**  
**Update on Faculty Scholarship and Professional Activities**



Chapman University School of Law

*Available online at: <http://www.chapman.edu/law/faculty/res-ipsa-loquitur.aspx>*

**SPRING EDITION**

**2012**

**DEEPA BADRINARYANA** presented “*Redressing Climate Change in a New Tort Suit*” at the Junior Faculty Forum held at the University of California, Irvine School of Law; “*Three Climate Crises*” at the Frederick K. Cox International Law Center Symposium, held at the Case Western Reserve University School of Law; “*Legitimacy of Adaptation*” at the Conference on Third World Approaches to International Law (TWAAIL), held at the University of Oregon; and, “*Climate Justice*” at the Sixteenth Annual LatCrit Conference in San Diego. She was also a discussant on “*Environmental Scarcity and Sustainability*” at the Mid-Year Meeting of the ASIL Research Forum.

**MICHAEL BAZYLER** was the lead author of an amicus brief filed by the Nuremberg Trials Scholars in the U.S. Supreme Court case of *Kiobel v. Royal Dutch Shell*.

**TOM BELL** published *Government Prediction Markets: Why, Who, and How* in the PENN STATE LAW REVIEW.

**DENIS BINDER** was elected Chair of the Environmental Law Section of the Association of American Law Schools.

**DANIEL BOGART** published, with co-author Celeste Hammond, the Second Edition of *INSIDE PROPERTY: WHAT MATTERS AND WHY* (Aspen). Danny also contributed to the seventeenth release of the treatise *FRIEDMAN ON LEASES* (PLI).

**TOM CAMPBELL** lectured on “*War Powers*” at Claremont McKenna and the Orange County Bar International Law Section.

Tom also spoke on “*Global Economic Forecast, Especially in High Tech*,” at the INTEL Capital Conference in Huntington Beach; debated “*The Dodd-Frank Financial Statute*” at the Financial Executive International in San Jose; and, appeared on the PBS television show “*OC Insider*.”

Tom is a member of the National Academy of Arts & Sciences, Commission on the Humanities.

**TIMOTHY CANOVA** published *Central Bank Independence as Agency Capture: A Review of the Empirical Literature* in the BANKING & FINANCIAL SERVICES POLICY REPORT.

He presented “*Occupy Wall Street as Transformative Social Movement*” at the Annual Meeting of the Association of American Law Schools in Washington, D.C.

Tim was appointed to an expert panel by Senator Bernie Sanders, advising on legislation to reform the Federal Reserve.

**ANTHONY (“TOM”) CASO** filed, together with students in the Constitutional Jurisprudence Clinic, briefs in the United States Supreme Court in the following cases: *Angeles*; *Arizona v. United States*; *Kitsap Alliance of Property Owners v. Central Puget*

*Sound Growth Management Board*; *Harmon v. Kimmel*; and *Harris v. Quinn*. Tom and his students also filed an amicus brief in the California Supreme Court in *California Redevelopment Association v. Matsosantos*.

**MARISA CIANCIARULO** presented “*Ethical Issues in Immigration Law, Practice and Policy*” at the South Texas Law School Symposium. Marisa co-organized the School of Education/School of Law Emerging Scholars Conference on “*Exploring Difference: Disability and Diversity in Education, Law and Society*.”

She was also elected co-chair of the Executive Committee of the AALS Section on Clinical Legal Education.

**FRANK DOTI** serves as a consultant to the Board of Directors of the Orange County Legal Education Foundation.

**JOHN EASTMAN** published *Will Mrs. Bond Topple Missouri v. Holland?* in the 2011 CATO SUPREME COURT REVIEW; *Reflections on Justice Thomas’s Twenty Years on the Bench* in the UNIVERSITY OF DETROIT MERCY LAW REVIEW; *Papers, Please: Does the Constitution Permit the States a Role in Immigration Enforcement* in the HARVARD JOURNAL OF LAW AND PUBLIC POLICY; with Ediberto Roman, *Debate on Birthright Citizenship* in the FLORIDA INTERNATIONAL UNIVERSITY LAW REVIEW; and, *States Enter the Illegal Immigration Fray*, a chapter in THE ROLE OF THE STATES IN IMMIGRATION ENFORCEMENT AND POLICY (NYU Press).

He also published, with Professor Michael Olivas and others, *Alabama’s Immigration Law is Permissible and Sensible* in the NEW YORK TIMES; *Olson Concession Should Be Key to Prop. 8 Litigation* in the LOS ANGELES DAILY JOURNAL; and, *Quick Thoughts on the Supreme Court’s October 2010 Term* in the NATIONAL LAW JOURNAL.

John was a panelist on “*California’s Pensions System: Can It Be Reformed?*” at the Federalist Society’s Fifth Annual Western Conference; “*After the 2010 Election: What’s Next for Campaigns and California?*” at the Reagan Library in Simi Valley; “*Becoming American: Debates in Immigration Integration*” at Changing Face of America: Immigration from the Ground Up, held at the University of California, Berkeley; “*Behind the Scenes of a High Profile Appeal*” at the American Academy of Appellate Lawyers Annual Convention in San Francisco; and, “*The Phony Divide between Fiscal and Social Conservatives*” at the Conservative Political Action Conference in Washington, D.C.

He also participated in a number of debates, including: “*The Constitutionality of the Affordable Care Act*” at the Beverly Hills Chapter of the World President’s Organization; “*Scholarly Scrutiny: A Dueling Dissection of the Supreme Court’s Term*” at the Council of Chief Judges Annual Conference in Miami, Florida; “*Taking Liberties: The War on Terror and the Erosion of Democracy*,” sponsored by the Milken Institute; and, “*Issues of Public Employee Unions: The Temper Tantrum in Wisconsin and the Coming Fight in California*” held at the University of Colorado Law School.

John was appointed Chairman of the Board of the National Organization for Marriage, and was also appointed a member of the California Catholic Conference Bishops’ Committee on Religious Liberty.

**ERNESTO HERNÁNDEZ-LÓPEZ** published *Guantánamo as Subordination: Detainees as Resisting Empire* in AMERICAN SOCIETY OF INTERNATIONAL LAW PROCEEDINGS.

Ernesto presented “*Guantánamo’s Empire: Detentions Are the Cultural Debate On Expansion*” at the Third World Approaches

to International Law held at the University of Oregon School of Law; and, *“Food Trucks: Traditional and Fusion Plates of Urban Eating and Social Exclusion”* at the LatCrit XVI Annual Conference in San Diego.

**DONALD KOCHAN** presented *“You Say You Want a (Nonviolent) Revolution, Well Then What? Translating Western Thought, Strategic Ideological Cooptation, and Institution Building for Freedom for Governments Emerging Out of Peaceful Chaos”* at the West Virginia University Law Review Symposium on “Civil Resistance and the Law: Non-Violent Transitions to Democracy.” He also presented *“A Discussion of the Alien Tort Statute and Kiobel”* for the Federalist Society at Whittier Law School, and a podcast for the Federalist Society’s SCOTUS-Cast project, summarizing the Supreme Court oral argument in *PPL Montana v. State of Montana*.

Donald also participated in a panel on the work of Hernando de Soto and *“Property Rights Moving to the Third World and the Forgotten Spark of the Arab Spring,”* at the Federalist Society’s 2011 National Lawyer’s Convention in Washington, D.C.

**MICHAEL LANG** published *“Conflicts about Conflicts: Implications of the Tax Court Canal Corp. Decision for Disciplinary and Malpractice Actions”* in the BNA TAX MANAGEMENT MEMORANDUM (BNA). Michael also co-authored, with Isa Lang, *Does the Tax Court Canal Corporation Decision Have Implications for Disciplinary and Malpractice Actions?* (Fall and Winter quarterly supplements) in the INDEX TO FEDERAL TAX ARTICLES.

He presented *“Conflicts about Conflicts: Implications of the Tax Court Canal Corp. Decision for Disciplinary and Malpractice Actions”* at the BNA Tax Management Income Tax Advisory Board in New York and the University of San Diego Tax Law

Speaker Series.

Michael remains vice-chair of the ABA Tax Section's Committee on Tax Practice Management. He is an active member of the Nominations Committee, the Professional Services Committee, and various substantive committees.

**FRANCINE LIPMAN** was elected to membership in the *American Law Institute (ALI)*.

**CELESTINE MCCONVILLE** published *Yikes! Was I Wrong? A Second Look at the Viability of Monitoring Capital Postconviction Counsel* in the MAINE LAW REVIEW.

**HENRY NOYES** was appointed by the United States District Court for the Central District of California to serve as a member of the court's Mediation Panel.

**RICHARD REDDING** served as a grant proposal reviewer for the *Social Science Research Council of the Netherlands* and as a reviewer for the journals POLITICAL PSYCHOLOGY and LAW AND HUMAN BEHAVIOR. Richard also continues to serve on the editorial boards of a number of peer-reviewed journals.

He presented *“The Politically Correct University,”* at the following law schools: University of Arizona, Drexel University, Florida International University, California Western, George Washington University, Golden Gate University, University of Miami, University of Nevada, University of San Francisco, Santa Clara University, Stanford University, Stetson University, Temple University, Villanova University, and Whittier.

Richard also testified before the Colorado General Assembly on pending juvenile justice reform legislation.

**SUSANNA RIPKEN** published *Corporate First Amendment Rights After Citizens United: An Analysis of the Popular Movement to End the Constitutional Personhood of Corporations* in the UNIVERSITY OF PENNSYLVANIA JOURNAL OF BUSINESS LAW.

**LARRY ROSENTHAL** filed an amicus brief in the United States Supreme Court in *Rehberg v. Paulk* on behalf of the International Municipal Law Officers' Association, the National League of Cities, and the National Association of Counties.

Larry presented *Saving Disparate Impact*, at the Sixth Annual Labor and Employment Law Colloquium held at Loyola Law School in Los Angeles.

**RONALD ROTUNDA** published the 2012 SUPPLEMENT TO MODERN CONSTITUTIONAL LAW (Thomson/West); and, with Thomas D. Morgan and John S. Dzienkowski, the 11<sup>th</sup> edition of PROBLEMS AND MATERIALS ON PROFESSIONAL RESPONSIBILITY: CONCISE EDITION (Foundation Press).

He also published *Does ObamaCare, As Written, Prevent Congress From Repealing It?* on FOXNEWS.COM; *Perry Is Right on Immigration* on the NATIONAL REVIEW ONLINE; and, *Kagan's Recusal from ObamaCare* in the WASHINGTON TIMES.

Ron filed an amicus brief in *In Re: Bellingham Insurance Agency, Inc.* Ron is also continuing his *pro bono* work in *United States v. Sholom Rubashkin*, now on appeal. Ron presented a paper on “*Sex Discrimination and the ERA*” at a symposium sponsored by the *Northwestern Journal of Law and Social Policy* at Northwestern University School of Law, and participated in a panel on “*Recusals Issues Concerning the Patient Protection and Affordable Care Act (Obamacare)*” at Judicial Watch in Washington, D.C. He also participated in a debate with former Congressman Bob Barr

on “*Confronting Terror: 9/11 and the Future of American National Security*” sponsored by the Orange County Lawyers Chapter of the Federalist Society.

Ron appeared on the television show “*Inside OC*,” and on the radio shows OneNewsNow.com—A Division of the American Family News Network—and “*Larry-on-the-Law*.”

Ron is a member of the Consultative Group of the ALI, Principles of Government Ethics, and is a Commissioner of the California Fair Political Practices Commission, where he participates in monthly hearings in Sacramento.

Ron has been cited well over 3,000 times in federal and state courts, legal treatises, and law reviews since joining Chapman.

**ROBIN SLOCUM**'s article, *The Law School Student-Faculty Conference: Towards a Transformative Learning Experience*, was reprinted in Volume II of the monograph series of the Legal Writing Institute.

She presented “*An Inconvenient Truth: the Need to Educate Emotionally Competent Lawyers*” at Creighton University School of Law's annual symposium “Changes in Legal Education and the Professional and Ethical Implications for Practicing Attorneys,” and was invited to participate in a Legal Leadership Summit in Manitou Springs, Colorado, a conference comprised of leaders in the Integrative Law Movement.

**VERNON SMITH** published *The Road Ahead: Insolvency, Policy, and Economic Stress* in the DAILY BEAST.

He participated in “*Antigua Forum: A Place of Learning*,” held in Antigua, Guatemala, where he joined policy reformers for a discussion regarding future reforms leading to human betterment.

**KENNETH STAHL** presented “*Local Government, One Person/One Vote, and the Jewish Question*” at both the Fourth Annual ClassCrits Conference at American University and the Second Annual Constitutional Law Colloquium held at Loyola University, Chicago. He also presented “*Empower the Neighborhood and Save the City*” at the Southeastern Association of Law Schools Annual Meeting.

Ken is a Contributing Editor for the Land Use Prof Blog.

**BART WILSON** published, with co-authors Sarah Brosnan and Michael Beran, *Old World Monkeys are More Similar to Humans Than New World Monkeys When Playing a Coordination Game*, in the PROCEEDINGS OF THE ROYAL SOCIETY: BIOLOGICAL SCIENCES.