Professor of Law

Jane Aiken directs the Civil Justice Clinic, now housed on the first floor of Anheuser-Busch Hall. Students act as lawyers and guardians ad litem representing women and children in domestic violence cases. In addition to working on orders of protection and hearings on paternity and custody of children, clinic students have worked on significant appeals before the Missouri Supreme Court, clemency petitions for incarcerated women who were victims of domestic violence, and policy initiatives regarding women and children at the state and local levels. The clinic helps students learn how to be effective and caring practitioners while using exciting new technology, including Web-based training materials and sophisticated case management tools. By next year, Aiken hopes to include social work students in the clinic to assist in case handling and to provide students opportunities to gain interdisciplinary insights.

In the spring of 2001, Aiken and Assistant Professor Melissa Jonson-Reid at the University’s George Warren Brown School of Social Work will teach Law and Social Work, a cross-listed, core course for the JD/MSW program. This course is the beginning of efforts to create several cross-listed courses with social work.

The Carnegie Academy for the Scholarship of Teaching and Learning selected Aiken as a fellow. She, along with 40 other scholars from other disciplines and institutions, will spend several weeks together over the next two years exchanging ideas and writing about teaching and learning. Aiken’s work will focus on how one teaches students to broaden their world views, question basic assumptions, and appreciate how their perspectives affect their decision making and ultimately the delivery of justice in the legal system. This is one of the projects she hopes to complete by early next year.

Tax Specialist Peter Wiedenbeck Focuses on the Complex Regulation of Pensions and Benefit Plans

Law is constantly evolving. That’s why the Federal Judicial Center, an agency within the judicial branch of the United States government, began publishing monographs on specialized areas of federal law to help inform federal district and appellate judges on complex topics that they encounter intermittently.

Peter J. Wiedenbeck, professor of law at Washington University, is researching and writing a monograph for the Federal Judicial Center titled “Implementing ERISA.” The Employee Retirement Income Security Act, known as ERISA, deals with the federal tax and labor law regulation of pension and health benefit plans. According to Wiedenbeck, his work will be “a policy-based overview and critique of the decisional law developed under ERISA’s labor title, emphasizing the tension between the dominant paternalistic justification of pension regulation and ERISA’s goal of facilitating workers’ career and financial planning.”

Wiedenbeck’s interest in the regulation of employee benefit plans grew out of his research on income tax policy. Specifically, he has focused on the requirements for special tax treatment of retirement savings under corporate pension and profit-sharing plans.

A central theme of these requirements is nondiscrimination: Plans receiving preferential tax treatment are prohibited from favoring the highly paid portion of the workforce in either coverage or benefits. The discrimination prohibited by the tax law is not race or sex discrimination, but economic discrimination. Wiedenbeck and other scholars have shown that tax law nondiscrimination rules—although originally intended simply as anti-abuse measures—in effect establish a covert redistribution system, shifting income tax savings from highly compensated employees into greater benefits for the lower-paid segment of the workforce.

“Pension and benefit plan regulation is a specialty within tax law,” Wiedenbeck says. “Tax is considered complex in general, but this is a subspecialty that most tax lawyers won’t touch. As they view it, to do a little bit of pension and benefits work is extraordinarily dangerous. You have to do it almost full time in order to be able to keep up with the detail and the rate of change in the area.”

Wiedenbeck, whose other publications include two coauthored casebooks, Cases and Materials on Employee Benefits and Cases and Materials on Partnership Taxation,
In the past year, Aiken has had two articles accepted for publication. One deals with the rape shield law and the other, co-authored with another law professor, is on evidence issues that arise in civil cases involving domestic violence. Aiken is also working on a book proposal examining the government's treatment of a woman prisoner whose original crime was against the government.

In recent months Aiken has made several presentations at national conferences. She presented "A Clinical Agenda for the New Millennium" at the Rutgers Law School National Conference on Clinical Education concerning the social justice mission of law school clinics. She discussed "Teaching Difference" at the Association of American Law School's Conference on Clinical Legal Education. She continued her work with the Federal Judicial Center, presenting "Evidence Overview" as an orientation for new federal judges.

Susan F. Appleton
Associate Dean of Faculty, Lemma Barkeloo and Phoebe Couzins Professor of Law

Susan Appleton became the inaugural holder of the Lemma Barkeloo and Phoebe Couzins Professorship at an installation ceremony on April 21, 2000. She completed her work as an adviser for the American Law Institute's Principles of the Law of Family Dissolution: Analysis and Recommendations in May, when the institute's membership approved the Tentative Draft No. 4. Appleton has agreed to serve as project director for the Center for Interdisciplinary Studies' 2001–02 program on "Regulating New Forms of Life—The Human Genome Project," in which the School of Law will work with the School of Medicine to plan a conference and other activities exploring the legal, ethical, and medical issues raised by genomic research.

As associate dean of faculty, Appleton is responsible for the Public Interest Law Speakers Series, weekly faculty presentations of works-in-progress, and recruitment of visiting and summer school faculty. She has also worked with Information Resources to revise the School of Law's Web site.

"This is a subspecialty that most tax lawyers won't touch. As they view it, to do a little bit of pension and benefits work is extraordinarily dangerous. You have to do it almost full time in order to be able to keep up with the detail and the rate of change in the area."

"In law school, I took a couple of tax courses, but only because I wanted to benefit from an outstanding teacher, L. Hart Wright, who made the social policy goals and deep structure of the income tax come alive in the classroom. At the time, I had no intention of going into tax as a career," Wiedenbeck recalls. "I was interested in legislation. And when I got to Patton, Boggs & Blow (now Patton Boggs, LLP) in Washington, D.C., a firm that is well known for its legislative practice.

Wiedenbeck traces his interest in tax policy to his experience in law practice. After receiving his JD degree from the University of Michigan Law School in 1979, he accepted a position at Patton, Boggs & Blow. He decided to transfer his tax policy expertise to the classroom. After three years at Patton, Boggs & Blow, Wiedenbeck decided to teach his tax policy expertise to the classroom. He came to Washington University in 1990, after teaching at the University of Missouri at Columbia School of Law and Cornell Law School. At Washington University he teaches Federal Income Taxation, Corporate Taxation, Corporate Reorganizations, Pass-Through Business Taxation, ERISA and Employee Benefits, and Pensions and Tax-Favored Savings.

In addition to teaching and research, Wiedenbeck serves as chair of the Washington University Judicial Board, which adjudicates cases involving allegations of serious student misconduct. As chair of the Curriculum Committee, he was deeply involved in the School of Law's recent adoption of first-year curricular reforms, including the small-section program. In both 1995 and 1997, the law school student body named him Teacher of the Year.

Wiedenbeck also has another passion in law: constitutional history. He is working on a book on the history of the tax provisions of the Constitution, and he occasionally teaches a seminar on constitutional history.

"It might seem that constitutional history is a far reach from tax, but it isn't," Wiedenbeck says. "So much U.S. constitutional history is really tax history. Outrage over British taxation, after all, was the spark that ignited colonial resistance. The tax debate broadened into a much wider range of issues, but the American Revolution and the Constitution of 1787 have much to do with restraining the fiscal powers of government."
Stuart Banner  
Professor of Law  
Stuart Banner’s book about law in early Missouri, Legal Systems in Conflict: Property and Sovereignty in Missouri, 1750–1860, was published in the spring by the University of Oklahoma Press. His article, “Two Properties, One Land,” appeared in 24 Law and Social Inquiry 807 and his article, “Conquest by Contract,” appeared in volume 34 of the Law and Society Review. Banner is finishing up his next book, which is about the history of capital punishment in the United States.

David M. Becker  
Associate Dean for External Relations, Joseph H. Zumballen Professor of Property Law  

Kathleen F. Brickey  
James Carr Professor of Criminal Jurisprudence  
Kathleen Brickey recently completed the 2000 Supplement to her three-volume treatise, Corporate Criminal Liability. The Supplement will be published this fall. She also prepared a 1999 Teacher’s Update to her casebook, Corporate and White Collar Crime, for classroom use pending publication of a new edition of the book. Her current works-in-progress include the third edition of the casebook and an empirical study of hazardous waste criminal prosecutions.

Kathleen Clark  
Professor of Law  
Kathleen Clark presented a paper on “Corruption, Conflicts of Interest, and Campaign Finance Law” to a faculty workshop at Cornell Law School in September 1999. The next month she presented “The Licensing of Professionals as a Tool for Curbing Corruption” at the Ninth International Anti-Corruption Conference in Durban, South Africa. In December 1999 Clark made a presentation on “ Forgiveness in the Law: Lessons from South Africa” to the Cornell University Peace Studies Program and participated in a roundtable discussion of problem-oriented courts at the U.S. Department of Justice, providing feedback on judicial ethics. She also drafted an amicus brief on prosecutorial ethics on behalf of leading legal ethics professors in a United States Supreme Court death penalty case, Williams v. Taylor. In January 2000 Clark helped to lead two workshops on “Developing a Code of Ethics for Parliaments-arians” for nongovernmental organizations in Lagos and Kaduna, Nigeria. The next month she presented a paper on “Lawyers, Lying and the Legacy of Watergate for Legal Ethics” at Hastings College of Law in San Francisco. In March she presented “Lobbying, the Adversary System, and Lawyers’ Ethics” at a Widener Law School symposium and “Prosecutorial Discretion and Prosecutors’ Prudence” at Georgetown Law Center. In April Clark made a presentation on “Prosecutors, Truth-Telling, and Justice” at Penn State–Dickinson College of Law. She was invited to present “The Over-Criminalization and Hyper-Regulation of Govern-ment Ethics” at a conference on Ethics in Public Administration in Wiry, Poland, in May and to comment on several economics papers dealing with corruption prosecutions at the 75th Annual Western Economic Association International Conference in Vancouver in June 2000.

Clark Cunningham  
Professor of Law  
Clark Cunningham was appointed an Israel Treiman Research Fellow by Dean Joel Seligman for 1999–2000; this fellowship funded Cunningham’s continuing research on the Effective Lawyer-Client Communication (ELCC) project, an interdisciplinary project with participants from five different countries. He used Treiman funds to transcribe and analyze the winning client interviews from the 1999 Inter-national Client Counseling Competition, producing an edited and captioned 9-minute video. He presented the video and discussed the ELCC project at the Midwest Clinical Teachers Association in October 1999 and at the inaugural conference of the Global Alliance for Justice Education (GAJE) in December 1999. His article, “What is Their Story? Using Steven Spielberg’s Amistad to Improve Lawyer-Client Communication,” at the conference on “Law, Culture & the Humanities” held at Georgetown University Law Center in March 2000. A third component of his Treiman research is empirical research on initial client interviews, combining client surveying with sociolinguistic analysis of interview recordings. He has commenced a pilot test of this research in collaboration with Alan Lambert, associate professor of psychology in Arts & Sciences at Washington University, and with four law professors at Case Western Reserve University in Cleveland. His article, “Affirmative Action: India’s Example,” was published in the official journal of the United States Civil Rights Commission, 4 Civil Rights Journal 22 (1999). He served on the planning committee and led a one-day plenary workshop on justice education at the GAJE conference mentioned above; more than 100 law teachers, lawyers, and social activists from over 20 countries gathered in India for this conference. While in Asia for this conference, he visited the National University of Singapore and the National University of Nepal, laying the groundwork for mutual law student exchange programs with both universities.

Rebecca Dresser  
Professor of Law and Ethics in Medicine  
In summer 1999 Rebecca Dresser’s commissioned paper for the National Bioethics Advisory Commission, “Research Involving Persons with Mental Disabilities: A Review of Policy Issues and Proposals,” was published in vol-
ume 2 of Research Involving Persons with Mental Disorders That May Affect Decisionmaking Capacity. Also published were two book chapters: “Criminal Responsibility and the Genetics Defense” in Genetics and Criminality: Perspectives from Science, Philosophy and Law (Botkin, McMahon & Francis, eds., American Psychological Association, 1999) and “Should Consent Be Required for an HIV Test?” in Ethical Dilemmas in Neurology (Zemón & Emanuel, eds., W.B. Saunders, 2000).


In June 1999 Dresser was an invited speaker at the Third Annual Colloquium, Faculty of Laws, University College, London. In October she presented “Advance Research Directives: Information Disclosure and Participant Protection” at the annual meeting of the American Society for Bioethics and Humanities in Philadelphia. In December she was an invited panellist for “Ethical Issues in Psychiatric Research” at the annual meeting of the American College of Neuro-psychopharmacology in Acapulco, Mexico. In January 2000 Dresser was an invited speaker at the “Genes and the Just Society” conference in San Diego. In February she delivered the annual lecture in toxicology in “The Rule of Double Effect in End-of-Life Care” at the annual meeting of the American Academy of Forensic Sciences. In April she gave the keynote lecture at “Bioethics: The Next Twenty-Five Years,” University of Tennessee Center for Applied and Professional Ethics. As a member of the Advisory Council, National Institute on Deafness and Other Communication Disorders, Dresser attended four meetings in Bethesda, Maryland, in 1999 and two meetings in 2000. In September 1999 and April 2000 she attended meetings of the Ethics Committee, American Society for Reproductive Medicine in Chicago.


Frances H. Foster
Professor of Law

Frances Foster published “Linking Support and Inheritance: A New Model from China” in 19 Wisconsin Law Review 1197. This was her second comparative study of Chinese and American approaches to inheritance, based on her original translations of recent Chinese inheritance cases. In November 1999 Foster attended the national convention of the American Association for the Advancement of Slavic Studies. In January 2000 she participated in the annual meetings of the Association of American Law Schools and the American Society of Comparative Law for which she serves on the board of directors, nominating committee, and long-range planning committee. In April the Washington University Graduate Student Senate and the Graduate School of Arts & Sciences awarded Foster a certificate for excellence in faculty mentoring. She received this honor based on nominating letters from both current students and alumni of the JDMA program in East Asian studies.

Foster spent last spring semester and summer on research leave. During that period she completed a comprehensive critique of the nation’s inheritance system entitled “Unnatural Dispositions: Reconsidering the Family Paradigm of American Inheritance Law.”

Jules B. Gerard
Professor of Law Emeritus


Michael M. Greenfield
Walter D. Coles Professor of Law

Greenfield’s article, “Limits on Standard-Form Contracting in Revised Article 2,” was published in 32 Uniform Commercial Code Law Journal 115 (1999). He continued working with the drafting committee to revise Article 2 and with a second committee to draft a uniform act to govern leases of automobiles and other consumer goods.

Greenfield was elected to the American College of Consumer Financial Services Lawyers, a professional association of lawyers dedicated to the improvement and enhancement of the skill and practice of consumer financial services law and the ethics of the profession.

In March 2000 he received the Writing Award of the American College of Consumer Financial Services Lawyers for the new edition of his casebook, Consumer Transactions.

He was invited to participate in a symposium commemorating the 20th anniversary of the Federal Trade Commission’s policy statement on unfairness. At the symposium, titled “Unfairness and the Internet,” Greenfield spoke on the development of unfairness under state statutes modeled after the FTC Act.

Finally, Greenfield is reprising his role as the law school’s building representative as he oversees the renovation of Anheuser-Busch Hall to convert existing space into two academic centers, a dozen faculty offices, and three new group-study rooms.
Robert Thompson Leaves the School of Law

by Peter Downs

Robert Thompson, the former George Alexander Madill Professor of Law, has assumed a faculty position at Vanderbilt University Law School in Nashville, which is where he attended college. As Thompson says, “I am returning to my roots.” The move will bring him closer to members of both his and his wife’s families.

Thompson arrived at the Washington University School of Law in 1979 after private practice in Atlanta, Georgia. Expecting to stay at the University only a few years, he stayed more than 20.

He established himself as a great scholar almost immediately. Joel Seligman, dean and the Ethan A.H. Shepley University Professor, says he became aware of Thompson’s reputation two decades ago: “He is a leading scholar in corporate law, particularly focusing on close corporations, where he continued the work of the late Hodge O’Neal.”

Together with O’Neal, who was at the law school when Thompson came here and who later became the School’s dean, Thompson wrote new editions of two treatises on close corporations used by lawyers and academics: O’Neal’s Close Corporations: Law & Practice and O’Neal’s Oppression of Minority Shareholders: Protecting Minority Rights in Squeeze-Outs and Other Intra-Corporate Conflicts. Since O’Neal’s death, Thompson has updated and revised these treatises.

Thompson also “is an extraordinarily well-regarded scholar in empirical studies on corporate law, especially for his article on piercing the corporate veil,” Seligman adds. Thompson surveyed 3,000 cases where courts disregarded the separateness of the corporate form and imposed liability on shareholders. It was primarily because of such empirical work that Seligman asked Thompson to direct the School of Law’s new Center for Interdisciplinary Studies.

Daniel Keating, associate dean and professor of law, called Thompson “a star within the community of scholars inside and outside the law school.” Indicative of that star status, Thompson received frequent invitations to speak at conferences and workshops, he has recently presented “Nuts and Bolts of Evaluation and Feedback of Students” at the Association of American Law Schools (AALS) Clinical Section Conference in Mexico in May 2000; “The Social Justice Mission of Clinical Education: Withstanding Political Attacks,” a work-in-progress, at the National Conference on The Social Justice Mission of Clinical Education at Rutgers-Newark Law School in April 2000; “The Third Wave: Clinical Education for This Millennium,” a work-in-progress, at the Clinical Theory Workshop at New York Law School in February 2000; and “Clinical Legal Education at the End of the Millennium: ABA Accreditation Standards and Clinical Faculty Demographics” at the Midwest Clinical Teachers Conference sponsored by the University of Wisconsin in November 19. Joy also made several continuing legal education presentations sponsored by the School of Law, the Bar Association of St. Louis, and the Missouri State Public Defender.


Joy served as lead pro bono counsel for amicus curiae educational associations in a Fifth Circuit case challenging restrictions on law professors and law students in Louisiana’s law school clinical education programs. He was also pro bono counsel of record for amicus curiae in two cases involving the rights of immigrants, one in the Sixth Circuit representing immigration and constitutional law professors from around the country and the other in the Eighth Circuit representing a citizens and immigrants organization.

Joy continues to serve as a...
consultant to the Missouri State Public Defender around lawyer training issues, and he performs pro bono ethics consulting for lawyers in the government sector, public defender offices, and legal services programs. He is a board member of CLEA, and the co-chair of the Political Interference Committee and the Conference Committee of the AALS Section on Clinical Legal Education. Joy is also an at-large program director for the National Institute of Trial Advocacy (NITA).

Daniel Keating
Associate Dean for Academic Affairs, Professor of Law

Daniel Keating spent much of the past year assisting Dean Joel Seligman with his transition to the School of Law. As associate dean for academic affairs, Keating is involved in work with curriculum, faculty hiring, budget, and alumni relations. He also returned to his full classroom teaching duties, including two sections of first-year UCC and his Chapter 11 Reorganizations Seminar.

In February 2000 Keating presented an article, “The Battle of the Forms in Action,” at a symposium, sponsored by the University of Michigan, on empirical work in commercial law. The article, which takes an empirical look at the “Battle of the Forms” problem in sales of goods transactions, draws upon interviews with in-house lawyers and businesspeople at national firms that buy and sell goods. The paper was published in the August issue of the University of Michigan Law Review.

In July Keating served for the third summer in a row on the Planning Committee for the AALS New Law Teachers Workshop. He was also appointed chair of the Planning Committee for the AALS Workshop on Bankruptcy, the first such specialized workshop on that topic to be sponsored by the AALS in 10 years.

As secretary for the Catholic Legal Assistance Ministry Board, Keating helped to oversee the work of a legal services program that assists indigent individuals in the St. Louis area, regardless of religious affiliation. Keating also served as a member of the Parish Teacher Compensation Committee, a 20-person committee appointed by the St. Louis Archdiocese that has been meeting twice a month to make recommendations on issues affecting the compensation and working conditions of the roughly 2,000 Catholic elementary school teachers in the St. Louis area.

Stephen H. Legomsky
Charles F. Nagel Professor of International and Comparative Law, Director of the Institute for Global Legal Studies

Stephan Legomsky has completed his first year as director of the law school’s new Institute for Global Legal Studies. During that planning year Legomsky appointed and worked with the 17 mem-

When students come into the corporations course, many think it will be boring and uninteresting. I love showing them that it is about people and emotions, like a soap opera.”

Beyond stellar scholarship, however, Thompson is known as a great teacher and a faculty leader. Twice he was selected Teacher of the Year by students. Selections he cited among his most satisfying accomplishments.

“He was always near the very top in student teacher evaluations,” says Keating. “He always enjoyed his students, and you can’t fake that.”

Thompson’s teaching at the law school emphasized typical human motivations that show up in transactional settings, and he used humor to connect it to his students’ lives. “When students come into the corporations course, many think it will be boring and uninteresting. I love showing them that it is about people and emotions, like a soap opera, and that it is more interesting than they expected,” he says.

Outside the classroom, Thompson was the driving force behind the annual F. Hodge O’Neal symposium, which is dedicated to current topics in corporate or securities law and sponsored by the Washington University Law Quarterly. Scholarship and teaching were not the end of Thompson’s contributions to the law school, Keating says. “He was a rare, true triple threat: a star in scholarship, teaching, and service. There is no major committee assignment he hasn’t taken. And when he spoke, everyone listened.”

Thompson served on the School’s personnel committee for 18 years, chairing it for four; on the long-range planning committee for seven years; and on the building committee for seven years. For the University, he chaired the Faculty Senate Council in the 1980s and co-directed the Business, Law and Economics Center for a year.

“One of my most enjoyable experiences was working under Mike Greenfield and Dan Ellis on the committee to help shape the new building,” recalls Thompson. “To see us move from Mudd Hall to Anheuser-Busch Hall was a fantastic experience. It was one of the greatest things to happen in my time at the law school.”

Thompson modestly deflected praise such as Keating’s, insisting he was only continuing the traditions of his mentor, Hodge O’Neal. “My achievements reflect what I learned from him,” Thompson says. “We stand on the shoulders of those who went before us.”
In July he spoke on the military service obligations of dual nationals at a workshop in Berlin. He also gave several local talks, including presentations at Neramec College, the Wednesday Club, and Washington University.

Legomsky continues to chair the Refugee Committee of the American Branch of the International Law Association and to represent the United States on the international committee. He also continues to serve on the editorial board of the Carnegie Endowment’s Research Perspectives. He has just been appointed to the editorial board of Immigration and Refugee Law and Policy Abstracts, an e-journal published by the Legal Scholarship Network.

Ronald M. Levin

Henry Hitchcock Professor of Law

Ronald Levin was installed on March 292000, as the first Henry Hitchcock Professor of Law. At the installation ceremony, he delivered an address entitled “Fighting the Appearance of Corruption.”

In July 2000 Levin became chair of the Section of Administrative Law and Regulatory Practice of the American Bar Association. He is the first faculty member in the history of the School of Law to chair an ABA section. Levin was the principal author of a letter that the section submitted to the Senate Governmental Affairs Committee in March 2000. The letter critiqued the proposed Federalism Accountability Act, a measure that would require “federalism assessments” for new regulations and limit the judicially developed doctrine of implied preemption. At the annual Administrative Conference of the section in October 1999, Levin spoke at a panel about his work in the 1980s as drafter of the section’s “restate-ment of scope-of-review doctrine.” He also discussed ways in which that project could be updated.

Also in October 1999, Levin spoke at the annual fall seminar of the Federal Administrative Law Judges Conference in Ocean City, Maryland, about ABA initiatives affecting the administrative judiciary and on “Congressional Abdication and Its Legal Limits, If Any” at a Saint Louis University School of Law conference on “Congress: Does It Abdicate Its Power?” In November he presented a paper entitled “Thoughts and Heresies on Teaching Administrative Law” at a conference at the University of Louisville. The paper, co-authored with Michael Asimow, was published in the Brandeis Law Journal.

FACULTY NOTES

Ronald M. Levin

Director of Legal Research and Writing, Lecturer in Law

In September 1999, Ellen Lewis presented a talk on “Teaching Ethics in Legal Writing” at the first Biennial Central Region LRW/Lawyering Skills Conference held at the University of Missouri—Kansas City School of Law. Approximately 70 legal research and writing professors from 26 law schools attended the conference. In July Lewis and Ann Davis Shields, also a lecturer in law, gave a presentation on “Teaching Students to Orally Present Legal Research and Analysis” at the Legal Writing Institute’s 2000 conference at Seattle University School of Law.

Daniel R. Mandelker

Howard A. Stamper Professor of Law

Daniel Mandelker has continued his work in the United States Congress with the land use ripeness legislation, and he testified before the Subcommittee of the Constitution of the House Judiciary Committee last October. Mandelker is also finishing up his work on the chapter on administrative and judicial review of the model land use code under preparation by the American Planning Association with the support of federal agencies and national governmental organizations. His article on substantive due process will be published in the festschrift in press to be published by the Washington University Journal of Law and Policy, while his article on growth management was published by the William & Mary Journal of Environmental Law and Policy. As usual, Mandelker continues to speak at numerous conferences and workshops.

Daniel R. Mandelker

Professor of Law

In February 2000 Legomsky participated in a workshop on dual nationality at the Mexican foreign ministry in Mexico City. In June he presented a paper on foreign citizens and American courts at a conference in Hanover, Germany.
Charles R. McManis
Professor of Law
In 1999 a casebook co-authored by Charles McManis, Licensing Intellectual Property in the Digital Age, was published by Carolina Academic Press. This is the first casebook published on transactional aspects of intellectual property law. Also published in 1999 was a chapter contained in Volume 4 of West’s Federal Administrative Practice, “Chapter 42: Patents,” which McManis co-authored with John W. Kepler, adjunct professor of law at Washington University and principal of the St. Louis firm of Sulthaus & Walsh, PC. On March 31 and April 1, 2000, McManis co-chaired a conference co-sponsored by Washington University School of Law and the Patent, Trademark & Copyright Section of the Bar Association of Metropolitan St. Louis that was held in Anheuser-Busch Hall. The topic of the conference was “Re-engineering Patent Law: The Challenge of New Technologies.” Keynote speakers included Gfodd Dickinson, director of the United States Patent & Trademark Office, Judge Randall R. Rader of the United States Court of Appeals for the Federal Circuit (the federal appellate court having exclusive jurisdiction over all patent appeals) and Dr. Nuno Carvalho, who received his JSD degree from Washington University in 1998 and is now serving on the staff of the World Intellectual Property Organization in Geneva, Switzerland, after having served on the staff of the World Trade Organization. In addition to the keynote speakers, nine patent law academics from the United States and abroad presented scholarly papers that will be published as a symposium in Volume 2 of the Washington University Journal of Law and Policy. Panelists at the conference included Dr. Robert Waterston, the James W. McDonnell Professor of Genetics and head of the Department of Genetics at Washington University’s School of Medicine; Dr. Frank C-P Yin, the Stephen & Camilla Brauer Professor of Biomedical Engineering and chair of Washington University’s Department of Biomedical Engineering; Gregory E. Upchurch, adjunct professor of law at Washington University and partner, Thompson Coburn, LLP; Michael Warner, patent counsel, Monsanto Co.; and Thomas Borecky, associate general counsel and chief patent counsel, Baxter Healthcare. Co-chairing the conference was G. Harley Blosser, partner, Senninger, Powers, Leavitt & Roedel. McManis has also been active in organizing an Intellectual Property Advisory Board, to be chaired by Dorsey D. Ellis, the William R. Orthwein Distinguished Professor of Law. This board will be advising the law school on a faculty proposal to establish an LLM and/or joint-degree program in intellectual property law at Washington University.

Stanley L. Paulson
Professor of Law, Professor of Philosophy
In 1999–2000 Stanley L. Paulson was on leave in Germany. His main research focus while in residence in the Faculty of Law at the University of Kiel was on the role of the Marburg and Heidelberg neo-Kantians in the legal theories of Hans Kelsen and Gustav Radbruch. Together with colleagues from Columbia University and the University of Bremen, Paulson held a symposium on July 18-19 at the Center for Interdisciplinary Research, University of Bielefeld, on the legal and political philosophy of Joseph Raz, the celebrated Oxford legal philosopher, who responded at length to his critics. A volume of conference papers is planned. In October 2000 Paulson will lead an international panel of speakers, drawn from legal history and legal philosophy, on historicocomparative perspectives of legal formalism. The panel, a part of the annual meeting of the American Society of Legal History, is to be held in Princeton. In late November Paulson will return to the Center for Interdisciplinary Research, University of Bielefeld, where he and Robert Alexy, University of Kiel, have organized an international conference on “Neo-Kantian Philosophy and Its Applications in Legal Theory.” In early December, in Berlin, Paulson will participate in an international conference on “Franz Neumann and the Rule of Law.” Paulson’s guest lectures in 2000 include papers read in Graz, Uppsala, Bremen, Kassel, Kiel, Tilburg, Bologna, Naples, Palermo, Ljubljana, and Istanbul.

The volume Normativity and Norms: Critical Perspectives on Kelsenian Themes, which Paulson translated and edited with Bonnie Litschewski Paulson, was reviewed with enthusiasm in Germany’s leading daily newspaper, the Frankfurter Allgemeine Zeitung. Another of Germany’s major dailies, the Frankfurter Rundschau, published a very favorable review of the volume Rechtsphilosophie, by Gustav Radbruch, which Paulson edited with Ralf Dreier, University of Goettingen. Both books have also been reviewed in British, German, and Italian law journals. Articles published by Paulson in 1999–2000 include papers in the Oxford Journal of Legal Studies, the Archiv des öffentlichen Rechts, the Archiv fuer Rechts- und Sozial-philosophie, the Tel Aviv Jahrbuch fuer deutsche Geschichte, the collection Gegen den Ausnahmezustand, and the Notre Dame Law Review in a special number devoted to essays in honor of the Oxford and Notre Dame legal philosophers, John Finnis.

Leila Sadat
Professor of Law
Leila Sadat continues to be recognized as a leader in the international criminal law area. This past spring she was awarded a substantial grant from the United States Institute of Peace to write a book on the new International Criminal Court. The book, which will build on the article she recently published in the Georgetown Law Journal, will be published by Transnational Publishers next year. It will address many practical, as well as theoretical, aspects of the proposed court’s operations.

Over the last several months, Sadat gave several papers on the court to academic audiences in the United States and abroad, including an international seminar sponsored by the Irish Center for Human Rights this past summer in Galway, Ireland. She continues to chair the International Law Association’s
American Branch)Committee on the ICC, and she was appointed to the association’s international study group on the court. As an NGO delegate, Sadat continued to attend the preparatory commission meetings for the court at the United Nations.

Her article, “Custom, Codification and Some Thoughts About the Relationship Between the Two: Article 10 of the Rome Statute,” which was published in a symposium honoring Professor M. Cherif Bassiouni, also appeared in the DePaul Law Journal this past summer.

Sadat also published an essay on crimes against humanity in French law in a book, “The Papon Affair: History and Justice on Trial,” published by Rutledge Press. Her paper on the crime of genocide was presented to the Lester B. Pearson Canadian International Peacekeeping Training Centre in Montréal, Canada. She was asked to join in writing the only casebook on international criminal law published in the United States Paust, Bassiouni, et al., International Criminal Law: Cases and Materials) She visited the International Criminal Tribunal for the former Yugoslavia this summer to observe firsthand the workings of international criminal justice.

Sadat also continues to work actively to improve and promote the law school’s international and comparative law programs. She was instrumental in convincing the law school to join the American Society for Comparative Law when she came to Washington University several years ago, and was recently elected to the society’s executive committee. She was also elected secretary of the Association of American Law Schools Section on Comparative Law, meaning that she will chair the section in two years.

Sadat continues to bring many international and comparative law visitors to the School of Law. This year she taught a new course on the United States Constitution and foreign affairs. This fall she will be an author and participant in a workshop at Princeton University known as the Princeton Project on Universal Jurisdiction, which assembles a group of experts to develop principles for the exercise of universal jurisdiction by states and the international community. Next year she will add a seminar in international legal process to the law school’s burgeoning international law program.

Once again Sadat led the School’s Jessup International Moot Court Team to capture a United States regional title and place with honors in the competition’s international rounds held in Washington, D.C. The team placed third among 132 teams in the United States and thirteenth out of 312 teams worldwide.

Joel Seligman
Dean and the Ethan A.H. Shepley University Professor
In addition to serving as dean, Joel Seligman in 1999–2000 completed the 2000 annual Supplement to his 11-volume treatise on Securities Regulation; the 2000 annual Supplement to his abridged treatise, Fundamentals of Securities Regulation; and revised Volume 4 of the treatise.

Seligman also served as reporter on the National Conference of Commissioners on Uniform State Laws (NCCUSL) project to rewrite the basic state securities statute known as the Uniform Securities Act. This act, initially adopted by NCCUSL in 1956 and ultimately enacted in as many as 39 states, is being revised because of a number of recent federal preemptive statutes, including the Private Securities Litigation Reform Act of 1995 the Securities Market Improvement Act of 1996 and the Securities Litigation Uniform Standard Act of 1998.

Karen Tokarz
Professor of Law, Director of Clinical Education
In the coming year Karen Tokarz will celebrate her 20th anniversary as director of the School of Law’s Clinical Education Program, which was ranked sixth in the nation by U.S. News & World Report this past spring. She played a key role in moving the Civil Justice Clinic in-house and in opening the new Interdisciplinary Environmental Clinic this year.


Tokarz was appointed chair of the Skills Training Committee of the American Bar Association Section of Legal Education and Admissions to the Bar for 1999–2000. She was an invited participant in “A National Dialogue on the Legal Education Continuum” at the 2000 ABA midyear meeting in Dallas in February. She moderated two panels at the 2000 ABA annual meetings in July: one in New York on “Promoting Justice Goals for Law Students and Lawyers Through Innovative Law School and Bar Collaborations,” and one in London on “Designing Quality Clinical Education in Overseas Law School Programs.”

In March Tokarz spoke on “Good Faith Participation in Court-Ordered Alternative Dispute Resolution” at the United States District Court, Eastern District of Missouri, program on “Federal Practice in the New Country” in St. Louis. She was appointed to serve on the United States District Court Alternative Dispute Resolution Advisory Committee and selected for the court’s panel of neutrals for internal employment disputes. Additionally she was appointed to the St. Louis City Planning Commission this year.