New Hires Strengthen Law Faculty

From training judges in Central Asia to co-editing a book with former Sen. John Edwards, clerking for Justice John Paul Stevens, and authoring leading casebooks in their fields, a rich array of professional and scholarly experiences comes with Washington University Law’s 14 recent faculty hires. These accomplished academics also share a commitment to excellence in teaching.

Samuel W. Buell
Associate Professor of Law

Samuel W. Buell teaches and writes about criminal law and regulation of behavior in firms and markets. A former prosecutor for the United States Department of Justice in New York, Boston, Washington, D.C., and Houston, he twice received the Attorney General’s Award for Exceptional Service. Buell teaches Criminal Law; Securities Regulation; and Advanced Topics in Regulation of Financial Markets.

Cheryl Block
Professor of Law

Cheryl Block joined the law school from George Washington University. She is an expert in tax law and policy. Author of a leading book on corporate taxation, she also has written numerous articles on taxation, public policy relating to federal bailouts, legislative voting rules, social choice theory, and the interplay between tax and budget policy. She teaches Corporate Taxation; Federal Income Tax; Legislation; and Tax Policy.
We have hired both exceptionally accomplished veteran professors and entry-level professors who have shown great promise in their fields.”

KENT SYVERUD

 Widely Published and Recognized as Leading Scholars, the law school’s 14 new professors represent a diversity of interests that enriches the school’s research enterprise. And they bring a passion for teaching that promises students a deeply rewarding learning experience. Indeed, says international law scholar Melissa Waters, who joined the faculty in summer 2008, Washington University’s reputation as “a school that really cares about teaching” was one of the factors that drew her to St. Louis.

Constitutional and election law scholar Gregory Magarian, who was hired in 2007 to join the law faculty in 2008, shares her enthusiasm for teaching: “In the classroom, two things excite me. One is when I get the sense that students are understanding something they didn’t understand before, and the other is when I understand something that I didn’t understand as well before.”

The recent faculty hires have areas of expertise spanning criminal law, the regulation of behavior in firms and markets, law and psychology in the context of dispute resolution, tax law and policy, Chinese law and politics, Constitutional law, law and economics, the gendered and private law dimensions of American slavery, family law, clinical education, empirical research, law and politics, international law, comparative law, human rights law, and labor and employment law.

They are recipients of research grants from the National Science Foundation and Ford Foundation and fellowships from the Rockefeller Foundation’s Bellagio Study and Conference Center, Council on Foreign Relations, Harvard’s Criminal Justice Institute, and the Xibei Institute of Politics and Law. They have published numerous scholarly works and serve as editors and editorial board members of leading law journals. One received two Attorney General’s Awards for Exceptional Service. Others hold or have held leadership roles with the Association of American Law Schools, American Bar Association, European Association of Law and Economics, and Uniform Law Commission.

“We have hired both exceptionally accomplished veteran professors and entry-level professors who have shown great promise in their fields,” notes Kent Syverud, dean and the Ethan A.H. Shepley University Professor. “We are thrilled to have recruited 14 such talented faculty.”

Since 2006, the law school has hired Professors Cheryl Block, Samuel Buell, Adrienne Davis, Gerrit De Geest, Rebecca Hollander-Blumoff, Emily Hughes, Gregory Magarian, Andrew Martin, Carl Minzner, and Adam Rosenzweig (see below, pages 2–6). Joining them at the law school in 2008 are the most recent hires: Annette Appell, Marion Crain, David Law, and Melissa Waters (see above, pages 4–7).

Adrienne Davis
William M. Van Cleve Professor of Law

Professor Davis’ scholarship emphasizes the gendered and private law dimensions of American slavery. The author of a book and numerous other publications, she also does work on race and feminist theory. Formerly a chaired professor at the University of North Carolina, Davis serves as a distinguished lecturer with the Organization of American Historians. She teaches Contracts; Law & Literature; Slavery; and Trusts & Estates.

Gerrit De Geest
Professor of Law

Professor De Geest joined the law school from Utrecht University in the Netherlands. He is the author of numerous books and articles on issues related to comparative law and law and economics. Past president of the European Association of Law and Economics, De Geest is a member of the Economic Impact Group of the Common Principles of European Contract Law and co-editor of the Review of Law and Economics. He teaches Comparative Law, Jurisprudence; and Law & Economics.
ANNETTE APPELL, professor of law and the school’s inaugural associate dean for clinical affairs, joined the faculty from the University of Nevada, Las Vegas. Appell earned a bachelor’s degree in philosophy at Cornell University and her law degree at Northwestern University. She taught previously at Northwestern and the University of South Carolina before going to Nevada, where she became associate dean for clinical studies and the William S. Boyd Professor.

As Washington University Law’s new associate dean for clinical affairs, Appell succeeds former clinic director Karen Tokarz, who was celebrated in April 2008 at her installation as the Charles Nagel Professor of Public Interest Law and Public Service (see page 26). Appell is overseeing the school’s clinical, externship, and related programs and courses. She also is working to create additional live client clinics at the law school; to integrate the already strong and diverse existing clinical programs and faculty; and to build ties with legal and social services communities outside the law school. Additionally, she will be teaching Child Welfare and Children & the Law.

Appell’s research interests center around children and the family, adoption, the child welfare system, and children’s representation. Current projects include an article titled “The New Blended Families: Legal, Blood, and Fictive Kin Networks and Open Adoption,” in which she explores the continued importance of disrupted biological connections in families where at least one biological parent is not a legal parent and suggests lessons that adoption with contact can provide for structuring relationships in these families.

The biological connection, she says, has “utility and functionality.” At the same time, the postmodern family is taking on many new and complex biological and social forms. “I’m interested in how we address the regulation of these families,” she explains. Twenty states have now provided for adoption with contact, a voluntary, but legally regulated, system for adoptive families and biological relatives to maintain continuing connections. “This might be a useful model for postmodern families as well and help accommodate the inexplicable pull of biology,” she says.

Appell has served on the editorial boards of Adoption Quarterly and Juvenile & Family Court Journal. She has authored more than 30 scholarly articles and book chapters and has presented papers at scores of conferences and other meetings. She has testified before state legislatures in North Carolina, Nevada, and Illinois and served as a member of the Nevada Supreme Court Commission on Access to Justice, among many professional service commitments.
Labor law scholar **MARION CRAIN**, the Wiley B. Rutledge Professor of Law, also has an abiding interest in families, with an emphasis on eliminating poverty. As deputy director of the University of North Carolina’s Center on Poverty, Work & Opportunity, she and former Sen. John Edwards co-edited *Ending Poverty in America: How to Restore the American Dream*, a compilation of essays (including one by Washington University’s Michael Sherraden) offering concrete strategies for change.

Crain graduated from Cornell University with a degree in social work and then earned her law degree at the University of California–Los Angeles. Her social work studies, she says, sparked an interest in “groups and organizations and institutions—what their cultures are, how they’re organized, how they mobilize themselves for change—and that laid the groundwork for my later interest in labor unions.”

Crain has authored a labor law casebook and an employment law casebook (co-authored with Professor Pauline Kim), along with numerous articles and book chapters. Current research interests also include family law; feminist legal theory; and the relationships among gender, work, and class status. One project now in progress is exploring questions of employee branding. The growth of the service sector, she observes, has brought intensive efforts to “brand” or identify employees with the services they provide. Dress, scripted speech, even makeup can all be part of this effort. She acknowledges that employees can see this branding as a benefit, a means of belonging, but, she wonders, “when the mother ship cuts loose its satellites, does it owe them anything? Cutting them loose at will is more than just an economic loss. They’re cut off from their community and their identity.”

Crain taught law at West Virginia University and the University of Toledo before going to North Carolina. She has been a visiting professor at the Universities of Michigan and Alabama, George Washington University, and Duke. At Washington University, she will be teaching Labor Law; Employment Law; Family Law; and related seminars.

Crain enjoys teaching and finds that it fuels her research. “I’ve gotten my best ideas for scholarship while teaching,” she says, “because students ask the most fundamental questions, the ones I’ve stopped thinking about or have never thought about. They call me back to what’s important. And teachers who are engaged in scholarship bring that passion and excitement into the classroom.”
Public law, constitutional theory, transnational law, and the law’s intersection with political science form the core of Professor David Law’s scholarly interests. Law will join the faculty this winter, with appointments both at the law school and in the Department of Political Science in Arts & Sciences. Among many irons currently in the fire, he is working on a major article on the ways in which judicial review bolsters popular sovereignty, an empirical analysis of the Supreme Court’s use of legislative history in statutory interpretation cases, a critical examination of the ways in which scholars measure judicial ideology, and an investigation of the Japanese Supreme Court’s renowned reluctance to strike down legislation. He is conducting the latter project in Tokyo with the support of an International Affairs Fellowship, awarded by the Council on Foreign Relations and sponsored by Hitachi.

A year of study at the University of Oxford sparked Law’s interest in comparative and transnational law. A graduate of Stanford University with a bachelor’s in public policy and of Harvard Law School, he clerked for a federal appeals court judge in Los Angeles then practiced there as an attorney for another year before returning to Stanford to study political science as a PhD student. He had a keen interest in political theory, but with key members of Stanford’s political theory faculty on leave, he took advantage of a scholarship to attend Oxford’s distinguished jurisprudence and political theory seminar. To qualify for a graduate degree, he filled out his schedule with several comparative law courses, and was hooked.

According to Law, scholars differ considerably about what can be accomplished by studying comparative law. His own goal is to move beyond comparison to framework-building that will enable public law to be taught as a single coherent subject on a global basis. Traditional subjects such as tort law and criminal law, he observes, “vary significantly from state to state, and yet national law schools teach a framework of general principles within which differences between states can be understood.”

Law believes that, to a significant degree, the same can be done with constitutional law on an international scale by developing a theoretical, doctrinal, and practical framework that applies across different countries. Such a framework would give law schools a way to equip their students with a “substantive and analytical tool kit” for “approaching public law issues in any jurisdiction they come across.”

He comes to the law school from the University of San Diego School of Law and the University of California,
San Diego political science department. He currently is serving as a visiting professor at Keio University in Tokyo, for the purpose of conducting his research on the Japanese Supreme Court. At Washington University, he will teach Constitutional Law; Administrative Law; and courses in the areas of law and political science, and comparative public law.

Professor MELISSA WATERS, who joins the faculty from Washington and Lee University, specializes in international law. In particular, she’s interested in the relationship between international and domestic law. When the United States signs an international treaty, how do its obligations become incorporated into domestic law? One camp argues that the treaty obligations automatically become part of domestic law. Others assert that the legislature must enact them to incorporate them into domestic law.

Waters believes that judges have a critical role. “It’s really important that American judges begin to learn to play that role as mediators between domestic and international law,” she says. So currently she’s working on research into the dialogic relationship between U.S. and international courts, and into the transnational judicial dialog among judges around the world as they confer with one another in an effort to assume this role.

Waters grew up around the law in Elm Springs, Arkansas, where her father, H. Franklin Waters, was a lawyer and a judge. She earned both bachelor’s and law degrees at Yale. She first taught at Case Western Reserve University and has been a visiting professor at Vanderbilt University and Guatemala’s Universidad Francisco Marroquin. She has presented papers and lectures across the country and abroad.

Her professional and scholarly experience goes well beyond teaching and research. Consulting with the Soros Foundation, she helped develop a program to build human rights legal capacity in Angola and Mozambique. At the State Department’s Bureau of Democracy, Human Rights, and Labor, she advanced efforts to intensify sanctions against Burma in response to its human rights abuses. Working with the American and the International Bar Associations, she has trained judges in Central Asia and Iraq. Iraq, she says, has a strong tradition of the rule of law. “There is so much to work with in Iraq,” she observes. “They could really become a wonderful example for the Middle East, a strong but uniquely Middle Eastern legal system.”

At Washington University, Waters will teach Conflict of Laws; Foreign Relations Law of the United States; and International Law. She observes: “I love teaching. I find that the better my teaching is going, the more excited I am about my research, and vice versa.”

The following faculty also will be teaching at the law school in 2008–09.

Ambassador-in-Residence
Thomas A. Schweich
Special Representative, U.N. Office of Drugs and Crime; and of counsel, Bryan Cave LLP
Teaching: Afghanistan: Microcosm of International Crisis; The United Nations: An Evolving Approach to International Law & Crisis Resolution
(See page 23)

Visiting Professors
Peter Alces
Rita Anne Rollins Professor of Law, The College of William and Mary
Teaching: Payment Systems; Secured Transactions; UCC: Article 2

Charles Burson
Former Executive Vice President and General Counsel, Monsanto; Former Counsel to the Vice President, Assistant to the President and Chief of Staff at the White House, Office of the Vice President; now of counsel, Bryan Cave LLP
Teaching: Lawyer’s Role in Corporate Crisis Management; Supreme Court & Presidential Elections

Adele Morrison
Associate Professor, Northern Illinois University
Teaching: Civil Justice Clinic; Domestic Violence Law

Camille Nelson
Professor, Saint Louis University
Teaching: Contracts; Criminal Law

Michael Siebecker
Associate Professor, University of Florida
Teaching: Agency, Partnership & LLCs; Corporations

David Stras
Associate Professor, University of Minnesota
Teaching: Federal Jurisdiction

Visiting Lecturer
Leah Theriault
Former Lecturer/Adjunct, University of Toronto
Teaching: Copyright & Related Rights; Theory of Property Rights II: Intellectual Property

Fellows
Maggi Carfield, JD/MSW ’05
Former public interest lawyer, Law Offices of Thomas E. Kennedy, Ill
Teaching: Law & Social Work; Property

Jennifer Carter-Johnson
Former intellectual property lawyer, Perkins Coie LLP
Teaching: Biotechnology & the Law; Property