Katherine Barnes brings multi-disciplinary knowledge and interests to the School of Law, particularly in statistics. “Empirical work, with its emphasis on statistical applications, can inform policy decisions, which is important to me,” says Barnes. She finds that statistics, or empirical work, has some very compelling applications in the law.

Adding to her bachelor’s degree from Swarthmore College and her law degree from the University of Michigan, Barnes recently completed her doctorate in statistics at the University of Minnesota. Her dissertation, “Bayesian Inference in Spatial Clustering Models of Crime Data,” looked at creating a statistical model of crime rates to determine whether state-level policies—i.e., mandatory sentencing for certain crimes— influence criminal behavior. While controlling for factors like race, income, and level of education, Barnes found that crime rates did not differ between bordering states—Ohio and West Virginia—with different penalties.

In another project, Barnes is studying selection bias, unidentified or uncontrolled variables that might skew a study’s findings. For example, she looked at data related to which cars police pulled over on I-95 in Maryland. While she could identify and control for
Tomiko Brown-Nagin also is excited about the University’s interdisciplinary emphasis. She specializes in bringing the insights of social history to bear on the law. As she explains, “Social history examines how average, private citizens both experience and shape the course of history, while legal history typically focuses on developments in legal doctrine. “My scholarship views these two historical disciplines, which commonly are considered distinct, as complementary,” she continues.

“I begin from the assumption that an understanding of legal rules that is divorced from an appreciation of their impact on everyday people is incomplete.”

an occupant’s race or car model, Barnes couldn’t control all variables, like the presence of gang colors, for which data weren’t collected. Her goal is to create a statistical model that controls for selection bias even if data are missing.

Barnes has almost finished collecting data concerning a situation in New Orleans in which a nonprofit group began representing those charged with capital crimes. As soon as these defendants had adequate representation, a majority of the cases started getting thrown out. By analyzing the data, Barnes hopes to see where the process broke down and what changed when the nonprofit group came on board.

“It will take about six months to figure out the story of the data,” says Barnes. “That’s my favorite part.”

Before law school, Barnes taught mathematics, physics, and computer science at Westover School in Connecticut. After law school, she clerked for Judge Vaughn Walker of the United States District Court for the Northern District of California and then for Judge Sonia Sotomayor of the United States Court of Appeals for the Second Circuit.

“A clerkship is about a 65-hour-a-week job. I rounded it out with working on my dissertation,” she says with a laugh. “It helps that they have lots of take-out restaurants in New York City.

“I’m very excited to be in St. Louis,” she says. “There is already a group of scholars at the University, both in the School of Law and in political science, who are doing empirical work. They value interdisciplinary work, and it was important to me that I wouldn’t be the only person doing this kind of work. I’m somewhat astonished and very happy to be doing exactly what I want.”

In addition to expanding her research, Barnes is teaching Property, Evidence, Criminal Procedure, and Death Penalty this fall. Her husband, Gautam Gowrisankaran, has joined the faculty at the Olin School of Business.
Ultimately, she concludes, this problem could be ameliorated with a more “democratic” litigation process that includes more collaboration between clients in civil rights class actions and their lawyers, and between lawyers and judges.

A book manuscript exploring in a broader context the issue of intraracial conflict that she raised in her dissertation and an article on the normative questions about the lawyer-client relationship are also under way.

Brown-Nagin has explored her interest in complex civil litigation not just from a scholarly perspective, but also in practice. For two years, she was an associate in the litigation department of Paul, Weiss, Rifkind, Wharton & Garrison in New York City, where she represented defendants in a number of high profile class actions in areas ranging from securities fraud to ERISA.

Like Barnes, she also worked toward her doctorate while clerking—first for Judge Robert Carter of the United States District Court, Southern District of New York, one of the storied members of the legal team that brought down de jure segregation, and then for Judge Jane Roth of the United States Court of Appeals for the Third Circuit. On top of all this, while finishing her dissertation and working at Paul Weiss, she and her husband, Daniel Nagin (see page 6), were caring for their newborn son, Julius.

Holding joint appointments in the School of Law and in the Department of History in Arts & Sciences, Brown-Nagin is teaching Lawyers and Justice: Ethics in Public Lawyering; Remedies; Individual Rights and the Constitution; and American Legal History at the law school.

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Steven Gunn: Clinical Expertise

“I believe professors have a responsibility to illuminate the law and, where possible, advance it. Scholarly research is an integral part of that process.”

“A t heart, I'm a clinical professor,” says Steven Gunn, who is teaching the School of Law's Civil Justice Clinic, as well as Property, Federal Indian Law, and Perspectives on Property Law. “Washington University has an outstanding, nationally ranked clinical program with several pioneers in the field. That was a major attraction.”

Gunn received his bachelor's degree in political science and philosophy from Stanford University and his law degree from Yale University.

He previously served as a visiting associate clinical professor at Yale Law School. For two-and-a-half years, he taught courses on housing law, consumer rights, poverty, and Indian law. Students widely recognized his teaching skill: He was a finalist for “teacher of the year” the past two years, and he was selected to deliver the law school's 2003 commencement address. “I will miss the people, the students, and other faculty at Yale,” says Gunn. “But I feel great about coming to Washington University. The warmth of the community is wonderful, and the law school's commitment to clinical legal education is virtually unmatched nationwide.”

Gunn also looks forward to having more time for scholarly work. “I have written in the past, but the School of Law builds in time for scholarship and writing, even for clinicians,” he says. “I will have much more time to pursue a scholarly agenda here than elsewhere, and that is extremely important. I believe professors have a responsibility to illuminate the law, and, where possible, advance it. Scholarly research is an integral part of that process.”

Gunn's “two passions” are property and Indian law. While working as a summer intern for the Cheyenne River Sioux tribe in South Dakota during law school, he fell in love with the people, the land, and the culture: “I acquired a deep appreciation for the differences between Indian cultures and religions and those of the dominant society. It resonated with me.”

After law school, Gunn returned to South Dakota to work with the Sioux as a Skadden fellow, and he has stayed involved in Indian law ever since.

The field of Indian law presents a complex and interesting array of legal issues. “We, as a nation, are still trying to figure out how to relate to the Indian nations within our borders.”
Indian law is a rich body of law in its own right, and it is also a great vehicle through which students can study fundamental principles of federalism, constitutional law, conflicts of laws, property, international law, and more,” says Gunn.

He plans to establish an Indian law externship program at the law school. Through the program, Gunn will take about a dozen students to a reservation each summer to practice Indian law.

His wife, Heidi Miller, has joined the faculty of Washington University’s School of Medicine. “I feel blessed to have a wonderful wife and a beautiful baby boy, Asher, who was born in March,” says Gunn. “Some days I wake up and am struck by how extraordinary it is to be able to spend my life surrounded by loved ones, doing work I feel passionate about, and teaching others in the process.”

C.J. Larkin Leads ADR Programs

C.J. Larkin has been appointed administrative director of the School of Law’s Alternative Dispute Resolution Programs. An adjunct professor and clinic attorney at the law school since 1999, Larkin is charged with expanding alternative dispute resolution (ADR) offerings in the Civil Rights and Community Justice Clinic and in other class offerings.

ADR training provides law students with negotiation, mediation, problem-solving, and arbitration skills. There is a growing demand for such training among students and practicing lawyers. “Successful and effective attorneys need well-developed problem-solving and interpersonal skills, in addition to mastering substantive and procedural law,” Larkin says. “The vast majority of cases are settled before going to trial, and much legal work involves negotiation and looking for win-win outcomes.”

Professor Karen Tokarz, who directs clinical education and the Civil Rights and Community Justice Clinic, says, “C.J. is an enormously experienced family and community mediator and trainer. She will greatly enhance our ability to provide students with these important lawyering skills.”

Larkin will work with Tokarz to train the clinic’s students in mediation, as well as coordinate mediation opportunities. This clinic provides mediation services for indigent and low-income St. Louis-area residents. For example, students mediate disputes referred by the police when neighbors need help in amicably resolving their disputes or cases referred by the Juvenile Court, in which a juvenile first-time offender and victims meet to discuss restitution and the juveniles’ future. Through the clinic, students get a chance to develop their skills while providing a much-needed service to the community.

Larkin, who received her law degree from the University of Missouri at Columbia and her master’s degree in political science from the University of Missouri at St. Louis, also will teach Mediation Theory and Practice and coordinate other adjunct faculty members teaching this course. “Although Mediation Theory and Practice is not a required course, there is a high demand. Students sense that ADR is the wave of the future,” says Larkin.

Additionally, Larkin will work with other faculty members to incorporate ADR into traditional classes and help initiate new courses, such as environmental dispute resolution, negotiation, and employment mediation. Larkin also will coordinate ADR workshops and training for lawyers and other professionals.
during the 1998–99 term, which included the presidential impeachment trial. “It was an absolutely amazing experience,” Richards recalls. “Seeing how our system of government functions in these grand constitutional moments was probably the most interesting thing I’ll ever do.”

After teaching for a year as the inaugural Hugo Black Faculty Fellow at the University of Alabama School of Law, he joined the law firm of Wilmer, Cutler, and Pickering, in Washington, D.C., where he practiced appellate litigation for two years. Although he enjoyed the practice of law, Richards ultimately decided that he preferred academia. Accordingly, he and his wife, Wendy, began looking for a college town in which to raise their daughter, Fiona, born this past April.

“What really attracted me to the School of Law was that it is an institution on the move,” Richards says. “It has nicely navigated the tension between being a place that produces significant amounts of high-quality, nationally recognized scholarship, while remaining an enjoyable place for faculty to work and for students to study.”

Richards is interested in the complex relationships between privacy rights and the First Amendment. Some argue, for example, that privacy regulations barring the selling of information about people violate First Amendment rights. In his current position, he observes, “There is a growing recognition that our privacy rights are being eroded.”

Daniel Nagin
Administers the Civil Justice Clinic

Daniel Nagin compares his new position as administrative director of the Civil Justice Clinic to being the managing attorney of a legal services office. He oversees the day-to-day operation of the clinic; helps decide which cases to accept; supervises students and accompanies them to court; and works closely with the clinic’s director, Professor Jane Aiken.

“The clinical program at Washington University School of Law is a great fit,” he says. “It provides an opportunity for me to draw on my experience as a poverty lawyer and on my interest in education and teaching.”

“Daniel is a tremendous addition to the clinical program,” says Aiken. “He is dedicated to social justice and will be an outstanding mentor to our students while bringing vital organizational skills to the clinic.”

Nagin, who holds a master’s degree in education from Stanford University and a law degree from the University of Chicago, says, “I’ve spent a number of years representing low-income clients in the trenches of New York City’s court system, and I want to continue my work as a practitioner. My wife, Tomiko Brown-Nagin (see page 3), is the academic.”

Through his practice, Nagin has seen that “most of the legal needs of the poor simply go unmet. As a result, people get evicted, lose health coverage, or suffer other harms when effective advocacy could have led to a different outcome,” he says.

Nagin originally enrolled in law school because he wanted to address issues of unequal access to quality education. Working in Chicago’s homeless assistance and mental health clinics helped reinforce his sense that it can be hard to take advantage of educational opportunities when access to basic necessities—food, housing, and health care—is lacking.

After graduation, he worked first in a homeless legal project and then in an HIV legal project. Most recently, he served as director of HIV/AIDS Services and Advocacy at The Partnership for the Homeless in New York City.

“Those who live at the margins of society experience some of the most persistent and complex legal problems,” he says. “The Civil Justice Clinic is an ideal place for law students to begin to confront these issues and the questions they raise.”
Visiting and Adjunct Faculty Enhance the School of Law

Four visiting faculty members and a new adjunct faculty member are teaching at the School of Law in the 2003-04 academic year.

Leonard Gross, professor at Southern Illinois University School of Law, is teaching Legal Profession this fall. He is the author or co-author of Organizing Corporate and Other Business Enterprises; Supreme Court Appointments: Judge Bork and the Politicization of Senate Confirmations; and Agency and Partnership. He previously clerked for Judge Frederick L. Brown, Appeals Court of Massachusetts, and practiced corporate litigation with Shearman & Sterling in New York City. He received his bachelor’s degree from State University of New York at Binghamton and his law degree from Boston University.

Timothy Holbrook, assistant professor at Chicago-Kent College of Law, will teach Patent Law and Trademarks and Unfair Competition in spring 2004. His research, publications, and teaching focus on property and intellectual property, particularly patent law, international patent law, and trademarks. He previously clerked for Judge Glenn L. Archer, Jr., United States Court of Appeals for the Federal Circuit, and practiced patent litigation with Shearman & Sterling in New York City. He received his bachelor’s degree from State University of New York at Binghamton and his law degree from Boston University.

Grady Jessup, associate professor and director of the Clinical Program at North Carolina Central University (NCCU) School of Law, is teaching Trial Practice and Procedure and the Criminal Justice Clinic in fall 2003. He has published widely on clinical education, including his experience helping implement a clinical education program at the Ghana School of Law. He received the Association of American Law Schools’ award for emerging clinicians, the North Carolina Academy of Trial Lawyers’ award for outstanding teaching of trial advocacy, and the North Carolina Association of Black Lawyers’ community service award. He earned his bachelor’s degree in commerce, his master’s degree in finance, and his law degree from NCCU.

Ronald R. King, the Myron Northrop Professor of Accounting at Washington University’s Olin School of Business, will teach Financial Accounting for Lawyers in spring 2004. He teaches financial accounting and financial statement analysis in the MBA, executive MBA, and professional MBA programs at the Olin School. He has been honored twice with teaching awards from Olin students. His research examines the effect of legal and market institutions on the production and use of accounting information. He has published on auditor independence and financial reporting. King earned his bachelor’s and master’s in business degrees from the University of Wisconsin at La Crosse and his doctoral degree from the University of Arizona. He is a certified public accountant in Missouri.

The new adjunct professor is Stephen M. Ryals, an experienced civil rights practitioner in St. Louis. He is teaching Civil Rights Litigation Theory and Practice in fall 2003. Ryals is the author of Discovery and Proof in Police Misconduct Cases and co-author of Section 1983 Litigation: Farms. A supervising attorney in the School’s Civil Rights and Community Justice Clinic, he is a partner in the firm of Ryals and Soffer PC. He previously worked in the Franklin County Public Defender Office. Ryals earned his bachelor’s degree in political science from the University of Missouri at St. Louis and his law degree from the University of Missouri at Kansas City.