
Reuven S. Avi-Yonah, the Irwin I. Cohn Professor of Law and director of the International Tax LL.M. Program, was a panelist on “Recent International Tax Developments Affecting Latin America” at the Inter-American Development Bank in Washington, D.C., in October. In November, he presented “The Case for Dividend Deduction” at Columbia Law School, taught Comparative CFC Rules at Vienna Economic University, and taught U.S. Corporate Taxation and presented “Recent Developments in U.S. International Taxation” at Bocconi University, Milan. In December, he attended the American Tax Policy Institute’s Board of Trustees Meeting in Washington, D.C., presented “Taxation as Regulation” at New York Law School, and taught U.S. International Taxation at Université Paris-Sorbonne. In January, he chaired a panel on “Taxation in Developing Countries” at the AALS Annual Meeting in San Francisco and a panel on “Corporate Tax Reform” at the American Bar Association Tax Section in Boca Raton, Florida.

Susanne Baer, LL.M. ’93, William W. Cook Global Law Professor, has been elected to the German Federal Constitutional Court, Germany’s top court, for a 12-year non-renewable term (see story, p. 8).

Professor Michael S. Barr returned to the Law School after a two-year stint in the Obama Administration. Barr served as Assistant Secretary of the Treasury for Financial Institutions, and was a key architect of the Dodd-Frank Wall Street Reform and Consumer Protection Act. He also led passage of the Credit CARD Act and played a key role in the Small Business Jobs Act. Barr served as a board representative on the Pension Benefit Guarantee Corporation, as a board member of the Securities Investor Protection Corporation, and as a member of the FDIC’s Advisory Committee on Financial Inclusion. Barr helped to craft the Administration’s housing policy, was responsible for implementing its small business lending funds, led the Treasury’s financial education efforts, and expanded the Treasury’s financial access initiatives. Barr also served as Acting Under Secretary of the Treasury for Domestic Finance, and as Counselor to the Director of the National Economic Council. He testified numerous times before Congress and delivered remarks nationwide regarding financial reform. Barr was awarded the Treasury’s highest honor, the Alexander Hamilton Award for Distinguished Leadership.
David H. Baum, ’89, assistant dean for student affairs and special counsel for professional skills development, was appointed to serve on the State Bar of Michigan’s Standing Committee on Character and Fitness in September, received a Certificate of Appreciation from the U-M Council for Disability Concerns in October, and was a panelist at a program entitled “Character and Fitness: To Disclose or Not To Disclose” at the AALS Annual Meeting in January.

Howard Bromberg, clinical assistant professor of law in the Legal Practice Program, edited the three-volume encyclopedia Great Lives from History: The Incredibly Wealthy (Salem Press, 2011).

Bridgette Carr, ’02, public interest/public service faculty fellow and director of the Human Trafficking Clinic, was awarded a $300,000 grant from the U.S. Department of State to open a human trafficking clinic in Zacatecas, Mexico (see story, p. 17).

Rachel Croskery-Roberts, ’00, clinical assistant professor and associate director of the Legal Practice Program, has been named the chair of the Teaching Methods Section of the AALS for 2011. She participated in a panel discussion on “Connecting Doctrinal and Practical Problem-Solving Instruction to Enhance Legal Education” at the AALS Annual Meeting in January.

Kristina Daugirdas, assistant professor of law, presented and commented on a paper by Michael Van Alstine, “Stare Decisis and Foreign Affairs,” at the American Society of International Law Workshop at the University of Virginia in December.


Samuel R. Gross, the Thomas and Mabel Long Professor of Law, participated in the workshop “International Perspectives on Wrongful Convictions” at the U.S. Department of Justice’s National Institute for Justice in Washington, D.C., in September, and led a discussion on the role of plea bargaining in false convictions in the United States. In November, he presented a paper on “Pretrial Incentives, Post-Conviction Review, and Sorting Criminal Defendants by Guilt or Innocence” at the Exonerating the Innocent: Pre-trial Procedures Symposium at New York Law School.

James C. Hathaway, the James E. and Sarah A. Degan Professor of Law and director of the Program in Refugee and Asylum Law, traveled in September to Japan, where he delivered the keynote address, “Saving International Refugee Law,” at the University of Tokyo’s Human Security Symposium, and
Nicholas C. Howson lectured on refugee law in the university’s Human Mobility Studies Program. He then spent two weeks as a distinguished visiting professor of law at the University of Toronto, where he taught an advanced symposium on international refugee rights and delivered papers in the faculty’s Constitutional Law Workshop (“The Lawfulness of Refugee Boat Arrivals”) and Globalization Workshop (“Dictating Asylum: What Does International Law Allow?”). He returned to Toronto in October to give the lead paper, “What Does International Law Require of a Refugee Status Determination Procedure?”, at a national symposium on refugee law reform. After completing his teaching term at Michigan Law, Hathaway gave his Inaugural Professorial Fellow Lecture, “Constraints on Choice of the Country of Asylum,” at the University of Melbourne, and led both a Ph.D. roundtable on international migration issues and the inaugural workshop for law professors from the Asia-Pacific region working on issues of refugee and asylum law.

Professor Nicholas C. Howson presented “Corporate Litigation in the Chinese People’s Courts—Clear Competence, Developing Autonomy and Intimations of Independence” at Michigan State University College of Law in September. He presented “Corporate Litigation in the Chinese People’s Courts” to Michigan Law’s Asia Law Society in October, and was a panelist on “Interdisciplinary Approaches to Archival Research” at the Archival Advances & Historical Research: Shanghai Municipal Archives and Beyond Symposium convened by the U-M Bentley Historical Library and the Shanghai Municipal Archives. In November, he was a commentator on the paper “Development Bank, Regulation and Self-regulation: Regulatory Complementarity in the Brazilian Venture Capital Market” at the Agencia Brasileira de Desenvolvimento Industrial/Fundação Getúlio Vargas Escola de Direito de São Paulo Conference. “Law and Development: A Dialogue Between BRICs,” and presented “The Chinese Legal Profession” at the Globalization, Lawyering, and the Emerging Economies (GLEE) Workshop, Fundação Getúlio Vargas Escola de Direito de São Paulo, both in São Paulo, Brazil. In addition, he gave two presentations in December: “Liu Xiaobo in Three Parts” at the Nobel Symposium—Concurrent Talks on the Nobel Prizes and the People Who Won, sponsored by the U-M Center for the Study of Complex Systems, and “China’s Legal Construction Program” as part of the “China Today” panel during the U-M Economic Dinner Group. In February, he helped to organize and lead the U.S.–China Economic Law Conference at Wayne State University (see story, page 65).

Martha S. Jones, affiliated LSA faculty and associate professor of history and Afroamerican and African studies, gave two presentations at the University of Southern California Law School in October (“Rituals of Rights in the Discharge of Debts: Overturning Dred Scott v. Sandford in Baltimore City” and “Bearing Arms in Baltimore City: From Claims-making to Citizenship in the Era of Dred Scott”). She organized “We Must
First Take Account”: A Conference on Race, Law, and History in the Americas in April at U-M.


Margaret A. Leary, director of the Law Library, has written a biography of William W. Cook that will be published by the University of Michigan Press this fall. Giving It All Away: The Story of William W. Cook & His Michigan Law Quad describes Cook’s family background, his education at Michigan, and his great success in New York City, which generated the money he was to give to Michigan Law. Unbeknownst to most people, Cook was married, then divorced in 1898. After he died in 1930, his former wife sued for half the estate, claiming the divorce was invalid and that she was therefore his widow.

Jessica Litman, the John F. Nickoll Professor of Law, published two articles in 2010: "Real Copyright Reform" in Iowa Law Review, Vol. 96, No. 1, and "The Invention of Common Law Play Right, Copyright@300: Looking Back at the Statute of Anne and Looking Forward to the Challenges of the Future” in Berkeley Technology Law Journal, Vol. 25.

Kyle D. Logue, the Wade H. McCree Jr. Collegiate Professor of Law, was selected as a member of the American Law Institute and was named associate reporter on the ALI’s Liability Insurance Project. His recent publications include “Coordinating Sanctions in Tort” in Cardozo Law Review, Vol. 31, No. 6; “Narrowing the Tax Gap through Presumptive Taxation” in Columbia Journal of Tax Law, Vol. 2, No. 1 (with Gustavo G. Vettori); and “Of Coase, Calabresi, and Optimal Tax Liability” in Tax Law Review, Vol. 64, No. 3 (with Joel Slemrod).

Leonard Niehoff, ’84, became a professor from practice last fall after eight years as an adjunct faculty member. He recently was elected to the board of directors of the National Association of College and University Attorneys and to the board of governors of the American Bar Association Forum on Communications Law. His article “When the Supreme Court Came to Michigan” was published in The Court Legacy, Vol. XVII, No. 2, in September.

Mark K. Osbeck, ’86, clinical assistant professor of law in the Legal Practice Program, presented “Incorporating Research Strategy into the Teaching of Legal Research” at the biennial conference of the Legal Writing Institute in Marco Island, Florida.

Jessica Litman
Professor Richard Primus’s work was cited by the National Gay and Lesbian Task Force Foundation in its brief to the 9th Circuit in Perry v. Schwarzenegger, the Proposition 8/Gay Marriage case. He also has been helping the National Fire Prevention Association develop a set of policies that fire departments will use to govern the safety and nondiscrimination issues that arise with respect to pregnant firefighters.

Frances and George Skestos Professor of Law Adam C. Pritchard presented “Charter Competition, Corporate Governance, and CEO Turnover” at a faculty workshop at Marquette University Law School in October and at the International Business Seminar at New York University Law School in November. During the fall he also presented “The Price of Pay To Play in Securities Class Actions” during the Conference on Empirical Legal Studies at Yale Law School; “The Supreme Court’s Impact on Securities Class Actions: An Empirical Assessment of Tellabs” to the Illinois Corporate Colloquium at the University of Illinois College of Law; and “Securities Law in the Roberts Court: Agenda or Indifference?” at the Center for Business Law and Regulation at Case Western Reserve University School of Law.

Margaret Jane Radin, the Henry King Ransom Professor of Law, presented two chapters of her work in progress—a book about form contracts (“boiler-plates”)—at a faculty workshop at the University of Wisconsin Law School in November. The tentative title of the book is World B: My Way or the Highway in Contract Law. She also presented a paper at the 2010 University of Wisconsin Law Review Symposium on Intellectual Property and Intergenerational Equity. The title of her paper, slated to be published in the Symposium volume of the Wisconsin Law Review, is “Property Longa, Vita Brevis.”

Steven R. Ratner, the Bruno Simma Collegiate Professor of Law, presented “The Obama Administration and Counter-Terrorism” during the International Law Year in Review at Hebrew University Faculty of Law in Jerusalem in December. He was a visiting professor at the Haifa University Faculty of Law in Israel in December and January. He authored the article “Between Minimum and Optimum World Public Order: An Ethical Path for the Future” in Looking to the Future: Essays on International Law in Honor of W. Michael Reisman (Martinus Nijhoff Publishers, 2011), and coauthored (with Jeffrey Dunoff and David Wippman) the books International Law: Norms, Actors, Process, Third Edition and Teacher’s Manual for International Law: Norms, Actors, Process, Second Edition, both published by Aspen Publishers in 2010.

Mathias W. Reimann, LL.M. ’83, the Hessel E. Yntema Professor of Law, gave a presentation at the International Bar Association Meeting in Vancouver in November. He was a visiting professor at the Haifa University Faculty of Law in Israel in December and taught an “Introduction to German Law.”

Mark D. Rosenbaum, Harvey J. Gunderson Professor from Practice and a public interest/public service faculty fellow as well as the legal director of the American Civil Liberties
Union in Los Angeles, has been named an attorney of the year by California Lawyer. He and two other attorneys were honored for securing a landmark settlement in a class action alleging that youths detained at a complex of six Los Angeles County probation camps were denied a constitutionally adequate education.


David A. Santacroce, clinical professor of law, received a Pro Bono Recognition Award from the U.S. District Court for the Eastern District of Michigan. The award was given for Santacroce’s work with his students defending a slander suit against a Muslim author who had written a book detailing abuses she had suffered as a child. In November, he presented “An Empirical View of Clinics: 1998–2008” at the 2010 Midwest Clinical Conference in Chicago. As a member of the ABA’s Questionnaire Committee, Santacroce helped conduct a public hearing in December in Ft. Lauderdale, Florida, where law schools and other interested parties testified regarding proposed regulatory changes governing the way law schools calculate and report graduate employment statistics.

Dana A. Thompson, ’99, clinical assistant professor of law and faculty member in the Urban Communities Clinic, joined the board of directors of Community Legal Resources in Detroit and became a faculty affiliate with U-M’s Center for Entrepreneurship. She spoke on “Common Legal Issues Impacting New and Existing Small Businesses” at then-Governor Jennifer Granholm’s Emerging Small Business Leaders Forum in September. She was a panelist at the Net Impact Conference, sponsored by U-M’s Ross School of Business last October, and discussed the role of social enterprises in American urban revitalization. In addition, she discussed the Michigan Law Urban Communities Clinic at the Michigan Small Business Technology Development Center and presented a paper on low-profit limited liability companies and urban revitalization at the Clinical Law Review Writer’s Workshop, both in October.

David M. Uhlmann, the Jeffrey F. Liss Professor from Practice and director of the Environmental Law and Policy Program, gave the keynote address on “Environmental Crimes: Real Crimes, Real

Mark D. Rosenbaum Vivek S. Sankaran, ’01 David A. Santacroce Dana A. Thompson, ’99

David M. Uhlmann
Victims” at the National Center for Victims of Crime Annual Conference in New Orleans in September. In October, he presented “The Gulf Oil Spill: Criminal Fines, Civil Penalties, and Natural Resource Damages for the Worst Environmental Disaster in U.S. History” at the Graham Environmental Sustainability Institute in Ann Arbor. He also presented “Criminal and Civil Penalties for the Gulf Oil Spill” to the Dean’s Advisory Council at Michigan Law, and gave the keynote address on “Keeping America’s Promise of a Safe Workplace: OSHA Reforms for the 21st Century” at the American Industrial Hygiene Association’s Professional Conference on Industrial Hygiene in Fort Worth, Texas. In March, Uhlmann was a moderator during the Green Technology and Economic Revitalization symposium sponsored by the Michigan Telecommunications and Technology Law Review. Uhlmann’s article “After the Spill Is Gone: The Gulf of Mexico, Environmental Crime, and the Criminal Law” is forthcoming in Vol. 109 of the Michigan Law Review, and his article “Crimes on the Gulf” was published in the Fall 2010 issue of the Law Quadrangle magazine.

Lawrence W. Waggoner, ’63, the Lewis M. Simes Professor of Law, retired from Michigan Law at the end of fall 2010 after 36 years of teaching (see story below). His article on U.S. perpetual trusts will be published in a forthcoming issue of the Law Quarterly Review. The article is designed to bring the U.S. perpetual trust movement to the attention of British and Commonwealth readers.

Save the Last Class For Me

As the final moments of his Trusts and Estates class ticked away on December 6, retiring Professor Lawrence Waggoner, ’63, found himself on the receiving end of a longstanding Michigan Law tradition he’d undoubtedly participated in many times himself.

Outside his classroom, respectful colleagues were gathering clandestinely before entering, lining the walls, and applauding—“clapping him out,” as is the Michigan Law custom, of his last class.

Space was tight in the fourth floor conference room where the estates class was held, but as many faculty members as could uncomfortably fit crammed themselves into the room anyway. Applauding professors were quickly joined by students in an enthusiastic salute to Waggoner and his three-and-a-half decades of service on the Michigan faculty.

The gesture wasn’t lost on Waggoner.

“I want to thank everyone who came over at the end of my last class,” he said later. “I’m deeply grateful. It was a great send-off. I have to say also that the students’ eyes were as big as saucers, seeing so many of their professors crowding into that small room and standing in the hall outside.”

Waggoner served as a captain in the U.S. Army from 1966–68, earned a doctorate from Oxford as a Fulbright Scholar, then came back to the Law School for good in 1974 after a stint at the University of Virginia.

The Lewis M. Simes Professor of Law, Waggoner became perhaps America’s most recognizable figure in trust and estate law during his time at Michigan. He was the director of research and the chief reporter for the Joint Editorial Board for Uniform Trust and Estate Acts, as well as the principal drafter of the 1990s revisions to the Uniform Probate Code.

“Larry has been a wonderful teacher and a committed and creative torch-bearer for law reform for his entire career,” Dean Evan Caminker said. “We wish him the best in retirement, and hope he knows how much he’ll be missed in the classroom.”—JM
In the News

Michigan Law faculty members were quoted in news stories across the country and around the world in recent months, about everything from oil to the SEC to brain rot. Here are some of the highlights.

MARCH

Mark West is quoted in Slate about the myths and the realities behind Japanese poise in the face of multiple and simultaneous catastrophes.

A Wall Street Journal story cites Lawrence Waggoner’s American Law Institute report about restrictions on dynasty trusts.

Richard Friedman helps WDET listeners understand the state’s newly signed law that gives broad powers to emergency financial managers.

FEBRUARY


Nicholas Bagley is quoted in USA Today about GOP efforts to reduce regulations on businesses.

Dana Thompson, ’99, is quoted in a Detroit News story about warming centers for the city’s homeless.

JANUARY

David Uhlmann talks to The Wall Street Journal, the Los Angeles Times, ABC News, The Financial Times, the AP, and others about recently released sections of a report showing problems with management of the rogue Gulf of Mexico oil well.

The Legal News profiles William I. Miller and includes mentions of his writings about blood feuds and brain rot.

Nicholas Howson helps The Washington Post analyze the meaning of a Chinese tech giant’s suit against its former partner, Motorola.

Sam Gross is quoted in an Agence France-Presse story on how bad science can lead to bad convictions.

In an AP story, Jessica Litman comes to the defense of the Cuban state tobacco company in an infringement case based in Detroit.

Reuven Avi-Yonah pens an op-ed for the Detroit Free Press on President Obama’s best course in the Middle East.

DECEMBER

CNN’s AC 360, featuring Anderson Cooper, highlights slavery in America by focusing on a New Jersey hair-braiding case involving Human Trafficking Clinic clients of Bridgette Carr, ’02.

Daniel Crane discusses, with The Detroit News, the antitrust implications of a possible Barnes & Noble/Borders merger.

Frank Vandervort is quoted in the Detroit Legal News in a story on the Detroit organization Motherly Intercession.

NOVEMBER

A study by John Pottow about bankruptcy among older Americans is featured in USA Today, Fox Business News, The Washington Post, Newsweek, and more.

A page-one New York Times story about the Supreme Court’s tendency to “write long” features a quote from Ed Cooper.


The National Law Journal notes the new Jindal University/Michigan Law collaborative arrangement spearheaded by Vikramaditya Khanna.

OCTOBER

Adam Pritchard is quoted in The New York Times about changes that grant more power to the SEC.

Reuters quotes Nina Mendelson in a story about augmented SEC powers.