



# faculty highlights

# usd school of law

The University of San Diego School of Law's community of scholars is committed to the pursuit of academic excellence. As a result, our faculty is nationally recognized for their scholarly impact:

- **Ranked 17th** nationally in number of times faculty manuscripts were downloaded from the Social Science Research Network (SSRN) over the last 12 months.<sup>[1]</sup>
- **Ranked 22nd** in scholarly reputation on survey of leading law academics.<sup>[2]</sup>
- **Ranked 27th** in scholarly impact based on mean per capita citation rates.<sup>[3]</sup>

<sup>1</sup>As of September 2008. From [ssrn.com](http://ssrn.com).

<sup>2</sup>[http://www.leiterrankings.com/faculty/2003faculty\\_reputation.shtml](http://www.leiterrankings.com/faculty/2003faculty_reputation.shtml).

<sup>3</sup>[http://www.leiterrankings.com/faculty/2007faculty\\_impact.shtml](http://www.leiterrankings.com/faculty/2007faculty_impact.shtml).

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## CIVIL RIGHTS LAW

**Roy Brooks'** new book, *Civil Rights Theory*, is scheduled for publication by Princeton University Press. His other recent work includes, *Civil Rights Litigation: Cases and Perspectives* (co-authored; Carolina Academic Press); *Structures of Judicial*

ROY BROOKS



*Decision Making from Legal Formalism to Critical Theory* (Carolina Academic Press); and *Atonement and Forgiveness: A New Model for Black Reparations* (University of California Press).



MIRANDA MCGOWAN

**Miranda McGowan's** publications include, "Untangling the Myth of the Model Minority," 100 *Northwestern University Law Review* 331 (co-authored) and "From Outlaws to Ingroup: *Romer*, *Lawrence*, and the Inevitable Normativity of Group Recognition," 88 *Minnesota Law Review* 1312. She has a forthcoming piece in the *Mississippi Law Journal* on Justice Scalia's ordinary meaning method of statutory interpretation.

**Gail Heriot**, a member of the U.S. Commission on Civil Rights, authored a statement on affirmative action in law schools republished at 17 *Journal of Contemporary Legal Issues* 237.

## TAXATION

**Karen Burke** has a forthcoming casebook, *Federal Taxation of Partnerships* (with Yin), to be published by Aspen Law & Business as part of a three-volume series. Among her recent publications are, "Turning Slogans Into Tax Policy," (with McCouch), 27 *Virginia Tax Review* 747 (2008), and "Is the Corporate Tax System 'Broken'?" 28 *Virginia Tax Review* (forthcoming 2008).



KAREN BURKE



GRAYSON MCCOUCH



PAUL CARON

**Grayson McCouch** recently published, “Social Security Reform: Lessons from Private Pensions,” (with Burke), 92 *Cornell Law Review* 297, and “The Empty Promise of Estate Tax Repeal,” 28 *Virginia Tax Review* (forthcoming 2008). He is also the co-author of “Federal Estate and Gift Taxation” (with Bittker & Clark) (9th ed.) and “Gratuitous Transfers” (with Clark et al.) (5th ed.).

**Richard Pugh** is the co-author (with Gustafson & Peroni) of *Taxation of International Transactions* (3d ed.).

**Lester Snyder** recently published a book on tax policy, *Double Take: Unequal Taxation of Equals*.

**Paul Caron** joins the faculty for a three-year term as the Herzog Summer Visiting Professor in Taxation. Caron, the associate dean of faculty and Charles Hartsock Professor of Law at the University of Cincinnati College of Law, has published several books on taxation and is the author of the influential *TaxProf Blog*.

## INSTITUTE ON LAW AND PHILOSOPHY

Professors **Larry Alexander** and **Steve Smith** are the executive directors of our Institute on Law and Philosophy, which sponsors public lectures and academic roundtables that bring to campus distinguished academics from around the world. The institute also is a regular point of interaction between the law school and four distinguished philosophers from the University of California at San Diego: directors Richard Arneson and David Brink and affiliated scholars Dana Nelkin and Sam Rickless. Upcoming events and past participants are listed at <http://www.sandiego.edu/lawphilosophy/events.html>.



LARRY ALEXANDER



STEVE SMITH

Professor Alexander's recent work includes three coauthored books with Cambridge University Press: *Demystifying Legal Reasoning: Crime and Culpability: A Theory of Criminal Law* (forthcoming); and *A Defense of International Legal Interpretation* (with **Saikrishna Prakash**) (forthcoming).

Professor Smith's article, "Our Agnostic Constitution," appears at 83 *New York University Law Review* 120, and "De-Moralized: Glucksberg in the Malaise," appears at 106 *Michigan Law Review* 1571. His most recent book, *Law's Quandary*, was published by Harvard University Press.

### **CENTER ON CORPORATE AND SECURITIES LAW**

This new center will sponsor colloquia, public lectures, and other projects. It is directed by **Frank Partnoy**. His forthcoming book, *The Match King*, examines the legacy of Ivar Kreuger, whose financial misdeeds led to much of our current securities and accounting regulation. His forthcoming publications include "Shapeshifting Corporations" (*University of Chicago Law Review*) and the new

**FRANK PARTNOY**



edition of *Business Organization and Finance, Legal and Economic Principles*, with John C. Coffee, Jr. (Columbia law) and William A. Klein (UCLA law). Partnoy's recent article, "Hedge Fund Activism, Corporate Governance, and Firm Performance," 63 *Journal of Finance* 1729, is co-authored with Professors Alon Brav (Duke University business school), Wei Jiang (Columbia University business school), and Randall Thomas (Vanderbilt law). Partnoy is also co-author (with Jeffery Bauman (Georgetown) and Alan R. Palmiter (Wake Forest)) of a widely used casebook on corporate law, and is widely known for his book on Enron and other financial scandals, *Infectious Greed: How Deceit and Risk Corrupted the Financial Markets*.



MIKE RAPPAPORT

## CONSTITUTIONAL LAW

USD boasts one of the country's finest groups of constitutional law scholars.

While many views are represented, one strength is among those interested in the original understanding of the constitution. **Mike Rappaport** directs our Center for the Study of Constitutional Originalism. His recent works include two articles coauthored with John McGinnis (Northwestern Law): "Originalism and Supermajoritarianism: Defending the Nexus," 101 *Northwestern Law Review* 1919, and "Majority and Supermajority Rule: Three Views of the Capitol," 85 *Texas Law Review* 1115. Other recent works with an originalist focus include **Mike Ramsey's** book, *The Constitution's Text in Foreign Affairs* (Harvard University Press); **Sai Prakash's** article, "Unleashing the Dogs of War: What the Constitution Means by 'Declare War,'" 93 *Cornell Law Review* 45, and his forthcoming article in the *Georgetown Law Journal*, "The Executive's Duty to Disregard Unconstitutional Laws;" and **Laurence Claus'** article, "The One Court that Congress Cannot Take Away; Singularity, Supremacy, and Article III," 96 *Georgetown Law Journal* 59.

## CRIMINAL LAW AND PROCEDURE

Known as "the father of *Miranda*," **Yale Kamisar** joined our faculty after many years at the University of Michigan Law School. He is a co-author of leading casebooks in both constitutional law and constitutional criminal procedure; his other recent works include "On the Fortieth Anniversary of the *Miranda* Case: Why We Need it, How We Got It—And What Happened To It," 5 *Ohio State Journal of Criminal Law* 163, and "Can *Glucksberg* Survive *Lawrence*? Another Look at the End of Life and Personal Autonomy," 107 *Michigan Law Review* (forthcoming).

Professor Kamisar is joined by his former student, **Donald Dripps**, who came to USD after holding the James Annenberg Levee Professorship of Law and Criminal Procedure at the University of Minnesota Law School from 1998 until 2004. His work on criminal procedure includes his book, *About Guilt and Innocence—The Origins, Development and Future of Constitutional Criminal Procedure*, and his many law review articles on both procedure and substantive criminal law have appeared in journals such as the *Vanderbilt Law Review*, *Constitutional Commentary*, *Criminal Justice Ethics*, *Journal of Criminal Law and Criminology*, *Southern California Law Review*, *North Carolina Law Review*, *Legal Theory*, *Columbia Law Review*, *Duke Law Journal*, *California Law Review*, and *Yale Law Journal*.



YALE KAMISAR

# junior faculty



**Adam Kolber** teaches and writes in the areas of neuroethics, bioethics and criminal law. His recent publications include “Therapeutic Forgetting: The Legal and Ethical Implications of Memory Dampening,” 59 *Vanderbilt Law Review* 1561; “A Limited Defense of Clinical Placebo Deception,” 26 *Yale Law & Policy Review* 75; and “The Subjective Experience of Punishment,” forthcoming in the *Columbia Law Review*.

**Orly Lobel’s** recent publications include “The Paradox of Extra-legal Activism: Critical Legal Consciousness and Transformative Politics,” 120 *Harvard Law Review* 937; “Citizenship, Organizational Citizenship, and the Law of Overlapping Obligations,” forthcoming in the *California Law Review*; and “Stumble, Predict, Nudge: How Behavioral Economics Informs Law and Policy,” forthcoming in the *Columbia Law Review* (co-authored).



**Lesley McAllister** teaches in the areas of property and environmental law. Her new book, *Making Law Matter: Environmental Protection and Legal Institutions in Brazil*, was published by Stanford University Press and presents the first book-length treatment of an innovative environmental enforcement institution, the Brazilian Ministério Público. Her other publications include “Beyond Playing ‘Banker’: The Role of the Regulatory Agency in Emissions Trading,” 59 *Administrative Law Review* 269.



**Lisa Ramsey** joined the faculty after extensive experience as an intellectual property litigator. Her recent publications include “Increasing First Amendment Scrutiny of Trademark Law,” 61 *SMU Law Review* 381; “First Amendment Limitations on Trademark Rights,” in *Intellectual Property and Information Wealth* (Peter Yu ed.); and “Intellectual Property Rights in Advertising,” 12 *Michigan Telecommunications and Technology Law Review* 189.

University of San Diego School of Law

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