

Faculty Notes

In June, Professor **Gordon Baldwin** gave a lecture at the USIS Library in Colombo, Sri Lanka, on the subject of "Constitutions and Compromises." The lecture was attended by a large audience of Sri Lankans including several judges, government officials, with a sprinkling of expatriots. This was a rare honor, for Sri Lankan universities have been closed for nearly three years.

Professor **Peter Carstensen** appeared as an expert witness in a hearing before the Wisconsin Public Service Commission. He testified about the competitive policy implications of local telephone company practices regarding long distance service. Carstensen expects two publications this fall. One examines the impact of antitrust law on the actual structure and conduct of business over time and will appear in the *Iowa Law Review*. His second piece, which will appear in *Review of American History*, is a review of a recent book on the early history of antitrust law and its development.

Professor **R. Alta Charo** has recently been appointed to the Permanent Consultative Committee of the Law Reform Commission of Canada. She will be one of approximately twenty professionals advising the Commission on issues relating to biotechnology and reproductive health policy. Professor Charo was also recently appointed to an Institute of Medicine panel that met to consider the need for improving systems for providing medical, genetic, and social information to adoptees about their birth parents.

While on leave during the spring, Professor **Larry Church** taught at law schools in Adelaide, Australia, and Taipei, Taiwan. On his return to Madison, Church also travelled through the Soviet Union.

Professor **William Clune** was an organizer of a conference on "Choice and Control in Education," sponsored by the LaFollette Institute of Public Affairs. As an outgrowth of this conference, Clune spent the summer preparing conference manuscripts for publication as a book, writing his own paper on "Educational Governance and Student Achievement," and writing a newsletter summarizing the conference. Clune also continued to work on two educational grants: a U.S. Department of Education grant to the Center for Policy Research in Education (CPRE) and a National Science Foundation grant to study the influence of policy on the

growth, decline and content of math and science courses. In July he taught a seminar at Stanford University to education policy specialists from the World Bank.

Professor **Richard Delgado** completed editing and revising four law review articles he had in the works: "Legal Storytelling for Oppositionists and Others," (*Mich. L. Rev.*), "Why Do We Tell the Same Stories? Law Reform, Critical Librarianship and the Triple Helix Dilemma," (*Stan. L. Rev.*), "Minority Professors' Lives: The Bell-Delgado Survey," (*Harv. CR-CL L. Rev.*), and "On Taking Back Our Civil Rights Promises: When Equality Doesn't Compute, 1989," (*Wis. L. Rev.*). This summer Delgado also wrote "Panthers and Pin-Stripes: The Case of Ezra Pound and Archibald MacLeish," "Myth and Ideology in Law School Hiring: Is the Law School a WASP?" and "When a Story is Just a Story: Does Voice Really Matter," (*Va. L. Rev.*). Delgado spoke at two AALS Workshops in Washington, D.C., one on Alternative Dispute Resolution and the other on Emerging Voices in Legal Scholarship. He also published a number of short pieces of humor and political satire.

Professor **Howard Erlanger** just completed a monograph on tax and estate planning aspects of Wisconsin's new marital property law. He will be participating in a CLEW telelecture program on that topic in the fall.

Professor **Martha Fineman** has written four major law review articles this year on the topics of child advocacy (*U. Cal. Davis L. Rev.*), property division at divorce (due out in the *Family Law Quarterly*), motherhood (hopefully will be published by *Yale J. of Humanities and Law*), and feminist legal theory (due out in *Florida L. Rev.*). Her book, *At the Boundaries of Law: *Feminism and Legal Theory*, which she is co-editing with Nancy Thomadsen, has been accepted for publication by Routledge Press. Fineman has two of her own essays in this volume. It will be released in the U.S., Australia, New Zealand, Canada and the U.K. in the fall of 1990. Fineman will give a major presentation in October on feminism and legal theory at the University of Florida (Gainesville) Symposium. She will also be one of thirty-five invited participants at a Wingspread Conference on Family Law sponsored by the ALI. She is chairing an AALS panel on Family and Poverty in January, 1990. Fineman is

currently putting together a new course and new material for a year long exploration of Families, Poverty and Law.

Professor **Marc Galanter** was a speaker at the Plenary Session on The Future of Sociolegal Scholarship at the Law and Society Association's annual meeting, held in Madison in June. He and Thomas Palay delivered a paper on "The Transformation of the Large Law Firm." In July, Galanter spoke on "Empirical Issues in the Assessment of ADR" to an Association of American Law Schools Workshop on ADR in Washington. In September, he spoke to the Conference Group on Jurisprudence and Public Policy in Atlanta on "Punishment in the Civil Law." Drawing on his earlier work on affirmative action policy in India, he made a presentation to the "Conference on a Post-Apartheid Constitution for South Africa" at Columbia University. As part of his continuing study of litigation patterns, Professor Galanter is scheduled to give a paper in October on "The Civil Jury as Regulator of the Litigation Process" at the University of Chicago Law School. In November he will deliver the Annual Access to Justice Lecture at the University of Windsor. His topic will be "The Changing Response to Industrial Disasters."

Professor **Herman Goldstein** was awarded PERF's National Leadership Award, an award presented annually to an individual who has made outstanding contributions to the police field. The Leadership Award recognizes innovators whose work has served as models to those interested in improving police services.

In September, Professor **Linda Greene** spoke on "The Supreme Court Decisions on Civil Rights and Legislative Responses" as part of the Congressional Black Caucus Legislative Weekend in Washington, D.C. On November 3, she will participate in a roundtable entitled "Freedom of Expression on Campus" which will be televised by Wisconsin Public Television. Greene will also participate in "A Century of Civil Rights Struggle" Conference at the University of Wisconsin, chairing the session entitled "The Persistence of Racism—Prospects for the Future." The *Harvard Blackletter Journal* recently published Greene's article entitled "The Confirmation of Thurgood Marshall to the United States Supreme Court." Greene is currently a member of

the Legislation Committee of the United States Olympic Committee. The Legislation Committee reviews all proposed changes in the USOC Constitution, Bylaws, Charter, and applicable federal legislation. During the summer, she participated in an international seminar on German political issues in Hamburg and Berlin.

Professor **James E. Jones, Jr.**, spoke on "Affirmative Action in the 1990's" at the Wisconsin Association of Black State Employees' annual convention in Appleton, Wisconsin. He also addressed the Health Care Personnel Association of Wisconsin on the topic of "Affirmative Action—Where It Came From, Where Is It Going?" Jones gave a luncheon speech to the Critical Race Theory Conference at St. Benedict's Center in Madison. This workshop was attended by 20 to 25 minority legal scholars from 16 different law schools throughout the country.

Professor **Leonard Kaplan** was a member of an international delegation from the International Academy of Law and Mental Health to the U.S.S.R. where he presented a paper on "Civil Commitment in the United States." He also had the opportunity to observe the Serbsy Institute in Moscow and the hospital for the criminally mentally ill in Leningrad. Kaplan co-organized the scientific meetings for the 15th International Academy of Law and Mental Health in Jerusalem where he presented two co-authored papers and one written by himself. He is currently on the organizing committee for the 16th International Congress of Law and Mental Health set for June, 1990, in Toronto, Canada.

Professor **S. Blair Kauffman** spoke at the national convention of the Association of Legal Administrators in Toronto, Canada, on "State of the Art Technology in Library Automation," and at the annual meeting of the New Orleans Association of Law Libraries on "The Role of ROMs in Law Libraries." His article "The Future of Legal Bibliography" appeared in a special symposium issue of *Legal References Services Quarterly* and was republished in book format by Haworth Press. Kauffman directed a special day-long microcomputer workshop and moderated a panel on "Integrating MacIntoshes into the Law Library," in conjunction with the annual meeting of the American Association of Law Libraries, held in Reno, Nevada. He completed serving his term as Chair of this organization's Special Interest Section on Automation and Scientific Development but will continue compiling a monthly column on

"Law Library Hi Tech" for the AALL Newsletter. Kauffman taught an Intersession course in the School of Library and Information Studies, on Legal Reference.

Professor **Lynn LoPucki's** "Profiles of Ohio Lawyers" (5 Volumes, 3,160 pages) was recently published by Anderson Publishing Company, Cincinnati, Ohio and the fourth edition of his "Directory of Bankruptcy Attorneys" (1,950 pages) was published in October by Prentice Hall. He presented his article "The Demographics of Bankruptcy Practice" at the annual Law & Society meeting and it was published in the *American Bankruptcy Law Journal* in August. The second edition of his "Directory of Intellectual Property Lawyers and Patent Agents" (1,850 pages) is scheduled for publication in December by Clark Boardman Co., Ltd. twenty-seven thousand lawyers participated in his Annual Survey of the Legal Profession this year. The data from this survey is on his personal computer and is available to other faculty for research purposes. A second article based on the data, "An Empirically-Based Model of Lawyer Specialization," is in draft form.

Professor **Stewart Macauley** was a member of the Program Committee for the Law & Society Association Annual Meeting, celebrating the Association's 25th anniversary this summer in Madison. He organized a panel entitled "L.A. Law and Society," discussing the impact, if any, of the messages conveyed by the T.V. program on such things as assertion of rights, the nature of the American legal process, life in big law firms, and the ethics of lawyers. Macauley gave a paper at the International Congress of Law and Mental Health in Jerusalem, Israel, entitled "The Public's Perception of the Psychiatrist in the Legal System," dealing with the perceived and actual functions of the insanity defense in the American criminal justice system. He also attended the Conference of the German Association for Comparative Law in Wurzburg where he gave a paper reporting American theory, doctrine and empirical research concerning legal regulation of franchises and dealerships. Macauley had two of his articles published recently: "Popular Legal Culture: An Introduction," (Yale L.J.), and "Bambi Meets Godzilla: Reflections on Contracts Scholarship and Teaching vs. State Unfair and Deceptive Trade Practices and Consumer Protection Statutes," (Houston L. Rev.).

Professor **Margo Melli** organized the Conference on the Law and Public Policy

of Family Dissolution for the American Law Institute. The conference will be co-sponsored by the Johnson Foundation and held in November at Wingspread in Racine, Wisconsin. Melli also began a one-year term as Chairman of the National Conference of Bar Examiners, the organization that develops standardization tests for the use by state bar examiners. These tests include the Multistate Bar Exam, the Multistate Professional Responsibility Exam and the Multistate Essay Exam. This fall Melli will be chairing a Gender Equality Task Force for the University of Wisconsin-Madison campus.

Professor **Thomas Palay** will spend the 1989 fall semester as a Visiting Scholar at the American Bar Foundation in Chicago. There he will continue his research on the growth and transformation of the big law firm.

Professor **Joel Rogers** recently attended the inauguration of the International Center for the Sociology of Law in Onati, Spain. He delivered a paper to the Comparing Capitalist Economies Project conference in Bellagio, Italy. Rogers helped plan as well as participated in the American Bar Foundation-Institute for Legal Studies conference on the transformation of the corporate law firm. Rogers

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Professor **Walter Raushenbush** continues to serve as a member of the Real Property question-drafting committee for the Multistate Bar Examination. He is also Secretary of the Board of Trustees of the national Law School Admissions Council, the organization which owns and administers the LSAT. Raushenbush will be a Visiting Professor of Law at the University of Arizona College of Law in Tucson for the second semester 1989-90. He also published new editions of "Wisconsin Real Estate Law" (with Jim McDonald) and "Cases and Materials on Real Estate Transactions." He is currently at work on a new edition of his book, "Wisconsin Construction Lien Law."

Professor **Frank Remington** spoke at the 7th Circuit Judicial Conference on "Recent Developments in Criminal Law and Procedure." He and Professor Steve Herzberg spoke on various issues at the Sports Agents Institute.

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Professor **Rennard Strickland** served as consultant to "The Panel for National Dialogue on Museum-Native American Relations" at the Heard Museum in Phoenix, Arizona. He lectured at Marquette Law School on "The Indian Dilemma: Personal Choices and Public Issues in Worcester v. Georgia." In October, Strickland gave the keynote address entitled "Reclaiming the Patrimony: Land, Bones, and the Modern Indian Law Movement" at the Harvard Law School Conference on Native American Issues. He will speak at Southern Methodist University in November lecturing on "Bodmer and Buffalo Bill: Hollywood Images and Indian Reality."

Professor **Joseph Thome** recently spent a month in Chile, continuing his research on the social and political role of grassroot organizations in the process of democratization in Latin America. He presented a paper on this topic at the Law & Society Association Annual Meeting held in Madison during the summer.

Together with Professor **Donald H. Wollett (McGeorge)** and Professor **Joseph R. Grodin (Hastings)**, Professor **June Weisberger** will be revising a casebook in Public Sector Labor Law for the Labor Law Group. She has spent time this past summer getting the project started.

Professor **Bill Whitford** served as faculty at a one week conference on teaching contracts sponsored by the Association of American Law Schools held at Cornell Law School. He continued work on his joint research project with Professor Lynn Lopucki concerning bankruptcy reorganization proceedings involving large, publicly held corporations. They delivered a paper on this topic at the Law & Society Association Annual Meeting. Whitford also wrote an article concerning Chapter 13 of the Bankruptcy Code which will be published as part of a symposium issue by the Indiana Law Journal.

Professor **Patricia Williams'** review of Ethan Katsh's book, "The Electronic Media and the Transformation of Law," appeared in "The New York Times Book Review." Her article, "The Obliging Shell: An Informal Essay on Formal Equal Opportunity" was published in the Michigan Law Review. Williams' essay "On Being the Object of Property," previously published in Signs: A Journal of Women in Culture and Society, has been reprinted in an anthology put out by the University of Chicago Press entitled *Feminist Theory In Practice and Process*.

Four Law School faculty members have embarked on a program of research

on business disputes. The Business Disputing Group's members are **Marc Galanter**, **Stewart Macaulay**, **Thomas Palay**, and **Joel Rogers**. The BDG is collaborating with the Rand Corporation's Institute for Civil Justice in an analysis of business litigation in the Federal Courts from 1971 to 1987. This is part of a multi-phase study of changing patterns of corporate use of law and legal services.

Professor **Frank Tuerkheimer's** trial advocacy course was recently written up in a number of newspapers. The course uses the recent Spike Lee movie, "Do the Right Thing," as the fact situation for a trial simulation. Third year law students tried the case involving racial tensions and alleged police brutality.

Professor **Gerald J. Thain** has been elected to membership in the American Law Institute. He also recently delivered a paper on "Article 9 of the UCC—Pursuing Priority Problems Without Getting Ensnarled" at the State Bar of Wisconsin Annual Meeting and represented the Law School at the fall meeting of the Wisconsin Chapter of the American College of Trial Lawyers, participating in a panel on trial practice, ethics and professionalism.

We note with sadness the passing of **Verna E. Baertschy**, law librarian at the Law School from 1943 to 1969. After her retirement she had continued to live in Madison.

An important Law School activity of interest to the profession continues to be the work of the Wisconsin Criminal Jury Instructions Committee. It is a collaborative effort between outstanding members of the Wisconsin trial judiciary and members of the Law faculty. Staff responsibility is handled by Professor **David Schultz**, Associate Dean for Outreach. Professor **Frank J. Remington** continues to serve the committee as a long-time advisor.

Recently two judge members of the committee retired and were given a suitably engraved desk pen set as a token of the Law School's appreciation of their contribution to the work of the committee. **Frank Remington** presented one of these to retiring Judge John Bartholomew of St. Croix County and **Dave Schultz** made a similar presentation to retiring Judge John Buchen of Sheboygan County.

The work of the committee, which is in its 30th year, enables the Law faculty to keep in touch with criminal law practice throughout the state. The product of the committee's work is a four volume publication, Wisconsin Jury Instructions—Criminal, which is used by lawyers and judges around Wisconsin. A similar project prepares civil jury instructions.