

Midwest Law and Society Retreat

November 18-19, 2016

Pyle Center

University of Wisconsin-Madison

Day 1: Friday, November 18, 2016

2:30 Registration and Refreshments

3:30-4:45 **Opening Session**
Room 313

Opening Remarks

Susannah Tahk (UW/Law)

Dean Margaret Raymond (UW/Law)

Welcome Remarks

Howard Erlanger (UW/Law)

Keynote Address

“Legal Endogeneity and Symbolic Rights”

Laurie Edelman (UC-Berkeley/Law, Sociology)

4:45-5:00 Break

5:00-6:30 **Concurrent Sessions**

1A: Access to Justice in Family Court

Moderator: Tonya Brito (UW/Law)

“Litigant Perspectives on Attorney Representation”

Chloe Haimson (UW/Sociology)

“The Dearth of Defense in a Civil Gideon Universe”

Tonya Brito (UW/Law)

“Child Support Court as Problem-Solving?”
Daanika Gordon (UW/Sociology)

“The Price of Parenthood”
Rachel Johnson (UW/Education)

Discussant: David Pate (UW-Milwaukee/Social Welfare)

1B: Access to Justice and Legal Services

Moderator: Marsha Mansfield (UW/Law)

“Judicial Bias in State Trial Courts”
Andrea Miller (University of Illinois-Champaign/Psychology)

“Foster v. Chatman: A Missed Opportunity”
Nancy Marder (Chicago-Kent College of Law)

“Teaching Undergraduates about Wrongful Convictions”
Kimberly Baker (University of Northern Iowa/Sociology, Criminology,
and Anthropology)

1C: Healthcare, Innovation and Governance

Moderator: Meg Gaines (UW/Law)

“The Doctor Requirement: Griswold, Privacy and At-Home
Reproductive Care”
Yvonne Lindgren (Indiana Tech Law School)

“Fast-tracking Innovation in Biopharma: Rethinking Incentives
Strategies in the Wake of the Ebola and Zika Outbreaks”
Ana Santos Rutschman (DePaul University/Law)

“From New Law to Corporate Policy to Health Goals”
Elizabeth Hoffman (Purdue University/Law & Society, Sociology)

1D: Comparative Law

Moderator: Howie Erlanger (UW/Law)

"Past As Precedent: Law and Nationalism in Myanmar"
Matthew Venker (UW/Anthropology)

"Devolution as Programmatic Deterioration: TANF and the Limits of
Fiscal Federalism"
Andrew Hammond (University of Chicago/Public Policy Studies)

"Housing Revolution: Housing Laws in Post-1959 Cuba"
Martina Kunovic (UW/Sociology)

6:30-8:00 Dinner
Alumni Lounge, Pyle Center

8:15-9:00 **Informal Sessions**

2A: Methods Café (Room 325)

Table 1: Elizabeth Hoffman (Purdue University/Law &
Society/Sociology)

Description: Qualitative methods/in-depth interviewing

Table 2: Adam Ross Nelson (UW/Educational Leadership &
Policy Analysis)

Description: This cafe focuses on quantitative (econometric/quasi-
experimental) analysis of law in higher education or quantitative
analysis of law in general.

Table 3: Jerry Van Hoy (University of Toledo/Law and Social
Thought)

Description: I have been engaged in qualitative research on the legal
profession and labor movement for over 20 years. Most of my work
has used observation and interview methods. I have also been
involved in several projects that have used qualitative data to produce
network analyses. As a director of an undergraduate law and society
program and a graduate program, I help 10-20 students each year
design qualitative research projects, complete the IRB process and
carry-out the research and analysis.

Table 4: Brian K. Gran (Case Western Reserve University/Sociology &
Law)

Description: Comparative-historical methods, including fuzzy sets
QCA and its cousins

2B: Future Directions in Law and Society Research (Room 213)

Moderator: Marc Galanter (UW/Law)

Nancy Marcus (Lambda Legal/Law and Public Policy)

John Acevedo (University of Laverne/Law)

Marc Galanter (UW/Law)

**2C: Professional and Research Issues – Teaching, Writing, Publishing,
Funding Applications and Fellowships (Room 226)**

Moderator: Howie Erlanger (UW Law School)

Joanna Grisinger (teaching/designing legal history and socio-legal
studies courses) (Northwestern University/Center for Legal Studies)

Howie Erlanger (writing strategies, teaching, mentoring) (UW/Law)

Christopher Schmidt (publishing and peer review process)
(American Bar Foundation/Chicago-Kent College of Law)

Joseph Wszalek (developing inter-disciplinary research)
(UW/Neuroscience Training Program)

End of Day 1

Day 2: Saturday, November 19, 2016

8:30 Coffee/Tea

8:45-9:50 Concurrent Sessions

3A: Science in the Courtroom

Moderator: Kimberley Reilly (UW-Green Bay/Democracy)

“The Diagnostic Significance of Confessions in Shaken Baby Syndrome/Abusive Head Trauma Cases”
Keith Findley (UW/Law)

“The Need for a Lenient Admissibility Standard of Defendants’ Forensic Evidence”
Myeonki Kim (UW/Law)

3B: Governance, Intellectual Property and Labor

Moderator: Courtlyn Roser-Jones (UW/Law)

“Flexible Governance: Enforcing Intellectual Property Rights in Two Chinese Markets”
Lillian Hsiao-Ling Su (UW/Anthropology)

“Copyright Law in Fiji”
Deepthi Amaratunga (Judiciary)

“BEPS and Developing Countries: China Perspective”
Luona Hao (UW/Law)

“An Analysis of Taiwan's Modern Labor Laws and Their Lessons for Improving the Effectiveness of American Law Transplants in Asian Law Reform”
Bo-Shone Fu (UW/Law)

3C: Human Rights and Violence against Women

Moderator: Alexandra Huneus (UW/Law, Legal Studies)

“How Do Human Rights Systems Contribute to Societal Resilience?”
Brian Gran (Case Western Reserve University/Sociology and Law)

“How Do International and Domestic Pressures Shape Perceptions of
Violence Against Women?”
Lacey Caporale & Brian Gran
(Case Western Reserve University/Sociology and Law)

3D: Corruption

Moderator: Sumudu Atapattu (UW/Law)

“Anti-Corruption Policy as a Political Project: The Cases of Russia,
Georgia, and Ukraine”
Marina Zaloznaya (University of Iowa/Sociology)

“Exposing Corruption: Civil Society and Media Support for Judicial
Action against Political Corruption”
Lucia Manzi (University of Notre Dame/Political Science)

9:50-10:00 Break

10:00-11:15 Concurrent Sessions

4A: Healthcare, Discrimination and Courts

Moderator: Sarah Davis (UW/Law)

“Sex Discrimination in Health Care Settings”
Anna Kirkland (University of Michigan/Women’s Studies)

“Pregnancy, Personhood, and the Criminalization of Deviance”
Elizabeth Nalepa (Case Western Reserve University/Sociology)

4B: Constitutionalism

Moderator: Heinz Klug (UW/Law)

“Black Originalism: African American Constitutionalism and the Long Reconstruction”

James Fox (Stetson University/Law)

“The Federalist as a Primer on Constitutional Design: A Critique of Separation of Powers and Written Constitutionalism”

Miguel Schor (Drake University/Law)

“The Surprising Proportion of Proportionality Review in U.S. Supreme Court Constitutional Decisions”

Mark Kende (Drake University/Law)

4C: Environmental Protection, Sovereignty and Governance

Moderator: Adam Ross Nelson (UW/Educational Leadership & Policy Analysis)

“Climate Justice and Vulnerable Groups: Synergies, Strategies and Challenges”

Sumudu Atapattu (UW/Law)

“Patented Seeds: A threatening Issue for Food Sovereignty and Environment in the Global South”

Koffi Dogbevi (UW/Law)

“Pragmatic Legal Pluralism: A Better Mechanism for Natural Resource Management?”

James Krueger (UW/Environmental Studies)

4D: Law and Justice in the US

Moderator: Raied Haj Yahya (UW/Political Science)

“Mobilizing the Law in Congress: American Indians' Political Strategies”

Kirsten Carlson (Wayne State University/Law)

“Justice Involved Veterans and Veterans Treatment Courts”

Ursula Castellano (Ohio University/Sociology and Anthropology)

“Racial Mirror Index and Civilian Confidence in Local Law Enforcement”

Charles MacLean (Nova Southeastern University/Criminal Justice)

“Distributive Justice and Donative Intent”
Alexander Boni-Saenz (Chicago-Kent College of Law)

11:15-11:30 Break

11:30-12:45 Concurrent Sessions

5A: Human Rights and Duties

Moderator: Heinz Klug (UW/Law)

“Understanding Forced Migration: ‘Gaps in Protection’ in the Americas”
Isabel Anadon (UW/Sociology)

“Radical Feminist Harms on Sex Workers”
I. India Thusi (University of Witwatersrand/The Opportunity Agenda)

“Collective Action in the Valley: How Women Fought for their Rights in Michigan Prisons”
Bonnie Ernst (Northwestern University/History)

5B: Alt Labor, National, Local Dynamics and Norms for Fair Distribution in the 21st Century

Moderator: Peggie Smith (Washington University-St. Louis/Law)

“Moral Economies and Worker Centers”
Cesar Rosado Marzan
(Institute of Technology/Chicago Kent College of Law)

“Challenges and Opportunities of Co-Production for Re-regulating Low-Wage Labor Market: Case Study from Chicago”
Jacob Lesniewski (Dominican University/Social Work)

5C: Civil Liberties, Sentencing, and Detainees

Moderator: Ion Meyn (UW/Law)

“In Camera: The ACLU v. The Department of Defense”
Jasmin Alinder (UW-Milwaukee/History)

“Healing Justice: Responsible Sentencing for Rolling Back Mass Incarceration”

Douglas Thomson (Chicago State University/Criminal Justice)

“Judicial Perspectives on Sentence Finality”

Cecelia Klingele (UW/Law)

5D: Children and Rights

Moderator: Charisa Smith (UW/Law)

“The Burden of Taking Care: Attractive Nuisance Doctrine and the Safety First Movement”

Evelyn Atkinson (University of Chicago/History)

“‘Good’ Organizational Reasons for ‘Bad’ Paperwork in U.S. Dependency Court Hearings”

Matilda Stubbs (Northwestern University/Anthropology)

“Sex, Lies, and Children's Rights: Youth Who Trade Sex”

Laurie Schaffner (University of Illinois-Chicago/Sociology)

“Race, Law, and Family Formation in the United States: The Current Racial Discourse in Transracial Adoption Case Law (1997-2015)”

Emma Shakeshaft (UW/Law, Sociology)

12:45-1:45 **Lunch**

AT&T Lounge, Pyle Center

2:00-3:15 **Concurrent Sessions**

6A: Race, Segregation and Affirmative Action

Moderator: Cecelia Klingele (UW/Law)

“How Cases Become Questions in Appellate Adjudication”

Boyce Robert Owens (University of Chicago/Sociology)

“The New Affirmative Action and the Burden of ‘Diversity Work’”

Amy Jones (UW/Sociology)

“Residential Segregation, Redistricting, and the Role of the Police in Urban Governance”
Daanika Gordon (UW/Sociology)

6B: Legal Language and Literacy

Moderator: Marc Galanter (UW/Law)

“Comprehension of Legal Language Associated with Judicial Colloquies”
Joseph Wszalek (UW/Neuroscience Training Program)

“Holocaust Study as Part of Legal Literacy”
Mary Smith (UW Alum)

“Analyzing Themes in Indictments of Domestic Terrorism Entrapment Cases, 2001-2011”
Anya Degenshein (Northwestern University/Sociology)

6C: LGBT Legal Issues at the Core and Peripheries of LGBT Politics

Moderator: Alexander Boni-Saenz (Chicago-Kent College of Law)

“Cooperating Counsel: Private and Public Interest Lawyering for Marriage Equality”
Gwendolyn Leachman (UW/Law)

“Putting the “BT” Back in “LGBT”: Bisexual and Transgender Issues”
Nancy Marcus (Lambda Legal/Law and Public Policy)

“Youth Homelessness and Private Public Order Failures”
Jordan Woods (University of Arkansas-Fayetteville/Law)

“Choosing Marriage”
Kaiponanea Matsumura (Arizona State University/Law)

6D: Pedagogy Roundtable on Undergraduate Legal Studies Teaching: Issues and Challenges

Moderator: Mitra Sharafi (UW/Law)

Participants:
Joanna Grisinger (Northwestern University/Center for Legal Studies)

Joe Conti (UW/Sociology)
Kimberley Reilly (UW-Green Bay)

3:15-3:30 Break

3:30-4:45 **Concurrent Sessions**

7A: Business Law

Moderator: Walker Kahn (UW/Sociology)

“Progressive Era Conceptions of the Corporation and the Failure of the Federal Chartering Movement”
Camden Hutchison (UW/History)

“Facilitating IPO Efficiency through Disintermediation: Exploring Auctioned Offering as an Alternative to Underwritten Book-built Offering”
Jiamin Tian (UW/Law)

“Critical Analysis of Business Initiatives Involving Personal Privacy, Reputation Management, and Information Control”
Jo Ann Oravec
(UW-Whitewater/Information Technology and Supply Chain Management)

7B: Judiciary and Legal Services

Moderator: Mitch (UW/Law)

"Amicus Curiae Briefs in Support of Pro Se Petitions for Discretionary Review: Survey, Socio-legal Analysis, and Proposal for Uniformity of State Supreme Court Rules to Enhance Access to Justice."
Jona Goldschmidt (Loyola University Chicago/Criminal Justice & Criminology)

“The Effects of Legal Services upon Victims of Domestic Violence in Family Court”
Marsha Mansfield (UW/Law)

7C: Law and History

Moderator: Mitra Sharafi (UW/Law)

“Toward a History of Civil Rights”

Christopher Schmidt (American Bar Foundation/Chicago-Kent College of Law)

“Re-Evaluating the Procedural Fairness of the Salem Witchcraft Trials”

John Acevedo (University of LaVerne/Law)

“Judging the Post-colony”

Cynthia Farid (UW/Law)

“Bootlegging Coal, Bootlegging Consciousness: Depression-Era Worker Revolt in Pennsylvania’s Anthracite Coal Fields and its Relevance to an Applied Socio-Legal Studies”

Jamie Longazel (University of Dayton/Sociology, Anthropology, and Social Work)