



Professor Upendra Acharya

In February 2008, Professor Acharya was appointed to the board of directors of the International Trade Alliance (ITA), greater Spokane's primary source of expertise for doing business in the global marketplace. Also in February, Professor Acharya presented a paper titled *WTO and Least Developed Countries* at the symposium on International Trade: Law or Politics? hosted by the GONZAGA JOURNAL OF INTERNATIONAL LAW. As faculty advisor to the journal, Professor Acharya played a significant role in the symposium's success.

On November 14, Professor Upendra Acharya spoke on the topic *Right to Development from Nepal to Native American Nations: A Post-Modernist Approach* at the Cornell University Law School. The program was conducted by the Berger International Legal Studies Program and the Briggs International Law Society of the Cornell Law School. Professor Acharya also presented a paper on October 25, 2008, at the 2008 Sutton Colloquium on *War on Terror or Terror Wars? The Problem of Defining Terrorism*, organized by the Nanda Center for International Law at the University of Denver Sturm College of Law.



Professor Megan J. Ballard

On September 26, 2008, Professor Megan Ballard presented *Estate Planning with Companion Animals* at the *Doing Well by Doing Good in Animal Law Cases* CLE, sponsored by the Gonzaga Law School Chapter of the Animal Legal Defense Fund. On September 27, Professor Ballard presented *Washington's New Domestic Partnership Act: Estate Planning for Domestic Partners* at the "Macs & Tax" CLE, sponsored by Gonzaga University School of Law held at Priest Lake, Idaho.

On November 7 and 8, Professor Ballard attended the ABA Real Property Trust and Estate Section fall leadership meeting in Montreal, Quebec, in her capacity as a real property book editor. On January 13, 2009, Megan presented *Washington's New Domestic Partner Laws: Estate Planning for Domestic Partners* to the Spokane Estate Planning Council.

Professor Megan J. Ballard's article *Washington's Expanded Domestic Partnership Act*, appeared in print in the journal *WASH. BAR ASS'N REAL PROP. & TRUST*, Winter 2007-2008 at 7.



Professor George Critchlow

In June of 2008, Professor George Critchlow's article, *Stopping Genocide Through International Agreement When the Security Council Fails to Act*, was accepted for publication by the *GEORGETOWN JOURNAL OF INTERNATIONAL LAW*.

On September 29, Professor Critchlow was a panelist at a conference celebrating the 60th anniversary of the Universal Declaration of Human Rights sponsored by Unity House and the Gonzaga Institute for Action Against Hate. In October, Professor George Critchlow, along with recent law school graduate Bret Roberts, presented on *Pets as Personal Property* at the Animal Legal Defense Fund CLE.

Professor Critchlow also chaired the planning committee for the annual Northwest Clinical Law Conference in Leavenworth, Washington held October 11 through 13. He was assisted in this effort by our clinic's paralegal, Sharon Bressler.



Professor Lynn Daggett

Professor Lynn Daggett's article, *All of the Above: Computerized Exam Scoring of Multiple Choice Items Helps To: (A) Show How Exam Items Worked Technically, (B) Maximize Exam Fairness, (C) Justly Assign Letter Grades, and (D) Provide Feedback on Student Learning*, appeared in print at 57 *JOURNAL OF LEGAL EDUCATION* 391-422 (2007).

Professor Daggett's article, *FERPA in the Twenty-first Century: Failure to Effectively Regulate Privacy for all Students*, is in print at 58 *Catholic University Law Review* 58-113 (2008).

Professor Daggett's article, *Student Privacy and the Protection of Pupil Rights Act as Amended by No Child Left Behind* appeared in print at 12 *UC DAVIS JOURNAL OF JUVENILE LAW AND POLICY* 51-131 (2008).

On November 22, Professor Daggett presented a paper, *Subpoenas of and Public Records Requests for Student Information*, at the Education Law Association's Annual Conference in San Antonio, Texas.



Professor Mark DeForrest

In early 2008, Professor DeForrest was invited to contribute two short articles for the *Praeger Handbook of Religion and Education in the United States*. And in October, Mark accepted an offer by Legal Writing: The Journal of the Legal Writing Institute, to publish his article, *Introducing Persuasive Legal Argument via the Letter from a Birmingham City Jail*. This journal is a peer-reviewed publication that serves as the professional journal for the Legal Writing Institute.



Professor David DeWolf

In July Professor DeWolf spoke to the National Litigation Academy for the Alliance Defense Fund at Half Moon Bay, California. Professor DeWolf also recently completed work on the 2008-09 revisions of four volumes of the Washington Practice series.

Professor DeWolf was the lead author for *The State of Washington Supreme Court: A 2008 Update*, published by the Federalist Society.



Professor Helen Donigan

Professor Helen Donigan was chair of the Washington State Supreme Court Dissolution Task Force, which issued its final report on December 1, 2008. The twenty member task force was created in October 2007, and was to develop statewide protocols for dissolution cases. Professor Donigan helped present the September interim report to the Washington House Judiciary Committee work session on September 12, and reported the results of the final report to the Washington Supreme Court on February 5, 2009. The reports may be found at the court's website: <http://www.courts.wa.gov/>, under "boards & commissions."



Professor Gerry Hess

Professor Hess presented two faculty development workshops in May 2008, *Capital Litigation Improvement Initiative* at the National Judicial College, and *The Value of Variety* for the Phoenix School of Law, Charlotte School of Law, and Florida Coastal School of Law.

Professor Gerry Hess's article *Collaborative Course Design: Not My Course, Not Their Course, But Our Course*, recently appeared in print in volume 47 of the *WASHBURN LAW JOURNAL*. Professor Hess presented *Gonzaga's Skills and Professionalism Curriculum* at the Legal Education at the Crossroads conference at the University of Washington on September 6, 2008. Professor Hess also presented a workshop on *Using Variety to Improve Student Learning* to the faculty at Northern Kentucky University Chase School of Law on September 8.

Professor Hess conducted a workshop for the law faculty at the University of Alberta, Canada, on *Enhancing Student Learning through Active Learning*, from September 21 through 24. And on October 11, Gerry, and colleague Sophie Sparrow of Franklin Pierce Law Center, presented sessions on *Formative and Summative Assessment of Student Learning*, *Programmatic Assessment*, and *Assessment Instruments* at the Northwest Clinical Law Teachers conference.

Professor Gerry Hess's article *What Helps Law Professors Develop as Teachers? – An Empirical Study*, recently appeared in print in the *WIDENER LAW REVIEW* (volume 14, pages 149-183). During the latter part of December Gerry was appointed as consultant for a new textbook series from Carolina Academic Press, entitled *Context and Practice Casebooks*. This is the first explicit effort to design casebooks that implement the Carnegie and Best Practice studies of legal education, and to employ instructional design and other teaching and learning principles. Professor Hess will work with authors to help them develop exercises and materials, and will serve as a resource for the series editor.

Professor Gerry Hess and his co-authors Sophie Sparrow (of Franklin Pierce Law Center) and Michael Hunter Schwartz (of Washburn University School of Law) have completed their book, *Teaching Law by Design: Engaging Students from the Syllabus to the Final Exam*. Carolina Academic Press will publish the book this spring. Also to be published this spring will be the article, *Professional Skills and Values in Legal Education: The GPS Model*, *VALPARAISO UNIVERSITY LAW REVIEW* (2009) (with Steven Gerst of Phoenix School of Law).



Professor Brooks Holland

In May of 2008, Professor Holland accepted an invitation to join the CrimProf blog as a permanent contributing editor. The CrimProf blog is a dedicated criminal law website that is part of the Law Professor Blogs Network. Additionally, Professor Holland and Snohomish County attorney Elizabeth Cullen, presented a CLE program for the Washington Defender Association on the subject of ethical considerations surrounding prosecution plea offers.

Professor Holland's article *Confidentiality and Candor under the 2006 Washington Rules of Professional Conduct* is now in print in volume 43 of the *GONZAGA LAW REVIEW*. Also, in June, Brooks presented a paper that he co-authored with Professor Mary Pat Treuthart titled *Can't Let Go: Obsession and the Criminal Law*, at the annual Law & Society conference in Montreal, Canada.

Professor Holland taught a one-week course during the week of July 21, 2008, called *Crime and Punishment* to gifted junior and senior high school students as part of Eastern Washington University's annual *Satori* summer program. And on August 8, Brooks' article reviewing the Supreme Court's criminal cases for that term was published in the *NATIONAL LAW JOURNAL*, as part of the journal's special section on the Supreme Court term.

Professor Holland was a guest blogger at Prawfblog for the month of August 2008, and on August 8, he participated in the annual Junior CrimProf Conference at the George Washington University School of Law in Washington, D.C. Professor Holland delivered formal comments on a paper presented by Professor Sonja Starr of the University of

Maryland School of Law titled, *Sentence Reduction as Remedy for Prosecutorial Misconduct*.

In January of this year, Professor Brooks Holland accepted an offer to publish his article, *A Relational Sixth Amendment During Interrogation*, with the JOURNAL OF CRIMINAL LAW & CRIMINOLOGY at Northwestern University School of Law. Professor Holland has also been elected to the executive committee for the Washington State Chapter of the ACLU.

Additionally, Brooks has accepted an invitation to join the advisory committee for the Integrity of Justice Project, a long-term project focused on criminal justice reform to enhance accuracy and fairness, sponsored by the Center for Justice and the University of Washington School of Law Innocence Project Northwest. Also, on January 12, Professor Holland was quoted in the NATIONAL LAW JOURNAL regarding the Supreme Court case of *Vermont v. Brillon* (<http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202427338910>).



Dean Earl F. Martin

In April of 2008, Dean Earl Martin published a chapter titled *Mission-Focused Leadership* in the book *Inside the Minds—Leading a Law School*, put out by Aspatore Books. On May 5, he presented on *Democracy and the American Jury* at Juror Appreciation Day hosted by the Spokane County courts. Dean Martin also delivered the keynote speech at the annual Phi Beta Kappa luncheon on May 15, 2008, and on July 11, Dean Martin presented on the topic of *Leading a Strategic Planning Effort* to the WSBA Leadership Institute.

During his November trip to China and Korea, Dean Martin gave presentations on the Fourth Amendment to the U.S. Constitution at the Southwest University of Political Science and Law in Chongqing (China), at Wuhan University School of Law in Wuhan (China), and at Inha University School of Law in Incheon (South Korea).

Dean Martin moderated a panel on *The Changing Face of the Profession: Multigenerational, Cultural, Behavioral, and Attitudinal Differences* at the 6th Annual WSBA Conference on the *Law of Lawyering* in Seattle on December 16.



Professor Mike McClintock

Professor Mike McClintock's article *NAFTA's 13th Year: Steadily Increasing Trade Between the United States and Mexico, Transportation Infrastructure Crisis, Building a "Dry Canal" Across Southern Mexico, and More*, is now in print in volume 14 of the SOUTHWESTERN JOURNAL OF LAW AND TRADE IN THE AMERICAS, 25-61 (2007).



Professor Jim McCurdy

Professor Jim McCurdy presented the 31st annual Clark Y. Gunderson Lecture at the University of South Dakota School of Law on October 20. Professor McCurdy's topic was *The Theory of the Commons and Its Influence on the Law: Three Stories*.

Professor McCurdy is also authoring a chapter in "Legal Issues in Professional Baseball" (Kurlantzick ed.) to be published this coming August.



Professor Dan Morrissey

In August, Professor Morrissey received notice that his article, *The Path of Corporate Law: Of Options Backdating, Derivative Suits, and the Business Judgment Rule*, had come out in print in 86 OREGON LAW REVIEW 973 (2007). Professor Morrissey also published an article in the October 6 edition of THE NATIONAL LAW JOURNAL called *Tighten up Regulation*.

Professor Dan Morrissey recently accepted an offer from the UNIVERSITY OF PENNSYLVANIA BUSINESS LAW JOURNAL to publish his article, *The Securities Act at its Diamond Jubilee: Renewing the Case for a Robust Registration Requirement*.



Professor Amy Kelley

In February of 2008, Professor Amy Kelley published a note on *Washington Indian Water Rights Settlements* in The Rocky Mountain Mineral Law Foundation Water Law Newsletter (volume XLI, #1). In the fall of 2008, Professor Kelley accepted the position of editor in chief of that newsletter, and in December completed the first edition of the newsletter in that capacity; she also contributed two notes. In January, LexisNexis released the revised Volume II of their seven volume Water and Water Rights treatise, of which Professor Kelley has also become the editor in chief.



Professor Ann Murphy

Early in 2008, Professor Ann Murphy was invited by Professors Bryan Camp and Keith Fogg to join them on the tax procedure portion of “The Shelf Project.” The Shelf Project was started by Professor Calvin Johnson of the University of Texas as a way for Congress to take revenue-raising ideas right off the shelf — ideas that had already been evaluated by professionals.

Due to the outstanding job Ann did during the fall 2007 semester as a Fulbright Scholar at the China Central University of Finance and Economics (CUFE), Professor Murphy was invited to teach a class last spring at the Institute of Public Finance and Taxation Law at China University of Political Science and Law (CUPL) in Beijing. This added five months to Professor Murphy and her family’s stay in China. She returned to Gonzaga Law in August of 2008.

In June of 2008, Professor Murphy attended an “Author’s Workshop” in Shatin, New Territories, Hong Kong, China, to plan the production of a book titled *Reader in American Law for Chinese Law Students*. This project was to be funded jointly between the Fulbright Foundation and the Hong Kong America Center. Also in June, Professor Murphy gave three guest lectures at two law schools in Shanghai China. One talk was for the Ph.D. candidates in law at the East China University of

Political Science and Law in Shanghai. The other two were at Fudan University in Shanghai, which is ranked the third best university in China. One talk was for undergraduates and the other was for Master’s and Ph.D. candidates in law.

Last summer, Professor Murphy’s article, *Please Don’t Bury Me Down in that Cold Cold Ground: The Need for Uniform Laws on the Disposition of Human Remains*, came out in print in volume 15 of the ELDER LAW JOURNAL.

Last September, Professor Ann Murphy, with her co-author Professor Xiong Wei of Wuhan University in China, published an article titled *A Comparison of Tax Filing Procedures in the United States and China* in the September 8 edition of Tax Notes International. And in October Ann completed a publisher’s review of a proposed text on tax policy for Aspen Books.

Professor Murphy also recently completed work on a chapter for a book that the Fulbright Foundation and the Hong Kong America Center will provide to Chinese law students about the American legal system. Professor Murphy’s chapter is on the American jury system and the Federal Rules of Evidence.

Professor Murphy recently completed the 2008 update to the Washington Lawyers Practice Manual, Chapter Nine, Part Two *Tax Aspects of Divorce*. She also taught a two-day continuing education program for CPAs in Seattle on *Tax Developments in 2008*, and also presented on two topics at a continuing education program for the Oregon Society of CPAs in Portland.

In January Professor Murphy accepted a contract from Aspen Press to publish an evidence book that will use the Phil Spector murder trial to illustrate the Federal Rules of Evidence. The publication date is expected to be in 2009. Professor Murphy also recently completed the 7th update (for 2008) of a book published by LexisNexus titled, *Tax Practice and Procedure*.



Professor Rosanna Peterson

Professor Peterson co-chaired a national conference for externship directors and faculty held February 15 and 16, 2008 at Seattle University. The conference was titled “Externship4—A Bridge to Practice” and attracted eighty-three externship directors and faculty from all parts of the United States, including Hawaii.

Professor Peterson served as moderator for the Gonzaga hosted lunch discussion about “The Stuckey Challenge: How Externships Serve the Best Practices Model of Legal Education.” In addition, Professor Peterson moderated a panel discussion on “Externship Programs and ABA Accreditation Issues,” and presented at repeated speed-sharing sessions on “Using Externships to Increase Diversity in Legal Communities.” Robbie McMillian, Gonzaga’s Externship Coordinator, also attended and served as a key organizer for the conference.

Professor Rosanna Peterson presented on *Current Issues in Law School Admissions* on a panel with the deans of the University of Washington Law School and Seattle Law School on May 2, at the twentieth annual meeting of the National Consortium on Racial and Ethnic Fairness in the Courts. Professor Peterson spoke on August 10 at the Washington State Trial Lawyers Association annual meeting and convention in Vancouver, Canada. Her topic was *Juror Bias: How to Address During Voir Dire*.

Professor Peterson presented on the subject of *Women’s Civil Rights* at the Federal Judicial Institute for High School Teachers on October 24, 2008. Professor Peterson participated in a panel discussion during the program with Judge Richard Tallman, Judge Robert Whaley, Judge Neal Rielly, Judge Cynthia Imbrogno, and officers from the Department of Justice.



Professor Linda Rusch

Professor Linda Rusch, along with Professor Stephen Sepinuck completed their new course book titled *A Problem Solving Approach* for Thomson/West publishing which became available last February. Professor Rusch also published 2009 Supplements for volumes on the Uniform Commercial Code Article 2 (Sales of Goods); Article 7 (Documents of Title); and Revised Article 7 (Documents of Title), all published by HAWKLAND UNIFORM COMMERCIAL CODE SERIES (Thompson/West). Rusch's article *Reimagining Payment Systems: Allocation of Risk for Unauthorized Payment Inception* appeared in 83 CHI-KENT L. REV. 561 (2008) as part of *Symposium: Rethinking Payments Law 2008 Selected Commercial Statutes* (Thompson/West).

In January of 2008, Professor Rusch presented at a Leadership Development Workshop for the ABA Business Law Section, in Dana Point, and on *2007 Commercial Law Developments* at the firm of Aiken, Siljeg and St. Louis in Seattle. In San Diego, in March of 2008, Linda gave a presentation at the State Bar of California Section on

Business Law, and the Center for Global Legal Studies conference held at the Thomas Jefferson School of Law titled *Conference on Globalizing Secured Transactions Law*. Also, in May of 2008, Rusch gave a presentation on *Membership Surveys and Marketing* to the Business Bar Leaders Conference, at the ABA Business Law Section meeting in Chicago. At the ALI-ABA meeting in New York in June of 2008, she presented on *The UCC and Beyond: Current Developments in Commercial Law*, and also in June in San Jose, California, she gave the welcoming remarks to the National Conference for the Minority Lawyer, ABA Business Law Section and ABA Commission on Racial and Ethnic Diversity conference. In July of 2008 Professors Rusch and Sepinuck conducted two associate training programs at the Los Angeles law firm of Paul, Hastings, Janofsky & Walker on the subjects of *Principles of Good Contract Drafting and Drafting Opinion Letters*. In December of 2008, Professor Rusch spoke on *2008 Commercial Law Developments* for the Gonzaga University School of Law Commercial Law Center and the law firm of Lane Powell in Seattle.

Among other positions held during the course of 2008-2009, were: Member, ABA Standing Committee on Publishing Oversight Liaison, ABA Standing Committee on CLE; ABA Business Law Section Secretary (one-year term beginning in August 2008); Vice President (through April 2008) and President-elect (starting April 2008) for the American College of Commercial Finance Lawyers; Member, Executive Committee of the Permanent Editorial Board of the Uniform Commercial Code; and Reporter, Study Committee on Payments Issues for the Uniform Law Commission (appointed in September of 2008).



Professor Stephen Sepinuck

Professor Sepinuck published two books in 2008. In April, the ABA Business Law Section published *Practice Under Article 9 of the Uniform Commercial Code*. Professor Sepinuck edited the book and contributed nine of the sixteen charts and articles. In August, Professor Sepinuck's book *Secured Transactions* (part of the Thomson/West's ExamPro Series) came out in print. More recently, Professors Stephen Sepinuck and Linda Rusch completed their new course book titled *A Problem Solving Approach to Commercial Transactions* for Thomson/West Publishing. The book will be available in late February.

Professor Sepinuck continued to edit the *Annual Survey of Commercial Law*, which was published in the August edition of *The Business Lawyer*. In addition, with Professor Kristen Adams of Stetson Law School, he authored several more *Spotlight* columns for the joint newsletter of the ABA UCC Committee and the ABA Commercial Finance Committee. In September, Professor Sepinuck's article, *Vanishing Collateral*, appeared in 18 Bus. Law Today 29 (Sept./Oct. 2008). About the

same time, Professor Sepinuck's co-authored article, *The Big Deal about the Fine Print: Negotiating and Drafting Contractual Boilerplate*, came out in volume 61 of the Quarterly Report.

Throughout the year, Professor Sepinuck gave a number of presentations on commercial law subjects. In June, he gave two presentations at the annual conference of the Eastern District Bankruptcy Association: one on recent judicial developments on secured transactions and one on recent commercial law decisions by the Ninth Circuit. In July of 2008, Professors Sepinuck and Rusch conducted two associate training programs at the law firm of Paul, Hastings, Janofsky & Walker on the subjects of *Principles of Good Contract Drafting and Drafting Opinion Letters*. In October, Professor Sepinuck gave a presentation of commercial law developments at the law firm of Paul, Hastings, Janofsky & Walker. Finally, in December, he and Professor Rusch conducted two CLE programs on commercial law development, one at the law school and another in Seattle hosted by the law firm of Lane Powell.

In the fall, Professor Sepinuck was appointed to the California State Bar's UCC Committee and also appointed to serve as the ABA Advisor to the new Joint Review Committee for Article 9 of the UCC. In October, Professor Sepinuck attended the first meeting of the Joint Review Committee, offered comments, and then prepared and distributed a lengthy written report on the committee's deliberations and tentative decisions. At the end of the year, Professor Sepinuck posted a forty-five page report on our Commercial Law Center's website that he prepared on 2008 commercial law developments: http://www.aw.gonzaga.edu/About-Gonzaga-Law/Commercial-Law-Center/Files/2008_Cases.pdf.



Professor Sandra Simpson

Legal Research & Writing Professor Sandra Simpson presented on the subject, *Finding Your Groove: An Educator's Perspective on Maintaining and Enhancing Classroom Management and Student Engagement in the Law School Classroom*, on March 22, at the Rocky Mountain Legal Research and Writing Conference in Salt Lake City, Utah.

Professor Simpson has accepted an offer from the Iowa Journal of Gender, Race & Justice to publish her article, *Everyone Else is Doing It, Why Can't We? A New Look at the Use of Statistical Data in Death Penalty Cases*. The article will be published in the May 2009 edition of the journal.



Professor Buck Sterling

Professor Buck Sterling recently completed a two-year term as vice-president and president of the Western Pacific Chapter of the American Association of Law Libraries. Professor Sterling continues to serve on WestPac's executive board as the immediate past president. Librarian Cheryl Pritchard, head of technical services, continues to serve as treasurer on WestPac's executive board.



Professor Larry Weiser

Professor Larry Weiser's article (co-authored with Matthew Treu) *Adding Injury to Injury: Inadequate Protection of Tenants' Property During Eviction and the Need for Reform*, came out in print in volume 20 of the LOYOLA CONSUMER LAW REVIEW.

Last November, Professor Weiser served as program co-chair and as participant in the 2008 Spokane County guardian ad litem training. Professor Weiser presented on *Vulnerable Adult Statute, Protective Orders and GALS, and Mediation in Guardianship Cases*. Professor Weiser was also program co-chair with the Spokane Alzheimer's Association on a CLE entitled "Legal and Financial Issues and Diminished Mental Capacity." Professor Weiser participated in a panel discussion on the subject of financial competencies in older adults.



Professor Vickie Williams

In August, Professor Williams' article, *The Healthy Washington Initiative: Blue-Ribbon Process, Red-Herring Result*, came out in print in the FORDHAM URBAN LAW JOURNAL.

Professor Vickie Williams delivered a presentation called *Walking the Tightrope—Coding Compliance in the Electronic Age* to the American Health Information Managers Association (AHIMA) on October 11 in Seattle.

In November, Professor Williams was invited to co-author chapters on *Government Payors of Behavioral Health Services* and *Government Payors of Medical Services* in the new edition of the Washington Health Law Manual. Additionally, Professor Williams has been invited to speak to the Washington State Health Information Managers Association on the topic of "Coding Compliance" in April 2009.

Professor Vickie Williams has been invited to speak to the Washington State Society of Health Care Attorneys on the topic of the new federal Health Care Providers' Conscience Exemption Regulation in April 2009.

