

# SCHOLARSHIP

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Faculty Publications &  
Presentations  
Perspectives  
• Paula Monopoli  
• Maneka Sinha

# FACULTY PUBLICATIONS & PRESENTATIONS

**Chaz Arnett**

“Race, Surveillance, Resistance,”  
81 *Ohio State Law Journal* 1103  
(2021).

**Andrew Blair-Stanek**

“Contractual Tax Reform,” 61  
*William & Mary Law Review*  
1537 (2020) (with Michael  
Abramowicz).

**Richard Boldt**

“Constitutional Structure,  
Institutional Relationships and  
Text: Revisiting Charles Black’s  
White Lectures,” 54 *Loyola of Los  
Angeles Law Review* 675 (2021).

**Anne-Marie Carstens**

*Intersections in International  
Cultural Heritage Law* (Oxford  
University Press: 2020) (co-edited  
with Elizabeth Varner).

**Douglas Colbert**

“‘With a Little Help from My  
Friends’: Counsel at Bail and  
Enhanced Pretrial Justice Becomes  
the New Reality,” 55 *Wake Forest  
Law Review* 795 (2020).

**Karen Czapsanskiy**

“Tax Policy, Structured Settlements  
and Factoring: Making  
Exploitation Easy and Profitable,”  
97 *University of Detroit Mercy  
Law Review* 455 (2020).

**Peter Danchin**

“The Pandemic Paradox in  
International Law,” 114 *American  
Journal of International Law* 598  
(2020) (with Jeremy Farrall, Shruti  
Rana, and Imogen Saunders).

**Deborah Eisenberg**

“Beyond Settlement:  
Reconceptualizing ADR as  
‘Conflict Process Strategy,’” 35  
*Ohio State Journal on Dispute  
Resolution* 705 (2020).

**Martha Ertman**

*Contract Law: An Integrated  
Approach* (Foundation Press:  
2020) (with William K. Sjostrom,  
Jr. & Debora L. Thredy).

**Donald Gifford**

“A Torts Festschrift In Memory of  
Oscar Gray,” 80 *Maryland Law  
Review* 283 (2021).

Maryland Carey Law  
faculty members are thought  
leaders whose scholarship is  
consistently published by top  
journals and presses. What  
follows is just a sampling of  
scholarly work from fall 2020  
through summer 2021.

**Virtual Constitutional Law and Economics Workshop builds a community of international scholars**

During the pandemic, Professor Max Stearns launched an online workshop for legal scholars whose work overlaps constitutional law and economics. Stearns invited top thinkers from institutions including the University of Chicago, University of Virginia, Stanford, and Columbia to submit papers. With a core group of around 10 participants, word spread internationally, and the workshop began drawing scholars from India, Israel, Germany, Italy, and Canada.

Stearns is gratified that his efforts have resulted in a vibrant scholarly community for which no travel is required. “I enjoy getting a bunch of smart and curious people together,” he says. “That’s when the magic happens.”

Stearns, the Venable, Baetjer & Howard Professor of Law, is on research leave this fall. The workshop will resume in spring 2022.



# FACULTY PUBLICATIONS & PRESENTATIONS

continued...

**Daniel Goldberg**

“Partnership Revaluations: Book-ups are your Friends (Usually) – Planning with Revaluations and their Interplay with Section 704(c),” *74 Tax Lawyer* 345 (2021).

**Leigh Goodmark**

“Reimagining VAWA: Why Criminalization Is a Failed Policy and What a Non-Carceral VAWA Could Look Like,” *27 Violence Against Women* 84 (2020).

**Mark Graber**

*American Constitutionalism* (Vol II: Civil Rights and Liberties) (3d ed., Oxford University Press: 2021) (with Howard Gillman and Keith E. Whittington).

**David Gray**

*American Criminal Procedure: Cases and Commentary: 2020 Supplement* (11th ed., West Academic Press: 2020) (with Daniel J. Capra & Stephen A. Salzborg).

**Leslie Henry**

“For Now, It’s Unethical to Use Human Challenge Studies for SARS-CoV2 Vaccine Development,” 117 *Proceedings of the National Academy of Sciences* 28,538 (2020) (with Jeff Kahn, Anna Mastroianni, Wilbur Chen, and Ruth Macklin).

**Diane Hoffmann**

“A National Survey of Challenges Faced by Hospices during the Opioid Crisis: Estimates of Pain Medication Shortages, Missing Medications, and Opioids Left in the Home Post-Death,” 10 *Journal of Pain and Symptom Management* (2021) (with John Cagle, Mary Lynn McPherson, Jodi J. Frey, Paul Sacco, Orrin D. Ware, and Jack M. Guralnik).

**Kathleen Hoke ’92**

“State Efforts to Create an Inclusive Marijuana Industry in the Shadow of the Unjust War on Drugs,” 12 *Journal of Business & Technology Law* 235 (2020) (with Mathew Swinburne).

**Seema Kakade**

“Detecting Corporate Environmental Cheating,” 47 *Ecology Law Quarterly* 771 (2020) (with M. Haber).

**Russell McClain ’95**

Presented “Implicit Bias” as the Diversity Week Lecture at BYU J. Reuben Clark Law School, 2021.

**Paula Monopoli**

“Women, Democracy, and the Nineteenth Amendment,” 100 *Boston University Law Review* 1727 (2020).

**William Moon**

“Delaware’s Global Competitiveness,” 106 *Iowa Law Review* 1683 (2021).

**Michael Pappas**

“Climate Changes Property: Disasters, Decommodification, and Retreat,” 82 *Ohio State Law Journal* 331 (2021) (with Victor B. Flatt).

**Robert Percival**

“The EPA as a Catalyst for the Development of Global Environmental Law,” 70 *Case Western Reserve Law Review* 1151 (2020).

**Amanda Pustilnik**

“Neurodisability: A Criminal Doctrine that Is Not Pure Insanity,” *Neurodisability and the Criminal Justice System: Comparative and Therapeutic Responses* (Gaye T. Landsdell, Bernadette J. Saunders, and Anna Eriksson eds., Edward Elgar: 2021).

**Natalie Ram**

“Regulating Forensic Genetic Genealogy,” 373 *Science* 1444 (2021) (with Erin E. Murphy and Sonia M. Suter).

**Maneka Sinha**

“Junk Science at Sentencing,” 89 *George Washington Law Review* 52 (2021).

**Matiangai Sirleaf**

“Racial Valuation of Diseases,” 67 *UCLA Law Review* 1820 (2021).

**Maxwell Stearns**

“Modeling Narrowest Grounds,” 89 *George Washington Law Review* 461 (2021).

**Maureen Sweeney**

Presented “Intersections of Criminal and Immigration Law” at the *William & Mary Journal of Race, Gender, and Social Justice* symposium Justice Along Borders: Social Justice and Its Intersection with Law, Immigration, and Human Rights, 2021.

**Kevin Tu**

“Blockchain Stock Ledgers,” 96 *Indiana Law Journal* 223 (2020).

**Michael Van Alstine**

“The Unified Field Solution to the Battle of the Forms under the UN Sales Convention,” 62 *William & Mary Law Review* 213 (2020).

**Marley Weiss**

“Ricci v. DeStefano, 557 U.S. 557 (2009): Judgment,” *Feminist Judgments: Rewritten Employment Discrimination Opinions* 401 (Anne C. McGinley and Nicole Buonocore Porter eds., Cambridge University Press: 2020).