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# Indiana Law Annotated

Vol. 26 No. 10 (March 29, 2004)

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## CNN TOKYO BUREAU CHIEF ROUNDTABLE TODAY

The School of Journalism, the East Asian Studies Center, and the School of Law invite the public to a roundtable discussion featuring Rebecca MacKinnon, CNN Tokyo bureau chief. MacKinnon will present "The Role of Japan in the War on Terrorism" at 3:30 p.m. on Monday, March 29, in the Moot Court Room. Roundtable participants include Professor **Joseph Hoffmann**; Professor Greg Kasza, political science; Professor Scott Kennedy, political science; Professor Emeritus George Wilson, history; and Jacques Fuqua Jr., associate director of the East Asian Studies Center.

Currently on a leave of absence from CNN, MacKinnon is a media fellow at Harvard's Joan Shorenstein Center on the Press, Politics, and Public Policy. MacKinnon is researching ways to use new internet technologies to improve journalism as practiced by major American media today, focusing primarily on international news. As CNN's Tokyo bureau chief and correspondent, MacKinnon has covered major events including Japan's responses to the terrorist attacks of September 11. In October and November of 2001, she spent nearly two months in Peshawar, Pakistan, near Afghanistan's border, covering developments leading up to the fall of the Taliban.

## ORFIELD ON *BROWN V. BOARD* WEDNESDAY

The Center for Law, Society, and Culture is hosting the next event in the *Brown v. Board* anniversary celebration, a symposium featuring Professor Gary Orfield of the Harvard School of Education. Orfield, considered the foremost authority on the resegregation of public education following *Brown v. Board*, will present "*Brown v. Board of Education*: What We Gained, What We're Losing, What We Can Do" at 4 p.m. on Wednesday, March 31, in the Moot Court Room.

Orfield's presentation will be followed by a workshop with participants from the Law School and other departments on the IU Bloomington campus. Ten-minute reflections on *Brown v. Board*, law, and social science will be presented by Professor **Kevin Brown**; Professor Pamela B. Walters, sociology; and Professor Jorge Chapa, Latino studies.

## **IJGLS ANNUAL CONFERENCE BEGINS FRIDAY**

The School of Law is pleased to host the 12th annual conference of the *Indiana Journal of Global Legal Studies (IJGLS)*, which will be held in the Law School's Moot Court Room on Friday, April 2, and Saturday, April 3. The theme of this year's conference is "Globalization and Education." Scholars from the United States, France, and Russia will address three broad interrelated issues: Education as a human right, education and the role of states in the global economy, and higher education and transnational flows of specialized knowledge. Conference papers will provide the basis for the symposium issue of the *IJGLS*. For the conference speakers and schedule, visit [http://www.law.indiana.edu/front/special/2004\\_global\\_conference.shtml](http://www.law.indiana.edu/front/special/2004_global_conference.shtml). This conference is open to the public.

## **LAW/SPEA WILDLIFE REFUGE WORKSHOP FRIDAY**

The School of Law and the IU School of Public and Environmental Affairs (SPEA) are jointly hosting a workshop, "Managing Biological Integrity, Diversity, and Environmental Health in the National Wildlife Refuges," at the Law School on Friday, April 2. This project brings together experts from law, science, and natural resource management to consider how the refuge system should implement its statutory mandate to maintain biological integrity, diversity, and environmental health. Participants include Professor **Robert Fischman**; Professor Eric Freyfogle, University of Illinois; Professor James Karr, University of Washington; Professor Robert Keiter, University of Utah; Professor Vicky Meretsky, SPEA; Professor Reed Noss, University of Central Florida; and J. Michael Scott, University of Idaho. Natural resource managers from the U.S. Fish and Wildlife Service will help ground the discussion in actual case studies. For participating students enrolled in the joint SPEA-Law degree program, the workshop is the culmination of a semester-long seminar on ecosystem management. Workshop papers will be published in a symposium issue of the *Natural Resources Journal*, the leading interdisciplinary resource-management journal. This workshop is not open to the public. However, students who are interested in participating should contact Professor Fischman.

## **EVENTS & LECTURES**

### **BAUDE ON TERRORISM AND THE JUDICIARY TODAY**

This week's faculty research lecture series will feature Professor **Patrick Baude** on "Terrorism and the Judiciary" at noon on Monday, March 29, in room 122. The American Constitution Society (ACS) is providing pizza for all in attendance.

## **DOCUMENTARY FILM ON AMERICAN CIVIL RIGHTS CONTINUES THURSDAY**

In celebration of the 50th anniversary of *Brown v. Board of Education of Topeka*, Frank Motley, IU associate vice chancellor for academic support and former dean of admissions at the Law School, will continue the series *Eyes on the Prize, America's Civil Rights Years 1954-1965* with a viewing of *Episode 3: Ain't Scared of Your Jails (1960-61)* as part of his African American studies class, Racism and the Law. The third episode from the award-winning PBS documentary series by executive producer Henry Hampton will be shown at 7:30 p.m. on Thursday, April 1, in room 121.

*Episode 4: No Easy Walk (1962-66)* will be shown at 7:30 p.m. on Tuesday, April 6, in room 121.

## **CIVIL RIGHTS LITIGATOR ALVIN CHAMBLISS TO GIVE LECTURE NEXT WEEK**

The Law School's tribute to the *Brown v. Board of Education* anniversary continues next week. The Law School is co-hosting a visit by renowned civil rights litigator Alvin Chambliss, who represents the non-settling parties in litigation against the state of Mississippi for its failure to fund historically black universities (Jackson State, Alcorn, and Mississippi Valley) at the same level as other state universities. A reception for Chambliss will be held from 5 p.m. to 7 p.m. on Wednesday, April 7, in the foyer of the Neal-Marshall Black Cultural Center. Chambliss will give a lecture following the reception at 7 p.m. in the center's Grand Hall. For more information, please contact Frank Motley, IU associate vice chancellor for academic support, at 856-5748.

## **THE ROAD TO BROWN: FILM SCREENING AND PANEL DISCUSSION NEXT WEEK**

As part of the Law School's series of events commemorating the anniversary of *Brown v. Board of Education*, civil rights litigator Alvin Chambliss will join Professor **Kevin Brown** and Professor of History Claude Clegg for a screening and panel discussion of *The Road to Brown* at 4:30 p.m. on Thursday, April 8, in the Moot Court Room. *The Road to Brown* describes the legal strategy that Charles Hamilton Houston and Thurgood Marshall devised to bring *Plessy's* separate-but-equal rule before the Supreme Court. An introduction and subsequent discussion will put the film in context, fill in other perspectives, and encourage discussion. Refreshments will be served. This event is sponsored by the Law School and the American Constitution Society (ACS).

## **CAMPUS EVENTS**

### **"FAITH AND POLITICS: ELECTION 2004" PANEL DISCUSSION THURSDAY**

The Bill and Francis Julian Program for Inter and Intra Faith Understanding is pleased to present "Faith and Politics: Election 2004," a panel discussion of issues that surround religion and politics in the upcoming presidential election, at 7 p.m. on Thursday, April 1, in room A100 of Jordan Hall. Panelists include Rev. Rebecca Jimenez, campus minister at the Center for University Ministry; Lindsey Mintz, government affairs associate for the Jewish Community Relations Council in Indianapolis; Professor **Daniel O. Conkle**; and Professor Nazif Shahrani, chair of the Department of Near Eastern Languages and Cultures and professor of anthropology. This panel is co-sponsored by the Robert A. and Sandra S. Borns Jewish Studies Program, the Department of Religious Studies, and the Union Board. A reception will follow in the atrium lobby of Jordan Hall. All are welcome to attend!

## NEWS FROM THE FACULTY

An article by Associate Dean **John S. Applegate** has been selected as a finalist for inclusion in the *Land Use and Environment Law Review*, an annual volume published by the Thomson West Publishing Company to recognize the best land use and environmental law articles published each year. A panel of approximately 50 law scholars chose Applegate's article, "The Taming of the Precautionary Principle," as one of the 30 best published in 2003.

Professor **Kevin Brown** presented a talk, "Re-examination of *Grutter v. Bollinger* from the Road Not Taken in *Brown v. Board of Education*," at a seminar entitled "Race in Educational Policy: A Constitutional Examination," which was held at the Loyola University-Chicago School of Law on March 13. Professor Brown also delivered a talk, "Race, Ethnicity, and the Law," on March 15 at Indiana State University in Terre Haute, Ind. This talk was sponsored by the Martin Luther King Jr. Commemorative Coalition.

On March 9 and 10, Professor **Kenneth Dau-Schmidt** presented two papers at the "International Seminar on Comparative Labour Law" held by the Japan Institute for Labour Policy and Training in Tokyo: "The Definition of 'Employee' in American Labor and Employment Law," and "Individual Bargaining, Collective Bargaining, and Protective Legislation: Determining the Terms and Conditions of Employment in the Modern American Employment Relationship."

Professor **Roger Dworkin** has just returned from Paris where he taught Introduction to American Torts for three weeks at Universit, Panth, on-Assas (Paris II). His article, "Getting What We Should From Doctors: Rethinking Patient Autonomy and the Doctor-Patient Relationship," has been published at 13 Health Matrix: Journal of Law-Medicine 235 (2003).

Professor **Sarah Jane Hughes** participated as the American Bar Association's representative in the March 12 meeting of the National Conference of Commissioners on Uniform State Laws' Drafting Committee for the Uniform Money Services Act. The act regulates the safety and soundness of non-bank providers of money services and contains important consumer protection and anti-money laundering provisions. Professor Hughes also was the principal author of the Permanent Editorial Board for the Uniform Commercial Code's comment to the Federal Reserve System's Board of Governors on proposed amendments to its regulations to implement the Check Clearing for the 21st Century Act, which becomes effective on Oct. 23, 2004.

## **NEWS FROM CAREER SERVICES**

### **OCI+ PRESENTATION THURSDAY**

Career Services is hosting "How to Use OC1+" at 12:15 p.m. on Thursday, April 1, in the Moot Court Room.

## **NEWS FROM STUDENT ORGANIZATIONS**

### **HELP YOUR FELLOW STUDENTS HELP THEIR COMMUNITIES**

The Public Interest Law Foundation (PILF) is collecting donations for a scholarship fund that will be available to students working this summer in non-paying public interest positions. You can drop off your pledge cards at PILF's tables in the lobby during lunch from Monday, March 29, through Wednesday, April 7. Pledge cards can be found in your mailboxes. There will also be a donation box at the library circulation desk. Help your fellow students so that they may help their communities!

### **ILS COFFEE AND BAKE SALE TUESDAY AND WEDNESDAY**

Tired? Wake up with the ILS coffee and bake sale! Our table will be set up downstairs, across from the SLA bookstore, from 7 a.m. to 1 p.m. on Tuesday, March 30, and Wednesday, March 31. Coffee is only \$1. All baked goods are 50 cents each.

### **BUSINESS AND LAW SOCIETY NAMES NEW OFFICERS**

Co-presidents **Nicole Cammarota** and **Matt St. Louis** would like to congratulate the new 2004-2005 executive board of the Business and Law Society. The new officers will be Co-presidents **Corey Zarse** and **Mark Horvick**, Vice President **Collin Dick**, Secretary **Kamran Khan**, and Treasurer **Aaron Dosset**. We are excited to have such a talented new team for next year! Also, we would like to thank this year's officers, **Corey Zarse**, **Mark Horvick**, **Chris Svetlik**, and **Adam Shields** for their hard work.

## **ANNOUNCEMENTS**

### **SIGN UP ONLINE FOR WESTLAW TRAINING "PREPARE TO PRACTICE"**

There will be Westlaw training sessions entitled "Prepare to Practice" from Monday, April 5, through Thursday, April 8. To sign up online, go to [www.lawschool.westlaw.com](http://www.lawschool.westlaw.com) and click on "Your Law School Home Page." Select "Indiana University Bloomington" and click on "Westlaw Training Schedule." Select a convenient training time and enter the requested information. When you've finished, click "Submit."

## **POSITION OPEN: DIRECTOR OF ENVIRONMENTAL LAW RESEARCH GROUP**

The Environmental Law Research Group (ELRG) is looking for a director. The position begins in May and lasts through August, with the possibility of renewal for the 2004-2005 school year. It is open to all current first-year and second-year students. The director receives a stipend. Please hand-deliver or e-mail your application to Dean Fromm by Friday, April 2. Include 1) a resume, 2) a cover letter stating your interest/intentions, and 3) the name of your research and writing instructor or other law professor who has evaluated your writing.

The ELRG provides pro bono environmental research services to attorneys representing local, regional, and national nonprofit environmental organizations, and government agencies. The ELRG's research services are performed by volunteer Indiana University law students. The director of the ELRG oversees all aspects of the group, including contacting potential supervising attorneys; choosing and organizing research projects; assigning students to work on particular research project groups; conducting meetings of the research project groups; ensuring good relations among clients, supervising attorneys, and research project groups; formulating long-range planning; maintaining records of activities and structure for future reference; participating in the selection process for the following year's director; participating as a non-voting member of the board of the Environmental Law Society; and acting as a liaison between the ELRG, the Law School, and the community.

## **HOUSING INFORMATION**

The housing bulletin board on the ground floor across from the SLA Bookstore is maintained by the Admissions Office. All information currently posted there will be removed. If you wish to post a housing notice, please submit your information to the Admissions Office in room 230, or e-mail the details to [lawadmis@indiana.edu](mailto:lawadmis@indiana.edu). The information will be put on the housing information list sent out by the Admissions Office. It will also be posted on our Web page for admitted students and on the housing bulletin board.

There will be three categories: Fall information (information from area landlords who have units available for the fall), roommate information (information about students who are looking for roommates to share housing), and sublet information (information about apartments that are available for summer sublet).

## **SCHEDULING EVENTS**

All e-mail about reserving classrooms must be sent to BL-LAW-EVENTS. Mail must be sent to the correct address, [bl-law-events](mailto:bl-law-events) (for Outlook users) or [bl-events-law@exchange.indiana.edu](mailto:bl-events-law@exchange.indiana.edu) (for non-Outlook users). Please include the date and time of event, length of time room will be needed, classroom requested and number of people attending event. Requests should be sent at least one week before the event and include the name of the person requesting, the organization planning the event, and an e-mail address. Confirmations will be sent by reply e-mail. Thank you!

## AUDIO-VIDEO SERVICES

Requests for AV services may be sent to Beth at [av@exchange.indiana.edu](mailto:av@exchange.indiana.edu). Please include the name of your group and the e-mail address of the contact person, a description of what you want to do, and the date, location, starting time and duration of the event. Requests must be made at least 48 hours in advance and will be confirmed by e-mail.

## CALENDAR

**March 29:** Professor Patrick Baude, "Terrorism and the Judiciary," noon, room 122; Roundtable with CNN Tokyo bureau chief Rebecca MacKinnon, "The Role of Japan in the War on Terrorism," 3:30 p.m., Moot Court Room

### March 30:

**March 31:** Gary Orfield symposium, "*Brown v. Board of Education: What We Gained, What We're Losing, What We Can Do*," 4 p.m., Moot Court Room

**April 1:** "How to Use OC1+," 12:15 p.m., Moot Court Room; "Faith and Politics: Election 2004" panel discussion, 7 p.m., room A100, Jordan Hall; Documentary film *Eyes on the Prize, Episode 3: Ain't Scared of Your Jails*, 7:30 p.m., room 121

**April 2:** *Indiana Journal of Global Legal Studies* 12th annual conference, 1:30 p.m. to 5:30 p.m., Moot Court Room; Law/SPEA workshop, "Managing Biological Integrity, Diversity, and Environmental Health in the National Wildlife Refuges"

**April 3:** *Indiana Journal of Global Legal Studies* 12th annual conference, 9 a.m. to 5:30 p.m., Moot Court Room

**ILA:** Please visit our Web site at [www.law.indiana.edu/publications/ila/ilacurrent.shtml](http://www.law.indiana.edu/publications/ila/ilacurrent.shtml). The ILA is published every Monday with news about the coming week. If you have questions about an item appearing in the ILA, please contact Lesa Petersen (e-mail: [petersen@indiana.edu](mailto:petersen@indiana.edu); phone: 856-4044).

**Submissions:** Information and articles for the ILA should be submitted by Friday at 3 p.m. for inclusion in Monday's edition. Please e-mail all submissions to [ila@indiana.edu](mailto:ila@indiana.edu).