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## Faculty News

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## Faculty honors

### ► Gensler elected as American Bar Foundation Fellow



Professor **Steven S. Gensler** was elected to membership in The Fellows of the American Bar Foundation. Attorneys, judges, law faculty and scholars chosen for the honorary organization support the research of the ABF and sponsor seminars and events relevant to the legal profession. Membership is limited to 1 percent of lawyers licensed to practice in each jurisdiction.

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### ► Backus, Robertson receive Regents' Awards



Professors **Mary Sue Backus** and **Lindsay Robertson** both received Regents' Awards at the university's annual faculty recognition event. "This year, OU Law is honored to have two incredibly worthy recipients of two of the university's most prestigious awards," said Dean Joe Harroz.

Backus, who joined the OU Law faculty in 2004, received the Regents' Award for Superior Teaching. The award is one of three Regents' Awards given annually and recognizes excellence in teaching at OU. She is the Robert Glenn Rapp Foundation Presidential Professor at the College of Law, where she teaches Criminal Law, Education Law and Evidence. Her recent scholarship focuses on reforming Oklahoma law in the areas of juvenile competency and virtual charter schools.

Robertson received the Regents' Award for Superior Professional and University Service and Outreach. The award is one of three Regents' Awards given annually and honors a faculty member's contributions to OU's service and outreach.



Robertson is the OU College of Law Chickasaw Nation Endowed Chair in Native American Law, Sam K. Viersen Family Foundation Presidential Professor and faculty director of the Center for the Study of American Indian Law and Policy. He joined OU Law in 1997 and teaches Federal Indian Law, Comparative and International Indigenous Peoples Law, Constitutional Law and Legal History. He is also founding director of the OU Law International Human Rights Law Clinic.

## Beyond the classroom

### ▶ Kershen co-chairs Oklahoma Water Law Conference



Professor Emeritus **Drew Kershen** co-chaired and spoke at the Ninth Annual Oklahoma Water Law Conference in February. The conference theme was “Focus on the Historic Water Rights Settlement Agreement.” Kershen’s presentation – “The Process of Water Settlements: Where Do We Go from Here?” – provided an academic perspective on the agreement for the continuing legal education program.

Kershen taught Water Law at OU Law for more than 20 years and has been active in Oklahoma water law issues since 1989. He is a frequent lecturer on water law and has written extensively on Oklahoma water law matters.

### ▶ Means edits OBJ



Professor **Erin Means** ('09) served as editor of the *Oklahoma Bar Journal* May issue focusing on Constitutional Law. She was appointed to the publication’s board of editors by the OBA president and has completed three years of service.

“In putting the Constitutional Law theme issue together, I enjoyed working with the various authors

to identify topics that were both nationally relevant and useful to Oklahoma practitioners,” said Means.

### ▶ Henderson speaks on Fourth Amendment



Professor **Stephen Henderson** spoke on a panel at Georgetown Law for the school’s American Criminal Law Review 2017 Symposium in March. The symposium’s theme was “Katz at 50: The Fourth Amendment in the Digital Age.” The event marked the 50th anniversary of the Supreme Court’s decision in *Katz v. United*

*States*, which introduced the notion of a “reasonable expectation of privacy” as the standard for defining searches under the Fourth Amendment.

Symposium sessions focused on the legacy of the 50-year-old decision and how it has affected the interpretation and implementation of the Fourth Amendment. Session topics included: “Privacy in Public Surveillance,” “Katz at 50: Modern Approaches to the Fourth Amendment,” and “Racial Impacts of Surveillance.”

► Gensler addresses the “War on Boilerplate” at Fifth Circuit Judicial Conference

Professor Steven Gensler spoke in May at the Judicial Conference of the U.S. Court of Appeals for the Fifth Circuit. Gensler sat on a panel with three judges and a practicing attorney. The group provided an update on recent and upcoming changes to the Federal Rules of Civil Procedure and to the Federal Rules of Evidence. Judges and lawyers from the Fifth Circuit were in attendance.

“The topic that seemed to interest the audience most was the recent trend of federal judges cracking down on the use of boilerplate objections in discovery,” said Gensler. “Most of the lawyers – and all of the judges – were very much in favor of the so-called war on boilerplate. But the lawyers are afraid to unilaterally stop making boilerplate objections for fear that it will give their opponents who continue to do it an advantage. What they really want is for the judges to intervene and disarm everyone. More and more judges are stepping up to do just that.”



Gensler said he enjoyed the dynamic of having judges and lawyers in the room together. “The civil discovery system works a lot better when the bench and the bar talk to each other and develop a shared understanding of what is expected.”

► Spector represents U.S. at The Hague



Professor Emeritus Robert G. Spector represented the United States at The Hague Conference of Private International Law's Experts Group on the Recognition and Enforcement of Agreements in Family Disputes Involving Children. The Experts Group met in The Hague June 14-17. The purpose of the Experts Group is to examine and identify the nature and extent of the legal and practical problems, including jurisdictional issues, involving cross border recognition and enforcement of voluntary agreements and to evaluate the benefit of a new international treaty in this area.

Spector previously has represented the United States in negotiating several Hague treaties and conventions, including the 1996 Convention on the Protection of Children, the 2000 Convention on the Protection of Disabled Adults and the 2007 Convention on the Recognition of Child Support. The Hague Conference on Private International Law is an international organization dedicated to the unification of the rules on private international law, including those of jurisdiction, choice of law and recognition of judgments.

▶ *AILR* symposium focuses on environmental issues



Pictured at the 2017 *AILR* symposium are Kelly Damphousse, former dean of the OU College of Arts and Sciences; Lindsay Robertson and Taiawagi Helton, OU Law professors; Amanda Cobb-Greetham, OU Native American Studies Program director; Austin Vance, OU Law 3L; Stephen Greetham, chief general counsel and special counsel on water and natural resources, Chickasaw Nation; Michael Burrage, Whitten Burrage Law Firm managing partner; and Joe Harroz, OU Law dean.

The College of Law hosted the *American Indian Law Review* annual Indigenous Peoples, Law and Power Symposium March 24 in the Dick Bell Courtroom in Andrew M. Coats Hall. With a theme of “Oil and Water,” the symposium was co-sponsored in partnership with the OU College of Arts and Sciences Native American Studies Department.

Native American environmental issues were featured in panel presentations and keynote addresses. Topics addressed were “The Chickasaw-Choctaw Compact in Context,” “Water Sovereignty and Stewardship: The Historic Chickasaw-Choctaw Water Settlement,” “Justice and Juxtaposition: Environmental Justice and Protest in Parallel” and “The Impact of Fracking on Indian Nations: A Case Study.”

Speakers included Sarah Hill, senior assistant attorney general, Cherokee Nation; Stephen Greetham, chief general counsel and special counsel on water and natural resources, Chickasaw Nation; Michael Burrage, managing partner, Whitten Burrage

Law Firm; Walter Echo-Hawk, of counsel, Crowe & Dunlevy; and OU Law professors Taiawagi Helton and Kristen van de Biezenbos.

“This year’s Indigenous Peoples, Law and Power Symposium builds upon several dedicated events we have held this year, all of which have focused on the intersection of Native American rights and environmental law,” said Dean Joe Harroz.

“This is our sixth year to co-host this special event,” said Dr. Amanda Cobb-Greetham (Chickasaw), chair of the Native American Studies Department and director of the newly established Native Nations Center. “Our partnership grows out of our joint M.A./J.D. program, which makes all of our students uniquely competitive. This year’s symposium topic is of critical importance to Native nations and communities. The subject matter is dear to our hearts as it impacts our lands as well as our political and cultural identities.”