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Faculty changes

► Leadership for new LL.M. program named



Owen Anderson, director, and David Dye, associate director, will lead the John B. Turner LL.M. Program, which starts in August 2011.

An expert in energy and natural resources law and a research and writing specialist have been appointed to guide the new John B. Turner Master of Laws (LL.M.) Program in the University of Oklahoma College of Law. The new 24-credit program, which begins August 2011, is the first LL.M. program in the United States focusing on the fields of energy, natural resources and indigenous peoples.

OU Law Professor **Owen Anderson** will serve as director of the program, which will provide students with an additional year of education after receiving their juris doctor degree. Former OU law library research assistant David Dye will serve as associate director.

"Professor Anderson has extensive experience in energy and natural resources law, and Mr. Dye is an accomplished OU law alumnus who previously assisted students in the OU Law Library," said Dean Joe Harroz. "I am confident this program will excel under their leadership."

Anderson, an OU Law faculty member since 1992, is the Eugene Kuntz Chair of Law in Oil & Gas and Natural Resources. He has lectured worldwide on domestic and international oil and gas law. He is a Distinguished Lecturer for the Centre for Energy, Petroleum and Mineral Law and Policy at the University of Dundee in Scotland and serves on the LL.M. visiting faculty at the University of Melbourne and

the University of Sydney. Anderson has authored numerous articles on oil and gas law and serves on the board of editors for the *Oil and Gas Reporter* and the *Texas Title Examination Standards*. A member of the Oklahoma, Texas and North Dakota bars, he serves as a commissioner for the National Conference of Commissioners on Uniform State Laws and is a member of the American Law Institute. In addition, he is a trustee of both the Eastern and Rocky Mountain Mineral Law Foundations; a member of the International Oil and Gas Educational Center Advisory Board of the Center for American and International Law in Dallas; and a member of the Association of International Petroleum Negotiators.



Elizabeth Bangs was named assistant professor of law, director of legal research and writing, and director of the Students for Access to Justice program.

She previously served as a visiting associate professor at the College of Law. Before coming to OU, she served as the director of the first-year legal research and writing program at Harvard Law School and was a lecturer in the department of politics at Princeton University.

Bangs graduated from Harvard Law School, where she was editor-in-chief of the *Harvard Women's Law Journal* (now the *Harvard Journal of Law and Gender*). She began her legal career as a judicial clerk, first to the Honorable Richard A. Paez on the U.S. Court of Appeals for the Ninth Circuit and then to the Honorable Audrey B. Collins in the U.S. District Court for the Central District of California. Bangs also was a trial attorney



OU Law received a \$1.5 million gift from the Stuart Family Foundation to assist in establishing the John B. Turner LL.M. Program at the College of Law. The gift was made in honor of attorney John B. Turner, a trustee of the Stuart Family Foundation and the longtime business partner of OU Regent Jon R. Stuart (pictured).

in the Disability Rights Section of the Civil Rights Division at the Department of Justice in Washington, D.C.



Emily Meazell assumed the role of associate dean for academics, a position previously held by Mark Gillett. She joined the OU Law faculty in 2007 after serving as a visiting professor at the University of Georgia School of Law, her alma mater.

Meazell began her legal career as a law clerk to Judge Richard W. Story of the U.S. District Court for the Northern District of Georgia. Following her clerkship, she served as an associate at the law firm of Bondurant, Mixson & Elmore, LLP in Atlanta. A former civil engineer who practiced in the environmental and water resources field prior to attending law school, Meazell earned a bachelor's degree from Virginia Polytechnic Institute and State University.

Meazell's scholarly interests are in administrative law, law and science, risk regulation, energy law and water law. Her research-related service includes work for the International Atomic Energy Agency and service as a hearing examiner for the Oklahoma Water Resources Board. She teaches torts, administrative law, energy law and risk, public policy and law.



Fred Miller, professor emeritus, and his wife, Marcia, moved in January to Edina, Minnesota. He joined Gray Plant Mooty in Minneapolis, serving

in an of counsel capacity with the firm's commercial financial services practice group.

▶ Three faculty members retire

Three members of the faculty, with almost 60 years of combined OU teaching experience, will be noticeably absent when the fall semester starts in August. Professors Michael Winchell, Peter Krug and Robert Spector are exceptional and dedicated teachers who have made significant contributions to the quality legal education provided to students of the OU College of Law.



Michael G. Winchell

Michael Winchell ('76) joined the College of Law faculty in 2004. He was the assistant director of Legal Research and Writing and taught Introduction to Legal Methods, Government Contracts and Environmental Law. Prior to joining OU Law, Winchell spent 28 years with the federal government. Winchell was a member of OU's team in the 1976 National Moot Court Competition.

"With a distinguished government career serving as chief counsel for NASA and the U.S. Marine Corps, Professor Winchell brought unique experience and perspective to the classroom," said Dean Joe Harroz. "He actively participated in moot court competitions, and the individual attention he provided students greatly encouraged their success."



Peter Krug

Peter Krug, formerly the Herman G. Kaiser Foundation Chair in International Law and a member of the OU Law faculty since 1991, is known as OU's expert on international law. During his 20-year tenure, he has taught Comparative Law, European Union Law, International Business Transactions, International Criminal Law, International Human Rights Law, International Trade Regulation,

Public International Law and Mass Media Law.

"When introduced at the 2011 Convocation, Professor Krug received a spontaneous, standing ovation and sustained applause from his colleagues and students. This is representative of the level of respect and admiration his colleagues and students have for him," Harroz said. "His leadership and work in international law will impact generations of law students."



Robert G. Spector

A member of the faculty since 1980, Robert Spector was the Glenn R. Watson Chair and Centennial Professor of Law. He taught courses including Family Law, Children and the Law, Conflict of Laws, Evidence and Child Abuse and Neglect. In addition, Spector has served as the director of the OU College of Law Oxford Program since 1999.

"Professor Spector is an international figure in the field of family law. He is one of those special professors who impacts the landscape in all three areas of teaching, scholarship and service," stated Harroz. "During his three decades of service to the College of Law he has been committed to advancing the knowledge of his students, his field and the bar as a whole."

Faculty honors

▶ Spector elected to American Law Institute



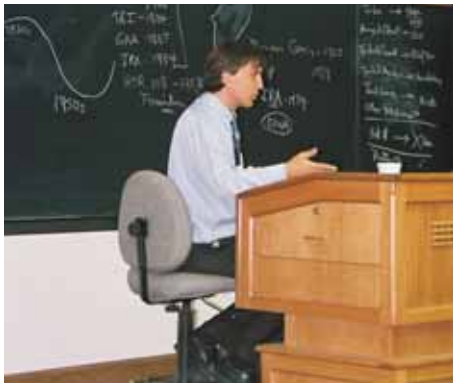
Professor Robert Spector was elected to the American Law Institute in December, becoming one of only 38 members in Oklahoma. ALI President Roberta Cooper Ramos said, "I am delighted to welcome these distinguished and talented new members to the American Law Institute. From its very beginning in 1923, the Institute has been dedicated to clarifying

and improving the law. I am sure our newest members will find their association with the institute to be both professionally and personally rewarding."

A member of the OU Law faculty for 30 years, Spector is a noted authority on family law and has written and lectured extensively on the topic. He has wide-ranging professional service experience serving on committees at the state, national and international levels.

His scholarly efforts and service have been recognized by awards from the Oklahoma Bar Association, including the Earl Sneed Award in 1991 for outstanding continuing legal education contributions and the Chair's Award from the Family Law Section in 1994 and 1997 for significant contributions to the development of family law. In addition, he was named the Outstanding Family Law Attorney in 1990.

▶ Robertson and Wattley receive OU faculty awards



Professor Lindsay Robertson leads a classroom discussion.

Two OU Law faculty members were recognized at the university-wide Spring Faculty Awards Ceremony April 7. Lindsay Robertson received the Merrick Teaching Award and Cheryl Wattley was presented the Regents' Award for Superior Professional and University Service and Public Outreach.

Robertson joined the law faculty in 1998 after serving as a visiting professor in 1997. He teaches courses in Federal Indian Law, Comparative Indigenous Peoples Law, Constitutional Law and Legal History and serves as faculty director of the OU Center for the Study of American Indian Law and Policy and associate director of the Inter-American Center for Law and Culture. The Merrick Teaching Award is presented to recognize outstanding achievement in bringing students a better understanding and appreciation of the American free enterprise system.



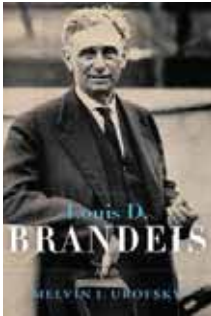
Professor Cheryl Wattley meets with clinic students.

Wattley serves as the director of clinical education and teaches Criminal Procedure, Criminal Law, Litigation Skills and Trial Techniques. Prior to joining the law school in 2006, Wattley practiced law in the areas of criminal defense, civil rights and employment litigation. Since joining the College of Law faculty, she has taken on a variety of responsibilities beyond her formal obligations, including developing and implementing the Mediation and Dispute Resolution Externship and writing and producing the play "I'll Do It" about Ada Lois Sipuel's 1946 admission application to the segregated University of Oklahoma law school.

Beyond the classroom

Symposiums and colloquiums

► Biographer relates challenges of writing book



The University of Oklahoma College of Law and the Institute for the American Constitutional Heritage presented “Writing a Brandeis Biography” featuring Melvin Urofsky, author of *Louis D. Brandeis, A Life*, March 7 in the Dick Bell Courtroom. The book is the most recent full-scale biography of U.S. Supreme Court Justice Louis D. Brandeis.

Urofsky is a professor of law and public policy and professor emeritus of history at Virginia Commonwealth University.

Working closely with OU History Professor Emeritus David

Levy, Urofsky edited seven volumes of Louis Brandeis’ letters. He also authored *Louis D. Brandeis and the Progressive Tradition*. He discussed the challenges of researching, reconstructing and describing the life of a significant legal figure in America.

Prior to his afternoon presentation, Urofsky spoke at noon in the Sneed Lounge as part of the OU Law Faculty Colloquium Series. His topic at the lunch event was “Dissent as a Form of Constitutional Dialogue.”

► Final faculty colloquium features BYU professor



The final installment of the 2010-2011 Faculty Colloquium Series was presented April 27 in the Sneed Lounge. Brigham Daniels, associate professor of law at Brigham Young University, discussed regulatory nukes, a concept introduced by his paper that will appear in *The George Washington Law Review* in 2012.

Daniels defines “regulatory nuke” as an agency’s power, beyond ordinary regulation, which has the capability to obliterate its regulatory targets or make major waves in a large segment of society. His discussion with the OU Law faculty included the topics of Congress, agencies, environmental law and political science.

► OU Law, Texas Tech participate in exchange program



As part of an exchange program with Texas Tech University School of Law, on March 31, the OU Law Faculty Colloquium Series hosted Michael Hatfield, professor of law and associate dean for research and faculty development at Texas Tech. He presented his paper on professional ethics of tax lawyers, “Legal Ethics and Federal Taxes, 1945-1965: Patriotism, Duties and Advice.”

OU Law’s Rick Tepker previously spoke March 24 at Texas Tech on “Christian Legal Society v. Martinez: Mediating the ‘Cultural Civil War’ at Public Universities.”

► Faculty gets sneak preview



Kevin Butterfield, with the OU Institute for American Constitutional Heritage, participated in

a faculty brown bag lunch March 9, giving a sneak preview of a presentation prepared for a New York University colloquium titled, “Stockholders as Members: The Rights of Membership and the Early American Business Corporation.”

Housed in the Department of Classics and Letters, the IACH is an interdisciplinary center for the study of American constitutionalism, with a faculty drawn from six university departments and colleges, including Rick Tepker, Brian McCall, Lindsay Robertson and Joe Thai from the College of Law.

► Family law symposium honors Professor Robert Spector



Pictured at the symposium are Jeff Atkinson, Linda Silberman, Gloria DeHart, Jack Sampson, Robert Spector, Norm Grail, Linda Elrod, William Duncan and Ann Estin. Grail is with Imprimatur Press, a symposium co-sponsor, and Gloria DeHart is described by Spector as “the founder of international family law.”



William Duncan, deputy secretary general of the Hague Conference on Private International Law, delivers his keynote address at the 2011 Family Law Symposium honoring Professor Robert Spector.

Three groups co-sponsored the 2011 Family Law Symposium: Divorcing the Multinational Family February 25 at the College of Law. The Oklahoma Bar Association Family Law Section, Imprimatur Press and *Oklahoma Law Review* brought together an internationally recognized group of family law experts to speak to students, faculty, staff and guests at an event honoring Professor Robert Spector.

Robert A. Brown, *OLR* editor-in-chief, welcomed those in attendance, and Dean Joe Harroz provided opening remarks prior to Professor Rick Tepker’s introduction of William Duncan, the keynote speaker. Duncan is the deputy secretary general of the Hague Conference on Private International Law. He spoke about some of the remaining challenges in the globalization of the Hague Children’s Conventions.

Other speakers were Linda Silberman, New York University School of Law; Jack Sampson, University of Texas School of Law; Jeff Atkinson, DePaul University College of Law; Ann Estin, University of Iowa College of Law; Linda Elrod, Washburn University Law School; and the honoree, Professor Robert Spector.

Following the afternoon symposium, there was a reception in the Sneed Lounge and a dinner that evening at a restaurant in downtown Norman. The symposium and its companion events were held to thank Spector for his long and dedicated service to the university, his students and the community and for his significant contributions in family law.



Professor Spector takes the podium for his presentation.



Drew Kershen



Emily Mezell



Robert Spector



Owen Anderson



Mary Sue Backus

Published

Drew Kershen co-wrote the article “Innovation Arrested by the Law of Unintended Consequences,” posted on Forbes.com March 31.

Emily Mezell published “Super Deference, the Science Obsession, and Judicial Review as Translation of Agency Science” in *Michigan Law Review*, Vol. 109, No. 5.

Mezell will publish “Deference and Dialogue in Administrative Law” in a forthcoming issue of *Columbia Law Review*.

Robert Spector co-authored “A Review of the Year in Family Law: Working Toward More Uniformity in Laws Relating to Families,” which appeared in *Family Law Quarterly*, Vol. 44, No. 4.

At the podium

Owen Anderson was the keynote luncheon speaker at the Association of International Petroleum Negotiators Pemex Conference in April in Mexico City. “International Oil Investment Return to Mexico: Will Mexico’s Risk-Service Invitation Work and Where Might It Lead?” was the title of his presentation.

Mary Sue Backus was the featured speaker on confrontation rights at a Symposium of Protections Under the Sixth Amendment at William & Mary Law School in Williamsburg, Virginia, March 23.

Backus spoke on “Your Right to Privacy—Where Does It Come From and How to Protect It” April 12 at the Osher Lifelong Learning Institute at the University of Oklahoma.

Backus also delivered two CLE presentations, “Confronting Confrontation” at the Seminole County Law Day observance on April 29 in Wewoka, and “OMG! Evidence Challenges in an Electronic World,” at the 17th Annual Legal Institute of Pickens County, I.T., May 6 in Ardmore.

Dean Emeritus Andy Coats was the speaker at Rose State College’s 10th annual Law Day observance April 25.

Jonathan Forman spoke on “Tax Reform in an Era of Hyper-Deficits and Gridlock” for the Oklahoma City Economic Roundtable in Oklahoma City March 2.

Forman also presented “Tax Reform and Deficit Reduction: Proposals, Implementation and Policy Considerations” and served as a panel moderator for the meeting of the American Bar Association Section of Taxation May 6 in Washington, D.C.

Steve Gensler was a panelist before the National Academy of Science Committee on Science, Technology and Law at its meeting April 11 in Washington, D.C. He spoke on “Knowledge in the Public Interest: Considerations of Incidents Where Scientific and Technical Knowledge Is Kept From the Public Because of Sealed Settlements and Other Restrictive Arrangements.”

Gensler also appeared as a CLE panelist with the Honorable Carl Stewart (5th Cir.) and the Honorable Lee H. Rosenthal (S.D. Tex.) at the Judicial Conference of the Fifth Circuit May 3-4 in San Antonio. His presentation was “Civil Rules and Appellate Rules: What’s New and What’s on the Horizon.”



Dean Emeritus Andy Coats



Jonathan Forman



Steve Gensler



Judith Maute



Brian McCall

Drew Kershen presented “Well Exemption Litigation in the West: Implications for Oklahoma Groundwater Law” at the Third Annual Oklahoma Water Law Conference in Tulsa May 5-6.

Kershen also spoke on “The Illinois River Litigation: Water Law Implications Extra Large?” to the Mineral Law Society of Oklahoma City, the Oklahoma Association of Municipal Attorneys, the Oklahoma City Association of Petroleum Lease and Title Analysts, and the Oklahoma City Real Property Lawyers Association.

Judith Maute was a panelist at the National Institute for Teaching Ethics and Professionalism Spring 2011 Workshop at the University of St. Thomas, Minneapolis, Minnesota, on May 1. Her topic was “Teaching Legal Ethics Using Comparative Materials,” and included information on regulatory changes of legal professions in the United Kingdom and Australian reforms.

Brian McCall addressed a symposium—Corporate Governance and Business Ethics in a Post-Crisis World—hosted by Notre Dame Law School and sponsored by the Hewlett-Packard Company April 1. He presented a paper that applies Aristotelian political philosophy to develop a new model of corporate governance.

Michael Scaperlanda presented his current book project, *To Bind Up the Nation’s Wounds*, at the Sixth Annual Conference on Christian Legal Thought in San Francisco in January.

Scaperlanda also presented a paper, “Secular, Not Secularist America,” at the Campbell University School of Law Symposium in Raleigh, North Carolina, in March. The paper will be published in the *Campbell Law Review*.

Scaperlanda co-hosted the Sixth Annual Conference on Catholic Legal Thought at the OU College of Law in May.

Rick Tepker presented “Christian Legal Society v. Martinez: Mediating Liberty, Equality and the Cultural Civil War on Campus” to the American Association of University Professors annual conference in Washington, D.C., June 10.

Professional service

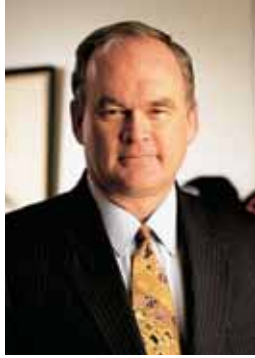
Darin Fox was elected to the Law Libraries Committee of the American Bar Association Section on Legal Education and Admission to the Bar.

Fox also was elected to the executive committee of the American Association of Law Schools Section on Law Libraries.

Fox serves on the AALLnet Strategic Planning Committee for the American Association of Law Libraries. In addition, he just completed a two-year term as president of the Mid-America Law Library Consortium.



Michael Scaperlanda



Rick Tepker



Darin Fox



Taiawagi Helton

Quoted

Steve Gensler was quoted in *The New York Times* March 22 regarding a civil procedure issue in litigation involving the owners of the New York Mets. *"It looks like a fairly mundane timing issue,"* said Steve Gensler, a law professor at the University of Oklahoma. *He said that the Mets' lawyers could not officially ask for the evidence until both sides held a formal 'discovery planning conference.'"*

Steve Gensler also was quoted in the *ABA Journal* article "For Federal Plaintiffs, Twombly and Iqbal Still Present a Catch-22" January 1. Gensler serves on the Judicial Conference Advisory Committee on Civil Rules, which commissioned the Federal Judicial Center to conduct its own comprehensive study of post-Twombly and -Iqbal dismissals. *"Like everybody else, we would like to know,"* Gensler says. *"The courts must provide just, speedy and inexpensive administration of justice. At the advisory committee, we take that very seriously — and not just the speedy and inexpensive part." Until the committee analyzes the FJC data, Gensler advises, "If I were a plaintiff, I'm certain I'd plead more detail. The problem is in those cases where the information is in the hands of the other side."*

Taiawagi Helton was quoted in *The New York Times* April 11 and the *Honolulu Star-Advertiser* April 12, concerning the Sardis Lake controversy. *"There are huge and vested rights to water that are unquantified,"* said Taiawagi Helton, an expert on Indian law and water law at the University of Oklahoma College of Law and a member of the Cherokee tribe.

Rick Tepker was quoted in *The New York Times* and *The Wall Street Journal* and on CNN in November 2010, following the passage of State Question 755, which prohibits courts from considering international or Sharia law. *"Many of us who understand the law are scratching our heads this morning, laughing so we don't cry,"* he said. *"I would like to see Oklahoma politicians explain if this means that the courts can no longer consider the Ten Commandments. Isn't that a precept of another culture and another nation? The result of this is that judges aren't going to know when and how they can look at sources of American law that were international law in origin."* (CNN)

► OU Legal Clinic turns 40

In September 1971, Professor David Swank brought live-client representation to the law school. Since that time, the OU Legal Clinic has continuously represented persons who could not otherwise afford legal representation. Literally hundreds of clients have been helped, hundreds of thousands of hours of legal service have been provided and invaluable experiences have been gained by law students as they worked side-by-side with faculty attorneys.

October 14-16, the OU Legal Clinic will celebrate its beginnings. Everyone, especially clinic alumni, is invited to check the OU Legal Clinic Facebook page for further event information. You can also contact Lori Ketner at lketner@ou.edu or (405) 325-3433.