

Faculty Highlights

2008–2010 Appointments & Scholarship



*A supportive and diverse community of
scholars and students in a place that inspires
vigorous pursuit of ideas*



The University of Colorado Law School

is delighted to welcome ten new faculty colleagues and celebrate the appointment of one of our number to an endowed professorship. We also take pride in sharing selected articles and books published by our faculty in 2008 and 2009.

The privilege of being engaged in legal education allows us to interact with and inspire bright students, to pursue inquiries that broaden our understanding, to offer ideas that contribute to solving problems that plague the world, and to be part of a community of scholars. Some of the fruits of our endeavors, as well as the growth of the vibrant community engaged in them, are represented in this brochure. We introduce our talented colleagues and invite your perusal of an array of recent publications richly diverse in subject matter and perspective.

A handwritten signature in cursive script that reads "David H. Getches". The ink is dark and the signature is fluid and legible.

David H. Getches
Dean and Raphael J. Moses Professor of
Natural Resources Law





Mark J. Loewenstein

Monfort Professor of Commercial Law

J.D., University of Illinois, Champaign-Urbana

A.B., University of Illinois, Champaign-Urbana

Professor Mark Loewenstein has been appointed the Monfort Professor of Commercial Law in recognition of his expertise and national reputation in commercial, corporate, and securities law. He joined the Colorado Law faculty in 1979 and is a popular and gifted teacher of Agency, Partnership and the LLC, Corporations, and Securities Regulation.

Professor Loewenstein is the author of two prominent casebooks, and numerous articles on business associations and securities law, with a focus on corporate governance.

In 1990-91, Professor Loewenstein was a Fulbright scholar and visiting professor at Hokkaido University in Sapporo, Japan. He has taught as a visiting professor at the University of Michigan Law School. He served as a delegate to the ABA House of Delegates and is an active member of the ABA's business law committee. He served as a member of Colorado's Securities Board, and was a member of the Colorado Bar Association's Corporate Law Revision Committee. He also worked on the sub-committee that drafted the 1994 Colorado Business Corporation Act. Professor Loewenstein's work is noteworthy not only because of its recognized excellence in the academy, but also for its wide acceptance among the practicing bar.

“We believe that all faculty should be committed to the broader mission of education that is accomplished through exploration, discussion, and dissemination of ideas.

We seek a better understanding of existing law, to develop and test new ideas and approaches, to challenge the status quo, and to convey our research and ideas to lawyers, academics, policymakers, and the world. The philosophies and approaches of faculty members can and should vary widely in pursuing this mission, but all are expected to produce noteworthy work.”

– from the Colorado Law School Mission Statement



Kristen A. Carpenter

Associate Professor of Law

J.D., Harvard Law School

B.A., Dartmouth College

Professor Kristen Carpenter comes to Colorado Law with seven years of combined teaching experience at the University of Denver Sturm College of Law and Suffolk University Law School. She brings an impressive list of publications and research projects. Professor Carpenter teaches property and American Indian law, while her research examines the real property interests of Indian nations, as well as issues of culture, religion, language, and interpretation.

Professor Carpenter brings a wealth of experience to Colorado Law, including her clerkship for the Honorable John C. Porfilio on the U.S. Tenth Circuit Court of Appeals and law practice at Hill & Barlow, P.C., in Boston. Previously, she worked at the Mashantucket Pequot Tribal Nation's Office of Legal Counsel and at private Indian law firms in Colorado and Alaska. Professor Carpenter recently served a four-year term on the Board of the Colorado Indian Bar Association and will chair the Federal Bar Association's Annual Indian Law Conference in 2010.

Courses and Research Interests

American Indian Law

Property Law



William Boyd

Associate Professor of Law

J.D., Stanford Law School

Ph.D., University of California, Berkeley

M.A., University of California, Berkeley

B.A., University of North Carolina, Chapel Hill

Professor William Boyd joins Colorado Law after a successful practice at the law firm of Covington & Burling LLP in Washington, DC. There, his practice focused on energy law and regulation, environmental law, and climate change law and policy.

Before law practice, Professor Boyd served as Counsel and Congressional Science Fellow to the Democratic minority staff of the U.S. Senate Committee on Environment and Public Works where he addressed issues including climate change, global chemicals, management, and Clean Air Act enforcement and policy. Before his work in the Senate, Professor Boyd clerked for The Honorable Diana Gribbon Motz on the U.S. Fourth Circuit Court of Appeals.

Courses and Research Interests

Climate Change Law and Policy

Environmental Law

Energy Law and Regulation

Toxics and Hazardous Waste



Violeta Raquel Chapin

Associate Clinical Professor

J.D., New York University School of Law

B.A., Columbia University

Professor Violeta Chapin joins the Colorado Law faculty after serving seven years as a trial attorney at the Public Defender Service for the District of Columbia. There she represented adult indigent defendants charged with serious felony offenses. She also worked extensively representing juvenile clients charged with felony offenses. Not only has Professor Chapin worked on capital cases through the Equal Justice Initiative in Montgomery, Alabama, and served as a volunteer representing incarcerated youth with the Juvenile Justice Project of Louisiana, but she has also participated in a funded research project to help farmers and families obtain potable water by understanding the effects of climate change and water demand in rural El Salvador.

Professor Chapin will bring her rich trial experience and a firm commitment to justice and public service to the classroom to inspire and train Colorado Law students to serve in the public sector.

Courses and Research Interests

Criminal Defense Clinic

Juvenile Justice

Criminal Justice and Underrepresented Populations



Justin Desautels-Stein

Associate Professor of Law

LL.M., Harvard Law School

J.D., University of North Carolina at Chapel Hill School of Law

M.A.L.D., Tufts University, The Fletcher School

B.A., University of North Carolina at Asheville

Professor Justin Desautels-Stein joins Colorado Law from the Antitrust and Competition Group of Latham & Watkins in Washington, DC. His international experience includes litigating against the World Bank in an international arbitration; working as a consultant to Harvard's Afghanistan Legal History Project and advisor to the Afghanistan Constitutional Commission; serving as a legal intern in the Codification Division of the United Nations Office of Legal Affairs; and teaching a course on the U.S. civil rights movement at Changzhou Teacher's College in Jiangsu, China.

During his graduate education, Professor Desautels-Stein was awarded a fellowship with a South African development organization and he won his law school's faculty prize for outstanding writing.

Courses and Research Interests

Conflict of Laws

International Development Law and Policy

International Legal Order: History and Foundations



Catharine L. Du Bois

Legal Writing Faculty

J.D., Georgetown University Law Center

B.A., Indiana University

Professor Catharine Du Bois comes to Colorado Law after practicing at Jenner & Block, LLP, in Chicago and at Jones Day in New York City. At both firms, she specialized in securities law and litigation, but also represented clients on a range of environmental, employment, constitutional, and civil rights law matters.

Professor Du Bois clerked for the Honorable Steven D. Merryday, U.S. District Court Judge for the Middle District of Florida, and served as a *pro bono* attorney as part of the Volunteer Appellate Defender Program in New York City and as an intern in the law firm of Aybay and Aybay in Istanbul, Turkey.

She was Co-chair of the sub-committee for judicial liaisons of the ABA Section on Litigation, serves as a member of the Trial Evidence Committee, and is a member of the Law Community Against Violence.

Courses and Research Interests

Appellate Court Advocacy

Legal Writing



Robert Michael Linz

Associate Director and Head of Public Services of the Law Library, and Instructor

M.L.I.S., Florida State University

J.D., University of Florida

B.A., Wake Forest University

Robert Linz joins Colorado Law's faculty from the Colorado Supreme Court where he served as the Deputy Law Librarian, providing research and reference services to the Colorado judiciary and bar. His experience in the field of library management and information technology services is extensive.

At Campbell University School of Law, Professor Linz was the Director of Law Library and Information Technology Services and an Assistant Professor of Law teaching legal research to first-year students. At Ave Maria School of Law, he was the Associate Director of the Law Library and Information Technology Coordinator. At Mercer University School of Law, he served as Director of Computing Services for two years.

Professor Linz is a prolific writer, contributing to *The Colorado Lawyer*, library journals, and newsletters. He is a member of the Florida Bar and Colorado Association of Law Libraries.

Courses and Research Interests

Advanced Legal Research



Alexia Brunet Marks

Associate Professor of Law

Ph.D., Purdue University

J.D., Northwestern University School of Law

M.S., Purdue University

B.A., Colgate University

Professor Alexia Brunet Marks joins Colorado Law from Northwestern University School of Law where she was a Visiting Assistant Professor. There she taught International Trade Law, Energy and Oil Law, and International Investment Law.

Professor Marks served as Special Counsel to the U.S. Department of Homeland Security and also worked as a consultant to the Argonne National Laboratory, assisting the Department's National Protection and Programs Division on risk analysis and national homeland security programming. In this role, she developed and implemented a risk assessment methodology to distribute all federal counterterrorism grants to states, urban areas, ports, and transit systems. Prior to this, Professor Marks was a general partner in an international trade venture. She has worked in Poland, Japan, and Guinea.

Courses and Research Interests

International Business Transactions

International Trade

National Security Law

Torts



Andrew A. Schwartz

Associate Professor of Law

J.D., Columbia Law School

Sc.B., Brown University

Professor Andrew Schwartz joins Colorado Law after practicing as a litigation lawyer with Wachtell, Lipton, Rosen & Katz in New York City. He brings considerable law teaching experience as a Lecturer at the University of California Berkeley School of Law and as a Visiting Professor at Golden Gate University School of Law. He clerked for Judge William A. Fletcher of the U.S. Court of Appeals for the Ninth Circuit and Judge Naomi Reice Buchwald of the U.S. District Court for the Southern District of New York.

While at Columbia Law School, he won the school's highest academic honor in each of his three years, and the Class of 1912 Prize for the most proficient first-year student in contracts law. Here at Colorado Law, Professor Schwartz won the 2009 Outstanding New Faculty Prize. He also currently serves as a member of the Colorado Business Corporation Act Revision Committee.

Courses and Research Interests

Corporations

Mergers, Acquisitions, and Reorganizations

Contracts



Anna Spain

Associate Professor of Law

J.D., Harvard Law School

B.A., Denison University

Professor Anna Spain joins Colorado Law from UCLA where she was a Lecturer at the Schools of Law and Public Affairs and the Deputy Director of the Burkle Center for International Relations. She practiced international law at the U.S. Department of State Office of the Legal Adviser where she represented the U.S. before the Iran-U.S. Claims Tribunal in The Hague, served as a delegate to the United Nations Compensation Commission in Geneva, and advised on investment and property disputes in Asia and the Pacific.

Professor Spain has policy experience at the U.S. Environmental Protection Agency and the Office of the U.S. Trade Representative. She clerked for the Honorable Judge Raymond L. Finch of the U.S. District Court for the District of the Virgin Islands. She is a member of the American Society of International Law, the Council on Foreign Relations, and Mediators Beyond Borders.

Courses and Research Interests

International Law & Dispute Settlement

International Human Rights & Humanitarian Law



Harry Surden

Associate Professor of Law

J.D., Stanford Law School

B.A., Cornell University

Professor Harry Surden joins Colorado Law from Stanford Law School where he served as a resident fellow at the Stanford Center for Computers and the Law. He was a member of the Stanford Intellectual Property Litigation Clearinghouse, and the director of the Computer Science and Law Initiative. Professor Surden was also the legal advisor for the Stanford Intellectual Property Exchange and the recipient of his law school's prize for the best student paper in intellectual property.

Professor Surden worked for several years as a software engineer and senior programmer in New York City. He clerked for the Honorable Martin J. Jenkins of the U.S. District Court for the Northern District of California in San Francisco. His scholarship centers upon intellectual property law with a substantive focus on patents and copyright, information privacy law, and the application of computer technology within the legal system.

Courses and Research Interests

Computers and the Law

Intellectual Property Law

Patent Law

Torts

J. BRAD BERNTHAL

Associate Clinical Professor of Law

The Future of 9-1-1: New Technologies and the Need for Reform, 6 J. ON TELECOMM. & HIGH TECH. L. 213 (2008) (with Philip J. Weiser & Dale Hatfield).

BARBARA BINTLIFF

Nicholas Rosenbaum Professor of Law and Director of the Law Library

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WILLIAM BOYD

Associate Professor of Law

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ALICIA BRILLON

Reference Librarian and Instructor

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GEORGIA K. BRISCOE

Associate Director and Head of Technical Services of the Law Library, and Senior Instructor

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HAROLD H. BRUFF

Charles Inglis Thomson Professor of Law

BAD ADVICE: BUSH'S LAWYERS IN THE WAR ON TERROR (Univ. of Kansas Press, 2009) (Recipient of the 2008 Roy C. Palmer Civil Liberties Prize by the Chicago-Kent College of Law).

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EMILY CALHOUN

Professor of Law

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PAUL F. CAMPOS

Professor of Law

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DEBORAH CANTRELL

Director of Clinical Programs and Associate Professor of Law

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KRISTEN A. CARPENTER

Associate Professor of Law

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RICHARD B. COLLINS

Professor of Law and Director of the Byron White Center for Constitutional Law

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JAMES CORBRIDGE

Professor of Law Emeritus

WATER RESOURCE MANAGEMENT: A CASEBOOK IN LAW AND PUBLIC POLICY (Foundation Press, 6th ed. 2009) (with A. Dan Tarlock, David H. Getches & Reed Benson).

NESTOR DAVIDSON*

Associate Professor of Law

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*On leave, serving as Deputy General Counsel, U.S. Department of Housing and Urban Development.

JUSTIN DESAUTELS-STEIN

Associate Professor of Law

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KEVIN L. DORAN

Research Fellow for the Center for Energy & Environmental Security

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MIRANDA PERRY FLEISCHER

Associate Professor of Law

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VICTOR FLEISCHER

Associate Professor of Law

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H. PATRICK FURMAN

Clinical Professor of Law Emeritus

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WAYNE M. GAZUR

Professor of Law

ESTATE PLANNING: PRINCIPLES AND PROBLEMS (Aspen, 2nd ed. 2008) (with Robert M. Phillips).

DAVID H. GETCHES

Dean and Raphael J. Moses Professor of Natural Resources Law

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LAKSHMAN GURUSWAMY

Nicholas Doman Professor of International Environmental Law and Director of the Center for Energy and Environmental Security

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MELISSA HART

Associate Professor of Law

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CLARE HUNTINGTON

Associate Professor of Law

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J. DENNIS HYNES

Professor of Law Emeritus

AGENCY, PARTNERSHIP, AND THE LLC: THE LAW OF UNINCORPORATED BUSINESS ENTERPRISES: CASES, MATERIALS, PROBLEMS (LexisNexis, Abr. 7th ed. 2008) (with Mark J. Loewenstein).

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YUMIN JIANG

Technical Services Librarian and Instructor

The Wise Researcher: One Library's Experience Implementing a Federated Search Product, 13(2) AALL SPECTRUM 10 (Nov. 2008) (with Georgia Briscoe).

DOUGLAS S. KENNEY

Research Associate, Natural Resources Law Center

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SARAH KRAKOFF

Associate Dean for Research and Professor of Law

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ROBERT MICHAEL LINZ

Associate Director and Head of Public Services of the Law Library, and Instructor

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MARK J. LOEWENSTEIN

Monfort Professor of Commercial Law

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DAYNA BOWEN MATTHEW

Associate Dean for Academic Affairs and Professor of Law

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SCOTT MOSS

Associate Professor of Law

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CHRISTOPHER B. MUELLER

Henry S. Lindsley Professor of Procedure and Advocacy

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ROBERT F. NAGEL

Rothgerber Professor of Constitutional Law

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HELEN NORTON

Associate Professor of Law

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PAUL K. OHM

Associate Professor of Law

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ALAN PANNELL

Head of Reference and Instructor

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SCOTT R. PEPPET

Associate Professor of Law

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WILLIAM T. PIZZI

Professor of Law

A Comparative Look at the Roles and Functions of the Prosecution and Defense in Western Trial Systems, in INTERNATIONAL HANDBOOK OF PENOLOGY AND CRIMINAL JUSTICE 531 (Shlomo Giroa Shoham, Ori Beck, & Martin Kett eds., 2008).

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CAROLYN RAMSEY

Associate Professor of Law

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PIERRE SCHLAG

Byron White Professor of Constitutional Law

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AMY J. SCHMITZ

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