

COLORADO LAW FACULTY SCHOLARSHIP

2018–19



COLORADO **LAW**
UNIVERSITY OF COLORADO **BOULDER**



Scholarship at Colorado Law

I am pleased to present you with this year's collection of faculty scholarship produced by my colleagues at the University of Colorado Law School.

The scholarly works on the pages that follow are both wide-reaching and timely, serving as important change agents at the local, national, and international levels. Our faculty's work appears in a range of platforms, from traditional law review articles and casebooks to single-authored books, opinion pieces, government reports, and blog posts. It is through this diverse array of platforms that we engage most effectively with our communities, exposing and examining complex and urgent issues, and ensuring that scholarship is relevant to the world.

A stylized, handwritten signature in black ink, appearing to read 'S. James Anaya'.

S. James Anaya, Dean and University Distinguished Professor

Single-authored books

(recently published and forthcoming)

MING H. CHEN: *Pursuing Citizenship in the Enforcement Era*,
(forthcoming 2020, Stanford University Press)

AYA GRUBER: *The Feminist War on Crime*
(forthcoming 2020, University of California Press)

HELEN NORTON: *The Government's Speech and the Constitution*
(Cambridge University Press, 2019)

PIERRE SCHLAG and AMY GRIFFIN, *How to Do Things With Doctrine*
(forthcoming 2020, University of Chicago Press)

SCOTT SKINNER-THOMPSON: *Privacy at the Margins*
(forthcoming, Cambridge University Press)

ANNA SPAIN BRADLEY: *The Impact of One: How Individual Choice Shapes International Law* (forthcoming, Cambridge University Press)

Casebooks and treatises

HAROLD BRUFF: *Separation of Powers Law: Cases and Materials*
(with Peter M. Shane and Neil J. Kinkopf)
(Carolina Academic Press, 4th ed. 2018)

RICHARD COLLINS: *The Colorado State Constitution* (2nd ed.)
(forthcoming, Oxford University Press)

RICHARD COLLINS: *Colorado Government* (2018 ed.)

LAKSHMAN GURUSWAMY: *Using Legislation to Combat Energy Poverty*
(Edward Elgar, forthcoming 2019)

J. DENNIS HYNES AND MARK J. LOEWENSTEIN: *Agency, Partnership, and the LLC: The Law of Unincorporated Business Enterprises: Cases, Materials, Problems*
(Carolina Academic Press, 10th ed. 2019)

SARAH KRAKOFF: *Beyond Zero-Sum Environmentalism*
(with Melissa Powers and Jonathan Rosenbloom eds.)
(Environmental Law Institute 2019)

SCOTT SKINNER-THOMPSON: *AIDS and the Law* (ed.)
(Wolters Kluwer, 6th ed., forthcoming 2020)

Articles, chapters, and opinion essays



S. James Anaya

Dean and University
Distinguished Professor

International Human Rights
Indigenous Peoples' Law
and Policy
International Law

Book chapters

"How Far We've Come and the Road Ahead: The UN Declaration on the Rights of Indigenous Peoples," in *Indigenous Governance, Indigenous Development: International Case Studies of Common Pathways and Common Futures* (Diane Smith et al., eds) (forthcoming ANU Press, Canberra)



Amy Bauer

Legal Writing Professor

Depositions Skills
Legal Writing
Transactional Drafting

Articles

"From the Courtroom to the Classroom: How a Litigator Became a Transactional Drafting Professor," *20 Transactions: The Tennessee Journal of Business Law* 559 (2019)



Rabea Benhalim

Associate Professor

Articles

"The Case for American Muslim Arbitration,"
2019 Wis. L. Rev. 531

"Religious Courts in Secular Jurisdictions: How Jewish and Islamic Courts Adapt to Societal and Legal Norms,"
84 Brook. L. Rev. 745 (2019)



J. Brad Bernthal

Associate Professor

Entrepreneurial Law Clinic
Entrepreneurial Law
Venture Capital
Early Stage Finance
Innovation Policy

Articles

"The Evolution of Entrepreneurial Finance: A New Typology," *2018 BYU Law Review* 773



Frederic Bloom

Professor

Civil Procedure
Evidence
Federal Courts

Articles

"Character Flaws," *89 University of Colorado Law Review* 1101 (2018)
Finance: A New Typology," *2018 BYU Law Review* 773



Teresa Bruce

Legal Writing Professor

Articles

"The Architecture of Drama: How Lawyers Can Use Screenwriting Techniques to Tell More Compelling Stories,"
23 Legal Writing: J. Legal Writing Inst. 47 (2019)

KRISTEN CARPENTER

Council Tree Professor of Law

“Privatizing the Reservation?” (with Angela Riley)

71 *Stanford Law Review* 791 (2019)

“The problems of American Indian poverty and reservation living conditions have inspired various explanations. One response advanced by some economists and commentators, which may be gaining traction within the Trump Administration, calls for the ‘privatization’ of Indian lands. Proponents of this view contend that reservation poverty is rooted in the federal Indian trust arrangement, which preserves the tribal land base by limiting the marketability of lands within reservations. In order to maximize wealth on reservations, policymakers are advocating for measures that would promote the individuation and

alienability of tribal lands, while diminishing federal and tribal oversight. Taking a different view, this Article complicates and challenges the narrative of Indian poverty and land tenure advanced by privatization advocates.”



Paul Campos

Professor

Constitutional Law
Legal Philosophy
Legislative Process
Property

Articles

“The Economics of American Higher Education in the New Gilded Age,” 2018 *Utah L. Rev.* 867



Deborah Cantrell

Professor and Director of Clinical Education

Sustainable Community
Development Clinic
Legal Ethics
Legislation and Regulation

Articles

“Love, Anger and Social Change,” (forthcoming 12 *Drexel L. Rev.*)



Kristen A. Carpenter

Council Tree Professor of Law and Director, American Indian Law Program

Property
Cultural Property
American Indian Law
Indigenous Peoples in
International Law

Articles

“Privatizing the Reservation?” (with Angela Riley), 71 *Stan. L. Rev.* 791 (2019)



**Ming H. Chen**

Associate Professor and
Director, Immigration and
Citizenship Law Program

Immigration Law and
Citizenship Law
Administrative Law
Legislation and Regulation
Law and Politics

Articles

“Silence and the Second Wall,”
(with Zachary New), 27 *S. CAL.
Interdisc. L.J.* 549 (2019)

Other publications

Principal author, “*Civil Rights
and Voting Rights Implications
of the Backlog in Citizenship
and Naturalization Applications*,”
Colorado Advisory Committee
to the U.S. Commission on Civil
Rights (2019)

“A Worm’s Eye View of the
Practical Effect of Guidance,” 36
Yale J. Reg. Notice & Comment
(May 6, 2019)

“Supreme Court Oral
Argument Discounts Empirical
Studies Predicting Census
Undercount,” *ImmigrationProf*
Blog (April 29, 2019)

**Justin Desautels-Stein**

Associate Professor

Conflict of Laws
Critical Race Theory
Law and Economic Development
International Law
Jurisprudence

Book chapters

“Structuralist and Post-
Structuralist Legal History,” in
*The Oxford Handbook of Legal
History* 541 (Markus D. Dubber &
Christopher Tomlins eds., Oxford
Univ. Press 2018)

**Carla Fredericks**

Associate Clinical Professor

American Indian Law

Articles

“Responsible Resource
Development: A Strategic Plan
to Consider Social and Cultural
Impacts of Tribal Extractive
Industry Development,” (with Kate
Finn, Erica Gajda, and Jesse Heibel),
Harv. J.L. & Gender Online,
Oct. 23, 2018

**Kristelia A. Garcia**

Associate Professor

Copyright
Trademark
Property
Law and Economics of
Intellectual Property

Articles

“A Reconsideration of Copyright’s
Term,” (with Justin McCrary)
(71 *Ala. L. Rev.*__) (2019)

“Copyright Arbitrage,”
107 *Calif. L. Rev.* 199 (2019)

Book chapters

“Contracts v. Copyright:
Contemporary Musician Income
Streams,” (forthcoming chapter
in *Oxford Handbook of Music
Law & Policy*, Oxford University
Press 2019)

**Amy Griffin**

Associate Dean for Instructional
Development

Legal Writing

Articles

“Dethroning the Hierarchy of
Authority,” 97 *Or. L. Rev.* 51 (2018)



Aya Gruber

Professor

Criminal Law
Criminal Procedure
Feminist Legal Theory
Critical Race Theory

Articles

“Equal Protection Under the Carceral State,” 112 *Nw. U. L. Rev.* 1337 (2018)

“Sex Wars as Proxy Wars,” 6 *Critical Analysis L.* 102 (2019)

Book chapters

“The Complexity of College Consent,” in *Adjudicating Campus Sexual Misconduct: Controversies and Challenges* (Cognella, forthcoming 2019)

“Governance Feminism in New York’s Prostitution Diversion Courts,” in *Governance Feminism: A Handbook* (with A. Cohen) (U. Minnesota Press, 2019)

“Governance Feminism in New York’s Human Trafficking Intervention Courts,” (with Amy J. Cohen) in *Governance Feminism: Notes From the Field* (Janet Halley, Prabha Kotiswaran, Rachel Rebouché & Hila Shamir eds., 2019)



Lakshman Guruswamy

Nicholas Doman Professor of International Environmental Law

International Law
International Environmental Law
International Energy Law

Articles

“The Use of Courts to Protect the Environmental Commons,” *Hawaii Law Review*, Vol 41 (2) (2019)

“Sustainable Development: Energy, Justice & Women,” *Wisconsin International Law Journal*, Vol 34, (2019)

Book chapters

“Energy Justice and Women,” in *Cambridge Handbook on Environmental Justice and Sustainable Development* (Gonzales ed., 2019)



Jennifer Hendricks

Professor and Co-Director, Juvenile and Family Law Program

Family Law
Feminist Legal Theory
Civil Procedure
Constitutional Law and Theory

Articles

“Arguing with the Building Inspector About Gender-Neutral Bathrooms,” 113 *Nw. U. L. Rev. Online* 77 (2018)



Peter Huang

DeMuth Chair and Professor

Business Law
Law and Emotions
Law and Neuroscience
Law and Mindfulness
Derivative Securities
Securities Enforcement, Litigation, and Regulation

Articles

“Mindfulness in Legal Ethics and Professionalism,” 48 *Sw. L. Rev.* 401 (2019)

“Adventures in Higher Education, Happiness, and Mindfulness,” 7 *Brit. J. Am. Legal Stud.* 425 (2018)

“Boost: Improving Mindfulness, Thinking, and Diversity,” 10 *Wm. & Mary Bus. L. Rev.* 139 (2018)

Book chapters

“Subjective Well-Being and the Law,” in *Handbook of Well-Being* (Ed Diener, Shige Oishi, & Louis Tay eds., 2018)

“Happiness 101 for Legal Scholars: Applying Happiness Research to Legal Policy, Ethics, Mindfulness, Negotiations, Legal Education, and Legal Practice,” in *Handbook on Behavioral Law and Economics* (Joshua C. Teitelbaum & Kathryn Zeiler eds., 2018)

“Positive Institutions: Organizations, Laws, and Policies,” (with Anne M. Brafford, Debra S. Austin, & Martha Knudson) in *Handbook of Positive Psychology* (C.R. Synder, Shane J. Lopez, Lisa M. Edwards, & Susana C. Marques eds., 3d ed. 2018)

JENNIFER HENDRICKS

Professor

“Arguing with the Building Inspector About Gender-Neutral Bathrooms”

113 *Northwestern University Law Review*
Online 77 (2018)

“Public bathrooms have played a surprisingly prominent role in civil rights struggles. The late nineteenth century saw the first legal demands for public bathrooms for women; the prevalence of whites-only bathrooms restricted travel for African Americans up until at least the 1960s; and the need for bathroom access was a key aspect of the fight for the Americans with Disabilities Act. In recent years, bathrooms have been in the news in relation to the fight over transgender access.

“People face gendered choices when using any public bathroom, but schools have been flashpoints for this fight: a child is likely to make their bathroom choice in front of peers or authority figures who know the child’s assigned sex, and issues of children’s

sexuality and gender identity are especially incendiary. In 2016, the U.S. Departments of Justice and Education told schools to allow every student to use the bathroom corresponding to their gender identity. That federal guidance has since been rescinded, but the substance of it remains the law or policy of many jurisdictions.”



Sharon Jacobs

Associate Professor

Administrative Law
Advanced Topics in Energy Law
Energy Law and Regulation
Environmental Law
Legislation and Regulation
Regulation and Innovation

Articles

“Statutory Separation of Energy Powers,” (forthcoming *Yale Law Journal*)

Other publications

“Energy Emergencies vs. Manufactured Crises: The Limits of Federal Authority to Disrupt Power Markets,” (with Ari Peskoe)



and write (to yourself)
questions:
er, you emailed sharing things you loved to
do with law school. Are you still doing those
If not, how could you reintegrate them into
der why you came to law school—why did
Is that same interest/love motivating you?

MARGOT E. KAMINSKI

Associate Professor

“The Right to Explanation, Explained”

34 *Berkeley Technology Law Journal* 189 (2019)

“Scholars and civil society groups on both sides of the Atlantic have been calling for algorithmic accountability: laws governing decision-making by complex algorithms, or AI. Algorithms can be used to make, or to greatly affect, decisions about credit, employment, education, and more. Algorithmic decision-making can be opaque, complex, and subject to error, bias, discrimination, in addition to implicating dignitary concerns. The literature in the United States has been largely speculative, operating in a policy vacuum. This is resolutely not, however, the case in the European Union.

“On May 25, 2018, the General Data Protection Regulation (GDPR) went into effect in the EU. The GDPR contains a significant set of rules on algorithmic

accountability, imposing transparency, process, and oversight on the use of computer algorithms to make significant decisions about human beings. The GDPR may prove to be an example, both good and bad, of a robust algorithmic accountability regime in practice. However, to a U.S. audience, the recent vigorous debate around whether there is a ‘right to explanation’ in the GDPR may inspire confusion.”



Margot E. Kaminski

Associate Professor

Privacy, Speech, and Online
Civil Liberties
International Intellectual
Property Law

Articles

“Binary Governance: Lessons from the GDPR’s Approach to Algorithmic Accountability,” (forthcoming *So. Cal. L. Rev.*)

“Shadow Health Records Meet New Data Privacy Laws,” (with W. Nicholson Price II, Timo Minssen, and Kayte Spector-Bagdady) *Science*, Feb. 1, 2019

“The Right to Explanation, Explained,” 34 *Berkeley Tech. L.J.* 189 (2019)

Book chapters

“Intellectual and Social Freedom,” in *The Cambridge Handbook of Surveillance Law* 470 (David Gray & Stephen E. Henderson eds., 2017)

Opinion essays

“Brett Kavanaugh Has Some Alarming Outdated Views on Privacy,” *Slate*, July 12, 2018.

“Toward Defining Privacy Expectations in an Age of Oversharing,” *The Economist*, Aug. 16, 2018

BENJAMIN LEVIN

Associate Professor

“The Consensus Myth in Criminal Justice Reform”

117 *Michigan Law Review* 259 (2018)

“It has become popular to identify a ‘consensus’ on criminal justice reform, but how deep is that consensus, actually? This Article argues that the purported consensus is much more limited than it initially appears. Despite shared reformist vocabulary, the consensus rests on distinct critiques that identify different flaws and justify distinct policy solutions. The underlying disagreements transcend traditional left/right political divides and speak to deeper disputes about the state and the role of criminal law in society. The Article maps two prevailing, but fundamentally distinct,

critiques of criminal law: (1) the quantitative approach (what I call the ‘over’ frame); and (2) the qualitative approach (what I call the ‘mass’ frame).”



Derek Kiernan-Johnson

Legal Writing Professor

Legal Writing
Appellate Court Advocacy
Judicial Opinion Writing

Articles

“The Potemkin Temptation or, The Intoxicating Effect of Rhetoric and Narrativity on American Craft Whiskey,” 15 *Legal Comm. & Rhetoric*: JALWD 1 (2018)



Craig Konnoth

Associate Professor

Property
Health Care Law
Bioethics
Privacy
Torts

Articles

“Data Collection, EHRs, and Poverty Determinations,” 46 *J.L. Med. & Ethics* 622 (2018)



Sarah Krakoff

Moses Lasky Professor of Law

American Indian Law
Natural Resources and
Public Land Law
Environmental Justice

Book chapters

“Public Lands and the Public Good: The Limitations of

Zero-Sum Frames,” in *Beyond Zero-Sum Environmentalism* (with Melissa Powers and Jonathan Rosenbloom eds.) (Environmental Law Institute 2019)

Articles

“Environmental Law. Disrupted.,” (with Inara Scott, David Takacs, Rebecca Bratspies, Vanessa Casado Pérez, Robin Kundis Craig, Keith Hirokawa, Blake Hudson, Katrina Fischer Kuh, Jessica Owley, Melissa Powers, Shannon Roesler, Jonathan Rosenbloom, J.B. Ruhl, and Erin Ryan) 49 *Envtl. L. Rep.* 10038 (2019)

“Environmental Injustice and the Limits of Possibilities for Environmental Law,” 49 *Envtl. L.* 229 (2019)



Benjamin Levin

Associate Professor

Criminal Law
Criminal Procedure:
Adjudicative Process
Advanced Criminal Justice

Articles

“Mens Rea Reform and Its Discontents,” 109 *J. Crim. & Criminology* 491 (2019)

“The Consensus Myth in Criminal Justice Reform,” 117 *Mich. L. Rev.* 259 (2018)

“Criminal Employment Law,” 39 *Cardozo L. Rev.* 2265 (2018)

Opinion essays

“Elizabeth Warren’s Proposal to Imprison More Corporate Executives Is a Bad Idea,” (with Carissa Byrne Hessick), *Slate*, April 4, 2019



Mark Loewenstein

Monfort Professor of Commercial Law and Associate Dean for Curricular Affairs

Business Associations
Agency Law and Securities Law
Corporate Governance

Articles

“Thinking Fast and Slow About the Concept of Materiality,” 71 *SMU L. Rev.* 853 (2018)



Suzette Malveaux

Provost Professor of Civil Rights Law and Director, Byron R. White Center for the Study of American Constitutional Law

Civil Procedure
Civil Rights
Employment Discrimination
Complex Litigation

Articles

“Preclusion Law as a Model for National Injunctions,” *JOTWELL* article review (Dec. 5, 2018)

“Brief of Law Professors as Amici Curiae in Supp. of Plaintiff-Appellee,” *City of Chicago v. Whitaker*, No. 18-2885, 2018 WL 6044795 (7th Cir. Nov. 15, 2018) (co-authored)

“Insight: Travel Ban Case Reveals Next Battleground—The Fate of National Injunctions,” *U.S. Law Week* (Aug. 2, 2018)



Alexia Brunet Marks

Associate Professor

International Economic Law
Food Law
Civil Litigation

Articles

“(Carbon) Farming Our Way Out of Climate Change,” 87 *Denver Law Review* 3, (forthcoming 2020)

“Feeding the Eco-Consumer,” 42 *Vermont Law Review* 3, 567-603 (2018)

Book chapters

“Food Safety and U.S. Law,” in *The Global Food Challenge: How Food Law Can Balance Health, Environment and Animal Welfare*, Routledge (Cinzia Caporale, Maria Pia Ragionieri & Ilja Richard Pavone eds., (forthcoming 2019)



Christopher B. Mueller

Henry S. Lindsley Professor of Procedure and Advocacy Evidence

Civil Procedure
Complex Litigation
Class Action

Articles

“§3.14 Inferences in Criminal Cases,” (with Laird C. Kirkpatrick & Liesa Richter) in *Evidence* §3.14 (Wolters Kluwer, 6th ed. 2018)





Susan Nevelow Mart

Professor and Director of the
William A. Wise Law Library

Legal Informatics
Legal Research

Articles

“Results May Vary,” *A.B.A. J.*,
Mar. 2018



Helen Norton

Professor and Ira C. Rothgerber
Jr. Chair in Constitutional Law

Constitutional Law
Civil Rights
Employment Discrimination Law

Articles

“Pregnancy and the First
Amendment,” 87 *Fordham*
L. Rev. 2417 (2019)

“Powerful Speakers and Their
Listeners,” 90 *U. Colo. L. Rev.*
441 (2019)

“Robotic Speakers and Human
Listeners,” 41 *Seattle U. Law Rev.*
1145 (2018)

“(At Least) Thirteen Ways of
Looking at Election Lies,” 71
Okla. L. Rev. 117 (2018)

Book chapters

“Artificial Intelligence and the
First Amendment,” (with Toni M.
Massaro) in *Research Handbook on*
the Law of Artificial Intelligence 353

(Woodrow Barfield & Ugo
Pagallo eds., Edward Elgar
Publishing 2018)

“What’s Old Is New Again (and
Vice Versa),” in *Robotica: Speech*
Rights and Artificial Intelligence
100 (Ronald K.L. Collins & David
M. Skover eds., Cambridge
University Press 2018)



Nadav Orian Peer

Associate Professor

Financial Institutions
Bankruptcy
Property

Articles

“Negotiating the Lender of Last
Resort: The 1913 Federal Reserve
Act as a Debate over Credit
Distribution,” 15 *N.Y.U. J.L. & Bus.*
367 (2019)

Book chapters

“Your Grandfather’s Shadow
Banking: Clearing and Call
Loans in Gilded Age New York,”
(forthcoming in *Inside Money:*
Re-Theorizing Liquidity, Christine
Desan ed.)



Blake E. Reid

Associate Clinical Professor

Technology Policy
Telecommunications Law
Intellectual Property
Disability Law

Articles

“Scoping Study on Access to
Copyrighted Works by Persons
with Disabilities,” (with Caroline
Ncube). World Intellectual Property
Organization, SCCR/38/3 March
13, 2019

“Internet Architecture and
Disability,” (forthcoming *Ind. L.J.*)

“That Was Close! Reward
Reporting of Cybersecurity ‘Near
Misses,” (with Jonathan Bair,
Steven M. Bellovin, Andrew Manley,
and Adam Shostack) 16 *Colo.*
Tech. L.J. 327 (2018)



Kerri Rowe

Student Services and
Outreach Librarian

Articles

“Researching Colorado Health
Law,” *Colo. Law.*, March 2018



Pierre Schlag

University Distinguished Professor
and Byron R. White Professor
of Law

Jurisprudence
Constitutional Law
Legal Philosophy
Tort Law

Book chapters

“Reason,” in Jean d’Aspremont
& Sahib Singh, *Concepts for*
International Law: Contributions to
Disciplinary Thought 730 (Edward
Elgar Publishing 2019)



Andrew A. Schwartz
Professor

Corporate, Securities,
and Contract Law
Securities Crowdfunding

Articles

"Mandatory Disclosure in Primary Markets," 2019 *Utah L. Rev.* ____ (forthcoming)

"Equity Crowdfunding in New Zealand," 2018 *N.Z. L. Rev.* 243

"The Gatekeepers of Crowdfunding," 75 *Wash. & Lee L. Rev.* 885 (2018)

Book chapters

"Social Enterprise Crowdfunding in New Zealand," in *The Cambridge Handbook of Social Enterprise Law* 209 (Benjamin Means & Joseph W. Yockey eds., 2019)



Scott Skinner-Thompson
Associate Professor

Constitutional Law
Civil Rights
LGBTQ Rights
Privacy Law

Articles

"Recording as Heckling," *Georgetown Law Journal*, Vol. 108 (forthcoming 2019)

"Privacy's Double Standards," 93 *Washington Law Review* 2051 (2018)

Book chapters

"A Feminist Rewriting of *Sipple v. Chronicle Publishing Co.*," in *FEMINIST JUDGMENTS: REWRITTEN TORTS OPINIONS* (Lucinda M. Finley & Martha Chamallas, eds.) (Cambridge University Press) (forthcoming)

Opinion essays

"Reclaiming the Right to the Future Sense, Law & Political Economy Blog," (reviewing Shoshana Zuboff, *The Age of Surveillance Capitalism* (2019) (forthcoming September 2019)

"Queering the Gay Agenda," *Slate*, June 18, 2019

"The Person is Political," *Slate*, Oct. 23, 2018



HARRY SURDEN

Associate Professor

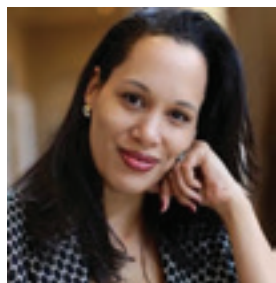
“Artificial Intelligence and Law: An Overview”

35 *Georgia State University Law Review* 1305 (2019)

“Much has been written recently about artificial intelligence (AI) and law. But what is AI, and what is its relation to the practice and administration of law? This article addresses those questions by providing a high-level overview of AI and its use within law. The discussion aims to be nuanced but also understandable to those without a technical background. To that end, I first discuss AI generally. I then turn to AI and how it is being used by lawyers in the practice of law, people and companies who are governed by the law, and government officials who administer the law.



A key motivation in writing this article is to provide a realistic, demystified view of AI that is rooted in the actual capabilities of the technology.”



Anna Spain Bradley

Professor

International Law
International Human Rights
International Dispute Resolution
Peace and Security
Law and Neuroscience

Articles

“Human Rights Racism,”
Harvard Human Rights Journal,
Vol. 32, 2019

“The Disruptive Neuroscience of
Judicial Choice,” 9 *UC Irvine L.
Rev.* 1 (2018)

Book chapters

“Advancing Neuroscience in
International Law,” in *International
Law As Behavior*, Harlan Cohen
and Tim Meyer, eds. (Cambridge
University Press, forthcoming 2019)



Mark Squillace

Raphael J. Moses Professor of Law
Associate Dean for Faculty
Affairs and Research

Natural Resources Law

Articles

“The Essential Role of Planning

in Unconventional Oil and Gas
Development,” ____ *Environmental
and Planning Law Journal* ____
(forthcoming 2019)

“Rethinking Public Land Use
Planning,” ____ *Harv. Envt'l L. Rev.*
____ (forthcoming 2019)

“Restoring the Public Interest in
Western Water Law,” ____ *Utah L.
Rev.* ____ (forthcoming 2020)

Book chapters

“The Remarkable Legacy of John
Wesley Powell,” (with Cody Phillips
& Travis Miller) in *The Pioneers of
Environmental Law*, (Twelve Tables
Press, 2020)



Harry Surden

Associate Professor

Patent Law
Intellectual Property
Privacy Law
Computer Science and Law
Artificial Intelligence and Law

Articles

“Artificial Intelligence and Law:
An Overview,” 35 *Ga. St. U. L. Rev.*
1305 (2019)

Book chapters

“The Ethics of Artificial Intelligence
in Law: Basic Questions,” in
*The Oxford Handbook of Ethics
of Artificial Intelligence*, Markus D.
Dubber and Frank Pasquale,
eds. (forthcoming 2019)



Ahmed White

Nicholas Rosenbaum Professor
of Law

Criminal Law
Labor and Employment Law
Forced Labor
Critical Legal Studies
Marxism and Law

Articles

“Its Own Dubious Battle:
The Impossible Defense of
an Effective Right to Strike,”
2018 *Wis. L. Rev.* 106

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With our roots in Colorado and a global outlook, we are a supportive and diverse educational and scholarly community in a place that inspires vigorous pursuit of ideas, critical analysis, contemplation, and civic engagement to advance knowledge about the law in an open, just society.