



## Faculty Publications – UT Law

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*Michael Widener, Editor*

### NOTE FROM THE EDITOR

Welcome to the inaugural issue of FACULTY PUBLICATIONS – UT LAW. This monthly newsletter reports the most recent publications of a faculty consistently ranked as one of the most productive in U.S. legal education. It is distributed in hard copy to the Law School teaching faculty and administrators, and as e-mail to Law Library staff, faculty assistants, and anyone who requests it. Our editorial policy is as follows:

- Eligible authors are tenured, tenure-track, emeritus, visiting, and adjunct professors; assistant deans; fulltime instructors and clinicians; and professional librarians.
- Publications eligible for inclusion include monographs; book chapters; articles in academic journals, magazines, online journals, or newspapers; audio-visual productions; and briefs filed with the U.S. Supreme Court.
- We will not report forthcoming publications or incomplete citations.
- The citation style is based on THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION (Cambridge, MA: Harvard Law Review Association, 17th ed. 2000), with the following exceptions: (1) we do not abbreviate journal titles; (2) we give full publication data (place of publication, publisher, date) for monographs; and (3) we list co-authors from outside the UT Law School in parentheses at the end of the citation.

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**David A. Anderson**, *An American Perspective*, in TORT LAW 721 (Basil S. Markesinis, Simon Deakin & Angus Johnston eds.; Oxford: Clarendon Press, 5th ed. 2003).

**Mitchell N. Berman**, *Justification and Excuse, Law and Morality*, 53 DUKE LAW JOURNAL 1 (2003). <<http://www.utexas.edu/law/faculty/mberman/lawandmorality.pdf>>

**Frank B. Cross**, *Decisionmaking in the U.S. Circuit Courts of Appeals*, 91 CALIFORNIA LAW REVIEW 1457 (2003).

**John S. Dzienkowski**, ed., *REAL PROPERTY: DOCUMENTS, STATUTES, AND STANDARDS* (St. Paul: Thomson/West, 2004).

**Karen Engle**, *Round Table Discussion: Subversive Legal Moments?* [Symposium: Subversive Legacies], 12 TEXAS JOURNAL OF WOMEN & THE LAW 197 (2003) (with others).

**Robert W. Hamilton**, *CASES AND MATERIALS ON CORPORATIONS: INCLUDING PARTNERSHIPS AND LIMITED LIABILITY COMPANIES* (St. Paul: Thomson/West, 8th ed. 2003) (with Jonathan R. Macey).

**Brian Leiter**, *Beyond the Hart/Dworkin Debate: The Methodology Problem in Jurisprudence*, 48 AMERICAN JOURNAL OF JURISPRUDENCE 17 (2003).

**Sanford Levinson**, *Constitutional Law: Two Activist Wings* [2003 Developments in the Substantive Law], TEXAS LAWYER, Dec. 22, 2003, at 32.

**Basil S. Markesinis**, *Case Law and Comparative Law: Any Wider Lessons?*, 11 EUROPEAN REVIEW OF PRIVATE LAW 717 (2003).

**Thomas O. McGarity**, *Beyond the Dirty Dozen: The Bush Administration's Cautious Approach to Listing New Persistent Organic Pollutants and the Future of the Stockholm Convention*, 28 WILLIAM & MARY ENVIRONMENTAL LAW & POLICY REVIEW 1 (2003) (with Pep Fuller).

**Thomas O. McGarity**, *Only an Independent Agency Can Safeguard Beef*, DALLAS MORNING NEWS, Jan. 6, 2004, at 17A.

**Roy M. Mersky**, *The Evolution and Impact of Legal Dictionaries*, NOTER UP, Dec. 2003, at 5.

**Linda S. Mullenix**, *Complex Litigation: Claim Abandonment*, NATIONAL LAW JOURNAL, Jan. 19, 2004, at 11.

**Linda S. Mullenix**, *Developments in the Procedural Means for Resolution of Mass Tort Litigation in the United States*, in *TERRORISM, TORT LAW AND INSURANCE: A COMPARATIVE SURVEY* 204 (Bernhard A. Koch ed.; New York: Springer Verlag, 2004).

**Linda S. Mullenix**, *No Exit: Mandatory Class Actions in the New Millenium and the Blurring of Categorical Imperatives*, 2003 UNIVERSITY OF CHICAGO LEGAL FORUM 177.

**L. A. (Scot) Powe, Jr.**, *Disease and Cure?*, 101 MICHIGAN LAW REVIEW 1947 (2003) (reviewing *Republic.com*, by Cass Sunstein).

**L. A. (Scot) Powe, Jr.**, *The Not-So-Brave New Constitutional Order*, 117 HARVARD LAW REVIEW 647 (2003) (reviewing *The New Constitutional Order*, by Mark Tushnet).

**Steven R. Ratner**, *Belgium's War Crimes Statute: A Postmortem*, 97 AMERICAN JOURNAL OF INTERNATIONAL LAW 888 (2003).

**John A. Robertson**, *Procreative Liberty in the Era of Genomics*, 29 AMERICAN JOURNAL OF LAW & MEDICINE 439 (2003).

**Wayne Schiess**, *Writing to the Trial Judge: Part One –for Motions*, 83 MICHIGAN BAR JOURNAL 54 (2004).

**Charles Silver**, *We're Scared to Death: Class Certification and Blackmail*, 78 NEW YORK UNIVERSITY LAW REVIEW 1357 (2003).

**Michael F. Sturley**, *The United Nation's Commission on International Trade Law's Transport Law Project: An Interim View of a Work in Progress*, 39 TEXAS INTERNATIONAL LAW JOURNAL 65 (2003).

**Teresa A. Sullivan**, *Work-Related Social Problems*, in HANDBOOK OF SOCIAL PROBLEMS: A COMPARATIVE INTERNATIONAL PERSPECTIVE 193 (George Ritzer ed.; Thousand Oaks, CA: Sage, 2004).

**Zipporah Batshaw Wiseman**, *Foreword* [Symposium: Subversive Legacies], 12 TEXAS JOURNAL OF WOMEN & THE LAW 193 (2003).

**Mark G. Yudof**, *The Truth About Tuition*, WASHINGTON POST, Jan. 1, 2004, at A25.