

DONALD J. KOCHAN

Associate Professor of Law
Chapman University School of Law
One University Drive
Orange, California 92866
Phone: (714) 628-2618
Fax: (714) 628-2576
kochan@chapman.edu
www.chapman.edu/law
www.donaldjkochan.com
SSRN Author Page:
<http://ssrn.com/author=405813>

EDUCATION

Cornell Law School, J.D., May 1998

The Cornell International Law Journal, Managing Editor

The Harvard Journal of Law & Public Policy

Executive Editor (Vol. 21, No. 2 (1998)) (Symposium)

Editor (Vol. 20, No. 2 (1997)) (Symposium)

John M. Olin Scholar in Law and Economics, 1996-1997, 1997-1998

Western Michigan University, B.A., *magna cum laude*, April 1995

Majors: Political Science, Public Law Concentration &

Philosophy, Professional Ethics Concentration

Honors College

John W. Gill Medallion Scholar

Presidential Scholar in Political Science, 1995

D.C. Schilling Junior Political Science Award, 1994

Siebert Undergraduate Research Award, 1995

JUDICIAL CLERKSHIP

Law Clerk to **The Honorable Richard F. Suhrheinrich**,

United States Court of Appeals for the Sixth Circuit

Lansing, Michigan, *August 1998-August 1999*

EXPERIENCE

Associate Professor of Law

Chapman University School of Law

Orange, California, *August 2004-August 2007 (Assistant), August 2007-Present (Associate)*

Courses: Property; Law & Economics; Agency & Partnership; Administrative Law;

Natural Resources Law & Policy; Federal Courts

Visiting Professor of Law

University of Houston Law Center

Houston, Texas, *Summer 2007*

Course: Property

Instructor in Law and Olin Fellow

University of Virginia School of Law

Charlottesville, Virginia, *August 2003-May 2004*

Visiting Assistant Professor of Law
George Mason University School of Law
Arlington, Virginia, August 2002- August 2003
Courses: Property; Environmental Law

Associate (Specialized in Administrative, Natural Resources & Environmental Law)
Crowell & Moring LLP
Washington, D.C., September 1999-June 2002

SELECTED SCHOLARSHIP

Law Review and Law Journal Publications

[*While Effusive, “Conclusory” is Still Quite Elusive: The Story of a Word, Iqbal, and a Perplexing Lexical Inquiry of Supreme Importance*](#), 73 U. PITTSBURGH L. REV. __ (forthcoming 2011-2012).

[*Thinking Like Thinkers: Is the Art and Discipline of An “Attitude of Suspended Conclusion” Lost on Lawyers?*](#), 35 SEATTLE U. L. REV. __ (forthcoming 2011).

“Thinking” in a Deweyan Perspective: The Law School Exam as a Case Study for Thinking in Lawyering, 12 NEVADA L.J. __ (forthcoming 2011-2012).

You Say You Want a (Nonviolent) Revolution, Well Then What? Further Thoughts on the Soft Power and Persuasion of Translations for Governments Emerging Out of Peaceful Chaos, 114 WEST VIRGINIA L. REV. __ (forthcoming 2012) (special issue).

[*On Equality: The Anti-Interference Principle*](#), 45 U. RICHMOND L. REV. 431 (2011).

[*“Learning” Research and Legal Education: A Brief Overview and Selected Bibliographical Survey*](#), 40 SOUTHWESTERN L. REV. 449 (2011).

[*Legal Mechanization of Corporate Social Responsibility Through Alien Tort Statute Litigation: A Response to Professor Branson with Some Supplemental Thoughts*](#), 8 SANTA CLARA J. INTL L. ____ (symposium) (forthcoming 2010).

[*Black Tuesday and Graying the Legitimacy Line of Governmental Intervention: When Tomorrow is Just a Future Yesterday*](#), 15 NEXUS L.J. 107 (2010) (symposium).

[*Ripe Standing Vines and the Jurisprudential Tasting of Matured Legal Wines: Property and Public Choice in the Permitting Process*](#), 24 BYU J. PUB. LAW 49 (2009).

[*Much Ado About Pluralities: Pride and Precedent Amidst the Cacophony of Concurrences – and Re-Percolation After Rapanos*](#), 15 VA. J. SOC. POL’Y & L. 299 (2008) (with Professors Mathew Parlow and Melissa Berry).

[*The Soft Power and Persuasion of Translations in the War on Terror: Words and Wisdom in the Transformation of Legal Systems*](#), 110 W. VA. L. REV. 545 (2008).

[*Miranda at 40: Applications in a Post-Enron, Post 9/11 World: Introduction*](#), 10 CHAPMAN L. REV. 531 (2007). (symposium)

[*In the Heat of the Law, It’s Not Just Steam: Geothermal Resources and the Impacts on Thermophile Biodiversity*](#), 13 HASTINGS W.-N.W.J. ENV’T L. & POL’Y 35 (2007) (with Tiffany Grant).

[*Runoff and Reality: Externalities and Traceability Problems in Urban Runoff Regulation*](#), 9 CHAPMAN L. REV. 409 (2006) (symposium).

[*The Blogosphere and the New Pamphleteers*](#), 11 NEXUS L.J. 99 (2006) (symposium).

[*Boyakasha, Fist to Fist: Respect and the Philosophical Link with Reciprocity in International Law and Human Rights*](#), 38 G.W. INT'L. L. REV. 349 (2006).

[*Sovereignty and the American Courts at the Cocktail Party of International Law: The Dangers of Domestic Judicial Invocations of Foreign and International Law*](#), 29 FORDHAM INT'L L.J. 507 (2006).

[*The Unconstitutionality of Class-Based Statutory Limitations on Presidential Nominations: Can a Man Head the Women's Bureau at the Department of Labor?*](#), 37 LOYOLA U. CHI. L. REV. 43 (2005).

[*No Longer Little Known But Now a Door Ajar: An Overview of the Evolving and Dangerous Role of the Alien Tort Statute in Human Rights and International Law Jurisprudence*](#), 8 CHAPMAN L. REV. 103 (2005) (symposium).

[*The Political Economy of the Production of Customary International Law: The Role of NGOs and United States Courts*](#), 21 BERKELEY J. INT'L L. 240 (2004).

[*State Laws and the Independent Judiciary: An Analysis of the Effects of the Seventeenth Amendment on the Number of Supreme Court Cases Holding State Laws Unconstitutional*](#), 66 ALBANY L. REV. 1023 (2003).

[*"Public Use" and the Independent Judiciary: Condemnation in an Interest-Group Perspective*](#), 3 TEXAS REV. L. & POL. 49 (1998).

[*Pages Per Term in the United States Reports and Converting Supreme Court Citations to Term Announced: A Statistical Research Tool*](#), 1998 MICH. ST. L. REV. 1091 (1998).

[*Constitutional Structure as a Limitation on the Scope of the "Law of Nations" in the Alien Tort Claims Act*](#), 31 CORNELL INT'L L.J. 153 (1998) (Note).

[*The Other Side of the Coin: Implications for Policy Formation in the Law of Judicial Interpretation: A Review of A MATTER OF INTERPRETATION by Antonin Scalia*](#), 6 CORNELL J.L. & PUB. POL'Y 463 (1997) (Book Note).

Annuals

[*An Examination of Increasing Protection for Sacred Sites and the Trust Responsibilities of the Federal Government*](#), 49 ROCKY MTN. MIN. L. INST. Ch. 12 (2003).

[*National Historic Preservation Act Initiatives Affecting the Natural Resources Industry*](#), 22 ENERGY & MIN L. INST. Ch. 12 (2002).

Public Policy Institute Studies

[*Property Rights, Responsible Development, and Constrictive "Rules"*](#), Virginia Institute for Public Policy VIRGINIA VIEWPOINT No. 2003-16, November 2003.

[*Property Rights, Condemnation, and Special Interests*](#), Virginia Institute for Public Policy VIRGINIA VIEWPOINT No. 2003-3, April 2003.

[*Public-Private 'Land Exchanges' Could Help Resolve Property Rights Disputes*](#), Mackinac Center VIEWPOINT ON PUBLIC ISSUES, Sept. 2, 2002.

[*Government 'Condemnation' Power Makes Property Rights Less Secure*](#), Mackinac Center VIEWPOINT ON PUBLIC ISSUES No. 2002-07, Feb. 4, 2002.

[Fighting Urban Blight or Trashing Property Rights?](#) Mackinac Center VIEWPOINT ON PUBLIC ISSUES, July 2, 2001.

[Selected Review: John Douglas, columnist at *The Grand Rapids Press*(MI): "I don't often agree with the folks at the Mackinac Center for Public Policy ... When I do, I feel it is something I should write about." See *Unscrupulous Land Grab in Wayne County*, GRAND RAPIDS PRESS, Mar. 6, 2002, at A19.]

[REFORMING PROPERTY FORFEITURE LAWS TO PROTECT CITIZEN'S RIGHTS](#), A Mackinac Center Report (July 1998).

[Selected Review: Representative John Conyers (D-MI) stated that this Report "has done a great public service by pointing out an abuse of power and a defect in our law." See 'Odd Couple' works for common good, *DETROIT NEWS*, July 21, 1998.]

[Property Doesn't Commit Crimes, People Do](#), Mackinac Center VIEWPOINT ON PUBLIC ISSUES No. 98-15, May 4, 1998.

[REFORMING THE LAW OF TAKINGS IN MICHIGAN](#), A Mackinac Center Report (April 1996).

[Real Reform in Takings Law](#), Mackinac Center VIEWPOINT ON PUBLIC ISSUES, March 4, 1996.

[Should Bargains Be Illegal?](#), Mackinac Center VIEWPOINT ON PUBLIC ISSUES No. 95-34, December 4, 1995.

(Reprinted in, *inter alia*, *DETROIT LEGAL NEWS*).

Opinion Columns

[Reading Adam Smith in Arabic](#), WALL ST. J., Feb. 17, 2011, at A17.

[Selected notable citation: Secretary of State Hillary Clinton was questioned directly and specifically about this op-ed by Senator Ron Johnson at the Senate Appropriations Committee Hearings on the State Department Budget on March 2, 2011 – see 2011 WLNR 4165274]

Don't Let Your Bubble Cross My Bubble, [LOS ANGELES DAILY JOURNAL](#), July 27, 2010, at 5.

[Luxury Needs No Remedy](#), *L.A. TIMES*, July 26, 2010, at A15.

Reprinted as and in, *inter alia*, the following newspapers:

[Founding Father's Lesson on Wealth](#), *DALLAS MORNING NEWS*, Aug. 1, 2010 (Sunday Commentary); [Benjamin Franklin on Wealth](#), *PLAIN-DEALER* (Cleveland, OH), Aug. 1, 2010 (Sunday edition); [Ben's Wealth Wisdom](#), *ST. PETERSBURG TIMES* (FL), July 31, 2010; [Government Shouldn't Regulate Luxury](#), *DESERET NEWS* (Salt Lake City, UT), Aug. 1, 2010 (Sunday edition); [Wealth is Not a Dirty Word](#), *PITTSBURGH TRIBUNE-REVIEW*, Aug. 1, 2010 (Sunday Edition); [Benjamin Franklin on Wealth](#), *DENVER POST*, July 29, 2010; [Benjamin Franklin Had It Right on Wealth](#), *ATHENS BANNER HERALD* (GA), July 31, 2010; [Benjamin Franklin Understood the Value of Wealth](#), *AKRON BEACON JOURNAL* (OH), July 29, 2010.

Call to Repeal Seventeenth Amendment, [LOS ANGELES DAILY JOURNAL](#), June 16, 2010, at 5.

The Case for Simplicity, [LOS ANGELES DAILY JOURNAL](#), August 20, 2009, at 6.

Card Sharks, [LOS ANGELES DAILY JOURNAL](#), August 10, 2009, at 6 (with Ryan O'Dea).

For Failing Corporations, Christmas Has Come Early This Year, [LOS ANGELES DAILY JOURNAL](#), June 25, 2009, at 6.

Law Doesn't Guarantee Equal Outcomes, Only Equal Opportunity, [LOS ANGELES DAILY JOURNAL](#), Dec. 29, 2008, at 6.

Hungry for Precedent, [LOS ANGELES DAILY JOURNAL](#), May 5, 2008, at 6.

Words and Ideas Are Power in the War on Terrorism, [LOS ANGELES DAILY JOURNAL](#), Feb. 26, 2007, at 6.

[Bill Fosters a Blight on Property Rights](#), *DETROIT NEWS*, June 15, 2001, at 13A.

Protecting the Right to Appellate Review in the New Era of Civil Actions: A Call for Bonding Fairness, BNA's PRODUCT SAFETY & LIABILITY REPORTER, May 21, 2001, at 515 (with Mark A. Behrens).

Federal Courts Using 'Certification' to Punt on Controversial State Tort Law Issues, LJM's PRODUCT LIABILITY LAW & STRATEGY, Feb. 2001, at 4 (with Mark A. Behrens).

The Real Transition: How to Stem a Deluge of Regulations, WASHINGTON TIMES, Jan. 15, 2001, at A15 (with Robert P. Charrow).

[Stopping the Last-Minute Regulatory Deluge](#), BOSTON GLOBE, Jan. 6, 2001, at 11 (with Robert P. Charrow).

Let The Sunshine In: The Need For Open, Competitive Bidding In Government Retention of Private Legal Services, BNA's PRODUCTS SAFETY & LIABILITY REPORTER, Oct. 2, 2000, at 915 (with Mark A. Behrens).

[After Burma](#), LEGAL TIMES, Aug. 21, 2000, at 54.

reprinted in full as:

Foreign Policy, Freelanced: Suits brought under Alien Tort Claims Act undermine federal government's authority, THE RECORDER (Cal.), Aug. 23, 2000, at 5; and as *Rein in the Alien Tort Claims Act: Reconstituted Law of Nations Standard Needs Defining by Congress*, FULTON COUNTY DAILY REPORT (Ga.), Aug. 24, 2000.

[Stand Down](#), LEGAL TIMES, Dec. 6, 1999, at 54 (with Mark Koehn).

Congress Can't Plea Bargain with President, DETROIT NEWS, October 9, 1998, at 11A.

State Needs Real Reform in Takings Law, DETROIT NEWS, February 4, 1996, at 7B. (Reprinted in, *inter alia*, DETROIT LEGAL NEWS)

Quebec Secession Drive Fails the Legitimacy Test, DETROIT NEWS, November 1, 1995, at 9A.

Costly Regulations Force Upjohn Merger, DETROIT NEWS, August 27, 1995, at 3B.

Journalism, Magazine & Other Miscellaneous Short Writings

[Domestic Courts and Growing NGO Investment in 'International Law': At What Cost and Consequence to Democracy?](#), 4 ENGAGE: THE JOURNAL OF THE FEDERALIST SOCIETY'S PRACTICE GROUPS 84 (May 2003).

[James Madison and the Simple Truths of Classical Liberalism](#), THE FREEMAN: IDEAS ON LIBERTY, Jan. 2003, at 14.

[South Dakota's Eminent Domain Experiment to Curb Private Condemnation by Railroads](#), 3 ENGAGE: THE JOURNAL OF THE FEDERALIST SOCIETY'S PRACTICE GROUPS 37 (Oct. 2002)

The United States Constitution and Environmental/Natural Resource Issues: Citizen Access to the Courts in a Federalist System, (published in conjunction with the Union Internationale des Avocats annual meeting in Buenos Aires, October 31-November 2, 2000) (with Stuart H. Newberger).

[Aspirin for a 'Major Headache?' Scaling Back Relief Under the Alien Tort Claims Act](#), INT'L & NAT'L SECURITY LAW NEWS, Vol. 3, No. 3 (Winter 2000), at 1 (a publication of the Federalist Society).

[The Pervasive Duty to Rescue](#), THE FREEMAN: IDEAS ON LIBERTY, June 1997, at 344.

[The True Takings Reform Imperative](#), THE FREEMAN: IDEAS ON LIBERTY, Feb. 1997, at 82.

[Taking Taxes: The Case for Invalidating the Welfare State](#), THE FREEMAN: IDEAS ON LIBERTY, Feb. 1996, at 72.

SELECTED PRESENTATIONS

[The Rise of Lawfare, the Politicization of International Law and the Challenges to U.S. Sovereignty](#), American Freedom Alliance International Conference of the Air, January 16, 2011 (panelist) [Audio available](#) (presentation at hour 3).

Chapman University School of Law “Blank Lecture” on “The Art and Discipline of the Attitude of Suspended Conclusion,” Oct. 26, 2010, Orange, California.

KUCI, 88.9 FM, *The Docket*, June 17, 2010, University of California, Irvine Radio: “The Seventeenth Amendment.”

[Beyond Copenhagen: An International Conference on Climate Change, Panel on International Law, Chapman University, Orange, California, April 23, 2010 \(moderator\) \(forthcoming\)](#).

[“Federal Court Standards for Ripeness in Takings Claims.” Federalist Society Podcast, March 2010 \(moderator\)](#).

[“Corporations and International Law,” Santa Clara University School of Law, Santa Clara, California, March 12-13, 2010 \(panelist\)](#)

“The Constitutionality of the Pending Health Care Reform Legislation,” Chapman University School of Law, Orange, California, February 4, 2010 (moderator).

[“The 80th Anniversary of the Great Crash of 1929: Law, Markets, and The Role of The State,” Chapman University School of Law, Orange, California, October 30, 2009 \(panelist\)](#).

“Want a Building Permit? Then Give Up Your Right to Vote? – And Other Land Use Regulation Stories,” Chapman University School of Law, Orange, California, March 11, 2009 (panelist)

“The Law and Economics of Redevelopment: *Kelo* and Beyond”
Cornell Law School, Ithaca, New York, April 21, 2008 (debate)

“Hobbesian Man, Lockean World – Have We Solved the Conflict? Eminent Domain and the State as the Proverbial Hobbesian Man in the Displacement of Property Rights”
University of San Diego School of Law, San Diego, California, April 16, 2008 (presenter with commenter)

“Eminent Domain, Property Rights, and Ballot Proposals: Where Do the Government Powers End and the Citizens’ Rights Begin? – A Post-*Kelo* Discussion”, Chapman University School of Law, Orange, California, April 15, 2008 (panelist)

Searle Center Research Roundtable on “The Expansion of Liability Under Public Nuisance,” Northwestern University School of Law, Chicago, Illinois, April 7-8, 2008, (discussant by invitation only (limited to 24 participants))

Panel: “The Relationship of Individuals to Customary International Law Formation.” Presentation Title: “The Temptation Toward an International Tapestry of Torts: Why the Judicial Process Should Not Be Available For Every and Any Aggrieved Individual”
University of Indiana-Bloomington School of Law, April 4, 2008 (conference panelist)

“Global Markets and International Law”
University of Indiana-Indianapolis School of Law, Indianapolis, Indiana, April 3, 2008 (presenter)

“Litigation and Human Rights: Universal Jurisdiction, Liability Risks, and the Effects on Investment and Entrepreneurship in Developing and Troubled Nations,” Case Western Reserve University School of Law, Cleveland, Ohio, March 21, 2008 (presenter)

“The Law and Economics of Judicial Behavior: Questioning Decisional Outcomes”

Regent University School of Law, Virginia Beach, Virginia, March 19, 2008 (presenter)

Presentation by Professor William Gangi (St. John's University, New York), "A Scholar's Journey on the Dark Side," Chapman University School of Law, Orange, California, February 11, 2008 (discussant)

"Global Warming, Free Markets, and the Role of the State"
Chapman University School of Law, Orange, California, January 31, 2008 (debate)

[The Hugh Hewitt Show, October 18, 2007, Topic: Hoax or Horror Stories?](#) (debate with Dean Tim Canova)

[The Hugh Hewitt Show, October 2, 2007, Topic: Lawsuits and Tort Reform](#) – The *Stoneridge* Case

[How Should the Courts Interpret Split Decisions?](#) Federalist Society Audio Webcast/Teleconference, Washington, D.C., June 21, 2007 (panelist).

Celebrity and the Law, Federalist Society Orange County Lawyers Chapter, Irvine, California, May 23, 2007 (discussant).

Celebrity and the Law, Federalist Society Los Angeles Lawyers Chapter, Los Angeles, California, May 22, 2007 (discussant).

Moderator, Miranda in Modern Practice: [Does it Protect the Innocent or the Guilty: Panel 3 at Symposium Miranda at 40: Applications in a Post-Enron, Post 9/11 World: Introduction Miranda at 40: Post-Enron, Post-9/11 World](#), Chapman University School of Law, Orange, California, January 26, 2007.

The Hugh Hewitt Show, October 13, 2006, Topic: [Eminent Domain: Merits and fallout from the Supreme Court's Kelo decision](#).

Moderator for Panel, "Empirical Law & Economics," Southeastern Association of Law Schools (SEALS) Annual Conference, July 17, 2006, Palm Beach, Florida.

You Mean, I Can't Do That? Emerging Issues in Human Resources-Related Employment Discrimination Law and Liability, Chapman University School of Law, April 12, 2006, Orange, California (panelist).

Moderator for Panel, "Historical Perspectives on War and Insecurity," Center for Global Trade and Development 2d Annual Symposium - "Are We At War?," Chapman University School of Law, April 6, 2006, Orange, California.

Runoff and Reality: Externalities, Economics and Traceability Issues in Urban Runoff Regulation, Chapman University Law Review Symposium, Orange, CA, January 27, 2006 (panelist).

Dangerous Liaisons: Insurance, Moral Hazards, Crises, Property Rights, Risky Places, and Human Decisions, on the "Fire, Famine, Flood and Pestilence: Man v. Nature" panel, UCLA Public Policy Program, 20th Annual Land Use Law and Planning Program, January 20, 2006, Los Angeles, California (panelist).

NPR, 89.3 KPCC Radio, December 30, 2005; Topic: ["New State Laws" - A Year in Review hour segment on California legislative developments](#).

Fox News Channel, The O'Reilly Factor, December 29, 2005; Topic: [Josephs v. PacBell and the Ninth Circuit's View of ADA Protection for the criminally insane](#).

The Jurisprudence of Justice Antonin Scalia, Chapman University School of Law Federalist Society Student Chapter, August 24, 2005, Orange, California.

- Fordham University's Conference on "Entrepreneurship and Human Rights," Bronx, New York, August 1, 2005: [*Litigation and Human Rights: Universal Jurisdiction, Liability Risks, and the Effects on Investment and Entrepreneurship in Developing and Troubled Nations.*](#)
- The Jurisprudence of Justice Antonin Scalia, Southeastern Association of Law Schools (SEALS) Annual Conference, July 21, 2005, Hilton Head, South Carolina (panelist).
- Guest Lecturer, Chapman University; Course: Environmental Economics, Orange, California, May 2005.
- Chapman University School of Law's Center for Global Trade and Development Inaugural Symposium, [Panel #2: "Labor Rights, Human Rights and Democracy in Distress"](#), Orange, California, February 24, 2005: Moderator and Presenter on panel "Litigating Human Rights and Labor Standards in Domestic and Foreign Forums"
- Panelist, Implications of the Film "Fahrenheit 911" (an interdisciplinary post-viewing panel of Chapman professors) (2005).
- Defense Research Institute, *Supreme Court Review*, Civil Rights and Government Tort Liability Annual National Conference, San Diego, California, January 28, 2005.
- Chapman University School of Law, Faculty Workshop, *Civil Actions and the Destruction of Reciprocity Effects in International Law: The Inefficiency of Civil Enforcement of International Norms* (2003).
- Faculty and Law & Economics Workshop, University of Virginia School of Law, Charlottesville, Virginia, November 10, 2003: *The Political Economy of the Production of Customary International Law: The Role of NGOs and United States Courts*
- Federalist Society 2003 National Lawyer's Convention, Washington, D.C., November 13-15 [panelist on "American Courts as the World's Policemen?: A Debate on the Alien Tort Claims Statute," one of four ideologically balanced Showcase Panels at three-day national conference].
- Rocky Mountain Mineral Law Foundation 49th Annual Institute, San Diego, California, July 25, 2003: *An Examination of Increasing Protection for Sacred Sites and the Trust Responsibilities of the Federal Government.*
- Senate Hearing Testimony (by invitation of the Committee), U.S. Senate Committee on Agriculture, Nutrition and Forestry, June 26, 2003, "Review Healthy Forests Restoration Act, HR 1904", Full Committee Hearing: <http://www.c-spanvideo.org/program/177195-01> [Professor Kochan's testimony at 3:51:31].
- Faculty Workshop, Chicago-Kent College of Law at the Illinois Institute of Technology, Chicago, Illinois, March 31, 2003: *The Political Economy of the Production of Customary International Law: The Role of NGOs and United States Courts.*
- Washington Legal Foundation Media Briefing, Washington, D.C., March 12, 2003: [*Alien Tort Claims Lawsuits: Advancing Human Rights or Undermining U.S. Businesses and Policy?*](#) (panelist)
- Faculty Workshop, George Mason University School of Law, Arlington, Virginia, February 11, 2003: *The Political Economy of the Production of Customary International Law: The Role of NGOs and United States Courts.*
- Institut für Recht und Ökonomik Doctoral Seminar in Law & Economics, Fachbereich Rechtswissenschaft, Universität Hamburg, February 6, 2003: *Legislative versus Popular Election of Senators and Delegates in the United States and the European Union: Lessons for State Legislative Sovereignty from the American Seventeenth Amendment Experience.*
- Faculty Workshop, University of Mississippi School of Law, Oxford, Mississippi, December 4, 2002: *The Political Economy of the Production of Customary International Law: The Role of NGOs and United States Courts.*

Robert A. Levy Workshop in Law & Liberty, George Mason University School of Law, Arlington, Virginia, November 14, 2002: *The Role of Domestic Courts in the Face of Growing NGO Investment in "International Law": Why, How, and At What Consequence?*

Annual Meeting of the Interstate Mining Compact Commission, Hot Springs, Arkansas, April 23, 2001: *Historic Preservation Issues Affecting the Mining Industry.*

Environmental Law in the 21st Century, Conference Sponsored by the Federalist Society, Lewis & Clark College Northwestern School of Law, Portland, Oregon, October 25, 2001: moderator of panel on free market principles in the regulation of air, water and hazardous waste.

Mackinac Center Issues and Ideas Luncheon, Lansing, Michigan, July 1999: *The State of Property Rights and Takings Law in Michigan.*

SELECTED CITATIONS

Cited or quoted (excluding mere acknowledgements), one or more times, in more than 200 articles published in the following law journals:

CITATIONS IN MAIN JOURNALS INCLUDE:

Yale Law Journal; Harvard Law Review; Stanford Law Review; Columbia Law Review; University of Chicago Law Review; NYU Law Review; Cornell Law Review; Duke Law Journal; Michigan Law Review; Virginia Law Review; Georgetown Law Journal; Minnesota Law Review; University of Illinois Law Review; Emory Law Journal; American University Law Review; George Washington Law Review; Notre Dame Law Review; Indiana Law Review; Cardozo Law Review; Boston University Law Review; Vanderbilt Law Review; U.C. Davis Law Review; BYU Law Review; Mississippi Law Journal; Seton Hall Law Review; William and Mary Law Review; Syracuse Law Review; Kentucky Law Journal; St. Louis University Law Review; DePaul Law Review; Hastings Law Journal; Southern Methodist University Law Review; Ohio State Law Journal; Villanova Law Review; University of Colorado Law Review; Idaho Law Review; Denver University Law Review; Fordham Law Review; Houston Law Review; Pepperdine Law Review; University of San Francisco Law Review; New England Law Review; Duquesne Law Review; Maryland Law Review; Oklahoma Law Review; Oklahoma City University Law Review; Loyola L.A. Law Review; Case Western Reserve University Law Journal; West Virginia Law Review; California Western Law Review; Howard Law Journal; Santa Clara Law Review; South Dakota Law Review; University of Toledo Law Review; Penn State Law Review; St. Mary's Law Journal; Drake Law Review; Nevada Law Journal; San Diego Law Review; Southwestern University Law Review; University of Dayton Law Review; St. Thomas Law Review; Albany Law Review; Mississippi College of Law Review; Law Review of Michigan State, University Detroit College of Law; Chapman Law Review; Seattle University Law Review; Willamette Law Review; Texas Wesleyan Law Review

CITATIONS IN SPECIALTY JOURNALS RELATED TO LAW & POLICY OR

LAW & PHILOSOPHY OR LAW & ECONOMICS INCLUDE:

Yale Law & Policy Review; Supreme Court Economic Review; American Economic Review; University of Michigan Journal of Law Reform; Harvard Journal of Law & Public Policy; University of Pennsylvania Journal of Constitutional Law; Kansas Journal of Law & Public Policy; Journal of Law & Politics; Boston University Public Interest Law Journal; Southern California Interdisciplinary Law Journal; William and Mary Bill of Rights Journal; Cornell Journal of Law and Public Policy; Temple Political and Civil Rights Law Review; Hamline Journal of Public Law & Policy; Cato Supreme Court Review; NEXUS Law Journal; Public Administration Quarterly

CITATIONS IN SPECIALTY JOURNALS RELATED TO INTERNATIONAL LAW INCLUDE:

Yale Journal of International Law; Virginia Journal of International Law; New York International Law Review; UCLA Journal of International Law and Foreign Affairs; Stanford Journal of International Law; George Washington International Law Review; Michigan Journal of International Law; Minnesota Journal of Global Trade; American University International Law Review; Emory International Law Review; Fordham International Law Journal; Harvard Human Rights Journal; Journal of Transnational Law & Policy; Georgia Journal of International & Comparative Law; Indiana Journal of Law & Global Studies; Temple International and Comparative Law Review; Suffolk Transnational Law Review; Touro International Law Review; Berkeley La Raza Law Journal; Washington University Global Studies Law Review; Vanderbilt Journal of Transnational Law; Michigan State University Journal of International Law; ILSA Journal of International and Comparative Law; Pacific Rim Law & Policy Journal; Canada-United States Law Journal; Utrecht Law Review

CITATIONS IN SPECIALTY JOURNALS RELATED TO ENVIRONMENTAL LAW OR PROPERTY LAW INCLUDE:

Stanford Environmental Law Journal; Fordham Environmental Law Review; Denver Water Law Review; Real Property, Probate

and Trust Journal; Hastings West-Northwest Journal of Environmental Law and Policy; Ecology Law Quarterly; Journal of Land Use & Environmental Law; Real Property Trust & Estate Law Journal

CITATIONS IN OTHER SPECIALTY JOURNALS INCLUDE:

Delaware Journal of Corporate Law; U.C. Davis Business Law Journal; Berkeley Journal of Employment & Labor Law; Cardozo Journal of Law & Gender; Federal Circuit Bar Journal; Urban Lawyer; American Business Law Journal; American Intellectual Property Law Association Quarterly Journal; Defense Counsel Journal; Transactions: Tennessee Journal of Business Law; Journal of the Legal Profession; Michigan Telecommunications & Technology Law Review; Communications Law and Policy; Rutgers Computer and Technology Law Journal; Public Administration Quarterly

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