

## Second Conference for Junior Researchers 2015 Stanford Program in Law and Society

### Discussant Biographies

#### **Table of Contents**

PANEL 1A: Shaping the Law: the Roles of Legal Actors .....	2
Professor Deborah Hensler, Stanford University	
PANEL 1B: Constructing New Constitutional Cultures .....	3
Professor Erik Jensen, Stanford University	
PANEL 2: Finding a Common Place: Law, Property, and Cohabitation .....	4
Professor Michelle Anderson, Stanford University	
PANEL 3: Deciphering the Work of Courts .....	5
Professor Nora Engstrom, Stanford University	
PANEL 4: Uncovering Security and Justice in International Law .....	6
Professor Beth Van Schaack, Leah Kaplan Visiting Professor in Human Rights, Stanford University	
PANEL 5A: Gendering Criminal Law .....	7
Professor Joanna Grossman, Hofstra University	
PANEL 5B: Law and Business: Transplant and Transformation.....	8
Professor William Simon, Columbia University	
PANEL 6: Transforming Law in a Multicultural Society .....	9
Professor Marc Galanter, University of Wisconsin	
PANEL 7A: Regulating Online Evolutions .....	10
Jef Pearlman, Clinical Supervising Attorney and Lecturer in Law, Stanford University	
PANEL 7B: Tracing Mutual Effects – Law, Society, and Economy .....	11
Professor Michael Asimow, Visiting Professor of Law, Stanford University	
PANEL 8: Law and Identity in the Labor Market.....	12
Professor Manuel Gomez, Florida International University	
PANEL 9: Bounded by the Past, Aiming for the Future: The Role of History in Law .....	13
Professor Lawrence Friedman, Stanford University	

## PANEL 1A: Shaping the Law: the Roles of Legal Actors

### Professor Deborah Hensler, Stanford University

#### **Judge John W. Ford Professor of Dispute Resolution and Associate Dean for Graduate Studies**

Deborah R. Hensler's empirical research on dispute resolution, complex litigation, class actions and mass tort liability has won international recognition. A political scientist and public policy analyst who was the director of the RAND Corporation's Institute for Civil Justice before joining the Stanford Law School faculty, she has testified before state and federal legislatures on issues ranging from alternative dispute resolution to asbestos litigation and mass torts and consulted with judges and lawyers outside of the United States on the design of class action regimes. Professor Hensler is the organizer of the Stanford Globalization of Class Actions Exchange, which is spearheading international research on class actions and mass litigation, and the co-editor of the recently published volume *The Globalization of Class Actions*. She co-authored RAND's comprehensive 2002 report on the status of asbestos litigation in the United States and is the lead author of *Class Action Dilemmas: Pursuing Public Goals For Private Gain*. At Stanford she teaches seminars on complex litigation, the legal profession, and the use of policy analysis in the law and serves as associate dean of graduate studies. Professor Hensler is a fellow of the American Academy of Arts and Sciences and the American Academy of Political and Social Science. She was the director of the Stanford Center on Conflict and Negotiation from 1998 to 2003. Before joining the Stanford Law School faculty in 1998, she was a professor at the University of Southern California Gould School of Law and held a variety of high-level positions at RAND where she was employed from 1973 to 2001. Professor Hensler is an associate research fellow of the Oxford Centre for Socio-Legal Studies, has taught at the University of Melbourne (Australia) and has been awarded a visiting professorship to Tilburg University by the Royal Netherlands Academy of Arts and Sciences.

## PANEL 1B: Constructing New Constitutional Cultures

### Professor Erik Jensen, Stanford University

#### **Professor of the Practice of Law and Director of Rule of Law Program**

Erik G. Jensen is a professor of the practice of law at Stanford Law School, director of the law school's Rule of Law Program, and an affiliated faculty member at the Center on Democracy, Development, and the Rule of Law (CDDRL) at the Freeman Spogli Institute for International Studies at Stanford University (FSI). A lawyer trained in Britain and the United States, he has, for the last 25 years, taught, practiced and written about the field of law and development in 30 countries. He has been a Fulbright scholar, a consultant to the World Bank, the Asian Development Bank, and the African Development Bank, and a representative of The Asia Foundation, where he currently serves as a senior advisor for governance and law. His teaching and research activities explore various dimensions of reform aimed at strengthening the rule of law, including the political economy of reform; the connections between legal systems and the economies, politics and societies in which they are situated; and the relationship of Islam to the rule of law. As co-director of the Rule of Law Program, Jensen serves as faculty advisor to student-driven projects in Afghanistan, Bhutan, Timor-Leste, and Iraq that, with strong local partnerships, develop legal tools in these developing democracies.

Jensen lived for 14 years in Asia and was an active participant in policy dialogues in South and Southeast Asia. From 1996 to 1998, he led the governance section of an Asian Development Bank-funded study called "Pakistan 2010," which examined subjects including judicial and legal reform, countering corruption, governance process, civil service reform, decentralization and empowering the country's citizenry. In September 1999, he served as co-team leader of a 35-member consulting team which prepared an extensive report on "Legal and Judicial Reform in Pakistan" for the Asian Development Bank.

Jensen's recent past activities include: a research project funded by the Ford Foundation that surveys Pakistani and Indian perceptions of doing business across their acrimonious border; serving as an outside expert in an evaluation of a World Bank project on judicial reform in Venezuela; designing and teaching a research workshop, at Stanford Law School, on judicial reform in developing countries; and serving on the advisory board of two international rule-of-law projects for the World Bank in Mexico and Argentina.

## PANEL 2: Finding a Common Place: Law, Property, and Cohabitation

### Professor Michelle Anderson, Stanford University

#### Professor of Law

Michelle Wilde Anderson is a public law scholar and practitioner focused on state and local government, including urban policy, city planning, local democracy, and public finance. Her work combines legal analysis with the details of human experience to understand the local governance of high poverty areas, both urban and rural, and the legal causes of concentrated poverty and fiscal crisis. Her current research explores legal restructuring (such as bankruptcy, disincorporation, and receiverships) for cities and counties in distress—issues that affect not only Rust Belt capitals such as Detroit, but also post-industrial cities in California, rural areas in Oregon, and small towns across the Northeast and South. These issues are examined in her recent publications including “The New Minimal Cities,” *Yale Law Journal* (2014); “Detroit: What a City Owes its Residents,” *Los Angeles Times* (2013); “Making a Regional School District: Memphis City Schools Dissolves into its Suburbs,” *Columbia Law Review Sidebar* (2012); and “Dissolving Cities,” *Yale Law Journal* (2012).

Prior to joining Stanford Law School in 2014, Anderson was an assistant professor of law at Berkeley Law School. Additionally, she has been a research fellow at the European Commission’s Urban Policy Unit in Brussels, an environmental law fellow at Shute, Mihaly, & Weinberger, and a member of the faculty executive committee of the Thelton E. Henderson Center for Social Justice at Berkeley Law. She clerked for Judge Guido Calabresi on the U.S. Court of Appeals for the Second Circuit and Judge Marilyn Hall Patel of the U.S. District Court for the Northern District of California. Anderson is a member of the board of directors of the National Housing Law Project and the East Bay Community Law Center.

## PANEL 3: Deciphering the Work of Courts

### **Professor Nora Engstrom, Stanford University**

#### **Professor of Law**

Nora Freeman Engstrom's scholarship lies at the intersection of tort law and professional ethics. Her current work explores the day-to-day operation of the tort system and particularly the tort system's interaction with alternative compensation mechanisms, such as workers' compensation and no-fault automobile insurance. Professor Engstrom has also written extensively on law firms she calls "settlement mills"—high-volume personal injury law practices that heavily advertise and mass-produce the resolution of claims.

Before joining Stanford Law's faculty in 2009, Professor Engstrom, JD '02, was a research dean's scholar at Georgetown University Law Center and an associate at Wilmer Cutler Pickering Hale and Dorr LLP, where she drafted several U.S. Supreme Court briefs and represented clients before various appellate and trial courts. She was also a law clerk to Judge Merrick B. Garland of the U.S. Court of Appeals for the District of Columbia Circuit and Judge Henry H. Kennedy Jr., of the U.S. District Court for the District of Columbia. Prior to law school, she worked at the U.S. Department of Justice, focusing on domestic terrorism and national security issues.

## PANEL 4: Uncovering Security and Justice in International Law

### **Professor Beth Van Schaack, Leah Kaplan Visiting Professor in Human Rights, Stanford University**

#### **Leah Kaplan Visiting Professor in Human Rights**

Beth Van Schaack is the Leah Kaplan Visiting Professor in Human Rights at the Law School (2014-15) and a Visiting Scholar at the Center for International Security & Cooperation at Stanford University. She will be teaching International Criminal Justice and International Human Rights during the Autumn quarter, International Justice in the Winter, and a new Policy Lab on Legal & Policy Tools for Atrocities Prevention in the Winter and Spring.

Professor Van Schaack just stepped down as Deputy to the Ambassador-at-Large for War Crimes Issues in the Office of Global Criminal Justice of the U.S. Department of State. In that capacity, she helped to advise the Secretary of State and the Under Secretary for Civilian Security, Democracy and Human Rights on the formulation of U.S. policy regarding the prevention of and accountability for mass atrocities, such as war crimes, crimes against humanity, and genocide. In this position, she worked extensively within the interagency to help coordinate the deployment of a range of diplomatic, legal, economic, military, and intelligence tools to help expose the truth, capture and judge those responsible, protect and assist victims, enable reconciliation, deter atrocities, and build the rule of law.

Prior to her State Department appointment, Van Schaack was Professor of Law at Santa Clara University School of Law, where she taught and wrote in the areas of human rights, transitional justice, international criminal law, public international law, international humanitarian law, and civil procedure. She has been a member of the U.S. Department of State's Advisory Council on International Law and served on the United States interagency delegation to the International Criminal Court Review Conference in Kampala, Uganda in 2010.

Van Schaack joined the Santa Clara faculty from private practice at Morrison & Foerster LLP where she practiced the areas of commercial law, intellectual property, international law, and human rights. Prior to entering private practice, Van Schaack was Acting Executive Director and Staff Attorney with The Center for Justice & Accountability, a non-profit law firm in San Francisco dedicated to the representation of victims of torture and other grave human rights abuses in U.S., international, and foreign tribunals. She was also a law clerk with the Office of the Prosecutor of the International Criminal Tribunal for the Former Yugoslavia. She continues to advise a number of human rights organizations, including: the Documentation Center of Cambodia, the National Institute of Military Justice, the International Justice Resource Center, the Syrian Commission on Justice & Accountability, and Accountability Council.

## PANEL 5A: Gendering Criminal Law

### Professor Joanna Grossman, Hofstra University

#### **Sidney and Walter Siben Distinguished Professor of Family Law**

Professor Grossman joined the Hofstra faculty in 1999 and served as the Associate Dean for Faculty Development from 2004-08. She was named the John DeWitt Gregory Research Scholar for 2010-11. She has also taught in the law schools at Vanderbilt, University of North Carolina, Cardozo, and Tulane. She writes extensively about family law, especially state regulation of marriage. She is the co-author, with Lawrence M. Friedman, of *Inside the Castle: Law and the Family in 20th Century America* (Princeton 2011), a comprehensive social history of family law in the United States. She also writes about sex discrimination and workplace equality, with a special focus on issues such as sexual harassment and pregnancy discrimination. She is the coeditor, with Linda McClain, of *Gender Equality: Dimensions of Women's Equal Citizenship* (Cambridge University Press 2009), an interdisciplinary anthology that explores persistent gaps between formal commitments to gender equality and the reality of women's lives. She has published articles in *Stanford Law Review*, *Georgetown Law Journal*, and *the Yale Journal on Law and Feminism*, among other places. Professor Grossman teaches Family Law; Wills, Trusts & Estates; and a variety of courses relating to gender and law.

A graduate with distinction from *Stanford Law School*, Professor Grossman served as the articles development editor of the *Stanford Law Review* and was elected to Order of the Coif. She served as a law clerk to Judge William A. Norris of the United States Court of Appeals for the Ninth Circuit, before spending a year as staff counsel at the National Women's Law Center in Washington, D.C., as recipient of the Women's Law and Public Policy Fellowship. She practiced law from 1996 to 1998 at the Washington, D.C., law firm of Williams & Connolly.

Professor Grossman is a regular columnist for Justia's Verdict and has served on the editorial board of *Perspectives*, the magazine of the ABA's Commission on Women in the Profession. Professor Grossman was selected to deliver Hofstra University's Distinguished Faculty Lecture in 2004 and Hofstra University's Annual Diversity Lecture in 2010. She was elected to membership in the American Law Institute in 2009, and was inducted into Long Island's "40 Under 40" in 2005.

## PANEL 5B: Law and Business: Transplant and Transformation

### **Professor William Simon, Columbia University**

#### **Arthur Levitt Professor of Law**

Private practice in Boston, 1974-77; staff attorney, Legal Services Institute, 1979-81. Member of the Stanford faculty 1981-2003 (Montgomery Professor, 1995-99; William W. and Gertrude H. Saunders Professor of Law, 1999-2003). Visiting professor: Harvard, 1987-88 (Academic year), 1997-2001 & 2003 (January terms), 2006 (Fall term); and UC Berkeley, 1997-98. Visiting staff member, National Center for Economic Development and Law, 1990. Guggenheim fellow, 1994. Member, board of directors, East Palo Alto Community Law Project. Member, Massachusetts bar. Interests include professional responsibility, corporations, and foundations of the regulatory state.



## PANEL 6: Transforming Law in a Multicultural Society

### **Professor Marc Galanter, University of Wisconsin**

#### **Professor of Law Emeritus**

Professor Galanter was a Fulbright Scholar at the University of Delhi, a Fellow of the American Institute of Indian Studies and consultant on legal services to the Ford Foundation in India. He has lectured at more than eighty universities in the United States and abroad. He has taught South Asian Law, Law and Social Science, Legal Profession, Religion and the Law, Contracts, Dispute Processing and Negotiations. He has authored numerous books and articles related to law, the legal profession and the provision of legal services in India.

## PANEL 7A: Regulating Online Evolutions

### **Jef Pearlman, Clinical Supervising Attorney and Lecturer in Law, Stanford University**

#### **Clinical Supervising Attorney and Lecturer in Law**

Jef Pearlman joined the Juelsgaard Intellectual Property and Innovation Clinic as a clinical supervising attorney and lecturer in law in 2014. In the clinic, Jef helps supervise and train second- and third-year law students to represent non-profits and innovators at the cutting edge of intellectual property and innovation policy in courts, administrative agencies, and the public sphere.

Prior to joining the clinic, Jef received bachelor's and master's degrees in computer science from MIT and his J.D. from Stanford Law School, where he represented clients as a student in the Cyberlaw Clinic. After law school, Jef clerked for the Honorable William W Schwarzer on the Northern District of California and, sitting by designation, on the 1st, 6th, and 9th circuits. Jef was then awarded the Bruce Ennis Fellowship for First Amendment Law, which enabled him to advocate for sound IP, technology, and innovation policy as a fellow and staff attorney at the DC-based nonprofit, Public Knowledge. Jef then returned to the Bay Area, where he litigated patent disputes in federal court and at the International Trade Commission and advised clients on issues relating to open source software at Covington & Burling LLP.

## PANEL 7B: Tracing Mutual Effects – Law, Society, and Economy

### Professor Michael Asimow, Visiting Professor of Law, Stanford University

#### Visiting Professor of Law

Michael Asimow is a long-term visiting professor at Stanford Law School. At UCLA, he received both the University's Distinguished Teaching Award and the School of Law's Rutter Award for Excellence in Teaching. In 1994, he received the Fredric P. Sutherland Award recognizing public service contributions by a faculty member. His fields of specialization are administrative law as well as law and popular culture.

In the area of administrative law, Asimow co-authored a course book, *State and Federal Administrative Law* (4th ed., 2014) (with Ronald M. Levin). He co-authored *California Administrative Law: Separation of Powers and Administrative Adjudication* (Rutter Group, 2014), with additional volumes on the California law of judicial review and rulemaking to follow in 2015. Asimow has written numerous articles on state and federal administrative law as well as comparative administrative law. He is a consultant to the Administrative Conference of the United States.

In the field of law and popular culture, Asimow published *Law and Popular Culture: A Course Book* (2013) (with Shannon Mader). In addition, he co-authored *Reel Justice: The Courtroom Goes to the Movies* (2006) (with Paul Bergman), a book about courtroom movies of the past and present. He has also published numerous articles on lawyers, law firms, and legal ethics in the movies.

## PANEL 8: Law and Identity in the Labor Market

### **Professor Manuel Gomez, Florida International University**

#### **Associate Dean for International and Graduates Studies and Associate Professor of Law**

Manuel A. Gómez is an Associate Professor of Law at Florida International University College of Law where he regularly teaches courses on Complex Litigation, International Arbitration, Alternative Dispute Resolution, Law and Society, and Introduction to International and Comparative Law, with emphasis on Latin America. Starting in April of 2015, professor Gómez will begin serving as Associate Dean of International and Graduate Studies at FIU College of Law. Professor Gómez also has law teaching experience at other US universities such as Stanford and Iowa, and has been at numerous Latin American, European, and Asian universities, either as guest lecturer, speaker or visiting professor. Professor Gómez's research and academic writing focuses on dispute resolution and governance, legal and institutional reform in Latin America, the globalization of the legal profession, and innovations in legal education. More specifically, professor Gómez studies the use of different dispute resolution mechanisms and fora in an array of contexts, ranging from transnational litigation and international arbitration, to domestic litigation and other non-institutionalized mechanisms. He is also an expert on institutional and legal reform in Latin America, and is also interested in the globalization of lawyers, the role of Judges, and innovations in legal education. Professor Gómez has also served as legal expert in the context of domestic and transnational litigation, and International Arbitration proceedings in the US and Latin America. He is a founding member of the Miami International Arbitration Society (MIAS), member of the Faculty Council of the International Law Section of the Florida Bar, member of the Academic Council at the Institute of Transnational Arbitration (ITA), and member of the Academic Council of the Latin American and Caribbean Center at FIU, among others.

## PANEL 9: Bounded by the Past, Aiming for the Future: The Role of History in Law

### Professor Lawrence Friedman, Stanford University

#### Marion Rice Kirkwood Professor of Law

An internationally renowned, prize-winning legal historian, Lawrence M. Friedman has for a generation been the leading expositor of the history of American law to a global audience of lawyers and lay people alike—and a leading figure in the law and society movement. He is particularly well known for treating legal history as a branch of general social history. From his award-winning *History of American Law*, first published in 1973, to his *American Law in the 20th Century*, published in 2003, his canonical works have become classic textbooks in legal and undergraduate education.

Professor Friedman is a prolific author on crime and punishment, and his numerous books have been translated into multiple languages. He is the recipient of six honorary law degrees and is a fellow in the American Academy of Arts and Sciences. Before joining the Stanford Law School faculty in 1968, he was a professor of law at the University of Wisconsin Law School and at Saint Louis University School of Law.

Professor Friedman has an appointment (by courtesy) with the Stanford University Department of History and the Department of Political Science.