

Faculty Notes



Professor Bradley T. Borden is on the Executive Committee of the Tax Law Section of the Kansas Bar Association

Publications

A History and Analysis of the Co-Ownership-Partnership Question, 106

TAX NOTES 1175 (March 7, 2005) (co-author with Sandra Favelukes and Todd Molz)

Rev. Proc. 2004-51: The IRS Strikes Back, 83 TAXES 17 (February 2005) (co-author with Kelly E. Alton and Alan S. Lederman)

Survey of State Tax Treatment of Section 1031 Exchanges, 20 TAX MANAGEMENT REAL ESTATE JOURNAL 336 (December 2004) (contributor)

Syndicated Tenancy-in-Common Arrangements: How Tax-Motivated Real Estate Transactions Raise Serious Non-Tax Issues, 18 PROBATE AND PROPERTY 18, (September/October 2004) (co-author with W. Richey Wyatt)

Unearthing Neglected and Emerging Issues of Section 1031 Real Property Transactions, 20 TAX MANAGEMENT REAL ESTATE JOURNAL 199 (August 4, 2004)

Don't Overlook Section 1031's Like-Kind Property Requirements in Real Estate Transactions, BNA TAX MANAGEMENT INSIGHTS AND COMMENTARY (August 2004)

Presentations

American Bar Association Section of Taxation, Sales, Exchanges and Basis Committee Meeting, Moderator, "Sales and Exchanges: Current Developments," Washington, D.C., May 2005

51st Annual Spring Tax Institute of the University of Iowa College of Law and Iowa State Bar Association, "Advanced 1031 Topics," Iowa City, IA, May 2005

Ellis County Bar Association Continuing Legal Education Seminar, "1031 Exchanges," Hays, KS, May 2005

Washburn University School of Law Business and Transactional Law Center, Panelist, "Preventing the Perfect Storm: Managing the Intersection of Legal, Tax, and Ethical Issues when Advising Clients

Regarding the Formation of Legal Entities," Topeka, KS, January 2005

American Bar Association Section of Taxation, Partnerships and LLCs Committee Meeting, Panelist, "Co-investment or Partnership: Drawing the Line," San Diego, CA, January 2005

American Bar Association Section of Taxation, Partnerships and LLCs Committee Meeting, Panelist, "Exchanging 'Cats and Dogs' – Exchanges of Oil and Gas Interests, Exchanges of New and Used Aircraft and Syndicated Interests in Aircraft, Exchanges of Personal Property Under NAICS," San Diego, CA, January 2005

54th Annual Kansas Society of Certified Public Accounts Kansas Tax Conference, "10 Reasons Why we Don't Like S-Corporations," Overland Park, KS, November 2004

52nd Annual University of Texas School of Law Taxation Conference, "TICs & Build-to-Suit Techniques Under Section 1031," Houston, TX, November 2004

41st Annual Kansas Accountants Tax Conference, "1031 Exchanges: Build-to-Suit Transactions and Tenancy-in-Common Arrangements," Topeka, KS, October 2004

American Bar Association Section of Taxation and Section of Real Property, Probate and Trust Law, Panelist, "Maximizing Capital Gain in Sales of Real Estate," Boston, MA, October 2004

American Bar Association Section of Taxation and Section of Real Property, Probate and Trust Law, Sales, Exchanges and Basis Committee Meeting, Moderator, "Section 1031 Update," Boston, MA, October 2004

American Bar Association Section of Taxation and Section of Real Property, Probate and Trust Law, State and Local Taxes Committee Meeting, Panelist, "State Tax Issues in 1031 Exchanges," Boston, MA, October 2004

39th Annual Southern Federal Tax Institute, "Like-Kind Exchanges: Exchanges of Partial Interests and Build-to-Suit Issues," Atlanta, GA, September 2004

Faculty Notes

Texas Bar Association Advanced Tax Law Course, "Section 1031 Developments: Leasehold Improvements Exchanges, Tenancy-in-Common Arrangements, and Related-Party Exchanges," San Antonio, TX, September 2004

BNA Tax Management Advisory Board, "Unearthing Neglected and Emerging Issues of Section 1031 Real Estate Transactions," New York, NY, June 2004



Professor John E. Christensen Library Director and Professor of Law.

Presentations:

"Legal and Fact Research on the Web: Strategies and Selected Sources," Recent Developments CLE, Washburn University School of Law, June 24, 2005.

"Citizenship in the World," Merit Badge Challenge, Washburn University, Topeka, KS, February 5, 2005.

"Nature and Nurture: The client's family tree as a demonstration of the forces that shape our client's lives," Building the Mitigation Case CLE, Washburn University School of Law Center for Excellence in Advocacy, Topeka, KS, November 12, 2004.

"Videoconferencing in U.S. Law Schools," From Pedagogy to Practice: Maximizing Legal Education with Technology Conference, Technology Committee, American Bar Association Section of Legal Education and Admissions to the Bar, Newark, NJ, October 16, 2004.

"Technology: Effective Communication," J. Reuben Clark Law Society, Leadership Training Conference, Provo UT, September 30, 2004.

"Advanced Legal Research on the Internet: Selected Sources," Recent Developments CLE, Washburn University School of Law, Topeka, KS, June 25, 2004.



Professor Jim Concannon is Chair of the ABA accreditation site inspection, Chapman University School of Law in Orange, CA, and a member of the Study Committee for the Uniform Electronic Discovery Act of the National Conference

of Commissioners on Uniform State Laws.

Publications:

"Evidence," chapter in 2005 Annual Survey of Kansas Law, published by KBA (plus videotaped lecture for CLE)

Presentations:

Kansas Judicial Conference program on Evidence, Wichita, KS, October 18, 2004



Distinguished Professor of Law Linda D. Elrod is the Director of the Children and Family Law Center at Washburn Law. She is on the steering committee for the ABAon Unmet Legal Needs of

Children, is co-chair of the ABAPro Bono Child Custody and Adoption Project Advisory Board and on the grant sub-committee, Editor of the *Family Law Quarterly*, a section of the ABA Family Law Section; liaison to American Psychological Association; serves on the Kansas Supreme Court Advisory Committee on Child Support; is a Certified as Domestic Mediator by the Kansas Supreme Court; is a Task force participant in Wingspread Interdisciplinary Conference - AFCC and Hofstra Family Law Education Reform Project; and was appointed to the National Conference of Commissioners on Uniform State Laws, as a Reporter for a new Uniform Child Abduction Prevention Act. She was awarded the Distinguished Service Award by the Washburn University Alumni Association in April 2005 and sworn in at the United States Supreme Court, November, 2004.

Publications

2004 Supplements for 17 chapters of CHILD CUSTODY PRACTICE AND PROCEDURE (Thomson-West 1993); 2004 Supplements for 16 chapters in KANSAS FAMILY LAW (Thomson-West 1999).

A Review of the Year in Family Law: "Same-Sex" Marriage Issue Dominates Headlines, 38 FAM. L. Q. 777 (ABA2005)

Kansas Relocation Cases: In the Best Interest of the Child, XXVIII (4) J. Ks. TRIAL LAWYERS 13 (March 2005).

Washburn Law Celebrates a Century of Welcoming Women, 42 WASHBURN L. J. 853 (2004).

Faculty Notes

A Brief Look at The American Bar Association Standards of Practice for Lawyers Who Represent Children in Custody Cases, 2005 FAMILY LAW UPDATE 177 (Ron Brown & Laura Morgan, ed. 2005).

A Review of the Year in Family Law: Children's Issues Remain the Focus, 38 FAM. L. Q. 527 (ABA 2004).

Presentations:

Current Issues in Child Support - Child Support Enforcement Association Annual CLE Conference, Topeka, KS , May 27, 2005

Alice Doesn't Live Here Anymore - But Could She Take Her Child? Issues in Custody and Relocation, Kansas Legal Professionals, Emporia, KS, February 5, 2005.

Where do the Children Fit In? A Look at Washburn's Children and Family Law Center, Topeka Rotary Club Luncheon Speaker, Topeka, KS , October 18, 2004

Moderator - Show Me the Money: Financial Issues in Divorce, 17th Annual Family Law Institute Program, Topeka, KS , October 15, 2004,

Adoption and Safe Families Act: Where are We Now - Problems and Promise, Council of Appellate Staff Attorneys," 28th Annual Meeting, Park City, UT, July 24, 2004

Marriage and Family in the 21st Century, Council of Appellate Staff Attorneys," 28th Annual Meeting, Park City, UT, July 23, 2004

The Lawyer's Role in Preventing Parental Child Abduction: Looking at the Hague Convention, Kansas Women Attorneys Association Annual CLE, Lindsborg, KS , July 19, 2004,

Family Law Bar Review for BARBRI, June 30, Lawrence, KS and Topeka, KS, July 1, 2004



Professor John Francis received tenure and became Professor of Law

Publications:

Peremptory Challenges, Grutter and Critical Mass: A Means of Reclaiming the

Promise of Batson, 29 Vt. L. Rev. 297 (2005).



Professor Alex Glashausser was named to the panel of academic contributors for the ninth edition of Black's Law Dictionary.

Publications:

Of Digests and Parties, in Teaching the Law School Curriculum

(Steven Friedland & Gerald F. Hess eds., 2004)

What We Must Never Forget When It Is a Treaty We Are Expounding, 73 University of Cincinnati Law Review (forthcoming 2005)

Difference and Deference in Treaty Interpretation, 50 Villanova Law Review 25 (2005)

Presentations:

Controlling the Classroom, Remotely: presentation at conference, Pedagogy to Practice: Maximizing Legal Education with Technology, Rutgers University - Newark School of Law (2004)



Professor J. Lyn Entrikin Goering

Publications:

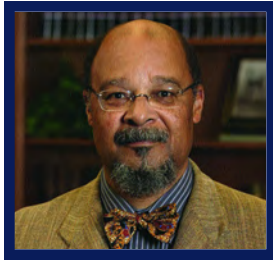
"A Vision for the Future: Integrating Legal Research and Writing Across the Law School Curriculum," 18 The Second Draft 19 (No. 2, June 2004)

"Legal Fiction of the 'Unpublished' Kind: The Surreal Paradox of No-Citation Rules and the Ethical Duty of Candor," 1 Seton Hall Cir. Rev. 27 (2005)

Presentations:

"Designing Realistic Writing Assignments Using the Federal Case Management/ Electronic Case Files System (CM/ECF)," Fifth Annual Rocky Mountain Regional Legal Writing Conference, Arizona State University College of Law, March 11-12, 2005

Faculty Notes



Professor Ronald C. Griffin

Publications:

"Nafta," Encyclopedia for the Great Plains, University of Nebraska Press (2004).
Vernon's Kansas Statutes Annotated, Uniform Commercial Code, Volumes 7-9 (Supplement 2005).

Presentations:

"Tolerance on the 21st Century," Gordon Parks Centre for Diversity, Fort Scott Junior College, Fort Scott, KS, May 2005.

"On Farming," School of Law, Notre Dame University, April 2005.

"Diversity's Entanglements," Leadership Greater Topeka, Topeka Chamber of Commerce, April 2005

"Nature of Equality," Sunrise Optimist Club, Washburn University, April 2005.

"Brown at 50," School of Law, University of South Dakota, November 2004.

"Brown v Bd of Education," University Forum, University of Kansas, October, 2004

"Short History of the Midwest People of Color Legal Scholarship Conference," School of Law George Washington University, October 2004



Professor Jeff Jackson

Publications

"The Power to Suspend Habeas Corpus: An Answer from the Arguments Surrounding Ex Parte Merryman," 34 U. Balt. L. Rev. 11 (2004)

"The Daubert Trilogy in the States," 44 Jurimetrics J. 351 (2004)
(with David E. Bernstein).



Professor Ali Khan

Publications:

"Nuclear Non-Proliferation Treaty Poised to Fall Apart," Counterpunch (May 4, 2005). See also: Statesman (May 5, 2005); Jurist (May 5, 2005); Planeta Porto

Alegre.net (May 5, 2005) (English version and Portuguese translation).

"The Devil's Work: Bush's Minority Appointments," Counterpunch (November 26, 2004). See also: Statesman (November 27, 2004); Jurist (November 29, 2004); Daily Star (online edition) (November 30, 2004); La Prensa San Diego (online edition) (December 3, 2004); Baltimore Chronicle & Sentinel (online edition) (December 17, 2004).

"The Jihad of Alan Dershowitz," Counterpunch (September 30, 2004). See also: "La Yihad de Alan Dershowitz," Rebelión (October 3, 2004); Daily Star (online edition) (December 5, 2004). Professor Khan's article, "The Jihad of Alan Dershowitz," is based upon a July 27, 2004 telephone interview. Listen to Part 1 (43:47 minutes) and Part 2 (2:20 minutes) (requires Windows Media Player).

"The Murder They Wrote: US Plots to Assassinate Pakistani Ambassador," Axis of Logic (August 11, 2004). See also: Jurist (August 16, 2004); Daily Star (online edition) (August 16, 2004); Statesman (online edition) (August 22, 2004).

"US Veto Over the Wall Threatens the Rule of Law," Palestine Chronicle Weekly Journal (July 25, 2004). See also: Daily Star (online edition) (July 25, 2004); Baltimore Chronicle & Sentinel (online edition) (July 26, 2004); Taipei Times (online edition) (July 28, 2004); Gulf Daily News (online edition) (July 27, 2004); Axis of Logic (August 3, 2004).

"Alif for Allah, Baa for Bush," Baltimore Chronicle & Sentinel (online edition) (January 25, 2005). See also: Bitácora Internacional (April 14, 2005).

"Who is feeding the Bin Laden legend?," Statesman (online edition) (December 27, 2004). See also: Daily Star (December 28, 2004); Counterpunch (December 29, 2004); Taipei Times (January 2, 2005); The Hindu (online edition) (January 4, 2005); Bangladesh Observer (scroll down the page) (online edition) (January 19, 2005).

Faculty Notes

"From William Franklin to Omar Hazim: An Islamic American Story," Daily Star (online edition) (September 5, 2004). See also: Statesman (online edition) (September 30, 2004).

Presentations

Panel participant-Science & Creation : Views from the People of Fate, Kansas State University for the Understanding of Origins, April 4, 2005



Professor Nancy G. Maxwell was the Program Director of the Washburn University-Utrecht University Summer Law Program in Utrecht, the Netherlands, July 2-August 13, 2004, co-teaching Special Issues in Comparative U.S.-European Family Law with Ian Sumner of the Molengraaff Institute for Private Law,

University of Utrecht, the Netherlands. In addition, she has been the Program Administrator for the 2004-05 academic year. She is a member of the Family Law Advisory Committee of the Kansas Judicial Council, which studies and drafts family law legislation that is proposed to the Kansas Legislature.

Publications:

"The Inadequacies in U.S. and Dutch Adoption Law to Establish Same-Sex Couples as Legal Parents: A Call for Recognizing Intentional Parenthood," 38 *Family Law Quarterly* 623 (2004) (Symposium on International Law Issue) with Caroline J. Forder, Professor of European Family Law, University of Masstricht, the Netherlands.



Professor Aliza Organick

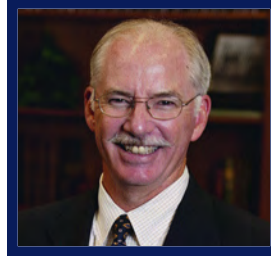
Presentations:

Co-Presenter, *Taking Voting Rights Seriously: Is Race Undermining our Commitment to Democracy?*, Midwest People of Color Legal Scholarship Conference, Notre Dame Law School, April 7-10, 2005, South Bend, IN

Presenter, Practical & Ethical Considerations in Representing the Incapacitated Client-*Representing Juvenile Offenders & Children*, Children and Family Law Center CLE, April 1, 2005, Topeka, KS

Presenter, Juvenile Law Conference- *Kansas and the Indian Child Welfare Act: Are We Getting it Right?*, Kansas Association of Counsel for Children CLE, March 4, 2005, Topeka, KS

Presenter, New Clinicians Workshop- *Now that I've Gotten the Job, What Do I Do With It, and How Can I Be Certain I'm Getting Better at It?*, Rocky Mountain Regional Clinic Conference, 100 Years of Legal Education, October 22-24, 2004, Denver, CO



Professor David Pierce is Secretary, Executive Committee, Rocky Mountain Mineral Law Foundation, Denver, CO and Counsel, CASA of the 31st Judicial District, Iola, KS.

Publications

Hemingway Oil and Gas Law and Taxation (West 4th ed. 2004) (co-author with Professors Owen L. Anderson, John S. Dzienkowski, John S. Lowe, Robert J. Peroni, and Ernest E. Smith).

"Effective Top Leasing and Mysteries of the Habendum Clause," 26 Oklahoma Bar Ass'n Min. L. Newsletter 2 (2005).

"The Renaissance of Law in the Law of Oil and Gas: The Contract Dimension," 42 Washburn L. J. 909 (2004).

"Defining the Role of Industry Custom and Usage in Oil & Gas Litigation," 57 SMU Law Rev. 387 (2004).

"Exploring the Origins of Royalty Disputes," 23 Petroleum Accounting and Financial Management J. 72 (2004).

"Evaluating the Jurisprudential Bases for Ascertaining or Defining Coalbed Methane Ownership," 4 Wyoming L. Rev. 607 (2004).

"Solving the Mineral Conundrum," 24 J. of Land, Resources & Environmental Law 301 (2004).

Presentations

"Common Contractual, Property, and Security Issues Associated with Production and Marketing Agreements," Oil and Gas Agreements: The Production & Marketing Phase, Rocky Mountain Mineral Law Foundation, One-hour presentation. Santa Fe, NM, May 19, 2005

Faculty Notes

"Effective Top Leasing and Mysteries of the Habendum Clause," The Eugene Kuntz Conference of Natural Resources Law & Policy, One-hour presentation. Oklahoma City, OK, November 12, 2004

"The Prudent Operator and the Oklahoma 'Marketable Product' Rule," Oklahoma Bar Association Annual Meeting, Oil, Gas, and Mineral Law Section, One-hour presentation. Oklahoma City, OK, November 11, 2004

"Basic Contract Principles Impacting Exploration Projects," Special Institute on Oil and Gas Agreements: The Exploration Phase," Rocky Mountain Mineral Law Foundation, Fifty-minute presentation. Santa Fe, NM, May 20, 2004

"Technical Aspects of Oil & Gas Exploration, Production, and Marketing," "Environmental Regulation of the Oil & Gas Industry," "Common Interests Created in Oil & Gas," "Drafting Oil and Gas Instruments: Conveying Mineral Interests and Assigning Leasehold Interests," Oil & Gas Short Course, Center for American and International Law and the Rocky Mountain Mineral Law Foundation, Five-hours of presentation. Houston, TX, October 26, 2004

"Representing Farmers in Oil & Gas Transactions," 4th Annual Agricultural Law Conference II, Kansas Bar Association, Fifty-minute presentation. Topeka, KS, September 10, 2004

"Recent Developments in Oil & Gas Law," 29th Annual KIOGA Oil and Gas Conference, Kansas Independent Oil and Gas Association & Kansas Bar Association, Fifty-minute presentation. Wichita, KS, August 6, 2004

"Royalty Calculation Developments," Independent Petroleum Association of America (IPAA), 50th Annual Rocky Mountain Mineral Law Institute. Luncheon speaker. Vail, CO, July 23, 2004



Professor Mary Kreiner Ramirez

Publications:

Winter/December 2005:
The Science-Fiction of Corporate Criminal Liability: Containing the Machine Through the Corporate Death Penalty

Author, Article accepted for publication and to be published in the *Arizona Law Review*, Vol. 47, in Winter/December 2005.

Presentations:

Recent Reforms Aimed at Achieving Transparency, Improved Ethics and Deterrence in Corporations. Presenter, Washburn Law School CLE seminar, "Enron Three Years Later: A White Collar Crime Scoreboard." October 21, 2004, Kansas City, MO

Red Hot Issues in White Collar Crime. Moderator, Washburn Law School CLE seminar, "Enron Three Years Later: A White Collar Crime Scoreboard." October 22, 2004, Topeka, KS

The Science-Fiction of Corporate Criminal Liability: Containing the Machine Through the Corporate Death Penalty. Presenter, Washburn Law School, Faculty Scholarship Seminar. November 12, 2004, Topeka KS

Recent Developments in Whistle-Blower Protection. Presenter, Washburn Law School CLE seminar, "Recent Developments in the Law." June 23, 2005, Topeka, KS



Professor Steve Ramirez is Director of the Business and Transactional Law Center at Washburn Law.

Publications:

What We Teach About When We Teach

About Race: The Problem of Law and Pseudo-Economics, 54 *J. Leg. Edu.* 365 (2004).

Games CEOs Play: Why Diversity Lags in America's Boardrooms and What to do About it, 61 *Wash. & Lee*

Faculty Notes

L. Rev. 1583 (2004).
Brown and the Myth of the Equality/Efficiency Tradeoff: Bearing the Costs of Economic Inequality, 44 Washburn L. J. 87 (2004).

Presentations:

Choice of Business Entity and the Perfect Legal Storm, Washburn Business & Transactional Law Center, January 2005

Third Annual Corporate Counsel Institute: Recent Developments in Kansas Financial Regulation, Washburn Business & Transactional Law Center, April 2005

The End of Corporate Governance Law: Optimizing Regulatory Structures for a Race to the Top, Loyola University Scholarship Workshop, October 2004

The Limits of Non-Racial Racial Reform: Lessons From Corporate Diversity, George Washington University, National People of Color Conference, October 2004

Durable Economic Inequality and the Election of 2004: Is Race Central to the Destruction of Middle America?, William Mitchell faculty colloquium and Notre Dame Law School, Spring of 2005

The Modern Corporation and Problems of Governance, Externalization, and Internalization, St. John's University Symposium, March 2005

Taking Voting Rights Seriously: Is Race Undermining our Commitment to Democracy?, Washburn and Notre Dame Law School, Spring 2005



Professor Sheila Reynolds serves on the Kansas Judicial Council, Advisory Committee on Forms; KBA Ethics 2000 Task Force and the KBA Ethics Advisory Committee.

Publications:

Obtaining Valid Waivers of Conflicts of Interest, 74 J. Kan. Bar Asso. (June 2005).

Presentations

"Preventing Legal Malpractice: How Much Financial Discovery is Enough?" Washburn Law School Family & Children Law Center, Topeka, KS, Oct. 15, 2004

"Recognizing and Dealing with Client Fraud," Wichita Bar Ass'n, Wichita, KS, Nov. 19, 2004

"Five Problems: Representation of Incapacitated Clients," Kansas Legal Services, Topeka, KS, Dec. 15, 2004

"Ethical Considerations in Representing Elderly Clients," Washburn Law School Family & Children Law Center, Topeka, KS, April 1, 2005

"Ethics in Negotiations," Kansas Dept. of Administration, Legal Section, Topeka, KS, April 15, 2005

"Lawyers Faced with Client Fraud: Avoiding Liability," Washburn Law School, Topeka, KS, June 24, 2005



Professor Rob Rhee

Publications:

Terrorism Risk in a Post-9/11 Economy: The Convergence of Capital Markets, Insurance and Government Action, 37

Arizona State Law Journal 435 (2005)



Associate Dean Bill Rich

was appointed to Chair the Behavioral Health Subcommittee of the Kansas Criminal Justice RRR Committee which is engaged in a comprehensive review of problems involving mental

illness within the criminal justice system.

Publications:

Modern Constitutional Law, Volumes 1, 2 and 3, 2004 Supplement.

"Betrayal of the Children with Dolls: The Broken Promise of Constitutional Protection for Victims of Race Discrimination," 90 Cornell Law Review 419 (2005).

