

# Faculty Plaudits

## **Assoc. Dean Kelly**

**Anders** was appointed to the 2006 Class of Leadership Greater Topeka for the Topeka Chamber of Commerce.



## **Professor Brad Borden**

is the Vice-Chair of the Sales of the Exchanges and Basis Committee of the American Bar Association section of Taxation.

### Publications:

*The Federal Definition of Tax Partnership*, 43 HOUS. L. REV. (forthcoming, accepted for publication in April 2006).

*Revisiting the Federal Tax Definition of Partnership and the § 761(a)(1) Election in the TIC Environment*, 47 TAX MGT. MEMO. 51 (Feb. 6, 2006).

*How to Structure Like-Kind Exchanges*, TAX ADVISORS PLANNING SERIES (RIA).

*Comments Regarding Notice 2004-53 and the Proper Federal Income Tax Classification of Entities*, (principal author with Sandra Favelukes and Todd Molz).

### Presentations:

"Automation of Rule-Oriented Tax Computations," American Bar Association Section of Taxation and Section of Real Property, Probate and Trust Law, Sales, Exchanges and Basis Committee Meeting, Panelist, San Francisco, Calif., Sept. 2005.

"Real Estate Exchanges: All State Survey," American Bar Association Section of Taxation and Section of Real Property, Probate and Trust Law, Sales, Exchanges and Basis Committee Meeting, Panelist, San Francisco,

Calif., Sept. 2005.

"Tax and Legal Issues in Partnership Formation," 42<sup>nd</sup> Annual Kansas Accountants Tax Conference, Topeka, Kan., Oct. 2005 (with Craig J. Albers and Kevin D. Chambers).

"New Ideas in Tax-Deferred Exchanges," 47<sup>th</sup> Annual Idaho State Tax Institute, Pocatello, Idaho, Nov. 2005 (with Max Hansen).

"Revisiting the Federal Tax Definition of Partnership and the Section 761(a)(1) Election in the TIC Environment," CBIZ Tax Conference 2005, "Exchanges of Partnership Interests for Services," Tucson, Ariz., Nov. 2005.

"Sales and Exchanges: Current Developments," American Bar Association Section of Taxation and Section of Real Property, Probate and Trust Law, Sales, Exchanges and Basis Committee Meeting, Panelist, San Diego, Calif., Feb. 2006 and BNA Tax Management Advisory Board, New York, N.Y., Dec. 2005.

## **Professor Jim Concannon**

is on the Ad Hoc Committee of the Kansas Bar Association to recommend whether to adopt a KBA policy on responding to unjust criticism of judges. In Spring 2007 he will become Chair of ABA/AALS



accreditation site inspection team for the University of Wyoming.

### Publications:

Kansas Criminal Law Handbook (4th Ed. 2006) - Chapters 18 (Witnesses), 19 (Relevance and Extrinsic Policies Affecting

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Admissibility), 22 (Judicial Notice) and 23 (Privileges)

2006 Kansas Annual Survey - Chapter 14 (Evidence) (and videotaped CLE presentation)

#### Presentations:

“History of the Washburn Law Clinic,” 35th Anniversary Celebration of Washburn Law Clinic, Topeka, Kan., Sept. 10, 2005.

“*Montoy*, Separation of Powers and Judicial Selection,” Panelist at Leadership Kansas, Oct. 27, 2005 and Associated Press Day at the Capital, March 14, 2006.

“Evidence Issues in Bankruptcy,” Topeka Area Bankruptcy Council, Nov. 16, 2005.



#### **Distinguished Professor**

**Linda Elrod** was reappointed in Aug. 2005, to the National Conference of Commissioners Joint Editorial Board for Uniform Family Laws; appointed to the ABA Steering Committee on the Unmet Legal Needs of

Children, Aug. 2002 -2005; Co-Chair of the ABA Pro Bono Custody and Adoption Project Advisory Board; Family Law Section Representative to the National Conference of Commissioners on Uniform State Laws Joint Editorial Board for Family Law; reappointed by the ABA Family Law Section as Editor of the *Family Law Quarterly*; on the Kansas Supreme Court Advisory Committee on Child Support; and is a Certified Domestic Mediator by the Kansas Supreme Court. She received the 2006 Woman of Distinction by the Career Chapter of the American Business Women's Association.

#### Publications:

2005 Supplements for 17 chapters of CHILD CUSTODY PRACTICE AND PROCEDURE (West Group Rev. ed. 2004).

2005 Supplements for 16 chapters in KANSAS FAMILY LAW (Thomson West 1999).

*States Differ on Relocation: A Panorama of Expanding Case Law*, 28 (4) FAMILY ADVOCATE 8 (2006).

*A Review of the Year in Family Law: Parentage and Assisted Reproduction Problems Take Center Stage*, 39 Family Law Quarterly 879 (2006).

*Family Law and Human Rights: The United States Perspective*, 7 International Law FORUM du droit international 167 (2005)

#### Presentations:

NITA/HOFSTRA Child Advocacy Program, instructor, June 13-18, 2005.

“Balancing the Constitutional Interests of Parents and Children in Relocation Cases” and moderated Panel on Child Custody, International Society of Family Law, July 19-23, 2005.

Presented first draft of Uniform Child Abduction Prevention Act for first reading at annual meeting of the National Conference of Commissioners on Uniform State Laws in Pittsburgh, Pa., July 25-28, 2005.

“Update on Family Law: Current Trends” Council of Appellate Staff Attorneys, Dallas, Texas, July 29, 2005.

“Relocation Issues - Best Interests of the Child?” Council of Appellate Staff Attorneys, Dallas, Texas, July 30, 2005.

“Adoption and Safe Families Act: Where are We Now?” Governor's Conference on Juvenile Justice, Aug. 2, 2005.

“Geographical Restrictions in Initial Custody Decrees,” Hot Tips from the Expert Program, ABA Annual Meeting, Chicago, Ill., Aug. 7, 2005.

“Balancing the Interests of Parents and Children in Relocation Cases” and Coordinator, 18<sup>th</sup> Annual Family Law Institute Program, Topeka, Kan., Sept. 16, 2005.  
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"The Friendly Parent as a Factor in Custody Cases" ABA FLS Fall Meeting in San Diego, Calif., Sept. 29, 2005.

"Do We Need a Constitutional Amendment Barring Same Sex Marriage" Debate with Professor Lynn Wardle, Brigham Young University Law School, Federalist Society, Washburn University School of Law, Topeka, Kan., Nov. 8, 2005.

Invitee to special Conference on Representing Children in Families: Ten Years After the Fordham Conference, William S. Boyd School of Law, Las Vegas, Nev.; served on committee looking at International Law and Child Representation, Jan. 11-14, 2006.

"The Changing American Family - Where do We Go from Here?," Keynote Speaker for the Presbytery of Northern Kansas quarterly meeting, Jan. 21, 2006.

Expert Discussant on two papers - "The State of Paternity Establishment" and "Implications of Principles of Family Law" - at Emerging Issues in Paternity Establishment: Expert Symposium, Washington D.C., Jan. 25, 2006.

Invitee to Think Tank on Youth at Risk sponsored by the American Bar Association and Hofstra University School of Law, Hempstead, N.Y., Feb. 2-4, 2006.

"Preventing Abduction in Child Custody Disputes" Workshop for the Association of Family and Conciliation Courts 43<sup>rd</sup> Annual Conference, Tampa, Fla., June 1, 2006.

"What's Wrong with Children's Rights," Plenary Session for the Association Family and Conciliation Courts 43<sup>rd</sup> Annual Conference, Tampa, Fla., June 2, 2006.

## Associate Dean

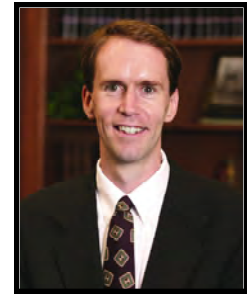
**Alex Glashausser** became Associate Dean for Academic Affairs at Washburn University School of Law July 2006, replacing Bill Rich.

### Publications:

Panel of Academic Contributors, *Black's Law Dictionary* (9th edition).

### Presentations:

"Tort Law and Safety": lecturer to visiting student group, Spring 2006.



## Professor Lyn Goering

has been appointed to Washburn University's Institutional Review Board.

### Publications:

*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:

"Judicial Review of Administrative Rules and Regulations," Continuing Legal Education Seminar sponsored by Kansas Department of Administration, April 14, 2006.



## Professor Jeffrey Jackson

### Publications:

*The Modalities of the Ninth Amendment: Ways of Thinking about Unenumerated Rights Inspired by Phillip Bobbit's Constitutional Fate*, 75 Miss L.J., (2006).

*Beyond Quality: First Principles in Judicial*



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*Selection*, 34 Fordham Urb. L.J. (2006).

## Presentations:

“Beyond Quality,” Symposium on Rethinking Judicial Selection: A Critical Appraisal of Appointive Selection of State Court Judges, Fordham University School of Law, April 7, 2006.

**Professor L. Ali Khan** has been Elected President of Islamic Center of Topeka, Kan.



## Publications:

*The Essentialist Terrorist*, 45 *Washburn L.J.* 47 (2005)

*Lesson that City Bombers Need to Learn*, Accra Daily Mail, (online edition, July 26, 2005).

See also: Statesman (online edition, July 29, 2005); The Daily Star (July 31, 2005); Counterpunch (July 30/31, 2005); Wichita Eagle (online edition) (Aug. 3, 2005).

*Friendly Renditions to Muslim Torture Chambers*, Counterpunch (June 6, 2005). See also: Daily Star (June 7, 2005); Statesman (June 8, 2005); Baltimore Chronicle & Sentinel (online edition, June 7, 2005).

*Is There a Right to Armed Struggle?*, Counterpunch (Aug. 27/28, 2005). See also: Statesman (Aug. 31, 2005); Daily Star (June 7, 2005); “The Changing Right of Armed Struggle,” Baltimore Chronicle & Sentinel (online edition, Sept. 16, 2005, updated).

*The New Commandment on Political Murders: Thou Shalt Not Kill— But We Will*, Baltimore Chronicle & Sentinel (online edition, Oct. 29, 2005). See also: Statesman (Oct. 29, 2005); Daily Star (Oct. 30, 2005).

*The Invention of Porno Torture*, Counterpunch (Sept. 28, 2005). See also: Daily Times (Oct. 3, 2005); Daily Star (Oct. 7, 2005).

*The Essentialist Terrorist*, MWC News Magazine (Nov. 22, 2005). See also: Daily Star (Nov. 27, 2005); Baltimore Chronicle & Sentinel (online edition, Nov. 28, 2005).

*The Challenges of Maximalist Democracy*,

MWC News Magazine (Jan. 29, 2006). See also: Daily Star (Feb. 1, 2006); Baltimore Chronicle & Sentinel (online edition, Feb. 6, 2006); Daily Times (Feb. 6, 2006).

*Islam as Intellectual Property and Commentary on the Constitution of Medina*, in *Understanding Islamic Law: From Classical to Contemporary* (Alta Mira Press, April 2006).

*Hagarism: The Story of a Book Written by Infidels for Infidels*, Baltimore Chronicle and Sentinel (online edition, April 26, 2006). See also: The Daily Star (April 8, 2006); MWC News (April 30, 2006).

*A Theory of International Terrorism: Understanding Islamic Militancy*. (Martinus Nijhoff, May 2006).

## Presentations:

“God and War,” Symposium participant, Barry University School of Law, Orlando, Fla., March 2006.

“The Future of Islamic Law Scholarship,” Symposium participant, Michigan State University School of Law, April 2006.

**Professor Nancy G. Maxwell** was appointed



Director of International Legal Programs for Washburn University School of Law, Aug. 2005. She was inducted as a member of Beta Phi Chapter (Washburn University)

of Phi Beta Delta, Honor Society for International Scholars, Dec. 2005.

## Presentations:

“Comparing Gay Parent Adoption Cases with Child Custody Cases” with Richard Donner, Ph.,D., Washburn University Social Work Department at “In the Interest of the Children: Gay & Lesbian Parenting Issues and

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Perspectives in Adoption, Custody and Foster Care” sponsored by the Washburn University Department of Social Work, Kansas Unity and Pride Alliance, and Metropolitan Community Church, Topeka, Kan., Dec. 5, 2005.

**Professor Bill Merkel** spent May through Aug. 2006 as a stipendiary research fellow at the International Center for Jefferson Studies at Monticello in Charlottesville, Va., continuing his work on Jefferson, slavery, and early-American legal and constitutional thought.



Publications:

*Mandatory Gun Ownership, The Militia Census of 1806, and Background Assumptions Concerning the Early American Right to Arms: A Cautious Response to Robert Churchill*, 25 LAW & HIST. REV. (forthcoming 2007).

*A Cultural Turn: Reflections on Recent Historical and Legal Writing on the Second Amendment*, 17 STAN. L. AND POL. REV., 101(2006).

“Jefferson’s Failed Anti-Slavery Proviso of 1784 and the Nascence of Free Soil Constitutionalism,” Stanford/Yale Junior Faculty Forum, June 2006.

Presentations:

*The New Contextual History of Marbury v. Madison*, Oxford University Graduate Seminar in American History, Oxford, England, May 16, 2005.

“The Second Amendment: Old Problems, New Paradigms,” at Stanford Law School, Sept. 16, 2005.

“The Constitutional Right to Arms, Covenant Theology, and the Coming ‘Rapture,’” British

Association of American Studies Conference, Canterbury, England, April 22, 2006.

History Honors Society at Washburn University, presentation regarding the draft Iraqi Constitution in Oct. 2005, and about the Second Amendment, April 2006.

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



Publications:

*Hemingway Oil and Gas Law and Taxation* (West 4th ed. 2005) (co-author with Professors Owen L. Anderson, John S. Dzienkowski, John S. Lowe, Robert J. Peroni, and Ernest E. Smith).

*Interpreting Oil and Gas Instruments*, 1 Texas J. Oil, Gas & Energy L. 1 (2006).

*Surrounding Circumstances’ Evidence in Natural Resources Litigation and the Effective Use of Daubert to Manage Expert Testimony*, 51 Rocky Mtn. Min. L. Inst. 13-1 (2005).

*Effective Top Leasing and Mysteries of the Habendum Clause*, 26 Okla. Bar Assn. Min. L. Newsl. 2 (2005).

*The Renaissance of Law in the Law of Oil and Gas: The Contract Dimension*, 29 Oil, Gas and Energy Res. Sec. Rep. No. 4 (2005) (State Bar of Texas reprint of article appearing at 42 Wash. L.J. 909).

Presentations:

“Recent Developments in Evidence: Relevancy, Reliability, and the Interaction of Property and Contract Law with the Law of Evidence,” Washburn University School of Law, Topeka, Kan., June 23, 2005.

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“Temporal Context and Usage Evidence in Natural Resources Litigation and the Effective Use of Daubert to Manage Expert Testimony,” 51st Annual Rocky Mountain Mineral Law Institute, Portland, Ore., July 22, 2005.

“Recent Developments in Oil & Gas: Case Law Update,” 30th Annual KBA/KIOGA Conference, Wichita, Kan., August 5, 2005.

“Common Interests Created in Oil & Gas,” “Technical Aspects of Oil & Gas Exploration, Production, and Marketing,” “Implied Covenants,” “Environmental Regulation of the Oil & Gas Industry,” “Drafting Oil and Gas Instruments: Conveying Mineral Interests and Assigning Leasehold Interests,” Oil and Gas Law Short Course, Boulder, Colo., Oct. 18, 2005.

**Professor Sheila Reynolds** is on the Legal Forms Advisory Committee for the Kansas Judicial Council and the Ethics Advisory Committee for the Kansas Bar Association.



Publications:  
*Remedying Client Fraud*, 75 J. Kan. Bar Assn., June 2006.

Presentations:  
“Ten Problems in Negotiation Ethics: Misrepresentation and Settlement Conditions,”

Washburn Law Clinic 35th Anniversary Dinner, Topeka, Kan., Sept. 10, 2005.

“Family Law Malpractice Issues,” Washburn Family Law Center, Topeka, Kan., Sept. 16, 2005.

“How to Teach Students to Tell Stories Effectively,” panel presentation at the 2005 Midwest Conference on Clinical Education, Washburn Law School, Topeka, Kan., Oct. 7, 2005.

“Insurance Ethics: Where Do Your Loyalties Lie?” Kansas Bar Association Annual

Insurance Institute, Topeka, Kan., Oct. 28, 2005.

“Professionalism,” Kansas Bar Association Orientation to Kansas Practice, Topeka, Kan., May 19, 2006.

**Interim Dean and Professor Bill Rich** has been appointed Interim Dean for Washburn University School of Law until a permanent dean is hired.



Publications:  
Modern Constitutional Law, Volumes 1, 2 & 3, 2006 Supplements.

“Lessons of Charleston Harbor: The Rise, Fall and Revival of Pro-Slavery Federalism,” 36 McGeorge L. Rev. 569 (2005).

Presentations:  
“School Finance and the Kansas Legislative Response,” Topeka Bar Association, Aug. 5, 2005.

“Contemporary Constitutional Issues,” Bethel College Convocation, Sept. 9, 2005.

“Constitutional Dimensions of Eminent Domain,” Kansas Legislative Committee on Joint Economic Development, Oct. 11, 2005.

“*Kelo v. New London* and the Public Use Doctrine,” Kansas Association of Counties, Nov. 21, 2005.

Same Sex Marriage Debate, Dorothy L. Thompson Civil Rights Lecture Series, Kansas State University, Moderator, April 5, 2006.