The Berkeley Law faculty is enormously prolific, and I wanted in this booklet to provide you a sense of what makes this such a thrilling time for the law school. As you might have seen, a recent study of faculty scholarly impact, released in August by University of St. Thomas Professor Gregory Sisk, ranks the current Berkeley Law faculty seventh in the country.

As you read these pages, I think you’ll also be struck by the strength of the Berkeley Law faculty in a wide array of fields and disciplines. Once more, U.S. News and World Report ranked Berkeley Law’s intellectual property program first among all in the country. Our environmental law program was ranked third in the country. Our international law program and our clinical program were in the top 10. Another survey ranked our business law faculty third in the country.

Also, as featured in these pages, the law school has added four new wonderful faculty members. Seth Davis, who was a professor at University of California, Irvine, writes about Indian law and federal jurisdiction. Frank Partnoy, who was a professor at the University of San Diego, writes about corporate law. Erik Stallman joins us as a clinical professor in the Samuelson, Technology and Public Policy Clinic. And Rebecca Wedler, who will join us as an assistant professor, will teach in the areas of evidence law and intellectual property. We also are embarking on an ambitious new hiring plan that could add as many as 20 new faculty members over the next five years.

Meanwhile, we continue to create new centers. This fall, we announced the creation of the Berkeley Judicial Institute, directed by Judge Jeremy Fogel; the Law, Economics and Politics Program, directed by Professor Aaron Edlin; and the Center on Race, Sexuality and Society, directed by Professor Russell Robinson. Last year, we created a Center on Consumer Law and Economic Justice and also the Civil Justice Research Initiative (together with UC Irvine Law School). These join a large number of centers that together focus on almost every major area of law.

Berkeley Law is a very special place. No law school in the nation has a greater commitment to public service. This is the most intellectually vibrant law school that I have ever seen. On a daily basis, there are many speakers, workshops, and conferences.

I am tremendously proud to be part of Berkeley Law and to lead it into this exciting new era. I hope you will enjoy this booklet, which provides just a glimpse of some of the great things about this law school.

Warm regards,

Erwin Chemerinsky
Four Score: Standout Quartet Joins Berkeley Law Faculty

By Andrew Cohen

Berkeley Law has added four accomplished educators to its faculty, three of whom just began teaching at the school. One is an alumna who comes back home to work on technology law, all four relish the opportunity to work at a school with an ethos of serving the public good and innovating in legal education.

Frank Partnoy

A prominent expert on financial markets and fraud, Partnoy taught at the University of San Diego School of Law for 21 years, directing its Center for Corporate and Securities Law, and won its Thorsnes Prize for Excellence in Teaching three times. Partnoy is the author of seven books, Partnoy is an international research fellow for Oxford University and a member of the Financial Economists Roundtable.

“I’m fascinated by markets and by questions about when they fail and treat people poorly,” he says. “Many aspects of the markets can offer such a wide range of courses and the chance to shareholder activists.”

Seth Davis

In four years at UC Irvine School of Law, Davis was twice named Upper Level Courses Professor of the Year. Researching and writing on federal litigation, administrative law, federal Indian law, and property law, his work has appeared in many law reviews, specialty law journals, and amicus briefs.

A Columbia Law School graduate, Davis clerked for Judge Douglas Ginsburg of the U.S. District of Columbia Circuit Court of Appeals and was a litigation associate at Stelmeng & Myers. There, he specialized in appellate litigation and financial services regulatory law and did extensive pro bono work with Indian Nations and international organizations.

“I’m excited to join a world-class faculty and I’m looking forward to contributing to the school’s commitment to public interest work,” Davis says of joining Berkeley Law. He lauds the schools “commitment to social justice and public interest work, deep strengths in the study of law and society and of martial law, and political theory, and more generally its commitment to interdisciplinary scholarship.”

The author of seven books, Partnoy is an international research fellow for Oxford University and a member of the Financial Economists Roundtable.

Rachel Stern

Professor of Law and Political Science

Rachel Stern is a professor of law and political science. Her research explores the relationship between law, power, social change and globalization, particularly in Mainland China and Hong Kong. Her recent work focuses on the role courts play in authoritarian states as well as the political dynamics surrounding environmental regulation and activism in China.

I’m excited to join a community that shares a goal of serving the public good,” says Wexler, who will teach Evidence Law and a seminar next year. “Since I work on issues at the intersection of technology and law, I’m also thrilled that Berkeley has such an inspiring tech-law faculty.”

Andrew Bradt

Professor of Law

Andrew Bradt is a scholar of civil procedure, conflicts of law, and remedies. His current research focuses on the adaptation of procedural and choice-of-law systems to large-scale multidistrict litigation, with a particular interest in federal multidistrict litigation. Bradt’s scholarship has been published in the California Law Review, the University of Pennsylvania Law Review, the Northwestern Law Review, the William & Mary Law Review, the Washington University Journal of Law and Policy, the Journal of Alternative Dispute Resolution, the California Bar Journal, and other journals.

Karen Tani

Professor of Law

Karen M. Tani is a scholar of the welfare rights movement. Her work focuses on the role courts play in administrative law, the relationship between law, power, social change and globalization, particularly in Mainland China and Hong Kong. Her current work focuses on the role courts play in authoritarian states as well as the political dynamics surrounding environmental regulation and activism in China.

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Tenure Promotions for 2018

Roxanna Altholz

Clinical Professor of Law

Roxanna Altholz ’99 is an international human rights lawyer and scholar with extensive experience in international and national fora. Altholz has won several ground-breaking judgments from the Inter-American Court of Human Rights, provided expert testimony before UN human rights groups, and initiated legal actions on behalf of human rights activists in U.S. federal courts. She has also developed advocacy and research initiatives to address human rights violations suffered by immigrant communities in California’s Central Valley, to understand accountability mechanisms for private companies operating internationally, and to improve the effectiveness of the Inter-American human rights system.

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Here is a sampling of their many recent books.

**David A. Carrillo**
The Icelandic Federalist Papers
INSTITUTE OF GOVERNMENTAL STUDIES PRESS, 2018
For the past ten years the people of Iceland have debated whether their nation needs a new constitution, and what a new charter should say. This volume is a collection of 21 essays written by an international team of scholars analyzing arguments for and against the proposed new constitution written by the drafting council appointed by Iceland’s parliament. This collection is modeled on the Federalist Papers written by Alexander Hamilton, James Madison, and John Jay. Like the original work, this collection is primarily an analysis of the defects in Iceland’s present constitution and an explanation of the proposed new constitution’s benefits.

**Erwin Chemerinsky**
Free Speech on Campus
YALE UNIVERSITY PRESS, 2017
Hardly a week goes by without another controversy over free speech on college campuses. In this clear and carefully reasoned book, Chemerinsky and Howard Gillman argue that campuses must provide safeguards for an increasingly diverse student body, but can never restrict the expression of ideas. This book provides the background necessary for understanding the importance of free speech on campus and offers prescriptions for what colleges can and can’t do when dealing with free speech controversies.

**Melvin A. Eisenberg**
Foundational Principles of Contract Law
OXFORD UNIVERSITY PRESS, FORCOMING 2018
Foundational Principles of Contract Law not only sets out the principles and rules of contract law, it places more emphasis on what the principles and rules of contract law should be, based on policy, morality, and experience. A major premise of the book is that the best way to grasp contract law is to understand it from a critical perspective as an organic, dynamic subject. When contract law is approached in this way it is much easier to grasp and learn than when it is presented simply as a static collection of principles and rules.

**James X. Dempsey**
Basic Contract Law, 10th Edition
WEST ACADEMIC PUBLISHING, 2018
The Concise Edition is a streamlined version for a four-unit course. It omits note materials and cases and a few principal cases. The Tenth Edition continues the approach of earlier editions in emphasizing rich, full-bodied versions of the principal cases, a functionalist approach to the problems of contract law, and analytical notes on such issues as the differences between classical and modern contract law and the role of the limits of cognition in contract law. The new edition includes a great number of new principal cases, including new materials on consideration, duress, remedies, interpretation, indefiniteness, the statute of frauds, electronic contracting, “browse-wrap agreements,” and unilateral mistake.

**Daniel Farber**
Climate Change Law
FOUNDATION PRESS, FORCOMING 2018
Over three decades, a body of climate change law has taken form. This runs the gamut from state and local regulations to federal policies and international agreements and includes both public and private sector involvement. This book contends that this issue is too important to leave to specialists alone. It is the first book to offer a concise, readable treatment of this entire body of law.

**Sean Farhang**
Rights and Retrenchment: The Counterrevolution Against Federal Litigation
CAMBRIDGE UNIVERSITY PRESS, 2017
Farhang and Burbank contribute to an emerging literature that examines responses to the rights revolution that unfolded in the United States during the 1960s and 1970s. The pair discover that, although the countermovement largely failed in more democratic lawmaking sites, an increasingly conservative and ideologically polarized Supreme Court has transformed federal law, making it less friendly, if not hostile, to the enforcement of rights through lawsuits.

**Catherine Fisk**
Lawyers, Ethics, and Corporations
OXFORD UNIVERSITY PRESS, 2017
Aimed at the non-specialist, this book provides straight-forward background information on the U.N. and the E.U. and includes guidance using their documents and legal materials.

**Marcia Hoffman**
The Legal Profession, Ethics in Contemporary Practice
WEST ACADEMIC PUBLISHING, 2017
With explanations of all basic concepts in the law of lawyering and all topics tested on the MPRE, this accessible book allows professors to satisfy the ABA professional responsibility requirement with a course that students find highly engaging and useful. Unlike most professional responsibility textbooks on the market, however, it links ethics issues to portrayals of the practice contexts in which they typically arise for real lawyers, helping students appreciate their relevance in contemporary practice.

**Michael Levy**
The Legal Research Survival Manual, 2nd Edition
WEST ACADEMIC PUBLISHING, 2017
This text and the accompanying videos provide a basic introduction to the mysteries of legal research, giving the new legal researcher the tools necessary for success. The work does not provide comprehensive coverage of legal materials, and is not designed to replace traditional legal texts. Instead, it is an easy-to-read introduction for students at the very start of their career.
Robert P. Merges

Transnational Intellectual Property Law
Edward Elgar Publishing, 2018

This book introduces contemporary intellectual property as it is practiced in today’s global context. Focusing on three major IP regimes—the United States, Europe, and China—the unique transnational approach of this textbook will help students and lawyers across the world understand not only how IP operates in different national contexts, but also how to coordinate IP protection across numerous national jurisdictions. International IP treaties are also covered, but in the context of an overall emphasis on transnational coordination of legal rights and strategies.

Peter S. Menell [with Mark A. Lemley, and Robert P. Merges]

Classe B Publishing, 2018


David Oppenheimer [Editor, with Marie Mercat-Bruns, and Cady Santorius]

Comparative Perspectives on the Enforcement and Effectiveness of Antidiscrimination Law
Springer International Publishing, 2018

This book focuses on anti-discrimination law in order to identify commonalities and best practices across nations. Almost every nation in the world embraces the principle of equality and non-discrimination, in theory if not in practice. The authors establish that the sources of the principle vary considerably, from international treaties to religious law, traditions and more. There are many approaches to methods of enforcement and other variables, but the principle is nearly universal. What does a comparison of the laws and approaches across different lands reveal?

David Oppenheimer [with Molly Leiwant and Sam Wheeler]

Foundation Press, Forthcoming 2018

This simulated casefile is intended to help civil procedure students put civil procedure in context. It allows them to meet the parties and help draft the pleadings as a simulated case unfolds, from the first day of the semester to the last. The opportunity to participate in drafting pleadings and otherwise participating in litigation simulations, and the videos that help make the parties feel like real people with real problems, keep the students engaged by the subject. Civil procedure is no longer a series of rules and principles to learn, it is a system for solving problems. And the problems themselves are real problems.

Daniel Rubinfeld [with Robert Pindyck]

Microeconomics, 9th Edition
Pearson, 2018

Microeconomics exposes students to topics that play a central role in microeconomics. From game theory and competitive strategy, to the roles of uncertainty and information, and the analysis of pricing by firms with market power, the text helps students understand what’s going on in the world of business. It also shows students how microeconomics can be used as a practical tool for decision-making and for designing and understanding public policy.

Harry N. Scheiber [Co-Editor with Niliffer Oral & Moon-Sang Kwon]

Ocean Law Debates: The 50-Year Legacy and Emerging Issues for the Years Ahead
Brill [Nijhoff], 2018

This book offers historical perspectives on the ocean law debates of the 1960s and after, leading to the signing of UNCLOS in 1982, along with analyses of various key current-day issues, including climate change, biodiversity in the area beyond National Jurisdiction, seabed mining, genetic prospecting, and the geopolitics of Marine Protected Areas.

Paul M. Schwartz [Co-Author with Daniel J. Solove]

Information Privacy Law, 5th edition
Wolters Kluwer, 2018

This text offers a clear, comprehensive, and cutting-edge introduction to the field of information privacy law, with the latest cases and materials exploring issues of emerging technology and information privacy. Extensive background information and a lively style give clear and concise introductions to various areas of law.

Sarah Song

Immigration and Democracy
Oxford University Press, Forthcoming 2018

Some contend that borders should generally be open with people free to migrate in search of better lives. Others insist that governments have the right to unilaterally close their borders and should do so. Sarah Song develops an intermediate ethical position that takes seriously both the claims of receiving countries and those of prospective migrants.

Christopher Tomlins [Editor with Marcus Dubber]

Handbook of Legal History
Oxford University Press, 2018

Many of the most exciting and innovative legal scholarship has been driven by historical curiosity. Drawing on scholarship from around the world, and representing a variety of methodological approaches, areas of expertise, and research agendas, this timely and comprehensive book includes stock of legal history and methodology and reflects on the various modes of the historical analysis of law, past, present, and future.

Franklin E. Zimring

American Juvenile Justice
American University Press, Forthcoming 2018

American Juvenile Justice is a definitive volume for courses on the criminology and policy analysis of adolescence. The focus is on the principles and policy of a separate and distinct system of juvenile justice. At the heart of the book is an argument for a penal policy that recognizes diminished responsibility and a youth policy that emphasizes the benefits of letting the maturing process continue with minimal interruption. The book concludes with applications of the core concepts to five specific problem areas in current juvenile justice: teen pregnancy, transfer to criminal court, minority overrepresentation, juvenile gun use, and youth homelessness.

Franklin E. Zimring

When Police Kill
Harvard University Press, 2017

Zimring analyses the use of lethal force by police in the United States and how its death toll can be reduced. He compiles data from federal records, crowdsourced research, and investigative journalism to provide a comprehensive, fact-based picture of how, when, where, and why police resort to deadly force.
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Kathryn Abrams, A Vigil at the End of the World, in Looking for Law in All the Wrong Places (forthcoming, 2018).
Kathryn Abrams, When the State Hates, in Hate, Politics, Law [2018].

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