

APRIL 2010 Faculty Highlights

Full-Time Faculty

❖ Professor Susan Daicoff

Professor Susan Daicoff will be a keynote speaker at an international conference on “Nonadversarial Justice” in Melbourne, Australia on May 5, 2010. She will speak on “The Future of the Legal Profession: The Comprehensive Law Movement.” In April, she gave a presentation on “Mentoring the Millennial Generation” at the University of South Carolina’s Second National Mentoring Conference in Columbia, South Carolina. In March, she was a guest speaker in Professor Leonard Riskin’s dispute resolution class at the University of Florida Levin College of Law in Gainesville.

Her textbook titled “Comprehensive Law Practice” has been accepted for publication by Carolina Academic Press.

❖ Professor Gina Donahoo

Professor Donahoo moderated the following panel:

"Controlling the Use of Performance Enhancing Drugs in Sports: Maintaining Competitive Balance without Destroying Due Process"

The panel will address the contemporary issues and challenges facing sport leagues and governing bodies in testing athletes for the use of performance enhancing drugs. Topics for discussion include testing for human growth hormone, what qualifies as a PED, proper sanctions imposed on athletes who test positive, the impact of PEDs on a level playing field, protecting the athlete's interest as well as the amorphous topic of due process, and where the future is headed.

❖ Professor Mary Margaret Giannini

Professor Mary Margaret Giannini’s article “*Redeeming an Empty Promise: Procedural Justice, the Crime Victims’ Rights Act, and the Victims’ Right to be Reasonably Protected from the Accused*” has been accepted for publication by the Tennessee Law Review. Professor Giannini presented an earlier version of this article as the invited speaker at the Honorable Stephanie K. Seymour Lecture at the University of Tulsa College of Law in the spring of 2009.

❖ Professor Thomas Hornsby

Professor Tom Hornsby participated in a Judges panel presentation at the 29th Annual National CASA Conference in Atlanta, Georgia, on April 17th, 2010. His presentation was entitled: **“Review of the Adoption of the 2007 ABA Model Code of Judicial Conduct and its Effect on Ethical Considerations for Judges Involved with CASA Programs.”** This is a follow up to Professor Hornsby’s **2009 Second Supplement to Chapter 7: Ethical Considerations for Judges Involved with CASA Programs”, Judges’ Guide to CASA/GAL Program Development, 2004 Edition, A National CASA Association Resources Library Publication.** Professor Hornsby is an Emeritus Board of Director member of CASA and attended a meeting of the CASA Board of Directors and of the Emeritus Board members at the conference. National CASA is an organization representing local CASA/GAL programs, which in 2008 consisted of 68,842 unpaid citizen volunteers furnishing 5.8 million advisory hours to 240,894 children in dependency courts in the United States.

A book entitled **DOMESTIC VIOLENCE, ABUSE AND CHILD CUSTODY, Legal Strategies and Policy Issues**, Co-authored by Mo Therese Hannah, Ph. D. and Barry Goldstein, J.D., 2010 Edition, was published and released last week by the Civic Research Institute, ISBN 1-887554-76-9. Professor Hornsby authored **Chapter 7: Do Judges Adequately Address the Causes and Impact of Violence in Children’s lives in Deciding Contested Child Custody Cases?**

The **Foreword to the book, by Jay G. Silverman, Ph.D.**, at page xxv, contains the following explanation. “In creating this historic volume, Mo Hannah and Barry Goldstein have brought together a powerful cast of scholars, activists, and legal professionals to tell the full story of how and why the risks to the safety and well-being of battered mothers and their children from abusive men are too often seen as irrelevant or are grossly mischaracterized by family courts across the United States. The result of this failure is the endangerment of tens of thousands of children each year. The importance of the problem cannot be overstated: there are approximately 100,000 contested child custody cases each year in the United States, with studies indicating that two-thirds of them likely involve domestic violence.”

❖ Professor Rick Karcher

Rick Karcher has been retained as an expert witness by the plaintiff in the case of *Hambric Sports Management, LLC v. Anthony Kim*. The lawsuit is pending in the district court of Dallas County, Texas and involves a breach of contract action brought against a professional golfer by a sports management firm specializing in the representation of professional golfers.

❖ Professor Jana McCreary

Professor Jana R. McCreary has accepted an offer from Quinnipiac Law Review to publish her latest article, *Tell Me No Secrets: Sharing, Discipline, and the Clash of Ecclesiastical Abstention and Psychotherapeutic Confidentiality*, in the journal’s first issue in the fall. The article explains why ecclesiastical abstention, which prevents courts from deciding matters of church doctrine, should not apply in a therapist/minister situation if the client/congregant has voluntarily left the

church before a breach of confidentiality occurs, thus allowing a private tort action to proceed. The article also provides recommended guidelines for therapists/ministers who are faced with a confidentiality-based ethical dilemma.

❖ **Professor David Pimentel**

David Pimentel's article "Rule of Law Reform without Cultural Imperialism" is the lead article in the new volume of *The Hague Journal on Rule of Law*. He has been also asked to provide peer review for articles being considered for publication in that journal.

Prof. Pimentel has been invited to submit an article for publication in the *Harvard International Review* for their summer 2010 Symposium: "Grappling with the Spread of Western Law."

David Pimentel's new article "Legal Pluralism in post-Colonial Africa: Principles for Linking Statutory and Customary Adjudication in Mozambique" has been accepted for inclusion in a book on *The Dynamics of Legal Pluralism in Mozambique*, to be published by the Danish Institute for International Studies.

❖ **Professor Lucille M. Ponte**

Prof. Lucille Ponte presented, *Getting a Bad Rap? Unconscionability in Clickwrap Dispute Resolution Clauses and a Proposal for Improving the Quality of These Online Consumer "Products"* at the North Atlantic Regional Business Law Association's Annual Conference and Meeting at Suffolk University School of Law in Boston, MA on April 10. She also serves on the organization's Executive Board and Editorial Board for its blind peer review journal, BUSINESS LAW REVIEW.

❖ **Professor Benjamin Priester**

Professor Priester's article, *Apprendi Land Becomes Bizarro World: "Policy Nullification" and Other Surreal Doctrines in the New Constitutional Law of Sentencing*, was accepted for publication in Volume 51 of the Santa Clara Law Review, forthcoming in fall 2010.

❖ **Professor Rod Sullivan**

Professor Sullivan spoke to the Stetson University College of Law Maritime Law Society in St. Petersburg, Florida. His topics included an international approach to dealing with piracy off the coast of Somalia, careers in maritime law, and his appearance before the Supreme Court in *Atlantic Soundings v Townsend*.

Professor Sullivan was consulted by the FLORIDA TIMES UNION on a matter of maritime contract law, asked to review contracts, and was quoted in an article entitled "Couple Feels Taken in Boat Club Fiasco."

Professor Sullivan and a representative from the Jacksonville Humane Society were guests on THE MORNING SHOW on WJCT-TV4. They were called upon to discuss the recent decision by the U.S. Supreme Court in the case of *United States v Stevens*. In that case the Court found that the federal statute which criminalized the sale and possession of DVDs depicting dog fighting and animal cruelty was overly broad, and therefore unconstitutional. Professor Sullivan's position was that the overbreadth of the statute could be readily cured by Congress.

❖ **Professor Morse Tan**

Prof. Tan accepted an offer to publish his law review article: "A State of Rightlessness: the Egregious Case of North Korea".

On a different note, he played cello in the Haiti Relief Concert, which gathered humanitarian relief supplies and support for Haiti.



Adjunct Faculty

❖ Adjunct Instructor Sandra McDonald

Sandra McDonald presented the paper "In Defense of Stephen King" at the International Conference of Fantastic in the Arts in March in Orlando, FL. Her story "Tupac Shakur and the End of the World" appeared in the April issue of *Futurismic*, and her story "Seven Sexy Cowboy Robots" will appear in the September issue of *Strange Horizons*. Her latest collection, *Diana Comet and Other Improbable Stories*, will be released on June 1st, and her latest novel is now available on Kindle. Her website is at www.sandramcdonald.com.

