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A Bibliography of University of Nebraska College of Law Faculty Scholarship 1892–2013

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A Bibliography of

University of Nebraska College of Law Faculty Scholarship 1892–2013

Compiled by Marcia L. Dority Baker Stefanie S. Pearlman



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COMPILED BY
Marcia L. Dority Baker and Stefanie S. Pearlman

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Foreword

When Professors Dority Baker and Pearlman approached me with the idea of compiling a Faculty Writing Bibliography, I told them that it was an excellent idea, but cautioned them that it wouldn't be as easy as it sounded.

Faculty writing bibliographies are notoriously difficult to compile. The volume of scholarship for any size law faculty can be very large partly due to the large number (some would say disproportionate) of scholarly law journals. The number of journals combined with the fact that faculty are encouraged to write, speak and present papers, both for their own professional development, to earn tenure and for the reputation and prestige of the school also contributes to a very large volume of legal periodical scholarship. The existence of our Law and Psychology and Space Law programs make the complexities of compiling a bibliography for the associated faculty even more difficult. Psychology faculty publish in journals that are outside of our normal experience, are indexed in different indexes and are cited according to rules that are very different from the Blue Book. Faculty associated with the Space Law program publish in many international journals, some in foreign languages!

Another unexpected challenge is that while untenured and recently tenured faculty tend to keep meticulous track of their scholarly output, most senior faculty do not. Reasons vary from faculty member to faculty member, but in general, once faculty have received tenure, outside of annual reports which record scholarship for the year, there is less need to maintain a continuously updated curricula vitae. Gathering information about senior faculty's writings can be problematic when they're asked to remember everything they've ever written. They may have a current vitae,

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but it may only record "major" works or contributions. From personal experience, I can attest to the fact that the difficulty increases as I get older.

Another challenge that Dority Baker and Pearlman posed for themselves is that they wanted to include *all* faculty at the University of Nebraska College of Law, past and present. Historical research of this magnitude is fraught with difficulty, owing to the fact that there is no single index that covers law journals and reviews comprehensively.

In conjunction with the bibliography, they also decided to include a list of all visiting and adjunct faculty. Simply compiling a list of all the faculty who taught at the law college over the last 120 years is hard enough, but including visitors and adjunct faculty makes the task an order of magnitude more difficult because these faculty are, by definition, transient and difficult to track down for verification. The good news is that they persevered and we now have a comprehensive list of all faculty that have taught here.

Listing the obstacles overcome in compiling this work should enhance the pride that they feel in their accomplishment and the gratitude that we feel for having such a comprehensive work. Alumni, faculty and the administration of the law college and the University of Nebraska at large can also bask in the evidence of an engaged, productive and active faculty. The final work is several hundred pages long and lists hundreds, if thousands of works. Merely compiling a list from scratch of so many works is long, hard work. As library director at the law college, I can attest to the numbers of hours and hard work that the two authors spent putting together this excellent work. Professors Dority Baker and Pearlman are each possessed of high professional standards and they worked tirelessly to compile an accurate, well formatted testament to a faculty committed to scholarship.

Richard A. Leiter Director of the Schmid Law Library and Professor of Law

Introduction

The University of Nebraska College of Law has a long and successful history from the founding of a law school at the University of Nebraska in 1891 to the reorganization of the Law College in 1920 through present day. Much of the success of the College of Law is due to the many distinguished faculty members who have taught, documented, and championed the law. While there are a number of articles, stories and memoirs written about the University of Nebraska College of Law, none have included a list of the entire College of Law faculty and their publications. This bibliography attempts to include all faculty members at the College of Law beginning in 1892 through the faculty members of the 2012–2013 academic year.

This project began in May 2012. We began by compiling a list of the entire College of Law faculty. To record faculty members officially attached to the College of Law, we reviewed material in several locations. First, we looked for official publications that list College of Law faculty. These resources were: the *Official Bulletin of the University of Nebraska*, the *Official Bulletin of Nebraska Law*, and the *Student Bar Association (SBA) Handbook*. From these resources, we were able to collect data about the College of Law faculty from 1920–2006. Next, we reviewed College of Law archival material housed at the University of Nebraska–Lincoln (UNL) Libraries, Special Collections at Love Library. The archives staff was able to provide us with material from 1892–1920. Since these official print publications ceased during or before 2006, we retrieved the lists of faculty from 2006 through 2013 from the faculty pages on the College of Law Web site. Finally, we reviewed lists of faculty prepared earlier by Professors Richard Harnsberger and Steven Willborn.

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After the names of College of Law faculty members were located and collected, it was time to set boundaries for the bibliography. We included publications from tenure-track law, law library, and law clinical faculty members and visiting faculty members who were at the College of Law for three or more years. Although we did not include the scholarship of faculty members who visited for less than three years or adjunct faculty, we did include a list of those faculty members for historical purposes. We used the Official Bulletin of Nebraska Law and the Nebraska Law Review to determine the identities of these faculty members. Due to limitations in record keeping, we were unable to retrieve a comprehensive list of visiting and adjunct faculty.

We selected three broad categories of scholarship for the bibliography: books and/or book chapters, articles, and other scholarly publications. We attempted to limit this scholarship to published work within the field of study of each faculty member. We also decided to list scholarship throughout each faculty member's career, whether it was published before, after, or during their tenure at the College of Law. After reviewing potential search options, we decided to use WorldCat, Index to Legal Periodicals (including ILP Retro), and HeinOnline to conduct our searches.

Each faculty entry includes brief biographical information and a list of scholarship. All publications are listed in reverse chronological order. Dissertations, publications that are forthcoming, and audio recordings are not included in this bibliography. While some faculty members publish outside the legal field, we tried to include only law or law-related material. We also added any resources that current College of Law faculty members felt were relevant to a complete understanding of their scholarship. If an article was published in more than one journal, we tried to include only the first publication of the article.

Some faculty members have extraordinarily long lists of publications. For these faculty members, such as Roscoe Pound, we chose a representative selection of their publications to print in this bibliography. We are happy to assist anyone needing a complete list of these faculty publications.

We used the phrase "No relevant results" underneath the biographical information of a faculty member, if we could not find any legal scholarship under his or her name or if we were unable to determine if a publication was actually written by our faculty member (for example, if the faculty member had a common name).

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Due to the nature of this undertaking, we hope that all names, dates and publications are correct, but, as with any large project, there may be errors or omissions. We will make corrections in future updates of this bibliography. Scholarship from current College of Law faculty members is available on the College of Law Web site and often in Social Science Research Network and Digital Commons. We encourage readers to review these resources for material published after the 2012–2013 academic year.

Finally, we would like to thank all of our colleagues at the Schmid Law Library, Associate Dean Glenda Pierce, and Lily Amare Carr for their assistance with this project.

Marcia L. Dority Baker Assistant Professor of Law Library and Access Services Librarian

Stefanie S. Pearlman Professor of Law Library and Reference Librarian

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Assistant Professor of Law, 2008-2011

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Andrews, Clayton Farrington, M.D., M.S.

Lecturer on Legal Medicine, 1941–1942

No relevant results.

Aranda Coddou, Patricio

Assistant Law Librarian, 1977–1985

BOOKS

Banking Law: A Selective Bibliography (1984).

The Great Plains Tax Library: A Comprehensive Bibliography (1983) (with Robert B. Voelker).

Selective Basic Foreign Law Materials in English (1979).

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Associate Director of Law Library, Assistant Professor of Law Library, 1997–2001

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Ashe, Marie, B.A., J.D.

Director of Civil Clinic program, 1984-1985

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Ayers, George David, A.B., LL.B.

Professor of Law, 1905-1908

No relevant results.

Barlow, Jr., Robert, A.B., LL.B.

Instructor in Law, 1950–1952, Assistant Professor of Law, 1952–1954, Lecturer on Property, 1954–1955, Lecturer on Legal Writing, 1964–1965

ARTICLE

Legislative Settlement of Claims Against the State of Nebraska, 29 Neb. L. Rev. 426 (1950).

Bassett, Pegeen, B.A., M.A.

Assistant Law Librarian, 1976–1978

OTHER

Directory of Documents Staff and Collections in Nebraska (1973) (with Kay Crawford).

Battiato, David A., B.A., J.D.

Civil Clinic Instructor, 1991-1996

No relevant results.

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Assistant Professor of Law, 2011-present

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Belsheim, Edmund Olaf, B.A., B.C.L., J.S.D., LL.D.

Professor of Law, 1946–1973 (on leave 1966–1967),

Law College Dean, 1950-1961

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Librarian and Instructor in Law, 1948-1950

No relevant results.

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Assistant Professor of Law, 2007–2012, Associate Professor of Law, 2012-present

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Berger, Lawrence, B.S., LL.B.

Assistant Professor of Law, 1961–1963, Associate Professor of Law, 1963–1965, Professor of Law, 1965–2002,

Professor of Law Emeritus, 2002–2010

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Beutel, Fredrick Keating, A.B., LL.B., S.J.D.

Professor of Law, 1946–1965, Law College Dean, 1946–1950, Professor of Law, Emeritus, 1965–1973

No relevant results.

Blankley, Kristen, B.A., J.D.

Assistant Professor of Law, 2010-present

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Bornstein, Brian, B.A., M.A., M.L.S, Ph.D.

Law-Psychology Program, Professor of Law, 2000-present

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Assistant Dean and Director of Career Services, 2005-present

No relevant results.

Fawcett, Jacob

Lecturer on Insurance, 1893-1899

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Fields, Gordon B., LL.M.

Assistant Professor of Law, 1971–1975

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Flansburg, Claude Copley

Lecturer on Advocacy, 1909–1917

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Fleming, Jr., John C., LL.B.

Assistant Professor of Law, 1969-1970

No relevant results.

Fogg, Miller Moore, A.M.

Assistant Professor of English Writing and Speaking, 1903–1904

No relevant results.

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Assistant Professor of Law Library, 1987–1995

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Assistant Professor of Law, 1913-1925

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Professor of Law, 1921–1945, Law College Dean, 1926–1945, Dean of Law College, Emeritus 1946–1947

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Librarian and Instructor in Law, 1947–1948, Instructor in Law, 1948–1952, Assistant Professor of Law, 1952–1954

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No relevant results.

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Greene, James L., M.D.

Lecturer on Medial Jurisprudence, 1897–1899, 1900–1902

No relevant results.

Grether, Jr., Henry M., B.A., LL.B., LL.M.

Instructor of Law, 1949–1952, Assistant Professor of Law, 1952–1955, Associate Professor of Law, 1955–1958, Professor of Law, 1958–1990, Law College Dean, 1966–1976

ARTICLE

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Hansen, Richard H., LL.B.

Assistant Law Librarian, 1960–1963

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Assistant Professor of Law, 2006–2009

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Harnsberger, Richard S., M.A., LL.B., S.J.D.

Instructor of Law, 1957–1958, Assistant Professor of Law, 1959–1961, Associate Professor of Law, 1961–1964, Professor of Law, 1964–1991, Professor of Law Emeritus, 1991–2012

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Assistant Professor of Law, 1987–1993

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Hastings, William Granger, A.B.

Lecturer on Judgments and Executions, 1894–1895, Lecturer on Suretyship and Guaranty, 1898–1899, Professor of Law, 1905–1922, Law College Dean, 1909–1920

ARTICLE

Montesquieu and Anglo-American Institutions, 13 Ill. L. R. 419 (1918–1919).

Hatfield, Ira, B.S.

Judge of Practice Courts, 1900–1902

No relevant results.

Hayes, Dale K., B.A., M.A., Ed.D.

Professor of Educational and Law, 1976-1982

No relevant results.

Hazen, Edwin R., B.A., LL.M.

Assistant Dean College of Law, 1977-1981

ARTICLES

Draft Statement of Student Services Administrators Good Practices, 12 N. Ill. U. L. Rev. 332 (1992).

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Hazen, Thomas L., B.A., J.D.

Assistant Professor of Law, 1976–1977, Associate Professor of Law, 1977–1979, Professor of Law, 1979–1980

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Assistant Professor of Law, 1978–1982

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Henderson, Alicia, B.A., J.D.

Criminal Practice Clinic Director, 1996–2005, Assistant Clinical Professor, 1996–2003, Associate Clinical Professor, 2003–2005

No relevant results.

Henderson, Roger C., LL.M.

Associate Professor of Law, (1969?)1970–1973, Professor of Law, 1972–1977

BOOKS

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Hoffman, Peter T., B.A., J.D.

Assistant Professor of Law, 1974–1977, Associate Professor of Law, 1977–1983, Professor of Law, 1984–1996 (on leave 1972–1973 and on leave 1977–1978), Coordinator of Clinical Education, 1996–2002

BOOKS

The Effective Deposition: Techniques and Strategies that Work (2001) (with David M. Malone).

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Holt, A. Elizabeth, B.S., B.L.S.

Law Librarian, 1953-1954

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Hopkins, Julian H., LL.B.

Lecturer on Insurance Law, 1964–1965, Lecturer on Trusts, Wills and Estates, 1967–1970

No relevant results.

Howard, George Elliott, Ph.D.

Lecturer on Historical Jurisprudence, 1907–1908

воок

Preliminaries of the Revolution, 1763–1775 (1905).

Howell, Harriet Alice, B.Ph.

Instructor in Public Speaking, 1903–1904

No relevant results.

Huang, Paul

Assistant Law Librarian, 1977-1980

No relevant results.

Huskins, Louis A., J.D.

Assistant Professor of Law, 1968-1971

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Irvine, Frank, B.S., LL.B.

Lecturer on the Law of Damages, 1893-1900

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Johnson, Judy, B.A., M.L.S., M.A.

Assistant Law Librarian, 1976–1977

No relevant results.

Kahle, Larry L.

Acting Librarian, 1971-1972, Librarian, 1972-1975

No relevant results.

Kalish, Stephen E., J.D., LL.M.

Assistant Professor of Law, 1972–1974, Associate Professor of Law, 1974–1977, Professor of Law, 1977–2005, Professor of Law Emeritus, 2005-present

- The English Costs War, 2000–2003, and a Moment of Repose, 83 Neb. L. Rev. 114 (2004).
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Kaplan, Leonard V., LL.M.

Assistant Professor of Law, 1967–1969

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Kelly, Timothy Patrick, B.A., MLS, J.D.

Assistant Professor of Law Library, 1990-1994

No relevant results.

Kenyon, Carleton W., M.A., M.A. in L.S., LL.B.

Assistant Law Librarian, 1952–1953

BOOKS

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Kimble, Bonnie J., B.S., M.A., J.D.

Assistant Dean Law College, 1986–1990

No relevant results.

Kinsinger, James Wadsworth, A.B., LL.M.

Lecturer on Quasi Contracts, 1924-1925

OTHER

The Life Insurance Law of Nebraska: Paper Read Before the Association of Life Insurance Counsel, (1940).

Kirkland, Susanne M., B.S.

Assistant Dean and Director of Career Services, 1991–2003

No relevant results.

Kirst, Roger W., B.S., J.D.

Assistant Professor of Law, 1974–1977, Associate Professor of Law, 1977–1980, Professor of Law, 1980-present

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Evidence Objections: An Interactive Videodisc for Legal Education (1987).

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Knight-Eagan, Karen, B.S., J.D.

Assistant Professor of Law and Director of Criminal Law program, 1989–1997

No relevant results.

Krause, Janet Boettcher, B.S., M.A., Ph.D.

Acting Assistant Dean Law College, 1981–1982, Assistant Dean Law College, 1982–1986

No relevant results.

Lake, Sr., James A., A.B. LL.B., S.J.D.

Assistant Professor of Law, 1950–1955, Associate Professor of Law, 1955–1958, Professor of Law, 1958–1990

BOOKS

The Appellate Process and Staff Research Attorneys in the Supreme Court of Nebraska: A Report of the Appellate Justice Project of the National Center for State Courts, 1973–1974, Second Year of the Project (1975).

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Lamber, Julia C., B.A., J.D.

Assistant Dean College of Law, 1977–1979

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Modern Business Law: An Introduction to the Legal Environment of Business (1978) (with Thomas W. Dunfee, Frank F. Gibson and F. William McCarty).

Articles

- Intercollegiate Athletics: The Program Expansion Standard Under Title IX's Policy Interpretation, 12 S. Cal. Rev. L. & Women's Stud. 31 (2002).
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A Married Woman's Surname: Is Custom Law, 1973 Wash. U. L.Q. 779 (1973).

Lamberston, Genio M.

Lecturer on Criminal Law, 1891–1893

No relevant results.

Lane, Wallace Rutherford, LL.B.

Lecturer on Patents, Copyright and Trademark Law, 1909–1913

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Assistant Professor of Law, 1989–1995, Associate Professor of Law, 1995–2004, Professor of Law, 2004-present, Interim Law College Dean, 2009, Associate Dean, 2008

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Research Assistant—International Law, 1951–1952,

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No relevant results.

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Assistant Professor of Law Library, 1995–2000

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Smith, William Henry

Lecturer on Common Law, Corporations, Jurisprudence, Actions, Contracts Bills and Notes, Agency, Partnership, Bailments and Carriers, Insurance, Admiralty and Shipping, Sources of Law, College of Law Dean, 1891–1893

No relevant results.

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Professor of Law Emeritus, 2005-present

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Assistant Professor of Legislation, 1950–1953

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Spector, Jill M., B.A., J.D.

Assistant Clinical Professor of Law, 1998–1999

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Spencer, Harry Arthur, A.B., LL.B.

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No relevant results.

Stansfield, Tamra, B.S., J.D., M.L.S.

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Associate Professor of Law, 1980-1981

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Sullivan, Sherwood M., LL.B.

Associate Professor of Law, 1965-1968

No relevant results.

Summers, Williamson S., B.S., LL.B.

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Assistant Professor of Law, 1938–1939

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Assistant Professor of Law, 1928-1930

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Tibbetts, Addison Seabury, B.C.E.

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Law-Psychology Program, 1986–2001, Professor of Law, 2001–present

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Krivosha, Norman M., B.S., J.D., Lecturer, 1982–1987

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Leurs, Brenda M., B.A., J.D., Lecturer, 2008–2009, 2011–2013

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