



TEXAS SOUTHERN UNIVERSITY

THURGOOD MARSHALL SCHOOL OF LAW ★



“Scholarship  
matters when it  
engages and  
empowers.”



2009-2013 TMSL FACULTY SCHOLARSHIP



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## A message from Dean Danye Holley



Texas Southern University, Thurgood Marshall School of Law, for over six decades has remained one of America's most important law schools. Born in a crucial period of American Civil Rights History, the law school's inception resulted in an important United States Supreme Court decision with respect to equal protection, equal rights, and the quality of law schools.

Bearing the name of one of the nation's most significant lawyers and U.S. Supreme Court Justices, the law school has made great contributions to diversity in the legal profession by producing more minority lawyers than almost any other law school. Firmly established as one of the nation's most diverse schools, the law school has ranked among the top five for the last decade on the U.S. News and World Report's Diversity Index. All are welcome. All are given the opportunity to enhance life and professional options.

We are currently working hard to prove what has long been true – this is a law school that pays great attention to academics – as we measurably improve the lawyering skills and learning outcomes of our students. We are striving to create an academic program that ensures our students are better critical thinkers, evidence evaluators, rule makers, problem solvers, and authors of well-crafted legal documents.

This brochure celebrates our wide ranging recent scholarly contributions to the local, state, national, and international conversations concerning the evolution of legal doctrine and policy. It reflects recent significant steps forward in both the quality and quantity of our research and its influence. Our scholarship covers a wide range of topics. Notwithstanding its range, our scholarship has common themes and exhibits the use of legal doctrine and policy analysis to bring people together and uplift the disenfranchised.

Our scholarship reflects a willingness to take controversial positions on race, class, and the scope of government authority. It reflects our investment in intentional teaching and promoting measurable assessments of improvements in student learning outcomes, including proficiency in competently drafting an array of standard legal documents.

Our scholarship also reflects an attempt to assist and engage our practice brethren in fashioning quality theories of the case and plans designed to avoid frequently reoccurring legal problems. In short, our scholarship is inspired by the goal of perpetuating “a legacy of empowerment.”

For the last six decades, Thurgood Marshall School of Law has served as an engine of social progress. The quality and quantity of scholarship reported in this brochure adds another dimension to our contribution to such progress.

*Danye Holley*

**Gabriel Aitsebaomo**, *Associate Dean of Academic Affairs & Professor of Law*

Challenges to Federal Income Tax Exemption of the Clergy and Government Support of Sectarian Schools Through Tax Credits Device and the Unresolved Questions after *Arizona v. Winn*: Is the U.S. Supreme Court Standing in the Way of Taxpayer Standing to Seek Meritorious Redress?, 28 AKRON TAX J. 1 (2013) (Lead Article).

*Legal scholarship matters most when it promotes social justice for all regardless of status.*

**Ahunanya Anga**, *Associate Professor of Law*

Jury Misconduct? Can Courts Enforce a Social Media and Internet Free Process? We 'Tweet,' Not, J. TECH. L. & POL'Y (2013).

Electronic Data Discovery Sanctions: The Unmapped, Unwinding, Meandering Road, and

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## FACULTY SCHOLARSHIP



GABRIEL AITSEBAOMO



AHUNANYA ANGA



McKEN CARRINGTON



WALTER CHAMPION

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Legal Research in an Electronic Age: Electronic Data Discovery, A Litigation Albatross of Gigantic Proportions, 9 U.N.H. L. REV. 1 (2010).

**McKen Carrington**, *Professor of Law*

Fame, Family Feuds, Lack of Estate Planning, and Ethical Misconduct in the Administration of the Billion-Dollar Legacy of Bob Marley, 4 EST. PLAN. & COMMUNITY PROP. L.J. 53 (2011) (with Christopher Ogolla).

**Walter T. Champion, Jr.**, *Professor of Law*

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GAMING LAW IN A NUTSHELL (2012) (with I. Nelson Rose).

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The Second Circuit Takes a Second Look at the Non-Statutory Labor Exemption in Professional Sports: A Review of *Wood v. National Basketball Association*, *Caldwell v. American Basketball Association*, *National Basketball Association v. Williams*, and *Clarett v. National Football League*, 27 HOFSTRA LAB. & EMP. L.J. 83 (2009).

Colombia's Decree 1905 and the Reinvention of Colombia's Gaming Industry, 13 GAMING L. REV. & ECON. 310 (2009) (with Danyahel Norris).

A Tale of Two Cities: A Commentary on the Media's Response to Personal Injury "Feeding Frenzies" as a Result of the Vioxx® and Silicosis Litigation, 31 WHITTIER L. REV. 47 (2009).



## Commitment to Research & Scholarship That Makes Social Policy & Embraces Controversy

The professors pictured above have devoted their careers and scholarly research to a myriad of major initiatives that foster social justice and protect the rights of those without political power.

**Professor Marcia Johnson** founded the Earl Carl Institute for Social Policy at Thurgood Marshall School of Law, a think tank devoted to interdisciplinary studies of major issues facing the African-American community locally, in Texas, and nationally. She recently co-authored a textbook on Business Associations with Professor Emeka Duruigbo.

**Professor Thomas Kleven** has devoted his four decades of teaching and research to advocacy for the education, social, and economic interests of racial minorities and the poor. His work challenges the legitimacy of America's class structure, strongly advocates economic justice, and most recently made the case for how the problems of institutional racism and "classism" are intertwined and require policy solutions that reflect that reality. His book, Equitable Sharing, was published in 2013 by Lexington Press.

**Deana Pollard Sacks** is Roberson King Professor of Law and focuses on policy reform designed to diminish the legality of corporal punishment against children as well as reforms to create and strengthen the regulatory and claim regime against sexual violence and the conscious spreading of sexually transmitted diseases. She has published in several leading law reviews and made multiple appearances on local and national media to defend her reform recommendations.

**Judge Lupe Salinas** is Eugene Harrington Professor of Law and has devoted his professional career to protecting and furthering the rights of the Latino community. He has been cited by the United States Supreme Court and has a book on contract with Michigan State Press entitled Latinos and Criminal Justice.

(Pictured from left to right: Lupe Salinas, Deana Pollard Sacks, Thomas Kleven, Marcia Johnson)





## Lawyering Process

(Pictured from left to right: Shaundra Kellam Lewis, Cassandra L. Hill, Katherine Vukadin, Ahunanya Anga, E. Ericka Kelsaw)

Our tenured track legal writing professors pictured above have practice experience, including, in most instances, law firm experience. They simulate what is expected of outstanding practicing attorneys. These professors are developing protocols that teach active learning of legal writing skills.

**Professor Ahunanya Anga**—Professor Anga’s research focuses on how abuse of electronic discovery can impede the production of such documents and the course of effective litigation.

**Professors Cassandra Hill and Katherine Vukadin** co-authored an innovative book on legal analysis, published by Lexis Nexis Matthew Bender, that gives students varied practice opportunities and encourages both self and peer assessment of all types of written legal documents. It has been adopted by a number of law schools. Professor Hill is chair of the 2014 Southeast/Southwest People of Color Legal Scholarship Conference hosted by Thurgood Marshall School of Law. Professor Vukadin is making inroads in health and pharmaceutical law, having been named a 2013 Health Law Scholar by her peers in the health law field.

**Professor E. Ericka Kelsaw’s** work explores the role of cognitive bias and the unemployed.

**Professor Shaundra Kellam Lewis** explores the intersection of the Second Amendment and K-12 and higher education. She also wrote an article entitled, “Persuasive Speech and Persuasive Legal Writing Require the Same Skills: So Why Aren’t We Using Oral Argument to Teach Persuasive Writing?” for the 2011 AALS Section on Teaching Methods Newsletter.

**Professor Rebecca Stewart’s** (not pictured) research interests focus on the increasing latitude given to international biotechnology firms and the environmental impacts resulting from such leeway.

**Okezie Chukwumerije**, *Professor of Law*

Rhetoric Versus Reality: The Link Between the Rule of Law and Economic Development, 23 EMORY INT'L L. REV. 383 (2009).

Obama's Trade Policy: Trends, Prospects, and Portends, 16 U.C. DAVIS J. INT'L & POL'Y 39 (2009).

**Fernando Colon-Navarro**, *Director of L.L.M and Immigration Development and Professor of Law*

Technology and Assessment in the Legal Classroom: An Empirical Study, in THE LEGAL PROFESSION: EDUCATION AND ETHICS IN PRACTICE (David A. Frankel ed. 2013).

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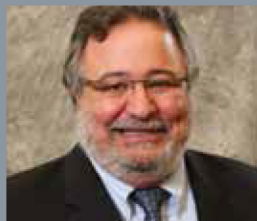
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OKEZIE CHUKWUMERIJIE



FERNANDO COLON-NAVARRO



EMEKA DURUIGBO



CONSTANCE FAIN

Racial Profiling as a Means of Thwarting the Alleged Latino Security Threat, 37 T. MARSHALL L. REV. 5 (2011) (with Lupe Salinas).

**Emeka Duruigbo**, *Professor of Law*

Community Equity Participation in African Petroleum Ventures: Path to Economic Growth?, 35 N.C. CENT. L. REV. 111 (2013).

Stimulating Long-Term Shareholding, 33 CARDOZO L. REV. 1733 (2012).

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Tackling Shareholder Short-termism and Managerial Myopia, 100 KY. L. J. 531 (2012).

Realizing the People's Right to Natural Resources, 12 WHITEHEAD J. DIPL. & INT. REL. 111 (2011).

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**Constance Fain**, *Earl Carl Professor of Law*

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Minimizing Liability for Church-Related Counseling Services: Clergy Malpractice and First Amendment Religion Clauses, 44 AKRON L. REV. 221 (2011).

A Female Professor's Reflections on Thurgood Marshall School of Law: Past, Present and Future, 36 T. MARSHALL L. REV. 121 (2010).

**Sally T. Green**, *Professor of Law*

A Presumptive in Custody Approach to Police Conducted School Interrogations, 40 AM. J. CRIM. L. 145 (2013).

Realistic Opportunity for Release Equals Rehabilitation: How the States Must Provide Meaningful Opportunity for Release, 16 BERKELEY J. CRIM. L.1 (2011).

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**Maurice Hew, Jr.**, *Director of Clinical Education and Associate Clinical Professor of Law*

**Cassandra L. Hill**, *Associate Professor of Law*

The Elephant in the Law School Assessment Room: The Role of Student Responsibility and Motivating Our Students to Learn, 56 HOW. L. J. 447 (2013).

LEGAL ANALYSIS: 100 EXERCISES FOR MASTERY and TEACHER'S MANUAL (2012) (with Katherine Vukadin).

Peer Editing: A Comprehensive Pedagogical Approach to Maximize Assessment Opportunities, Integrate Collaborative Learning, and Achieve Desired Outcomes, 13 NEV. L.J. 667 (2011).

The Psychology of Hope: Legal Educators Must Strengthen Students' "Waypower" to Succeed, THE LEARNING CURVE, Winter 2012, at 13.

All Hands on Deck: Maximizing Existing Resources to Improve Students' Basic Writing



SALLY GREEN



MAURICE HEW



CASSANDRA HILL



DANNYE HOLLEY



CRAIG JACKSON

Expanding the Civil Privilege of Being Represented by Counsel through the Sixth Amendment's Presumed Prejudice Doctrine, 16 UDC/DCSL L. REV. \_\_\_\_ (2013).

Under the Circumstances, Padilla v. Kentucky Still Excuses Fundamental Fairness and Leaves Professional Responsibility Lost, 32 B.C. J.L. & SOC. JUST. 31 (2012).

The Fourth Amendment's Further Gouging of the Pleanary Power Doctrine, 2012 EMERGING ISSUES ANALYSIS 6687 (Oct 2012).

Crimmigration: Constitutionalization of the Plea Bargaining Process after Missouri v. Frye and Lafler v. Cooper, 2012 EMERGING ISSUES ANALYSIS 6298 (April 2012).

The Supreme Court's Resuscitation of the Fleuti Doctrine In Vartelas, and Its Possible Applications, 2012 EMERGING ISSUES ANALYSIS 6292 (April 2012).

Skills, AALS SEC. ON TEACHING METHODS, Jan. 3, 2011, at 7.

Collaboration Training with an Eye Toward Outcomes and Assessment, THE SECOND DRAFT, Fall 2010, at12.

**Dannye Holley**, *Dean & Professor of Law*

Mens Rea Evaluations By The United States Supreme Court: They Don't Have The Tools And Only Occasionally Display The Talent - A Sixty Year Report Card - 1950 - 2009, 35 OKLA. CITY U. L.REV. 399 (2010).

**Craig Jackson**, *Professor of Law*

CONSTITUTIONAL LAW, CASES AND MATERIALS (2013) (5th Edition).

The Limiting Principle Strategy and Challenges to the New Deal Commerce Clause, 15 U. PA. J. CONST. L. 11 (2012).

Symposium Introduction: FDR and Obama: Are There Constitutional Law Lessons from the New Deal for the Obama Administration?, 15 U. PA. J. CONST. L. 1 (2012).





## International and Immigration Law

The professors pictured above have focused their scholarship and teaching on issues touching human and national interests at our borders and on the broader world stage.

**Professors Okezie Chukwumerije and Emeka Duruigbo** have focused their careers on international corporate accountability for human rights violations, economic development, energy policy, natural resources, and trade policy. Professor Duruigbo played a seminal role in organizing the 2012 Energy Law Conference hosted by Thurgood Marshall School of Law and has co-authored a textbook on Business Associations with Professor Marcia Johnson.

**Professor Maurice Hew** is the Director of Clinical Education and leads the Immigration Clinic, which received a 2010 national award for its effectiveness.

**Professor Fernando Colon-Navarro** serves as the co-director of the Institute for International Immigration Law and Director of L.L.M and Immigration Development. In 2013, he served as a scholar-in-residence, with a focus on immigration law, at the law school of the Federal University of Ouro Preto law school in Brazil.

(Pictured from left to right: Emeka Duruigbo, Maurice Hew, Fernando Colon-Navarro, Okezie Chukwumerije)

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*Scholarship matters when it promotes interdisciplinary collaboration among law schools, the academy and the international community.*



## US Public Law

(Pictured from left to right: April Walker, Sally Green, Faith Jackson, Gabriel Aitsebaomo, Asmara Tekle, Judge Manuel Leal)

Collectively, the scholars pictured above, have authored, since 2009, a score of law review articles.

**Associate Dean of Academic Affairs and Professor Gabriel Aitsebaomo and Judge Manuel Leal** are seasoned lawyers whose careers have included high profile jobs. Judge Leal served as a state district court and federal bankruptcy judge. Professor Aitsebaomo's work experience places heavy reliance on his expertise in law and accounting; he is also a CPA. Their bankruptcy and tax scholarship is based on that breadth of experience which they also take to their respective classes.

**Professor Sally Green** focuses her research, often involving interdisciplinary elements, on advocacy scholarship - urging judicial and legislative reforms to protect children and juveniles.

**Associate Dean for External Affairs and Associate Professor Faith Jackson and Professor April Walker** have scholarship focused on hot button national issues. Jackson weighs in on reconciling the interests conflicts arising from the constant need to nuance the allocation of authority among the three branches of federal government. Walker's scholarship weighs in on interests reconciliation issues surrounding the inception of human life, and the quality of life measured by how law enforcement reacts to the color of an adult's skin.

**Professor Kindaka Sanders' (not pictured)** research agenda aims to redress the abuses of authority imposed on the philosophical and physical integrity of the human body.

**Professor SpearIt (not pictured)** holds a Ph.D. and J.D. from the University of California system and his work is steeped in the protection of marginalized communities such as Muslim prisoners and prison and criminal law reform. He is a fellow at the Washington D.C.- based Institute for Social Policy and Understanding as well as a member of the Board of Governors of the Society of American Law Teachers (SALT). He received the 2013 Policy Impact Award from the Institute for Social Policy and Understanding for his report, "Fact and Fictions about Islam in Prison: Muslim Radicalization in Post - 9/11 America."

**Associate Dean of Research and Faculty Development and Professor Asmara Tekle** writes in land use and has published in several top 50 law journals. She chaired the 2011 Lutie Lytle Black Women Law Faculty Writing Workshop hosted by Thurgood Marshall School of Law.

**Faith Jackson**, *Associate Dean for External Affairs and Associate Professor of Law*

Dred Scott v. Sandford: A Prelude to the Civil War, 15 RICH. J. L. & PUB. INT. 377 (2011).

The Constitutionality of Presidential Signing Statements: A Note on H.R. 5993-The Presidential Signing Statements Act of 2008, 35 J. LEGIS. 1 (2009).

**Lydia Johnson**, *Assistant Clinical Professor of Law*

The Illusion of a Second Chance: Expunctions versus the Law School and State Bar Application Processes, 9 FLA. A&M U. L. REV. \_\_\_ (2013).

Guilty or Innocent?... Just Take a Look at My Brain-Analyzing the Nexus Between Traumatic Brain Injury and Criminal Responsibility, 37 S.U. L. REV. 25 (2009).

**E. Ericka Kelsaw**, *Associate Professor of Law*

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**Thomas Kleven**, *Professor of Law*

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FAITH JACKSON



LYDIA JOHNSON



MARCIA JOHNSON



E. ERICKA KELSAW



THOMAS KLEVEN



STEPHANIE SMITH LEDESMA

**Marcia Johnson**, *Professor of Law*

Bail: Reforming Policies to Address Overcrowded Jails, the Impact of Race on Detention, and Community Revival in Harris County, Texas, 7 NW. J. L. & SOC. POL'Y. 42 (2012) (with Luckett Johnson).

Defending Foreclosure Actions, 40 REAL EST. L.J. 439 (2012) (with Luckett Johnson).

Will The Current Economic Crisis Fuel a Return to Racial Policies That Deny Homeownership Opportunity and Wealth?, 6 MOD. AM. 25 (2010).

**Stephanie Smith Ledesma**, *Director of Experiential Learning and Assistant Professor of Law*

Experiential Education as Critical Pedagogy: Enhancing the Law School Experience, NOVA L. REV \_\_\_ (2014).

*Legal scholarship matters when it improves teaching and learning by enhancing the analytical and research skills of professors and their students.*



**Martin Levy**, *Professor of Law*

CONSTITUTIONAL LAW CASES AND MATERIALS (2013) (5th Edition).

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**Shaundra Kellam Lewis**, *Assistant Professor of Law*

Persuasive Speech and Persuasive Legal Writing Require the Same Skills: So Why Aren't We Using Oral Argument to Teach Persuasive Writing?, AALS SECTION ON TEACHING METHODS NEWSLETTER, Jan. 3, 2011.

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How Protected Is Free Speech? (Nov. 7, 2010), <http://www.worldpress.org/Americas/3649.cfm>.

State Actors Beating Children: A Call for Judicial Relief, 42 U.C. DAVIS L. REV. 1165 (2009).

**Judge Lupe Salinas**, *Eugene Harrington Professor of Law*

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MARTIN LEVY



SHAUNDR KELLAM LEWIS



DEANA POLLARD SACKS



JUDGE LUPE SALINAS

Bullets and Books By Legislative Fiat: Why Academic Freedom and Public Policy Permit Higher Education Institutions to Say No To Guns, 48 IDAHO L. REV. 1 (2011).

**Deana Pollard Sacks**, *Roberson L. King Professor of Law*

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Constitutional Remedies for Latino Educational Neglect, in OUR PROMISE: ACHIEVING EDUCATION EQUITY FOR AMERICA'S CHILDREN (Maurice R. Dyson & Daniel Weddle eds., 2009).



## A Career Long Commitment to Scholarship

The scholars pictured above have written approximately ninety law review publications, multiple books and book chapters, and have had their research cited by respected authorities.

**Professor Walter Champion** has demonstrated a commitment to excellence in scholarship while producing scores of articles and books focused on sport and entertainment law.

**Professor Constance Fain** is the Earl Carl Professor of Law. Professor Fain is an established writer who has shown a devotion to teaching and has focused her scholarship on issues related to torts law, constitutional law and other legal topics. She recently authored Professional Conduct and the Law in 2013 published by Thomson Reuters.

**Professor L. Darnell Weeden** has displayed a dedication in his scholarship to addressing controversial constitutional law issues involving race, social economic status and immigration. His recent work focuses on the Affordable Care Act.

**Professor Edieth Y. Wu** has authored a dozen articles focused upon international law (not pictured).

(Pictured from left to right: L. Darnell Weeden, Constance Fain, Walter Champion)



## Academic Lives Devoted to the Art and Science of Teaching

(Picture from left to right: Ana Otero, James Beard, Anna James)

The professors pictured above have devoted their academic lives to the art and science of teaching law. Over the course of their careers, they have taught a wide array of core curriculum courses. Each of them deeply believes in the power of teaching, and that passion and conviction drives the creative mind to strive for excellence at all times. Each of them has made ample use of the teaching forums at TSU as well as the tips generated by the TSU Center for Legal Pedagogy. They have all developed strategies to interact with their students to generate opportunities for formative and summative assessments.

**Professor James Beard** has taught an array of tax courses fueled by his desire to benefit each student and develop in each the lawyering skills necessary to practice tax law in a complex and ever changing global society.

**Professor Anna James**, for the last quarter century, has rightfully prided herself on teaching Family Law and Professional Responsibility relating in ways that integrate doctrine, experiential learning, and ethics.

**Professor Ana Otero** is recognized by her students, colleagues, CLEO, and commercial bar courses for her exhaustive approach to rule vetting and her tireless focus on individualized and prompt grading in her Texas Practice, Civil Procedure, and Evidence Courses.



**Kindaka Sanders**, *Assistant Professor of Law*

Reassembling Osiris: Rule 23, the Black Farmers Case, and Reparations, 118 PENN ST. L. REV. 339 (2013).

**SpearIt**, *Associate Professor of Law*

Legal Punishment as Civil Ritual: Making Cultural Sense of Harsh Punishment, 82 MISS. L.J. 1(2013).

Facts and Fictions About Islam in Prison: Assessing Prisoner Radicalization in Post-9/11 America, Institute For Social Policy & Understanding, INST. FOR SOC. POLY & UNDERSTANDING, Jan. 2013 Report.

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KINDAKA SANDERS



SPEARIT



DECARLOUS SPEARMAN



REBECCA STEWART

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**DeCarlous Y. Spearman**, *Director of the Law Library and Assistant Professor of Law*

Remembering Our Past, Celebrating Sixty-Four Years: Thurgood Marshall School of Law Library 1947-2011, 36 T. MARSHALL L. REV. 63 (2010).

**Rebecca Stewart**, *Associate Professor of Law*

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**Asmara Tekle**, *Associate Dean for Research & Faculty Development and Professor of Law*

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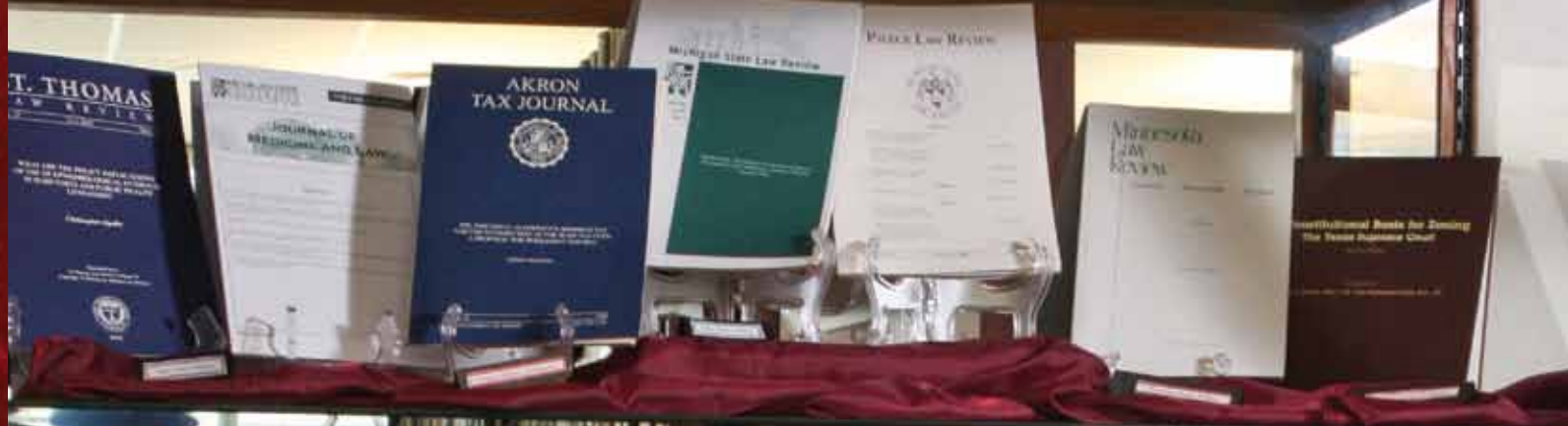
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