

TEXAS SOUTHERN UNIVERSITY

THURGOOD MARSHALL
SCHOOL OF LAW

FACULTY SCHOLARSHIP

SELECT THREE YEAR
SCHOLARLY PUBLICATIONS
2016-2019

Produced by Thurgood Marshall School of
Law Associate Dean for Research & Faculty
Development L. Darnell Weeden



TEXAS SOUTHERN UNIVERSITY
Thurgood Marshall School of Law

SCHOLARSHIP REPORT 2016-2019

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**THE OFFICE OF THE ASSOCIATE DEAN OF
FACULTY RESEARCH & DEVELOPMENT
WELCOMES DEAN JOAN BULLOCK**



Greetings to our new Dean Joan Bullock. It is a pleasure to present to Dean Bullock recent scholarly publications from the TMSL Faculty.

Dean Bullock earned a Bachelor's degree in legal and political theory from Michigan State University, a Juris Doctor of Law from the University of Toledo College of Law, and a Master's degree in business administration from the University of Michigan.

Dean Bullock, welcome to Houston, Texas, and to the Texas Southern University Family.



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Former Acting Dean (Fall 2017- July 14, 2019)

J.D., THE UNIVERSITY OF TEXAS AT AUSTIN, 1976
 B.A., THE UNIVERSITY OF TEXAS AT AUSTIN,
 1973

Introduction to Symposium, 43 T. MARSHALL L. REV.
 (forthcoming 2019).



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J.D., WASHINGTON COLLEGE OF LAW, 1993
 B.A., UNIVERSITY OF BALTIMORE, 1990

*#Blacklivesmatter: The Importance Of Pro Bono
 Initiatives And Experimental Opportunities At
 Historically Black College And University Law Schools In
 Preparing A New Generation Of Social Engineers*, 18 FL.
 COASTAL L. REV. 315 (2017) (with Thelma Harmon).

*Book, Chapter, and Verse: The Rise and Rise of the Freedom of Conscience
 Movement Post-Windsor and Obergefell*, 23 CARDOZO JOURNAL OF LAW &
 GENDER 39-106 (2016-2017).

The Silver Tsunami: Aging Prisoners, Early Release, Guardianship and Prisoner Advocate Initiatives for Long Term Care Beyond the Prison Walls, 1 *TOURO JOURNAL OF LAW & AGING* 54 (2016).



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J.D., TEMPLE UNIVERSITY, 1982
 M.S.L.S., DREXEL UNIVERSITY, 1977
 M.A., WESTERN ILLINOIS UNIVERSITY 1975
 B.A., JOSEPH'S UNIVERSITY, 1973

PASPA's Got a Brand-New Bag: President

Trump's States 'Rights Bias for Gambling Calls the Winning Hand in Volume 49 of the STETSON LAW REVIEW (forthcoming 2019).

'HAWAIIAN ZEN' VS. 'BELTWAY PARANOIA': THE LEGAL-ETHICAL DIFFERENCE UNDER OBAMA IN DISSEMINATING INFORMATION, 18 *APPALACHIAN J. L.* 101 (2019) (with Lawrence S. Ruddell, and Danyahel Norris).

THE NCAA "DOTH PROTEST TOO MUCH, METHINKS' ABOUT DFS, 15 *CARDOZO PUB. L. POL'Y & ETHICS J.* 117 (2016).



Emeka Duruigbo

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S.J.D., GOLDEN GATE UNIVERSITY, 2002
 LL.M., UNIVERSITY OF ALBERTA, 1998
 LL.B., UNIVERSITY OF BENIN, 1992

Inadvertent Partnerships and Fiduciary Duties,
 Volume 14 of the VIRGINIA LAW & BUSINESS
 REVIEW (forthcoming 2019).

*Should Nigeria have sought Revision of the
 Bakassi Decision by the International Court of
 Justice?*, in THE BAKASSI DISPUTE AND THE INTERNATIONAL COURT OF JUSTICE:
 CONTINUING CHALLENGES 25 (Edwin Egede & Mark Igiehon eds.) (Routledge,
 2018).

*Small Tract Owners and Shale Gas Drilling in Texas: Sanctity of Property, Holdout
 Power or Compulsory Pooling?* Volume 70 of BAYLOR LAW REVIEW 527 (2018).

Fracking and the NIMBY Syndrome, Volume 26 of NYU ENVIRONMENTAL LAW
 JOURNAL 227 (2018).

TEXAS BUSINESS ASSOCIATIONS (with Marcia Johnson) (Wolters Kluwer, 2017).



Constance Fain

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LL.M., UNIVERSITY OF PENNSYLVANIA, 1981
 J.D., TEXAS SOUTHERN UNIVERSITY, 1974
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 PENNSYLVANIA, 1970

A Methodology for the Teaching of Law, 24 THE
 LAW TEACHER 5 (Fall 2017).

Foreword to “*Civil Injustices: Issues with
 Employment Discrimination, Federal Hate Crimes, Abortion, and Marriage
 Decisions*,” 6 T. MARSHALL L. J. GENDER, RACE, AND JUST. 2 (2016).



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J.D., TULANE UNIVERSITY, 1990
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*The Law Demands Process for Rehomed
 Children*, 69 ARK. L. REV. 72 (Fall 2016).



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J.D., LOYOLA UNIVERSITY SCHOOL OF LAW, 1985

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Young v. United Parcel Service, Inc: The Equal Treatment Fallacy, 20 J. GENDERS RACE AND JUST. 97 (2017).

Black Lawyers Matter: The Importance of Pro Bono Initiatives and Experiential Opportunities at Historical Black College/University (“HBCU”) Law Schools in Preparing a New Generation of Social Engineers, 18 FLA COASTAL L. REV. 315 (2017) (with Martina Cartwright).

Codification of Fear: SYG Laws, RALPH BUNCH JOURNAL OF PUBLIC AFFAIRS, Vol. 5 (2016), Iss. 1, Art. 4 (2016).



Cassandra L. Hill

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J.D., HOWARD UNIVERSITY SCHOOL OF LAW, 1997

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LEGAL ANALYSIS: 100 EXERCISES FOR MASTERY AND TEACHER’S MANUAL (with Katherine Vukadin). (2nd Edition 2017).



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J.D., UNIVERSITY OF TEXAS SCHOOL OF LAW,
1980

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CONSTITUTIONAL LAW, CASES AND MATERIALS, 2nd
edition, ASPEN (Wolters Kluwer), 2017 (with Martin
L. Levy).



Faith Joseph Jackson

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*From Theory to Practice: Using the Gender-sensitive
Tracking and Monitoring System ("GTMS")*, 14 J. L.
SOC. DEVIANCE 91(2017) (with Edieth Y. Wu).



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J.D., SOUTH TEXAS COLLEGE OF LAW, 1987
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Juvenile Sex Offenders: Should They Go to School with Your Children or Should We Create a Pedophile Academy, 50 U. TOL. L. REV. 39 (2018).

What Does Justice Have to Do with Interpreters in the Jury Room?, UMKC SCH. OF L. (2016).



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J.D., UNIVERSITY OF FLORIDA, 1976
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TEXAS BUSINESS ASSOCIATIONS (with Emeka Duruigbo) (Wolters Kluwer, 2017).



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LL.B., YALE UNIVERSITY, 1967

B.A., YALE UNIVERSITY, 1964

EDUCATION LAW, STRATEGIC POLICY AND
SUSTAINABLE DEVELOPMENT IN AFRICA, T.E.
Kleven et al eds., Palgrave Macmillan, 2018.



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J.D., INDIANA UNIVERSITY, 1970

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CONSTITUTIONAL LAW, CASES AND MATERIALS, 2nd
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J.D., ST. THOMAS UNIVERSITY SCHOOL OF LAW, 1998

B.A., STETSON UNIVERSITY, 1995

Crossfire on Compulsory Campus Carry Laws-- When the First and Second Amendments Collide, 102 IOWA L. REV. 2109 (2017).

Symposium on "Texas Gun Law and the Future:"

The Fatal Flaws in Texas's Campus Carry Law, 41 T. MARSHALL L. REV. 135 (2016) (with Daniel De Luna).

The Cost of Raising a Killer--Parental Liability for Parents of Adult Mass Murderers, 61 VILLANOVA L. REV. 1 (2016).



Peter Marchetti

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J.D., SUFFOLK UNIVERSITY LAW SCHOOL, 1999

B.S., NORTHEASTERN UNIVERSITY, 1995

A Note to Congress: Amend Section 546(e) of the Bankruptcy Code to Harmonize the Underlying Policies of Fraudulent Conveyance Law and Protection of the Financial Markets, 26 AM. BANKR. INST. L. REV. 1 (2018).



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J.D., UNIVERSITY OF HOUSTON LAW CENTER,
TX, 1972

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*Lawless Cops, Latino Injustice, and Revictimization
by the Justice System*, 2018 MICH. ST. L. REV.
(forthcoming 2019).

Chapter 6, *Always Running: La Migra, Detentions,
Deportations, and Human Rights*, 120-168, in SOFÍA ESPINOZA ÁLVAREZ &
MARTÍN GUEVARA URBINA, eds., *Immigration and the Law: Race, Citizenship, and
Social Control* (Univ. of Arizona Press 2018).



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J.D., UNIVERSITY OF CALIFORNIA, 2009

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*Firepower to the People! Gun Rights and the Law
of Self-defense to Curb Police Misconduct*, 85
TENN. L. REV. 191 (2017).

“Drafting Legal Documents in a Doctrinal Class,” in EXPERIENTIAL EDUCATION IN THE LAW SCHOOL CURRICULUM (Carolina Academic Press 2017).

Not for Free: Exploring the Collateral Costs of Diversity in Legal Education, 48 U. PACIFIC L.R. 887 (2017).

Keeping it REAL: Why Congress Must Act to Restore Pell Grant Funding to Prisoners, 11 U. MASS. L. REV. 26 (2016).

Foreword to Thurgood Marshall School of Law Journal of Gender, Race, & Justice, Vol. 6 (2016).



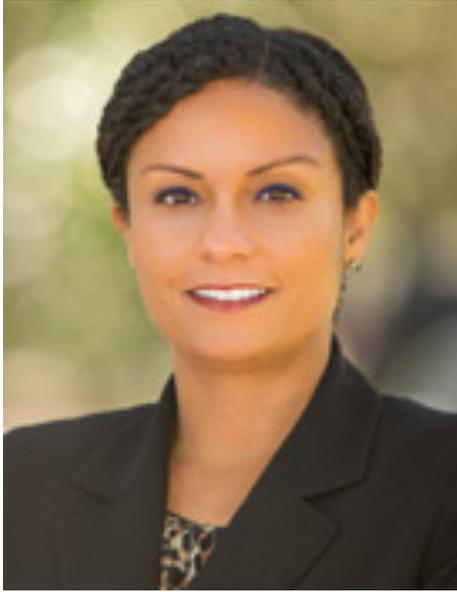
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Brick by Brick: Using Disparate Impact to Remedy Discrimination at the Hand of the Texas Rangers, 42 T. MARSHALL L. REV. 169 (Spring 2017).



Asmara M. Tekle

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J.D., CORNELL LAW SCHOOL, 2000
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Roll on, Cyclist: The Idaho Rule, Traffic Law, and the Quest to Incentivize Urban Cycling, 92 CHI.-KENT. L. REV. 549 (2017) (Symposium entitled *Cities in Crisis*).

Rectifying These Mean Streets: Percent-for-Art, Street Furniture, and the New Streetscape, 104 KY. L.J. 409 (2016).

Have a Scoop of Grandpa: Composting as a Means of Final Disposition of Human Remains, 3 SAVANNAH L. REV. 137 (2016) (Colloquium entitled, *The Walking Dead*, examining death and the effect of the dead on the living).



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J.D., UNIVERSITY OF MISSISSIPPI, 1975
B.A., UNIVERSITY OF MISSISSIPPI, 1972

Using Rational Basis Review in an Establishment Clause Challenge to an Alleged Muslim Travel Ban Undermines Religious Liberty, 38 THE CONN. PUB. INT. L.J. (forthcoming 2019).

The Equal Protection Clause Prohibits a Public School from Stigmatizing a Student with a Diluted Fake Education That Fails to Teach Literacy, 43 T. MARSHALL L. REV. (forthcoming 2019).

Equal Voting Rights Require Removing Race And Partisan Discrimination From Elections And Legislative Gerrymandering, 79 LA. L. REV. 781 (2019).

A Functional Free Exercise Clause Analysis Requires A State To Prove A Compelling Interest Before Interfering With An Individual's Faith-Based Same-Sex Marriage Participation Objections, 18 APPALACHIAN J.L. 113 (2019).

Unreasonably Restrictive Voter Photo Identification Requirements Are Unequal Economic Barriers To Equal Access To The Right To Vote, 27 S. CAL. REV. L. & SOC. JUST. 73 (2018).

A Growing Consensus: State Sponsorship Of Confederate Symbols Is An Injury-In-Fact As A Result Of Dylann Roof's Killing Blacks In Church At A Bible Study, 32 BYU J. PUB. L. 117 (2017).

Marriage Equality Laws Are A Threat To Religious Liberty, 41 S. Ill. U. L.J. 211 (2017).

Transgender Bathroom Rights And President Obama's Unauthorized Scheme To Transform Title IX, 44 W. ST. L. REV. 1 (2016).

In Fisher V. University Of Texas Derrick Bell's Interest Convergence Theory Is On A Collision Course With The Viewpoint Diversity Rationale In Higher Education, 2016 UTAH L. REV. ONLAW 101.



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From Theory to Practice: Using the Gender-sensitive Tracking and Monitoring System

(“GTMS”), 14 J. L. SOC. DEVIANCE 91(2017) (with Faith J. Jackson)



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