



The Bailiwick

March 2, 2007

Law School Events March 5-9

Federalist Society Speaker

Mine Your Own Business: The Dark Side of Environmentalism
Tuesday, March 6, Noon – 1:00pm, Castles Center Arena

Military Law Society Speaker

Tuesday, March 6, Noon – 1:00pm, Room 19

Judicial Clerkship Workshop

Career Services
Tuesday, March 6, Noon – 1:00pm, Room 203

State Bar Mini-CLE

Prof. Bill Corbett, *Recent Developments under the Montana Wrongful Discharge Act*
Tuesday, March 6, 4:00pm-6:00pm, Room 202

AAJ Speaker

Ed Moriarity
Tuesday, March 6, 6:30pm-8:00pm, Castles Center Arena

Federalist Society Speaker

Prof. Patrick Garry
Thursday, March 8, Noon – 1:00pm, Castles Center Arena

Professionalism CLE

Western Montana Bar Association
Friday, March 9, Castles Center Arena

MPRE

Saturday, March 10, Rooms 203 & 204

Legal News

Jury Decides Big Mountain not Negligent in Injury to 6-Year Old

[·Story](#)

Montana Supreme Court Adopts Rules Regarding Privacy, Discovery of Electronic Information

[·Privacy Rule](#) [·Discovery Rule](#)

DOJ Says 7 US Attorneys Fired for not Immigration, Firearms Policy Decisions

[·Story](#)

4th Cir. Upholds Dismissal of al-Masri Rendition Lawsuit

[·Story](#) [·Opinion](#)

6th Cir. Dismisses Challenge to Ohio Death Penalty on Procedural Grounds

[·Story](#) [·Opinion](#)

Wash. State Senate Passes Same-Sex Partnership Bill Giving Couples More Rights

[·Story](#) [·Bill](#)

Gasoline Price Gouging Protection Bill Introduced in US Senate

[·Story](#) [·Bill](#)

US Supreme Court Hears Argument in Faith-Based Initiatives Funding Case

[·Story](#) [·Transcript](#) [Briefs](#)

Detainees File Motion to Expedite with US Supreme Court in Military Commissions Act Review Case

[·Story](#) [·Motion](#) [·Military Commissions Act](#)

US Supreme Court Holds *Crawford* Does Not Apply Retroactively

[·Opinion](#) [·*Crawford v. Wash.*](#)

DC Cir. Allows Government to Deny Funding to AIDS Advocates that Don't Disavow Prostitution

[·Story](#) [·Opinion](#)

Federal Judge Won't Dismiss *USS Cole* Relatives' Lawsuit against Sudan

[·Story](#)

US Supreme Court Hear Arguments about Parents' *Pro Se* Representation of Children

[·Story](#) [·Transcript](#) [·Briefs](#) [·6th Cir. Opinion](#)

Federal Judge Refuses to Allow NY to Videotape Peaceful Protests

[·Story](#) [·Opinion](#)

Bush Executive Order Establishes Military Commissions

[·Story](#) [·Executive Order](#)

Bill Introduced in US Senate to Define Enemy Combatant, Restore *Habeas*

[·Story](#) [·Restoring the Constitution Act of 2007](#)

ABA Adopts Revised Model Code of Judicial Conduct

[·Story](#) [·2007 Model Code of Judicial Conduct](#)

CRS Report Questions Constitutionality of House Resolution Allowing DC a Vote

[·Story](#) [·Report](#) [·District of Columbia Fair and Equal House Voting Rights of 2007](#)

Cal. Supreme Court Holds Misleading Interviewees to Get Details Is a Privacy Violation

[·Story](#) [·Opinion](#)

S.D. Supreme Court Holds Tribal Housing Murder did not Occur in Indian Country, Upholds State Conviction

[·Story](#) [·Opinion](#)

EPA Holds Site of Proposed Uranium Mine in N.M. Is Indian Country

[·Story](#) [·Ruling](#)

Ute Tribe Argues Land is not Indian Country in Hunting Case

[·Story](#) [·Court of Appeals Opinion](#)

N.D. Repeals Anti-Cohabitation Law

[·Story](#)

NY Appeals Court Upholds Prohibition-Era Ban on Social Dancing, Holds Dancing Is not Protected Expression

[·Story](#)

Special Section 2007 Legislative Session

Legislature Reaches Half-Way Point

[Story](#)

Selected Transmitted Bills

[HB105](#), Revise training of state agency personnel on tribal issues

[HB340](#), Citizen self-defense and firearms rights
[HB420](#), Exempt Montana-made firearms, accessories, ammunition from federal commerce clause
[HB467](#), Revise medical-legal panel laws
[HB491](#), Child witness protection in criminal cases
[HB521](#), Revise burglary law by revising definition of "occupied structure"
[HB594](#), Designate a state lullaby
[HB712](#), Sovereignty protection act
[HB781](#), Revise racial profiling
[HJ38](#), Rescind all calls for convening a constitutional convention
[SB78](#), Clarify stream access from bridges
[SB306](#), Eliminate death penalty
[SB390](#), Increase funding for Indian Education for All
[SB404](#), Revise liability for wildland fires
[SB481](#), Informed consent for marriage

Selected Bills Not Transmitted (Probably Dead)

[HB53](#), Revise Uniform Child Custody Jurisdiction Act
[HB165](#), Revise requirements for district court judges
[HB263](#), Require DNA sample when charged with felony
[HB306](#), Prohibit State from ceding jurisdiction over certain nontribally owned fee lands
[HB525](#), Encourage intellectual diversity in university system
[HB686](#), Constitutional amendment to require election be by majority vote
[HB702](#), Reject No Child Left Behind Act
[HB722](#), Require justice courts to be courts of record
[SB2](#), Require availability of paper towels in public restrooms
[SB229](#), Uniform Health Care Decisions Act
[SB290](#), Implement national popular vote act
[SB371](#), Include sexual orientation and gender identity in certain laws
[SB395](#), Jury trial for termination of parental rights
[SB441](#), Prohibit cell phone use while driving
[SJ8](#), Urge Supreme Ct to revise requirements for taking bar exam
[SJ9](#), Resolution concerning Iraq

[Calendar](#)

[Live & Archived Audio Broadcasts of Selected House and Senate Hearings](#)

House Natural Resources Committee Hearing on [HB753](#), Montana Global Warming Solutions Act
Friday, March 9, 3:00pm

Senate Judiciary Committee Hearing on [HB149](#), Increase Homestead Debt Protection
Friday, March 9, 9:00am

Library News

Library Electronic Resources Page Redesigned

In an effort to better organize the library's electronic resources and provide better access, I have redesigned the [Electronic Resources](#) page on the library's website. The main Electronic Resources page now contains databases and electronic journals for which the library pays for access, as well as a couple of free electronic law journals. The resources are all accessible from any computer on campus and will soon be available to UM students, faculty and staff via remote access as well (probably early next week). Once the remote access is set up, you will be able to access these resources from any computer anywhere using your SCAUID and password. Databases and journals on this page include Hein Online and several Berkeley Electronic Press journals (Global Jurist, Issues in Legal Scholarship, Journal of Tort Law, Muslim Journal of Human Rights). In addition, several Oxford University Press journals will soon be available electronically on this page (International and Comparative Law Quarterly, International Journal of Constitutional Law, International Journal of Law, Policy and the Family, Journal of Law, Economics and Organization, Oxford Journal of Legal Studies). Our access to the Oxford e-Journals will also include access to many non-law journals as well.

The Electronic Resources page also contains a link to several resources that because of user agreements with the vendors, we can provide access only to law faculty, students and staff. This page contains links to the resources as well as the passwords needed to access them. Please do not share the passwords with anyone outside the law school because doing so could jeopardize our ability to provide access in the future. Resources on this page include Pacer (the federal court docketing/document system) and Montana Law Week publications (Montana Law Week, Montana Federal Reports, Montana Bankruptcy Reports). When you click on the link to this page, you will be prompted for a username and password (your SCAUID or domain name and password). You will be able to access this page from any computer anywhere.

As more and more legal resources become available in electronic format, we are balancing the cost, accessibility and space issues of both our print and electronic resources to maintain a high quality library collection that is easily accessible. Undoubtedly, we will be adding resources to these pages in the future.

New Books

Suggs, Welch.

Place on the team : the triumph and tragedy of Title IX / Welch Suggs.

Princeton, N.J. : Princeton University Press, c2005.

Missoula: UM-Law - Law Library Circulating Collection

GV709.18.U6 S86 2005

Dam, Kenneth W.

Law-growth nexus : the rule of law and economic development / Kenneth W. Dam.

Washington, D.C. : Brookings Institution Press, c2006.

Missoula: UM-Law - Law Library Circulating Collection

HD75 .D35 2006

Restoring the land : environmental values, knowledge, and action / edited by Laurie Cosgrove, David Evans, and David Yencken.
Carlton, Vic. : Melbourne University Press ; Portland, Or. : Distributed in the U.S.A. and Canada by International Specialized Book Services, 1994.
Missoula: UM-Law - Law Library Circulating Collection
HD1036 .R47 1994

Mitnick, Eric J., 1966-
Rights, groups, and self-invention : group-differentiated rights in liberal theory / Eric J. Mitnick.
Aldershot : Ashgate, 2006.
Missoula: UM-Law - Law Library Circulating Collection
HM716 M37 2006

Johnson, William Stacy.
Time to embrace : same-gender relationships in religion, law, and politics / William Stacy Johnson.
Grand Rapids, Mich. : William B. Eerdmans Pub. Co., 2006.
Missoula: UM-Law - Law Library Circulating Collection
HQ1033

Race and inequality : world perspectives on affirmative action / edited by Elaine Kennedy-Dubourdieu.
Aldershot, England ; Burlington, VT : Ashgate, c2006.
Missoula: UM-Law - Law Library Circulating Collection
HT1521 .R23 2006

Francione, Gary L. (Gary Lawrence), 1954-
Introduction to animal rights : your child or the dog? / Gary L. Francione ; foreword by Alan Watson.
Philadelphia : Temple University Press, 2000.
Missoula: UM-Law - Law Library Circulating Collection
HV4764 .F73 2000

Tweaked [videorecording] : a generation in overdrive / presented by The Foundation ; an Alan Hauge production.
[Culver City, CA] : The Foundation, c2001, c2005.
Missoula: UM-Law - DVD Collection
HV5822 .A5 2006

Kupchik, Aaron.
Judging juveniles : prosecuting adolescents in adult and juvenile courts / Aaron Kupchik.
New York : New York University Press, c2006.
Missoula: UM-Law - Law Library Circulating Collection
HV9104 .K87 2006

Exploring Law's empire : the jurisprudence of Ronald Dworkin / edited by Scott Hershovitz.

Oxford ; New York : Oxford University Press, 2006.

Missoula: UM-Law - Law Library Circulating Collection

K230.D92 E97 2006

How law knows / edited by Austin Sarat, Lawrence Douglas, and Martha Merrill Umphrey.

Stanford, Calif. : Stanford University Press, c2007.

Missoula: UM-Law - Law Library Circulating Collection

K230.H69 H69 2007

Nobles, Richard.

Sociology of jurisprudence / Richard Nobles and David Schiff.

Oxford ; Portland, Or. : Hart Pub., 2006.

Missoula: UM-Law - Law Library Circulating Collection

K370 .N63 2006

Schultz, Thomas,

Information technology and arbitration : a practitioner's guide / by Thomas Schultz ; with a foreword by Gabrielle Kaufmann-Kohler.

Alphen aan den Rijn : Kluwer Law International ; Frederick, MD : Aspen Publishers [distributor], c2006.

Missoula: UM-Law - Law Library Circulating Collection

K2400 .S38 2006

Basic documents on international migration law / by Richard Plender. , 3rd rev. ed.

Leiden ; Boston : Martinus Nijhoff Publishers, c2007.

Missoula: UM-Law - Law Library Circulating Collection

K3275.A35 B37 2007

Law and the sacred / edited by Austin Sarat, Lawrence Douglas, and Martha Merrill Umphrey.

Stanford, Calif. : Stanford University Press, 2007.

Missoula: UM-Law - Law Library Circulating Collection

K3280 .L395 2007

Dyzenhaus, David.

Constitution of law : legality in a time of emergency / David Dyzenhaus.

Cambridge : Cambridge University Press, 2006.

Missoula: UM-Law - Law Library Circulating Collection

K3344 .D99 2006

Gross, Oren.

Law in times of crisis : emergency powers in theory and practice / Oren Gross and Fionnuala Ni Aoláin.

Cambridge : Cambridge University Press, 2006.

Missoula: UM-Law - Law Library Circulating Collection
K3344 .G76 2006

Educational rights of students : international perspectives on demystifying the legal issues / edited by Charles J. Russo, Douglas J. Stewart, and Jan De Groof.

Lanham : Rowman & Littlefield Education, c2007.

Missoula: UM-Law - Law Library Circulating Collection
K3740 .E38 2007

Musch, Donald J.

International terrorism agreements : documents and commentary / Donald J. Musch.

Dobbs Ferry, NY : Oceana Publications, Inc., c2004.

Missoula: UM-Law - Law Library Circulating Collection
K5256.A35 M87 2004

Dispensing justice in Islam : Qadis and their judgements / edited by Muhammad Khalid Masud, Rudolph Peters, and David S. Powers.

Leiden ; Boston : Brill, 2006.

Missoula: UM-Law - Law Library Circulating Collection
KBP1610 .D57 2006

Mayer, Ann Elizabeth.

Islam and human rights : tradition and politics / Ann Elizabeth Mayer. , 4th ed.

Boulder, Colo. : Westview Press, c2007.

Missoula: UM-Law - Law Library Circulating Collection
KBP2460 .M39 2007

Colored men and hombres aquí : Hernández v. Texas and the emergence of Mexican American lawyering / edited by Michael A. Olivas ; foreword by Mark Tushnet.

Houston, TX : Arte Publico Press, c2006.

Missoula: UM-Law - Law Library Circulating Collection
KF224.H468 C65 2006

Watson, Alan

Shame of American legal education / Alan Watson , [2nd ed.]

Lake Mary, Fla. : Vandeplass Pub., 2006.

Missoula: UM-Law - Law Library Circulating Collection
KF272 .W38 2006

Witt, John Fabian.
Patriots and cosmopolitans : hidden histories of American law / John Fabian Witt.
Cambridge, Mass. : Harvard University Press, 2007.
Missoula: UM-Law - Law Library Circulating Collection
KF353 .W58 2007

Symeonides, Symeon, 1949-
American choice-of-law revolution : past, present and future / by Symeon C.
Symeonides.
Leiden ; Boston : Martinus Nijhoff Publishers, c2006.
Missoula: UM-Law - Law Library Circulating Collection
KF411 .S96 2006

Bove, Alexander A., 1938-
Complete book of wills, estates & trusts / Alexander A. Bove, Jr. , 3rd ed.
New York : H. Holt, 2005.
Missoula: UM-Law - Law Library Circulating Collection
KF755.Z9 B68 2005

Lathrop, Mitchell L.
Insurance coverage for environmental claims / by Mitchell L. Lathrop.
New York, NY : M. Bender, 1992-
Missoula: UM-Law - Law Library Circulating Collection
KF1220.P5 L36

Cik, Barry A., 1951-
Commercial landowner CERCLA liability protection : understanding the final EPA "All
Appropriate Inquiries" Rule and revised ASTM Phase I / Barry A. Cik.
Lanham, MD : Government Institutes, 2006.
Missoula: UM-Law - Law Library Circulating Collection
KF1298.Z9 C55 2006

Brown, Gary M., 1955-
Soderquist on the securities laws / Gary M. Brown. , 5th ed.
New York City : Practising Law Institute, c2006-
Missoula: UM-Law - Law Library Circulating Collection
KF1439 .S632

Consumer protection in the age of the 'information economy' / edited by Jane K. Winn.
Aldershot, England ; Burlington, VT : Ashgate, c2006.
Missoula: UM-Law - Law Library Circulating Collection
KF1609 .C646 2006

Law in public health practice / Richard A. Goodman, editor-in-chief ; editors, Richard E. Hoffman ... [et al.] . , 2nd ed.
Oxford ; New York : Oxford University Press, 2007.
Missoula: UM-Law - Law Library Circulating Collection
KF3775 .L384 2007

Burr, Sherri.
Entertainment law in a nutshell / by Sherri L. Burr. , 2nd ed.
St. Paul, MN : Thomson/West, c2007.
Missoula: UM-Law - Law Library Circulating Collection
KF4290.Z9 B87 2007

McAfee, Thomas B., 1952-
Powers reserved for the people and the states : a history of the Ninth and Tenth Amendments / Thomas B. McAfee, Jay S. Bybee, and A. Christopher Bryant.
Westport, Conn. : Praeger Publishers, 2006.
Missoula: UM-Law - Law Library Circulating Collection
KF4557 .M39 2006

Bray, Ilona M., 1962-
Becoming a U.S. citizen : a guide to the law, exam, and interview / by Ilona M. Bray. ,
3rd ed.
Berkeley, CA : Nolo, c2006.
Missoula: UM-Law - Law Library Circulating Collection
KF4710.Z9 B73 2006

Freedom of assembly and petition / Robert Winters, book editor.
Detroit : Greenhaven Press/Thomson Gale, c2006.
Missoula: UM-Law - Law Library Circulating Collection
KF4778 .F74 2006

Lewis, Loida Nicolas.
How to get a green card / [Loida Nicolas Lewis and Len Madlansacay]. , 7th ed. / [edited]
by Ilona Bray ; updated by Carl Falstrom.
Berkeley, CA : Nolo, 2006.
Missoula: UM-Law - Law Library Circulating Collection
KF4840.Z9 L49 2006

Pocket guide to the ADA : Americans with Disabilities Act accessibility guidelines for
buildings and facilities / edited by Evan Terry Associates, P.C. , 3rd ed.
Hoboken, N.J. : John Wiley & Sons, c2007.
Missoula: UM-Law - Law Library Reference Collection
KF5709.3.H35 P63 2007

Tax Relief and Health Care Act of 2006, P.L. 109-432 : as signed by the President on December 20, 2006, and Tax Increase Prevention and Reconciliation Act of 2005 (P.L. 109-222) as signed by the President on May 17, 2006 : law and explanation.
Chicago, Ill. : CCH, c2006.
Missoula: UM-Law - Law Library Circulating Collection
KF6276.50 R53a 2006

Administrative law : indian tribes & the federal agency maze, cle conference, Thursday November 30 & Friday December 1, 2006...Sandra Day O'Connor College of Law, Arizona State University / Sandra Day O'Connor College of Law, Arizona State University
[Tempe, Ariz. : Arizona State University, College of Law, 2006].
Missoula: UM-Law - Law Library Circulating Collection
KF8205.A2 A35 2006

Earl Warren and the Warren Court : the legacy in American and foreign law / edited by Harry N. Scheiber.
Lanham : Lexington Books/Rowman & Littlefield Publishers ; Berkeley : Published in cooperation with IGS Press for the Institute for Legal Research at the University of California, c2007.
Missoula: UM-Law - Law Library Circulating Collection
KF8748 .E159 2007

Klonoff, Robert H.
Class actions and other multi-party litigation in a nutshell / by Robert H. Klonoff. , 3rd ed.
St. Paul, MN : Thomson/West, c2007.
Missoula: UM-Law - Law Library Circulating Collection
KF8896.Z9 K56 2007

Beecher-Monas, Erica, 1949-
Evaluating scientific evidence : an interdisciplinary framework for intellectual due process / Erica Beecher-Monas.
Cambridge ; New York : Cambridge University Press, 2007.
Missoula: UM-Law - Law Library Circulating Collection
KF8961 .B44 2007

Scharf, Michael P., 1963-
Saddam on trial : understanding and debating the Iraqi high tribunal / Michael P. Scharf, Gregory S. McNeal.
Durham, N.C. : Carolina Academic Press, c2006.
Missoula: UM-Law - Law Library Circulating Collection
KMJ44 .S33 2006

Keyuan, Zou.

China's legal reform : towards the rule of law / Zou Keyuan.

Leiden ; Boston : Martinus Nijhoff Publishers, c2006.

Missoula: UM-Law - Law Library Circulating Collection

KNQ470 .Z68 2006

Zhang, Mo, LL. M.

Chinese contract law : theory and practice / by Mo Zhang.

Leiden ; Boston : Martinus Nijhoff Publishers, c2006.

Missoula: UM-Law - Law Library Circulating Collection

KNQ858 .Z45 2006

Ganea, Peter.

Intellectual property law in China / by Peter Ganea and Thomas Pattloch ; editor,
Christopher Heath.

[Munich] : Max Planck Institute for Foreign and International Patent, Copyright, and
Competition Law ; The Hague : Kluwer Law International, 2005.

Missoula: UM-Law - Law Library Circulating Collection

KNQ1155 .G355 2005

Doing business in China : People's Republic of China / edited by Freshfields. , [2nd ed.]
Yonkers, NY : Juris Publishing, Inc., c1999-

Missoula: UM-Law - Law Library Circulating Collection

KNQ3407 .D65

Testing the boundaries of international humanitarian law / edited by Susan C. Breau and
Agnieszka Jachec-Neale.

London : British Institute of International and Comparative Law, c2006.

Missoula: UM-Law - Law Library Circulating Collection

KZ6471 .T47 2006

Moon, Jennifer A.

Reflection in learning and professional development : theory and practice / Jennifer A.
Moon.

London : Kogan Page, 1999

Missoula: UM-Law - Law Library Circulating Collection

LB1060 .M66 1999

Elwork, Amiram.

Stress management for lawyers : how to increase personal & professional satisfaction in
the law / Amiram Elwork ; with contributions by Mark R. Siwik, Douglas B. Marlowe.. ,
3rd ed.

North Wales, Pa. : Vorkell Group, c2007.

Missoula: UM-Law - Law Library Circulating Collection

RA785 .E46 2007

Blinder, Martin.

Psychiatry in the everyday practice of law : a lawyer's manual for case preparation and trial / Martin Blinder. , 4th ed., reissued April 2006.

[Eagan, MN] : Thomson/West, c2006.

Missoula: UM-Law - Law Library Circulating Collection

RA1151 .B55 2006

Werner, Stephen M.

Is access to safe drinking water and proper sanitation a basic human right? / Stephen M. Werner.

[Missoula, Mont.] : produced by the University of Montana School of Law, 2007

Missoula: UM-Law - DVD Collection

TD220 .W27 2007

McDermott, Irene E., 1959-

Librarian's Internet survival guide : strategies for the high-tech reference desk / Irene E. McDermott ; edited by Barbara Quint. , 2nd ed.

Medford, N.J. : Information Today, Inc., c2006.

Missoula: UM-Law - Law Library Circulating Collection

ZA4225 .M35 2006

