



The Bailiwick

September 7, 2007

From the Editor... Welcome Back!

To those of you who are returning, welcome back – it's good to see all of you again. I hope you all had fantastic summers. To those of you who are new, welcome to the University of Montana School of Law.

The Bailiwick is a bi-weekly newsletter covering interesting local, national and international legal news, as well as law school news and events. The Bailiwick is published every Friday during the school year and is emailed to all law school students, faculty and staff as well as many alumnae and friends of the law school. Back issues of The Bailiwick are available at <http://www.umt.edu/law/library/News/Bailiwick%20Archives.htm> or from the link on the [Law Library website](#).

If you come across interesting legal new or you have an event you would like published in The Bailiwick, please email stacey.gordon@umontana.edu. Have a good year!

Stacey



Law School News & Upcoming Events

Academic Support Workshop
Learning Styles, Prof. Stacey Gordon
Monday, September 10, Noon, Room 202

Jones-Tamm Lecture
Chief Justice John Roberts
Thursday, September 13, 2:00, University Theatre

Academic Support Workshop
Reading Like a Lawyer, Prof. Michelle Bryan Mudd
Monday, September 17, Noon, Room 202

Football CLE
Professionalism Beyond the Rules, Prof. Bari Burke
Saturday, September 22, 9:30am

Federalist Society Tailgate
Griz v. Albany
Saturday, September 22, 11:00am

Legal News

Federal Judge Orders Iran to Pay \$2.65 Billion to Survivors of Beirut Bombings
[Story](#) [Opinion](#)

Government Is Building Tent City at Guantanamo for Upcoming Military Tribunals
[Story](#) [Military Commissions Act of 2006](#)

Federal Judge Finds National Security Letters without Judicial Review Are Unconstitutional
[Story](#) [Opinion](#) [ACLU Information about National Security Letters](#)

Gov. Schwarzenegger Appeals Ruling that Ban on Sale of Violent Video Games Is Unconstitutional
[Story](#) [Cal. Assembly Bill No. 1179](#) [N.D. Cal. Decision](#)

Civil Rights Groups File Lawsuit against Arizona Fair and Equal Employment Act
[Story](#) [Complaint](#) Fair and Equal Employment Act (aka Legal Arizona Workers' Act)

9th Cir. Grants Stay, Allows Navy to Use Sonar during Appeal on Standing
[Story](#) [Order](#) [9th Cir. 2004 Standing Decision](#)

Iowa Judge Rules Ban on Gay Marriage Is Unconstitutional, then Stays Ruling
[Story](#) [Opinion](#) [Iowa Defense of Marriage Act](#)

ACLU Argues US Should Not Deport Detainees to Countries that Torture
[Story](#) [ACLU Press Release](#) [UN Convention against Torture](#)

NC Medical Board Seeks Dismissal of Lawsuit over Participation in Executions
[Story](#) [Motion to Dismiss](#) [NC Medical Board Policies](#)

Reauthorization of Native American Housing Assistance and Self-Development Act Passes House but May Deny Cherokee Housing Funds
[Story](#) [HR2786](#)

Interior Issues Proposed Rules on Hunting of Migratory Birds on Reservations
[Fed. Reg. Notice](#)

Irrigators File Lawsuit against PBS Seeking Documents Used in Documentary They Claim is Propaganda for Navajo Water Users
[Story](#)

9th Cir. Upholds Constitutionality of Ban on Climbing at Washoe Tribe Sacred Site
[Story](#) [Opinion](#)

Earthjustice Sues EPA over Pollution from Ships
[Story](#)

Cal. Passes Bill Banning RFID Tagging of Humans
[Story](#) [SB362](#)

9th Cir. Exempts Two CIA Documents from Johnson Administration from FOIA Disclosure
[Story](#) [Opinion](#)

9th Cir. Holds Sale of Original Artwork is Protected Speech
[Story](#) [Opinion](#)



Library News

New Books

Clark, Nancy L.

South Africa : the rise and fall of apartheid / Nancy L. Clark and William H. Worger.
Harlow, England ; New York : Pearson Longman, 2004.

Missoula: UM-Law - Law Library Circulating Collection
DT1757 .C52 2004

In the white man's image [videorecording] / presented by WGBH/Boston, WNET/New York and KCET/Los Angeles ; written and produced by Christine Lesiak ; co-produced by Matthew L. Jones ; a production of the Native American Public Broadcasting Consortium and

[Boston, Mass.] : WGBH Boston Video, c2007.

Missoula: UM-Law - DVD Collection
E97.6 .C2 I5 1992

Ayer, John D.

Guide to finance for lawyers / by John D. Ayer.

New York : Lexis Pub., 2001.

Missoula: UM-Law - Law Library Circulating Collection
HG4026 .A97 2001

Zimring, Franklin E.

Great American crime decline / Franklin E. Zimring.

Oxford ; New York : Oxford University Press, 2007.

Missoula: UM-Law - Law Library Circulating Collection
HV6783 .Z56 2007

Legal briefs & bytes : enlightening and amusing insights on the law / compiled and edited by John C. Szarko.

Buffalo, N.Y. : W.S. Hein, 2006.

Missoula: UM-Law - Law Library Circulating Collection
K58 .L44 2006

Rouse, Peter, 1957-

Every relationship matters / By Peter Rouse.

Chicago : American Bar Association, c2007.

Missoula: UM-Law - Law Library Circulating Collection
K120 .R68 2007

MacNeil, William P.

Lex populi : the jurisprudence of popular culture / William P. MacNeil.
Stanford, Calif. : Stanford University Press, 2007.

Missoula: UM-Law - Law Library Circulating Collection
K487.C8 M33 2007

Hackney, James R., 1964-

Under cover of science : American legal-economic theory and the quest for objectivity /
James R. Hackney Jr.

Durham : Duke University Press, 2007.

Missoula: UM-Law - Law Library Circulating Collection
K487.E3 H33 2007

Visions of contract theory : rationality, bargaining, and interpretation / by Larry A.
DiMatteo ... [et al.].

Durham, N.C. : Carolina Academic Press, c2007.

Missoula: UM-Law - Law Library Circulating Collection
K840 .D56 2007

Shelton, Dinah.

Judicial handbook on environmental law / Dinah Shelton and Alexandre Kiss ;
introduction by Chirstopher G. Weeramantry.

Hurtfordshire, UK : United Nations Environment Programme, c2005.

Missoula: UM-Law - Law Library Circulating Collection
K3585 .S53 2005

O'Keefe, Roger, 1968-

Protection of cultural property in armed conflict / Roger O'Keefe.
Cambridge, UK ; New York : Cambridge University Press, 2006.

Missoula: UM-Law - Law Library Circulating Collection
K3791 .O38 2006

Richards, Peter Judson.

Extraordinary justice : military tribunals in historical and international context / Peter
Judson Richards.

New York : New York University Press, c2007.

Missoula: UM-Law - Law Library Circulating Collection
K4754 .R53 2007

Tigar, Michael E., 1941-

Thinking about terrorism / Michael E. Tigar.

[Chicago] : American Bar Association, c2007.

Missoula: UM-Law - Law Library Circulating Collection
K5256 .T53 2007

Jackson, John D., 1955-

Judge without jury : Diplock trials in the adversary system / John Jackson and Sean Doran.

Oxford : Clarendon Press ; New York : Oxford University Press, 1995.

Missoula: UM-Law - Law Library Circulating Collection

KDE550 .J313 1995

Waluchow, Wilfrid J.

Common law theory of judicial review : the living tree / W.J. Waluchow.

Cambridge ; New York : Cambridge University Press, 2007.

Missoula: UM-Law - Law Library Circulating Collection

KE4248 .W35 2007

Ferguson, Robert A., 1942-

Trial in American life / Robert A. Ferguson.

Chicago : University of Chicago Press, 2007.

Missoula: UM-Law - Law Library Circulating Collection

KF220 .F47 2007

Dierenfield, Bruce J., 1951-

Battle over school prayer : how Engel v. Vitale changed America / Bruce J. Dierenfield.

Lawrence, Kan : University Press of Kansas, c2007.

Missoula: UM-Law - Law Library Circulating Collection

KF228.E54 D54 2007

King, Samuel P.

Broken trust : greed, mismanagement & political manipulation at America's largest charitable trust / Samuel P. King & Randall W. Roth.

Honolulu : University of Hawai'i Press, c2006.

Missoula: UM-Law - Law Library Circulating Collection

KF228.K36 K56 2006

LeClercq, Terri, 1946-

Guide to legal writing style / Terri LeClercq. , 4th ed.

New York, NY : Aspen Publishers, c2007.

Missoula: UM-Law - Law Library Circulating Collection

KF250 .L39 2007

Marx, Paul, 1930-

Modern rules of style / Paul Marx.

Chicago, IL : ABA Publishing, c2007.

Missoula: UM-Law - Law Library Circulating Collection

KF250 .M39 2007

Volokh, Eugene.

Academic legal writing : law review articles, student notes, seminar papers, and getting on law review / by Eugene Volokh, with foreword by Alex Kozinski. , 3rd ed.

New York : Foundation Press, 2007.

Missoula: UM-Law - Law Library Circulating Collection

KF250 .V65 2007

Chinn, Mark A.

Constructive divorce guidebook / by Mark A. Chinn.

Chicago, IL : American Bar Association, 2006.

Missoula: UM-Law - Law Library Circulating Collection

KF299.D6 C445 2006

Strickland, Rennard J.

Book and the bow: Native American lawyers as briefcase warriors [videorecording]. /

Rennard J. Strickland.

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

Missoula: UM-Law - DVD Collection

KF299 .M56 2007

Peoples, Lee F.

Legal ethics : a legal research guide / by Lee F. Peoples. , 2nd ed.

Buffalo, N.Y. : W.S. Hein & Co., 2006.

Missoula: UM-Law - Law Library Circulating Collection

KF306 .P46 2006

Compendium of client protection rules. , 2007 ed.

[Chicago, Ill.] : Center for Professional Responsibility, ABA, c2007.

Missoula: UM-Law - Law Library Circulating Collection

KF314.C45 C65 2007

Flannery, William J.

Lawyer's field guide to effective business development / William J. Flannery, Jr.

Chicago, IL : ABA Law Practice Management Section, c2007.

Missoula: UM-Law - Law Library Circulating Collection

KF316.5 .F58 2007

Kennedy, Duncan, 1942-

Rise & fall of classical legal thought / Duncan Kennedy.

Washington, DC : BeardBooks, 2006.

Missoula: UM-Law - Law Library Circulating Collection

KF380 .K46 2006

Parry, John, 1948-
Mental disability law, evidence, and testimony : a comprehensive reference manual for lawyers, judges, and mental disability professionals / John Parry, Eric Y. Drogin.
Washington, DC : American Bar Association, Commission on Mental and Physical Disability Law, c2007.
Missoula: UM-Law - Law Library Circulating Collection
KF480 .P37 2007

Weber, Mark C., 1953-
Disability harassment / Mark C. Weber.
New York : New York University Press, c2007.
Missoula: UM-Law - Law Library Circulating Collection
KF480 .W4 2007

Dwyer, James G., 1961-
Relationship rights of children / James G. Dwyer.
Cambridge ; New York : Cambridge University Press, 2006.
Missoula: UM-Law - Law Library Circulating Collection
KF540 .D89 2006

Hagedorn, Richard B.
Secured transactions in a nutshell / by Richard B. Hagedorn. , 5th ed.
St. Paul, Minn. : Thomson/West, 2007.
Missoula: UM-Law - Law Library Circulating Collection
KF1050.Z9 B33 2007

Feinman, Jay M.
Professional liability to third parties / Jay M. Feinman. , 2nd ed.
Chicago, Ill. : American Bar Association, c2006.
Missoula: UM-Law - Law Library Circulating Collection
KF1289 .F45 2006

Mezzullo, Louis A., 1944-
Estate planner's guide to buy-sell agreements for the closely held business / Louis A. Mezzullo. , 2nd ed.
Chicago, IL : Section of Real Property, Probate and Trust Law, American Bar Association, 2007.
Missoula: UM-Law - Law Library Circulating Collection
KF1355 .M49 2007

Lewis, David T., 1965-
Family limited partnership deskbook : forming and funding FLPs and other closely held business entities / by David T. Lewis, Andrea Chomakos. , 2nd ed.
[Chicago] : American Bar Association, c2007.
Missoula: UM-Law - Law Library Circulating Collection
KF1380 .L49 2007

Nonprofit resources : a companion to Nonprofit governance / editor-in-chief, Victor Futter ; acting editor-in-chief, Lisa A. Runquist ; managing editors, Victoria B. Bjorklund ... [et al.]. , 2nd ed.

Chicago : ABA Section of Business Law, c2007.

Missoula: UM-Law - Law Library Circulating Collection
KF1388 .N66 2007

Bainbridge, Stephen M.

Corporation law and economics / by Stephen M. Bainbridge.

New York, N.Y. : Foundation Press, 2002.

Missoula: UM-Law - Law Library Circulating Collection
KF1416 .B35 2002

Risius, Jeffrey M.

Business valuation : a primer for the legal profession / Jeffrey M. Risius.

Chicago, Ill. : American Bar Association, c2007.

Missoula: UM-Law - Law Library Circulating Collection
KF1416 .R57 2007

Directors & officers liability insurance deskbook / [edited by] Martin O'Leary. , 2nd ed.

Chicago, Ill. : American Bar Association, 2007.

Missoula: UM-Law - Law Library Circulating Collection
KF1423 .D58 2007

Henry, Sally M., 1948-

New bankruptcy code : cases, developments, and practice insights since BAPCPA / Sally McDonald Henry.

[Chicago] : American Bar Association, Section of Business Law, c2007.

Missoula: UM-Law - Law Library Circulating Collection
KF1511.597 .H46 2007

Anson, Weston, 1942-

Intangible assets handbook : maximizing value from intangible assets / Weston Anson, author and editor ; David C. Drews, co-editor.

Chicago, Ill. : American Bar Association, Section of Business Law, c2007.

Missoula: UM-Law - Law Library Circulating Collection
KF2979 .A845 2007

Lindemann, Barbara, 1935-

Employment discrimination law / Barbara T. Lindemann, Paul Grossman ; editor-in-chief, C. Geoffrey Weirich ... [et al.]. , 4th ed.

Washington, DC : BNA Books : American Bar Association, Section of Labor and Employment Law, Equal Employment Opportunity Committee, c2007.

Missoula: UM-Law - Law Library Circulating Collection
KF3464 .L56 2007

Sex-based harassment.

[Chicago] : Commission on Women in the Profession Section of Labor and Employment Law, American Bar Association, c2007.

Missoula: UM-Law - Law Library Circulating Collection
KF3467 .S463 2007

Barenbaum, Lester.

Family lawyer's guide to stock options / Lester Barenbaum, Walter Schubert, Robert Feder.

Chicago, Ill. : American Bar Association, Section of Family Law c2007.

Missoula: UM-Law - Law Library Circulating Collection
KF3496 .B37 2007

Scully-Hayes, Kathleen.

Practical guide to Medicare appeals / Kathleen Scully-Hayes and Daniel A. Cody.

Chicago : ABA Pub., c2007.

Missoula: UM-Law - Law Library Circulating Collection
KF3608.A4 S38 2007

Peters, Jean Koh, 1958-

Representing children in child protective proceedings : ethical and practical dimensions / Jean Koh Peters. , 3rd, international ed.

Newark, NJ : LexisNexis, 2007.

Missoula: UM-Law - Law Library Circulating Collection
KF3735 .P47 2007

Stevenson, Dru.

Questions & answers, environmental law : multiple choice and short answer questions and answers / by Dru Stevenson.

Newark, NJ : LexisNexis Matthew Bender, c2007.

Missoula: UM-Law - Law Library Circulating Collection
KF3775.Z9 S74 2007

Sprankling, John G., 1950-

Law of hazardous wastes and toxic substances in a nutshell / by John G. Sprankling, Gregory S. Weber. , 2nd ed.

St. Paul, MN : Thomson/West, 2007.

Missoula: UM-Law - Law Library Circulating Collection
KF3945.Z9S 685 2007

Maltz, Earl M., 1950-

Dred Scott and the politics of slavery / Earl M. Maltz.

Lawrence, Kansas : University Press of Kansas, c2007.

Missoula: UM-Law - Law Library Circulating Collection
KF4545.S5 M26 2007

Ramsey, Michael D., 1964-
Constitution's text in foreign affairs / Michael D. Ramsey.
Cambridge, Mass. : Harvard University Press, 2007.
Missoula: UM-Law - Law Library Circulating Collection
KF4651 .R36 2007

Bush, George, 1924-
American press and the American presidency / by George H.W. Bush.
Washington, D.C. : National Legal Center for the Public Interest, 1998.
Missoula: UM-Law - Law Library Circulating Collection
KF5053 .B76 1998

Forum for State Appellate Court Judges (2004 : Boston, Massachusetts).
Still coequal ? : state courts, legislatures, and the separation of powers : report of the
2004 Forum for State Appellate Court Judges.
Washington, DC : Pound Civil Justice Institute, c2006.
Missoula: UM-Law - Law Library Circulating Collection
KF5130 .F672 2004

Murchison, Kenneth M., 1947-
Snail Darter case : TVA versus the Endangered Species Act / Kenneth M. Murchison.
Lawrence, Kan. : University Press of Kansas, c2007.
Missoula: UM-Law - Law Library Circulating Collection
KF5640.A7 M87 2007

Yokley, E. C. (Emmett Clinton), 1909-
Zoning law and practice / by E. C. Yokley. , 4th ed.
Charlottesville, Va. : Michie Co., 1978-
Missoula: UM-Law - Law Library Circulating Collection
KF5698 .Y63

Judge Advocate General's School guide to the Servicemembers Civil Relief Act.
Chicago : ABA Standing Committee on Legal Assistance for Military Personnel, c2007.
Missoula: UM-Law - Law Library Circulating Collection
KF7680.A32 J83 2007

Cohen, Felix S., 1907-1953.
On the drafting of tribal constitutions / by Felix S. Cohen ; edited by David E. Wilkins ;
foreword by Lindsay G. Robertson.
Norman : University of Oklahoma Press, 2007.
Missoula: UM-Law - Law Library Circulating Collection
KF8221 .C63 2007

Crow Tribe.
Decisions of the Crow Court of Appeals.
[Montana : Crow Agency, Montana 1999]
Missoula: UM-Law - Permanent Reserve
KF8228 C76 1999

Crow Tribe.
Crow law and order code.
[Montana? : The Tribe? 2005]
Missoula: UM-Law - Permanent Reserve
KF8228 C76 2005

American Bar Association.
Model code of judicial conduct.
[Chicago] : American Bar Association, Center for Professional Responsibility, c2007.
Missoula: UM-Law - Permanent Reserve
KF8779 .A936 2007

Running for judge : the rising political, financial, and legal stakes of judicial elections /
edited by Matthew J. Streb.
New York : New York University Press, c2007.
Missoula: UM-Law - Law Library Circulating Collection
KF8785.A7 R86 2007

Rothstein, Paul F., 1938-
Evidence in a nutshell / by Paul F. Rothstein, Myrna S. Raeder, David Crump. , 5th ed.
St. Paul, MN : Thomson/West, c2007.
Missoula: UM-Law - Law Library Circulating Collection
KF8935.Z9 R67 2007

Epstein, Edna Selan.
Attorney-client privilege and the work-product doctrine / by Edna Epstein. , 5th ed.
Chicago, Ill. : Section of Litigation, American Bar Association, 2007.
Missoula: UM-Law - Law Library Circulating Collection
KF8959.A7 E67 2007

Knibb, David G.
Federal Court of Appeals manual : a manual on practice in the United States Courts of
Appeals / by David G. Knibb. , 5th ed.
St. Paul, Minn : Thomson/West, 2007.
Missoula: UM-Law - Law Library Circulating Collection
KF9052 .K55 2007

Forum for State Appellate Court Judges (2003 : San Francisco, California)
Privatization of justice? : mandatory arbitration and the state courts : report of the 2003
Forum for State Appellate Court Judges / Pound Civil Justice Institute.
Washington, DC : Pound Civil Justice Institute, c2006.
Missoula: UM-Law - Law Library Circulating Collection
KF9084.Z9 F672 2003

Robinson, Paul H., 1948-
Law without justice : why criminal law doesn't give people what they deserve / Paul H.
Robinson and Michael T. Cahill.
Oxford ; New York : Oxford University Press, 2006.
Missoula: UM-Law - Law Library Circulating Collection
KF9223 .R63 2006

Wallentine, Ken.
Street legal : a guide to pre-trial criminal procedure for police, prosecutors, and defenders
/ Ken Wallentine.
Chicago : American Bar Association, Criminal Justice Section, c2007.
Missoula: UM-Law - Law Library Circulating Collection
KF9619 .W35 2007

Best of state : featuring the best speakers in the state, according to evaluations of past
State Bar CLEs.
[Helena, Mont.] : State Bar of Montana, c2007.
Missoula: UM-Law - Law Library Circulating Collection
KFM9084.5.A75 B25 2007

Conley, Patrick T.
Rhode Island state Constitution : a reference guide / Patrick T. Conley and Robert G.
Flanders, Jr.
Westport, Conn. : Praeger, 2007.
Missoula: UM-Law - Law Library Circulating Collection
KFR401 1986.A6 C66 2007

Graham, Cole Blease.
South Carolina state constitution : a reference guide / Cole Blease Graham, Jr.
Westport, Conn. : Praeger Publishers, 2007.
Missoula: UM-Law - Law Library Circulating Collection
KFS2201 1895.A6 G73 2007

Screening justice--the cinema of law : significant films of law, order, and social justice /
edited by Rennard Strickland, Teree Foster, Yaunya Banks.
Buffalo, N.Y. : W.S. Hein, 2006.
Missoula: UM-Law - Law Library Circulating Collection
PN1995.9.J8 S37 2006

Bohjalian, Christopher A.

Trans-sister radio : a novel / by Chris Bohjalian. , 1st Vintage Contemporaries ed.

New York : Vintage Books, c2001.

Missoula: UM-Law - Law Library Circulating Collection

PS3552.O495 T72 2001

Practitioner's guide to biometrics / William Sloan Coats ... [et al.].

Chicago, Ill. : ABA Section of Science & Technology Law, c2007.

Missoula: UM-Law - Law Library Circulating Collection

TK7882.B56 P72 2007

