

AALS PROPERTY SECTION WINTER NEWSLETTER



MESSAGE FROM THE CHAIR

Property friends,

Happy festive season to you all.

It's been an exciting year for property law; New York [finally imposed a duty to mitigate](#) on residential landlords, we witnessed the [rebirth of rent control in California](#), and there's burgeoning momentum to tackle the ills of single-family zoning. The judiciary has also provided property pros with some new cases to chew on. Most notably, in an opinion released over the summer, the Supreme Court [overturned Williamson County](#), opening the federal courts to litigants who feel aggrieved by local property regulations. And, just this week, the Court of Federal Claims held that the Army Corps of Engineers [committed a taking](#) when it flooded the land of some property owners during Hurricane Harvey.

In 2019, the property section also welcomed an incredibly exciting class of first year teachers to the ranks: [Xiaoqian Hu](#) (Arizona), [Yael Lifshitz](#) (Kings College London), [K-Sue Park](#) (Georgetown), [Joseph Schremmer](#) (New Mexico), and [David Waddilove](#) (Notre Dame). If you see them around at conferences, please be sure to say hello.

And speaking of conferences, let me end with a plug for our upcoming annual meeting in Washington D.C. If you're a fan of property scholarship, Saturday January 4th will be absolutely packed. At 7:00 am we'll kick off the day with the annual business meeting. The main Property session will then begin at 1:30pm. Our panel is entitled, *Land Use Reform and the Housing Crisis: Is 100 Years of Exclusionary Zoning Enough?* It will feature [Chris Elmendorf](#) (UC Davis), [Anika Singh Lemar](#) (Yale) [Sara Bronin](#) (UConn), and [Alex Baca](#) (DC housing & transportation activist, writer, and [Twitter All-Star](#)).

We'll end the day with our Junior Scholars Works-in-Progress panel at 3:30 pm. For the first time since the hiring slowdown in 2009, the property section has a very deep bench of young scholars. Please come out and show some support for this great group of juniors: Mekonnen Ayano (Missouri), Edward De Barbieri (Albany), John Bliss (Denver), Elizabeth Elia (New Mexico), Sheldon Lyke (Northern Kentucky), Janewa Osei-Tutu (Florida International), and Anika Singh Lemar (Yale).

Finally, thank you so much to this year's executive team. Rashmi Dyal-Chand, John Infranca, Andrea Boyack, and the Executive Board have made the work very easy. I hope to see you in D.C.

Steve Clowney

Professor of Law

University of Arkansas-Fayetteville

IN THIS ISSUE

Message from the Chair

1

Upcoming Conferences

2

Recent Publications

3

Property Section Officers

CHAIR:

Steve Clowney
*University of Arkansas – Fayetteville
School of Law*

CHAIR ELECT:

Rashmi Dyal-Chand
*Northeastern University
School of Law*

SECRETARY:

John Infranca
Suffolk University Law School

TREASURER:

Andrea Boyack
Washburn University School of
Law

Executive Committee:

Natalie Banta – Drake
Sara Bronin – U. Connecticut
Shelley Cavalieri – Toledo
Tabrez Ebrahim – Cal. Western
Priya Gupta - Southwestern
Kathleen Guzman – Oklahoma
Jacqueline Hand – Detroit Mercy
Lolita Buckner Inniss – SMU
Donald Kochan – Chapman
Patricia Lee – St. Louis
Michael Lewyn - Touro
Susan Looper-Friedman – Capital
Timothy Mulvaney – Texas A&M
Ashira Ostrow – Hofstra
Kalyani Robbins – Loyola Chicago
Sue Painter-Thorne – Mercer
Sarah Schindler - Maine
Brandon Weiss – UMKC
Kellen Zale – Houston
Carol Zeiner – St. Thomas

UPCOMING CONFERENCES

Association for Law, Property, & Society – New Orleans, Louisiana, May 22-23, 2020

The Association for Law, Property & Society (ALPS) is an organization for those engaged in scholarship on all aspects of property law and society. Its annual meeting brings together scholars from different disciplines and from around the world to discuss their work and to foster dialogue among those working in property law, policy, planning, social scientific field studies, modeling, and theory. ALPS will hold its 11th Annual Meeting at Tulane Law School from May 22-23, 2020.

Paper submissions on any subject related to property law and the practices that shape property norms and institutions are welcome.

For details and a link to the call for papers, please see <https://www.alps-law.org/annual-meeting>.

Historic and Green: A New Climate Agenda, at The University of Connecticut Law School, January 24, 2020.

Registration information available at:
<https://www.law.uconn.edu/calendar/event/2020/01/24/historic-and-green-new-climate-agenda>.

RECENT PUBLICATIONS BY SECTION MEMBERS

Nadia Ahmad

Barry University School of Law

- *Climate Cages: Calibrating Carceral State, Mobility, and Environmental Justice*, 65 LOYOLA LAW REVIEW __ (2020).
- *IRENA at 10: Post Paris Energy Transitions and the International Renewable Energy Agency*, 11 SAN DIEGO JOURNAL OF CLIMATE & ENERGY LAW_(2020).
- *Faith-Based Approaches to Ecological Harmony and Environmental Protection*, 21 RUTGERS RACE & THE LAW REVIEW __ (2020).
- *Recognizing the Role of Religion in Environmental Legal Norms*, 29 ST. THOMAS LAW REVIEW __ (2020).
- *Mask Off – The Coloniality of Environmental Justice*, 25 WIDENER LAW REVIEW 193 (2019).
- *Energy for Metropolis*, 73 UNIVERSITY OF MIAMI LAW REVIEW 258 (2018).
- ENVIRONMENTAL JUSTICE: LAW, POLICY, AND REGULATION (with Rebecca Bratspies, Roger Lin, and Clifford Villa) (3d Edition, Carolina Academic).

Jessie Allen

University of Pittsburgh School of Law

- Jessie Allen, *Blackstone Sparks Joy*, in BLACKSTONE WEEKLY, October 2019 <https://blackstoneweekly.wordpress.com/2019/10/>.
- Jessie Allen, *Of Rights and Reasons*, in BLACKSTONE WEEKLY, May 2019 <https://blackstoneweekly.wordpress.com/2019/05/>.

Albertina Antognini

University of Arizona James E. Rogers College of Law

- *Nonmarital Coverture*, 99 B.U. L. REV. 2139 (2019).

Natalie Banta

Drake University Law School

- *Electronic Wills and Digital Assets: Reassessing Formality in the Digital Age*, BAYLOR L. REV. (forthcoming 2020).
- *Minors and Digital Asset Succession*, 104 IOWA L. REV. 1699 (2019).

Jane B Baron

Temple University Beasley School of Law

- *Fixed Intentions: Wills, Living Wills, and End-of-Life Decision Making*, 87 TENN. L. REV. __ (forthcoming 2020).

Gerry W. Beyer

Texas Tech University School of Law

- *Wills, Trusts, and Estates for Legal Assistants* (5th ed. 2019) (with John C. Hanft).
- *Texas Estate Planning Statutes With Commentary* (2019-2021 ed.).
- *Beyer's Texas Property Code Annotated with Related Texas Law* (2019 ed.).
- *Estate Planning for Mary Jane and Other Marijuana Users*, PROB. & PROP., Mar./Apr. 2019, at 17 (with Brooke Dacus).
- *Sign on the [Electronic] Dotted Line: The Rise of the Electronic Will*, 57-1 REAL EST., PROB., & TR. L. REP., at 51 (2019) (with Katherine Peters).

Daniel B. Bogart

Dale E. Fowler School of Law, Chapman University

- *ABA Learning Outcomes Compliance and the Real Estate Course Trajectory -- Reflections of an Outgoing Associate Dean*, 53 WAKE FOREST L. REV. 923 (2018).
- *Professionalism for Law Teachers: Lessons I Learned from John Makdisi*, 14 INTERCULTURAL HUM. RTS. L. REV. 119 (2019).
- PROPERTY LAW – PRACTICE, PROBLEMS, AND PERSPECTIVES (2d Ed. 2019) (with Jerry L. Anderson).

Andrea Boyack

Washburn University School of Law

- *Responsible Devolution of Affordable Housing*, 46 FORDHAM URBAN LAW JOURNAL 1183 (2019).
- *Sustainable Affordable Housing*, 50 ARIZONA STATE LAW JOURNAL 455 (2018).
- *Side by Side: Revitalizing Urban Cores and Ensuring Residential Diversity*, 92 CHICAGO-KENT LAW REVIEW 435 (2017).
- *Limiting the Collective Right to Exclude*, 44 FORDHAM URBAN LAW JOURNAL 451 (2017).
- *Equitably Housing (Almost) Half a Nation of Renters*, 65 BUFFALO LAW REVIEW 109 (2017).

Sara C. Bronin

University of Connecticut Law School

- *Rathkopf's The Law of Zoning and Planning*, 2014-PRESENT (2019 updates) (with Dwight H. Merriam).
- *Zoning for Families*, 95 INDIANA LAW JOURNAL, 2019.
- *Comprehensive Rezonings*, BYU LAW REVIEW (forthcoming, 2019)
- *National Report – United States*, in ARCHITECTURAL HERITAGE, SITES, AND LANDSCAPES SEIZED BY URBAN LAW (David

Renders et al., eds., 2019, translated into French).

- *Border Wall Presents a Paradox for Conservatives*, AUSTIN AMERICAN-STATESMAN, November 17, 2019.
- *Why Preservationists Must Be More Green to Protect Our Historic Places*, THE HILL, October 25, 2019.
- *The Golden Girls Would Violate Zoning Laws*, N.Y. TIMES, July 28, 2019.
- *A Recent U.S. Supreme Court Ruling May Seem Like a Win for Those Fighting Government Seizure of Property, But Was it Really?*, HARTFORD COURANT, July 7, 2019.

David Callies

William S. Richardson Law School

- *The Public Trust Doctrine*, 8 BRIGHAM-KANNER PROPERTY RIGHTS JOURNAL 71 (2019).
- *Fair Housing, Discrimination and Inclusionary Zoning in the United States*, 4 JOURNAL OF INTERNATIONAL AND COMPARATIVE LAW 39 (2017) (with Derek Simon).

Alejandro E. Camacho

University of California, Irvine

- *Bulldozing Infrastructure Planning and the Environment through Trump's Executive Order 13807*, 90 U. COLO. L. REV. (forthcoming 2019).
- *Reorganizing Government: A Functional and Dimensional Framework* (NYU Press 2019).
- *Mitigating Climate Change through Transportation and Land Use Policy*, 49 ENVTL. L. REP. 10473-92 (2019) (with Melissa L. Kelly, Nicholas J. Marantz, and Gabriel Weil).
- *Maintaining Overlapping State Roles in Climate Mitigation Strategies*, CPR POLICY BRIEF (2019) (with Robert L. Glicksman).

- Allocation Considerations for Climate Governance, CPR POLICY BRIEF (2019) (with Robert L. Glicksman).
- How to Improve Allocations of Regulatory Authority, REG. REV. (Oct. 22, 2019) (with Robert L. Glicksman).
- A Better Approach to Factoring Federalism Considerations into Regulatory Strategies, NOTICE & COMMENT (Oct. 14, 2019) (with Robert L. Glicksman).
- Trump's Decision to Hamstring California's Climate Authority Is Illogical and Uninformed, THE REVELATOR (Oct. 4, 2019) (with Robert L. Glicksman).
- Trump administration rollbacks disable environmental planning and democracy, THE HILL (Sept. 3, 2019).
- What President Trump's Infrastructure Agenda Gets Wrong, REG. REV. (May 6, 2019).
- A defeat on offshore drilling extends the Trump administration's losing streak in court, THE CONVERSATION (April 9, 2019) (republished in Chicago Tribune, Houston Chronicle, San Francisco Chronicle, Seattle Post-Intelligencer) (with Robert L. Glicksman).
- Acclimatizing Conservation, BLARB (Feb. 4, 2019).

Faisal Chaudhry

University of Dayton School of Law

- *Property as Rent*, 94(2) ST. JOHNS L.R. (forthcoming 2020).
- *Property and Its Rule (in Late Indo-Islamicate and Early Colonial) South Asia: What's in a Name?*, 61 J. ECON. & SOC. HIST. ORIENT 920 (2018).

Richard Chused

New York Law School

- *Sculpture, Industrial Design, Architecture, and the Right to Control Use of Publicly Displayed Works*, 17 NW. J. TECH. & INTELL. PROP. 55 (2019).

- *Temporary Conceptual Art: Property and Copyright, Hopes and Prayers*, 45 RUTGERS COMPUTER & TECH. L. J. 1 (2019).
- *Some Thoughts About Fair Use and Harm to Third Parties*, 67 UCLA L. REV. DISC. 104 (2019).
- *Moral Right: The Anti-Rebellion Graffiti Heritage of 5Pointz*, 41 COLUM. J. L. & ARTS 583 (2018).

Carl J. Circo

University of Arkansas School of Law

- *CONTRACT LAW IN THE CONSTRUCTION INDUSTRY CONTEXT* (2020).

Steve Clowney

Arkansas - Fayetteville

- *Does Commodification Corrupt: Lessons From Paintings and Prostitutes*, 50 SETON HALL L. REV. (forthcoming 2020).
- *Sorority Houses as Confederate Monuments*, 105 KY. L.J. (forthcoming 2020).

Nestor Davidson

Fordham Law School

- *The Dilemma of Localism in an Era of Polarization*, 128 YALE L.J. 954 (2019).
- *Law and Neighborhood Names*, 72 VAND. L. REV. 757 (2019) (with David Fagundes).
- *Much Obligated: Moral Psychology and the Social Obligation of Property (An Essay in Honor of Gregory Alexander)*, 29 CORNELL J. L. & PUB. POL'Y (Forthcoming 2020).
- *The Fair Housing Act's Original Sin: Administrative Discretion and the Persistence of Segregation*, in PERSPECTIVES IN FAIR HOUSING (Penn University Press, forthcoming 2020) (with Eduardo Peñalver).
- *Law and the New Urban Agenda* (Routledge, forthcoming 2020), (co-editor, with Geeta Tewari).

Edward W. De Barbieri

Albany Law School

- *Lawmakers as Jobs Buyers*, 88 FORDHAM L. REV. 15 (2019).
- *Urban Anticipatory Governance*, 46 FLA. ST. UNIV. L. REV. 75 (2019).
- *Connecting Community Control of Infrastructure and Economic Development with Race and Privilege*, 28 J. AFF. HSG. & CMTY. DEV. L. 213 (2019).
- *Thematic Overview: Race, Place, and Pedagogy in Achieving Access to Justice Through Community Economic Development*, 27 J. AFF. HSG. & CMTY. DEV. L. 467 (2019).

Rashmi Dyal-Chand

Northeastern University

- LEGAL SCHOLARSHIP FOR THE URBAN CORE: FROM THE GROUND UP (Cambridge 2019) (with Peter Enrich).
- *Property in Law*, in TRANSFORMATIVE PROPERTY LAW: Festschrift in Honor of AJ Van Der Walt (with Privileged Dliwayo) (G Muller et. al, eds. 2019).

Gabriel Eckstein

Texas A&M University School of Law

- *Water Diplomacy and Conflict Management on the Mexico-US Border*, in WATER DIPLOMACY AND CONFLICT MANAGEMENT: THE ROLE OF RIVER BASIN ORGANIZATIONS (with Maria Elena Giner) (Susanne Schmeier & Anoulak Kittikhoun Eds.) (Routledge, forthcoming).
- *The Status of the UN Watercourses Convention: Does it Still Hold Water?*, INT'L J. OF WATER RESOURCES DEVEL. (forthcoming 2020).
- *The path towards groundwater management in the borderlands of Mexico and Texas*, WIRES WATER (2019) (with Rosario Sanchez).

- *Conferring legal personality on the world's rivers: A brief intellectual assessment*, 44 WATER INT'L 804 (2019).
- *Texas*, in *Waters and Water Rights 4th* (Amy Kelley Ed., LexisNexis Matthew Bender, 2019).

Kate Sablosky Elengold

UNC School of Law

- *The Investment Imperative*, 57 HOUS. L. REV. 1 (2019).

Elizabeth Elia

University of New Mexico School of Law

- *Perpetual Affordability Covenants: Can These Land Use Tools Solve the Affordable Housing Crisis?*, 124 PENN. ST. L. REV. 57 (2019).

Lee Anne Fennell

University of Chicago

- SLICES AND LUMPS: DIVISION AND AGGREGATION IN LAW AND LIFE (University of Chicago Press, 2019).
- *Property as the Law of Complements*, in RESEARCH HANDBOOK ON PRIVATE LAW THEORIES (with Hanoch Dagan & Benjamin Zipursky, eds.) (forthcoming Edward Elgar).
- *Owning Bad: Leverage and Spite in Property Law*, in CIVIL WRONGS AND JUSTICE IN PRIVATE LAW (with Paul B. Miller & John Oberdiek, eds.) (forthcoming Oxford University Press).
- *Property Beyond Exclusion*, 61 WM & MARY L. REV. (forthcoming 2019).
- *Inversion Aversion*, 86 U. CHI. L. REV. 797 (2019) (with Richard H. McAdams).
- *Personalizing Precommitment*, 86 U. CHI. L. REV. 433 (2019).
- *Property Attachments*, 87 U CHICAGO L. REV. ONLINE 55 (2019) (comment on ERIC A. POSNER & E. GLEN WEYL, RADICAL MARKETS: UPROOTING CAPITALISM FOR A JUST SOCIETY (Princeton University Press, 2018)).

Peter M. Gerhart

Case Western Reserve School of Law

- *The Social Costs of Regulatory Takings*, 70 MERCER L.REV.479 (2019).

Celeste Hammond

UIC John Marshall Law School

- *Repurposing Golf Courses and Other Amenities that Burden the Land: Covenants Running Forever*, 52 UIC J. MARSHALL L. REV. ____ (2020).

N. William Hines, Jr.

University of Iowa College of Law

- *A Concise History of the Iowa Agricultural Law Center, 1953-1973*, 24 DRAKE JOURNAL OF AGRICULTURAL LAW 175 (2019).
- *Is Iowa Code 657A.10A A Regulatory Step Too Far Under Federal Takings Law?* 103 IOWA LAW REVIEW ONLINE 161 (2019).
- *Here We Go Again: A Third Legislative Attempt To Protect Polluting Iowa CAFOs From Neighbors' Nuisance Actions*, 103 IOWA LAW REVIEW 41 (2019).

John Infranca

Suffolk School of Law

- *The New State Zoning: Land Use Preemption amid a Housing Crisis*, 60 B.C. L. REV. 824 (2019)
- *Regulatory Challenges in the Sharing Economy* (with Nestor Davidson), 27:2 THE PUBLIC LAWYER 2 (Summer 2019).
- *The Sharing Economy and the Allocation of Urban Space*, 42:2 ZONING & PLAN. L. REP. 1 (March 2019).

Lolita Buckner Inniss

SMU Dedman School of Law

- THE PRINCETON FUGITIVE SLAVE: THE TRIALS OF JAMES COLLINS JOHNSON (2019, Fordham University Press).
- *Property Law Revolution, Devolution, and Feminist Legal Theory*, in ELOISA C. RODRIGUEZ-DOD AND ELENA MARIA MARTY-

NELSON, EDITORS, *FEMINIST JUDGMENTS: REWRITTEN OPINIONS OF THE UNITED STATES SUPREME COURT* (invited contribution; forthcoming 2020, Cambridge University Press).

- *The Lucky Law Professor and the Eucatastrophic Moment*, in CARMEN GONZALEZ, EDITOR, *PRESUMED INCOMPETENT II* (invited contribution; forthcoming 2020, Utah University Press).
- *Aboriginal Women and Property Law: Kell v. Canada* in FEMINIST INTERNATIONAL JUDGMENTS, (Troy Lavers & Loveday Hodson, editors) (with Jessie Hohmann & Enzamaria Tramontina) (2019 Hart Publishers).
- *Ships' Ballast as an Object of International Law*, in INTERNATIONAL LAW'S OBJECTS: EMERGENCE, ENCOUNTER AND ERASURE THROUGH OBJECT AND IMAGE (invited contribution; 2019, Oxford University Press).
- *(Un)Common Law and the Female Body*, BOSTON COLLEGE LAW REVIEW E. SUPP. (forthcoming 2020) (invited contribution).
- *The Birth of Abortion Law*, 21 UCLA WOMEN'S L.J. ____ (forthcoming 2020).
- *Talking About Black Lives Matter and #MeToo*, WISCONSIN JOURNAL OF LAW, GENDER & SOCIETY (invited; forthcoming 2020, with Linda Greene, Bridget Crawford et al).

Jamila Jefferson

University of Missouri Kansas City

- *#LivingWhileBlack: Blackness as Nuisance*, 69 AM. U. L. REV. ____ (2020) (with Tajania Henderson).

Randall K. Johnson, Associate Professor of Law
Mississippi College, School of Law

- *How Mobile Homes Correlate With Per Capita Income*, 10 CALIFORNIA LAW REVIEW ONLINE _ (forthcoming, 2020).

Alice Kaswan

University of San Francisco School of Law

- *Carbon Pricing: Essential but Insufficient*, CENTER FOR PROGRESSIVE REFORM (July 2019).

Christine A Klein

University of Florida Levin College of Law

- PROPERTY: CASES, PROBLEMS, AND SKILLS (Aspen Publishers, 2d ed.) (forthcoming Feb. 2020).
- *The National Flood Insurance Program at Fifty: How the Fifth Amendment Takings Doctrine Skews Federal Flood Policy*, 31 GEO. ENVTL. L. REV. 285 (2019).
- NATURAL RESOURCES LAW: A PLACE-BASED BOOK OF PROBLEMS AND CASES (Aspen Publishers, 4th ed. 2018).

Roberta Kwall

DePaul University College of Law

- REMIX JUDAISM: PRESERVING TRADITION IN A DIVERSE WORLD (Rowman & Littlefield, February 2020).

Herbert I Lazerow

University of San Diego

- *Copyright Co-ownership*, 67 J. COPYRIGHT SOC. USA --- (2020).

Michael Lewyn

Touro Law Center

- *In Defense of the American Community Survey*, 18 CONN. PUB. INT. L.J. 109 (2019).
- *Do You Believe in Ghost Apartments?*, 48 REAL EST. L.J. 234 (2019).
- *Are Wide Streets Negligent?*, 48 REAL EST. L.J. 64 (2019).

Adam James MacLeod

Faulkner University, Jones School of Law

- *Public Rights After Oil States Energy*, 95 NOTRE DAME L. REV. ___ (2020).

Audrey McFarlane

University of Baltimore School of Law

- *The Properties of Integration: Mixed-Income Housing as Discrimination Management*, 66 UCLA LAW REVIEW 1140 (2019).
- *Calling for a Community Economic Development Code of Ethics*, 28 J. AFFORDABLE HOUSING & COMMUNITY DEV. L. 219 (2019) (with Michéle Alexandre and Patience A. Crowder).
- *Race, Space, and Democracy: Locally-Based Strategies for Development* – Panel Discussion from Fourth National People of Color Legal Scholarship Conference, Hosted at the American University Washington College of Law (with Erika Wilson, Michéle Alexandre and Ezra Rosser).

Timothy J. McFarlin

University of La Verne College of Law

- *Using Open-Source, Collaborative Online Reading to Teach Property* (forthcoming 64 ST. LOUIS U. L.J. ___ (2020)).

M.C. Mirow

Florida International University

- *Leon Duguit and the Social Function of Property in Argentina*, in LEON DUGUIT AND THE SOCIAL OBLIGATION NORM OF PROPERTY: A TRANSLATION AND GLOBAL EXPLORATION 267-285 (with Paul Babie & Jessica Viven-Wilksch eds., 2019).
- *Leon Duguit*, in GREAT CHRISTIAN JURISTS IN FRENCH HISTORY 358-371 (with Olivier Descamps & Rafael Domingo eds., 2019).
- *The Supreme Court, Florida Land Claims, and Spanish Colonial Law*, in LEGAL TRADITIONS IN LOUISIANA AND THE FLORIDAS 1763-1848, 221-269 (with Sean Patick Donlan & Vernon Valentine Palmer eds., 2019).

Timothy M. Mulvaney

Texas A&M University School of Law

- *A World of Distrust*, 120 COLUM. L. REV. FORUM (forthcoming 2020).
- *The State of Exactions*, 61 WM. & MARY L. REV. 169 (2019).
- *Property-as-Society*, 2018 WISC. L. REV. 911.
- *Non-Enforcement Takings*, 59 B.C. L. REV. 145 (2018).

John Nolon

Pace Law School

- *Calming Troubled Waters: Local Solutions*, VT. L. REV. Vol. 44, No. 1, (forthcoming Dec. 2019).
- *Low Carbon Land Use: Paris, Pittsburgh, and the IPCC*, Vol. 40, No. 4, U. ARK. LAW REVIEW 4, 661 (2018)
- *Land Use Strategies that Mitigate Climate Change*, PROB. & PROP. (forthcoming Jan.-Feb., 2020)

Christopher K. Odinet

University of Oklahoma College of Law

- FORECLOSED: MORTGAGE SERVICING AND THE HIDDEN ARCHITECTURE OF HOMEOWNERSHIP IN AMERICA (2019).

Jessica Owley

University of Miami

- *Federal Land Conservation In Rural Areas*, TEXAS A&M J. PROP. L. (forthcoming 2019) (with Jess Phelps).
- *What Can the Apple Teach the Orange: Lessons U.S. Land Trusts Can Learn from the National Trusts in the U.K.*, 30 DUKE ENVTL L. & POL'Y F. _ (forthcoming 2019) (with Sally K. Fairfax & Lauren Gwi).
- *Etched in Stone: Historic Preservation Law and Confederate Monuments*, 71 FLA. L. REV. 627 (2019) (with Jess Phelps).
- *The New Agriculture: From Food Farms to Solar Farms*, 44 COLUMBIA J. ENVTL. L. 409 (2019).

- *Environmental Law Disrupted.*, 49 ENVTL. L. REP. 10038 (2019) (with Inara Scott, David Takacs, Rebecca M. Bratspies, Vanessa Casado Pérez, Robin Kundis Craig, Keith H. Hirokawa, Blake Hudson, Sarah Krakoff, Katrina Fischer Kuh, Melissa Powers, Jonathan D. Rosenbloom, Shannon Roesler, J.B. Ruhl, & Erin Ryan).
- *Rebuilding the Endangered Species Act: An Environmentalist Prospective*, in ENDANGERED SPECIES ACT: LAW, POLICY, AND PERSPECTIVES _ (Don Baur & Ya-Wei Li eds. forthcoming 2020) (with Brett Hartl).
- *Zero-Sum Land Conservation*, in BEYOND ZERO-SUM ENVIRONMENTALISM 173 (Sarah Krakoff, Melissa Powers, & Jonathan Rosenbloom eds. 2019).

David Papke

Marquette University Law School

- CONTAINMENT AND CONDEMNATION: LAW AND THE OPPRESSION OF THE URBAN POOR (Michigan State University Press, 2019).

Heather Payne

Seton Hall University School of Law

- *Roads to Nowhere in Four States: State and Local Governments in the Atlantic Southeast Facing Sea-Level Rise*, 44 COLUMBIA J. OF ENVTL. L. 67 (2019) (with Shana Jones, Thomas Ruppert, Erin L. Deady, Scott Pippin, Ling-Yee Huang & Jason M. Evans).
- *Sharing Negawatts: Property Law, Electricity Data and Facilitating the Energy Sharing Economy*, 123 PENN STATE L. REV. 355 (2019).

Michael Pollack

Benjamin N. Cardozo School of Law

- *Taking Data*, 86 U. CHI. L. REV. 77 (2019).
- *A Knock on Knick's Revival of Federal Takings Litigation*, 72 FLA. L. REV. ____ (forthcoming 2020) (with Stewart E. Sterk).

David J Reiss

Brooklyn Law School

- *There Is Hope of Housing Finance Reform That works for Americans*, THE HILL, (SEPT. 12, 2019), <https://thehill.com/opinion/finance/461117-there-is-hope-of-housing-finance-reform-that-works-for-americans>.
- *Financing the American Dream*, 33 PROBATE AND PROPERTY 56 (MAY/JUNE 2019), https://www.americanbar.org/groups/real_property_trust_estate/publications/probate-property-magazine/2019/may-june/financing-american-dream/.
- *The Next Two Years of Federal Housing Policy Could Be Positive under Mark Calabria*, THE HILL, (FEB. 14, 2019), <https://thehill.com/opinion/civil-rights/429963-the-next-two-years-of-federal-housing-policy-could-be-positive-under>.
- *Small Business Jobs Survival Act May Have Opposite Effect*, NEW YORK LAW JOURNAL (JAN. 24, 2019) (with others), <https://www.law.com/newyorklawjournal/2019/01/24/small-business-jobs-survival-act-may-have-opposite-effect/?slreturn=20191026101218>.

Angela Riley

UCLA Law School

- *Privatizing the Reservation?*, 71 STANFORD LAW REVIEW 791 (2019) (with Kristen Carpenter).

Eloisa C. Rodriguez-Dod

Florida International University

- FEMINIST JUDGMENTS: REWRITTEN PROPERTY OPINIONS (Cambridge University Press, forthcoming 2020) (with Elena Marty-Nelson eds.).

Tom Romero II

University of Denver

- *Ditches and Desirability: Regulating the Flow and Quality of Immigration Through the Doctrine of Prior Appropriation in the 19th and early 20th Century American West*, in BEYOND THE BORDERS OF THE LAW: CRITICAL LEGAL HISTORIES OF THE NORTH AMERICAN WEST (Katrina Jagodinsky & Pablo Mitchell, eds.) (2018).

Ronald Rosenberg

William and Mary Law School

- *Cutting Pension Rights for Public Workers: Don't Look to the Courts for Help*. 62 HOWARD L. J. 541 (2019).

Jonathan Rosenbloom

Vermont Law School

- *Facing Water-Based Challenges with Sustainable Development Codes*, 8 ZONING PRACTICE 2 (American Planning Association) (2019).

Laura Rothstein

University of Louisville Brandeis School of Law

- *Would the ADA Pass Today? Disability Rights in an Age of Partisan Politics*, 12 ST. LOUIS UNIVERSITY HEALTH L.J. 271-330 (2019).

Shelley Saxer

Pepperdine University Caruso School of Law

- CONTEMPORARY PROPERTY (American Casebook Series, West Academic) (5th Ed. with Colleen Medill) (2019).
- *Planning for Wildfire Disasters*, JOTWELL PROPERTY (Feb. 2019).
- *Exactions and Impact Fees*, 7 PROP. RTS. CONF. J. 77 (2018).

Joseph Schremmer

New Mexico

- *Getting Past Possession: Subsurface Property Disputes as Nuisances*, 95 WASH. L. REV. (forthcoming 2020).

- *A New Associate's Field Guide to Partner Compensation*, J. KAN. B. ASSOC., OCT. 2019, at 18.
- *Oil, Gas & Mineral Law*, KANSAS ANNUAL SURVEY OF LAW (Kansas Bar Association 2019) (with Casey L. Jones & Charles A. Steincamp).

Joseph William Singer

Harvard Law School

- *PERSUASION: GETTING TO THE OTHER SIDE* (Carolina Academic Press, 2020).

Jim Smith

University of Georgia

- *Energy Efficiency, Conservation, and Fuel Switching in Existing Buildings*, in *LEGAL PATHWAYS TO DEEP CARBONIZATION IN THE UNITED STATES* (with Michael B. Gerrard & John C. Dernbach eds.) (Environmental Law Institute 2019).

Ilya Somin

George Mason University

- *FREE TO MOVE: FOOT VOTING, MIGRATION, AND POLITICAL FREEDOM* (Oxford University Press, forthcoming).
- *Making Federalism Great Again: How the Trump Administration's Attack on Sanctuary Cities Unintentionally Strengthened Judicial Protection for State Autonomy*, 97 *TEXAS LAW REVIEW* 1247 (2019) (Symposium on Reclaiming – and Restoring – Constitutional Norms).
- *The Promise and Peril of Epistocracy*, *INQUIRY* (forthcoming) (Symposium on Jason Brennan, Against Democracy).
- *Knick v. Township of Scott: Ending a Catch-22 that Barred Takings Cases from Federal Court*, 2018-19 *CATO SUPREME COURT REVIEW* 153 (2019) (Symposium on the 2018-19 Supreme Court term).
- *Foot Voting, Decentralization, and Development*, 102 *MINNESOTA LAW REVIEW*

1649 (2018) (Symposium on Decentralization and Development).

- *Why Growing Government is a Bigger Political Menace than Growing Inequality*, 98 *BOSTON UNIVERSITY LAW REVIEW ONLINE* 21 (2018) (Symposium on GANESH SITARAMAN, THE CRISIS OF THE MIDDLE-CLASS CONSTITUTION).
- *Book Review*, 49 *PUBLIUS: THE JOURNAL OF FEDERALISM* 11 (2019) (reviewing MICHAEL DICHIO, THE US SUPREME COURT AND THE CENTRALIZATION OF FEDERAL AUTHORITY (2018)).

Gregory M. Stein

University of Tennessee

- *Inequality in the Sharing Economy*, 85 *BROOKLYN LAW REVIEW* (forthcoming 2020).
- *Where Will the Next Generation of Real Estate Lawyers Come From?*, *THE ACREL PAPERS—Fall 2019*, at 236 (2019).
- *Should Owner Motivation Limit the Exercise of Property Rights?*, *JOTWELL* (March 20, 2019).

Stewart Sterk

Cardozo Law School

- *Federal Land Use Intervention as Market Restoration*, 99 *B.U. L. REV.* 1577 (2019).
- *A Knock on Knick's Revival of Federal Takings Litigation*, 72 *FLA. L. REV.* ____ (MARCH 2020) (with Michael C Pollack).

Blake A. Watson

University of Dayton School of Law

- *Do I Have to be Reasonable?: The Right To Arbitrarily Restrict Transfer Of Occupancy And Mineral Leases*, 47 *CAPITAL U.L.REV.* 27 (2019).
- *Nullify, Postpone, Suspend, Stay, and Replace: The Trump Administration and the Methane Waste Prevention Rule*, 44 *U. DAYTON L.R.* 363 (2019).

- *The Right to Limit or Prohibit Mineral Lease Transfers*, 34 PROBATE AND PROPERTY, Issue 1 (Jan./Feb. 2020).

Brandon Weiss

University of Missouri Kansas City School of Law

- *Progressive Property Theory and Housing Justice Campaigns*, 10 U.C. IRVINE L. REV. 251 (2019).

Mary Jo Wiggins

The University of San Diego School of Law

- *Access Anxiety*, 54 REAL PROPERTY, TRUST AND ESTATE LAW JOURNAL 1 (2019).

Michael Allan Wolf

University of Florida Levin College of Law

- *A Common Law of Zoning*, 61 ARIZ. L. REV. 771 (2019).

Danaya Wright

University of Florida, Levin College of Law

- *A Requiem for Regulatory Takings: Reclaiming Eminent Domain for Constitutional Property Claims*, 49 ENV'T'L L. 307 (2019).
- *Tearing Down the Wall: How Transfer-on-Death Deeds Challenge the Testamentary/Inter Vivos Divide*, 78 MARYLAND L. REV. 511 (2019) (with Stephanie Emrick).
- *Disrupting the Wealth Gap Cycles: An Empirical Study of Testacy and Wealth*, 2019 WISC. L. REV 101 (2019).