

# AALS PROPERTY SECTION WINTER NEWSLETTER



## MESSAGE FROM THE CHAIR

By *Donald J. Kochan*

I look forward to seeing all of you at this year's AALS Annual Meeting in San Diego. I want to alert you to a number of exciting programs we have in store for the Property Section.

First, we all have to eat—and what better way to have breakfast than with a group of property law friends! Please join us for the Property Section breakfast on Thursday, January 4 from 7:30 am - 8:45 am. (Please remember to get a ticket for this event at registration). We will go around the room to make introductions and to allow each person to make mention of a current scholarly project they'd like to share with the group.

Then, stick around, because on Thursday from 10:30 am - 12:15 pm, we will hold our main Property Section panel on “Structural Facilitation of Property Markets.” We have an exciting group of scholars addressing that topic from unique angles – [Professor Maureen \(Molly\) E. Brady](#) (University of Virginia School of Law); [Professor Shelley Cavalieri](#) (University of Toledo College of Law); [Professor Cori Harvey](#) (Florida A&M University College of Law); [Professor Rashmi Dyal-Chand](#) (Northeastern University School of Law); and [Professor Joseph William Singer](#) (Harvard Law School).

Thank you to all who participated in the call for papers – we had an amazing response, with nearly a dozen outstanding papers submitted and reviewed. It was an almost impossible choice for the Executive Committee, because we unanimously wished we could have heard from every scholar who submitted on the topic.

I especially hope you will stay through Saturday, January 6, from 3:30 pm -5:15 pm, for what might be the most important thing we do at the annual meeting—our forum for junior scholars to present their work. For the “New Voices in Property Law: Junior Scholars Works-in-Progress Panel,” our executive committee selected eight

### IN THIS ISSUE

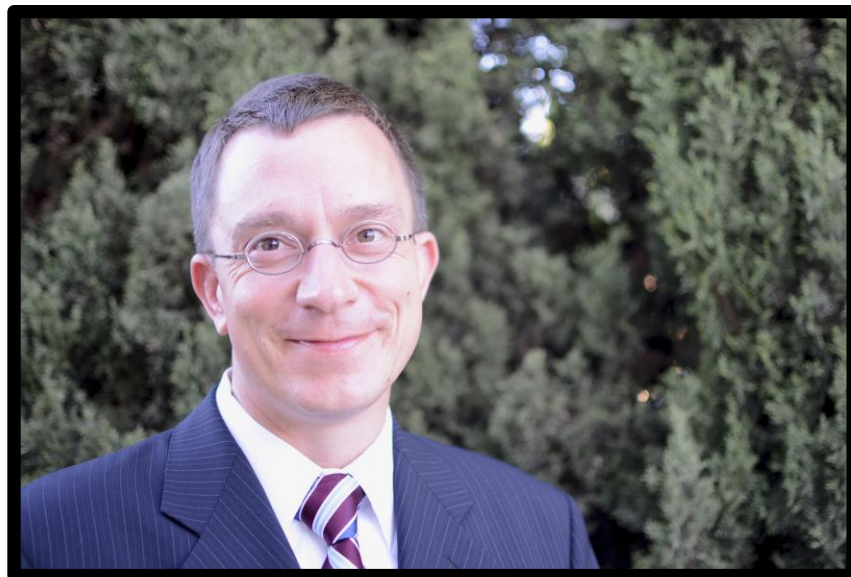
Message from the Chair	1
New Hires & Lateral Moves	3
Top 10 Property Stories of 2017	4
Upcoming Conferences	5
Recent Publications	6

papers from our call for submissions. Each of the eight junior scholars have been matched with two official commenters who will read their paper in advance. Thank you to all of the commenters who have agreed to provide formal feedback!

At the session, each junior scholar will have 2-3 minutes to give an "elevator pitch" summary of their paper and project to the full gathering of attendees. We will then break into separate round tables for discussions with each junior scholar for the remaining hour. The eight junior scholars presenting are [Faisal Chaudhry](#) (University of Arizona James E. Rogers College of Law); [Nicolas Cornell](#), (University of Michigan Law School); [Kate Elengold](#) (University of North Carolina School of Law); [Michael Pollack](#) (Benjamin N. Cardozo School of Law); [Tracey M. Roberts](#) (Samford University, Cumberland School of Law); [Shayak Sarkar](#) (University of California, Davis, School of Law); [Brandon M. Weiss](#) (University of Missouri-Kansas City School of Law); [Lua Kamal Yuille](#) (University of Kansas School of Law).

Finally, I wanted to provide a brief report on a very successful event in Fall 2017. The AALS Property Section co-sponsored—with Penn State Law (University Park) and the AALS Commercial and Related Consumer Law Section—a “Property Implications of the Sharing Economy Workshop” on October 6-7, 2017. It was a huge success, drawing scholars from around the world to Penn State (in person and by teleconference) to present works-in-progress on an incredibly diverse set of issues related to the sharing economy. Many thanks to Penn State Law Dean Hari Osofsky for hosting and taking the lead role and to Pamela Foohey, chair of the Commercial Law Section, for that section’s co-sponsorship. I encourage anyone interested in similarly collaborating with the Property Section to co-sponsor a future event at your law school to approach section leadership with your ideas.

Many thanks to our Section officers, particularly Steve Clowney for the substantial work putting together this newsletter. It has been an honor to serve as Chair of the Property Section and I look forward to staying active in the years ahead. See you all in January!



*Section Chair: Donald Kochan, Chapman University Fowler School of Law*

## Property Section Officers

### **CHAIR:**

Donald Kochan  
*Chapman University*  
*Fowler School of Law*

### **CHAIR-ELECT:**

Priya Gupta  
*Southwestern Law School*

### **SECRETARY:**

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

### **TREASURER:**

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*Northeastern University*  
*School of Law*

### **Executive Committee:**

Mark Bauer - Stetson

Kristin Barnes - Akron

Andrea Boyack - Washburn

Brigham Daniels - BYU

Jacqueline Hand – Detroit Mercy

John Infranca - Suffolk

Michael Lewyn - Touro

Timothy Mulvaney – Texas A&M

Ezra Rosser - American

Sarah Schindler - Maine

Lua Yuille - Kansas

## **NEW HIRES & LATERAL MOVES**

### **New Faces**

[Michael Pollack](#) (property, land use, state & local gov't) to Cardozo School of Law.

[Sarah Fox](#) (property, state & local gov't, environmental law) to Northern Illinois University.

### **Lateral Moves (Reported by Brian Leiter)**

[Natalie Banta](#) (property, trusts & estates, tax) from Valparaiso University to Drake University (untenured lateral).

[Samuel Bray](#) (remedies, property, constitutional law) from the University of California, Los Angeles to the University of Notre Dame.

[Eleanor Brown](#) (property, immigration and migration law, law & development) from George Washington University to Pennsylvania State University, University Park.

[Marcilynn A. Burke](#) (property, land use, natural resources) from the University of Houston to the University of Oregon (to become Dean).

[Sheila Foster](#) (property, land use, environmental law & policy, local government) from Fordham University to Georgetown University (joint with Public Policy).

[Rachel Godsil](#) (property, civil rights) from Seton Hall University to Rutgers University

[Lolita Buckner Inniss](#) (property, legal history) from Cleveland-Marshall College of Law to Southern Methodist University.

[Chris Odinet](#) (property, commercial law, consumer finance) from Southern University to the University of Oklahoma (untenured lateral).

[Hari M. Osofsky](#) (energy law, climate change, property) from the University of Minnesota to Pennsylvania State University, University Park (to become Dean).

# THE TOP 10 PROPERTY STORIES OF 2017

## 1. Hurricane Harvey, Global Warming, & Land Use

After Hurricane Harvey dumped 50 inches of rain on Houston, [the national media](#) blamed the city's sprawling development patterns for some of the devastation. Although many [commentators weren't convinced](#) by the argument, resilience planning will become a bigger and bigger story in the coming years.

## 2. The Tax Law's Effect on the Housing Market

The new law lowers the deduction cap on mortgage interest and restricts the state and local tax deduction. Some housing [interest groups worry](#) that scaling back tax incentives for homeownership will weaken home prices.

## 3. *Murr v. Wisconsin*

The Supreme Court explores "[the denominator problem](#)" in regulatory takings.

## 4. Eminent Domain and the Border Wall

The border wall (and the rise of natural gas pipelines) are [pushing eminent domain law back into the news](#).

## 5. A Private Street Gets Sold in San Francisco

Fancy homeowners [forget to pay taxes](#) on their private street and ([almost](#)) lost the property at a tax auction.

## 6. Homeowners Association Fights Florida Man Over "Emotional Support Squirrel"

[Seriously](#).

## 7. The Ongoing Battle Over the World's Blackest Black

Is it possible to [own a color](#)?

## 8. Robot Unleashed to Fight Homeless, Homeless Fight Back

An animal rescue group hired a robot to patrol its sidewalks. [Things went horribly wrong](#).

## 9. Senator Rand Paul Gets Beat-Up

Senator Paul was hospitalized in November after a physical altercation with a neighbor. The dispute seems to have germinated from Senator Paul's [strong belief in property rights and refusal to follow HOA rules](#).

## 10. Who Owns China's Meteorites?

Are they natural resources owned by the state [or wild resources subject to discovery rules](#)?

## UPCOMING CONFERENCES

### **Association for Law, Property, & Society – Maastricht, The Netherlands, May 31-June 2**

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 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 9<sup>th</sup> meeting at Maastricht University, The Netherlands on May 31–June 2, 2018. Abstracts may be emailed to [alps2018@maastrichtuniversity.nl](mailto:alps2018@maastrichtuniversity.nl). The deadline for submitting papers and panels is February 28, 2018 but registration for the conference will continue to be available after that date. Authors and panel proposers will be notified of the acceptance of their individual submissions or proposed panel by no later than March 9, 2018. For more information [see here](#).



### **Teaching Consumer Law Conference – Santa Fe, New Mexico, May 18-19**

The Center for Consumer Law at the University of Houston Law Center, in cooperation with the University of New Mexico School of Law, is organizing its tenth biennial international teaching consumer law conference. The subject is [“Teaching Consumer Law: Where Have We Been—Where Are We Going?”](#) Presentation topics will cover Nonjudicial Foreclosure, Digital Currency, Debt Collection, and the Financial Crises. For more information and the "Call for papers," click [here](#).

### **Regulatory Issues in Real Property Law – Cambridge, England, May 25-26**

The conference will bring together property law scholars and practitioners from around the world to discuss the most important contemporary issues facing the law of real property. Designed to bring together practitioners and academics, the conference seeks to promote purposeful discussion and build lasting relationships. Panel topics include: the role of property as a human and constitutional right; the relationship between property law and environmental law; and the role of real property law research at Universities and the Law Commission. The Saturday lecture series will see distinguished academics and senior members from practice and the judiciary discuss contemporary issues in real property law. For more information, [see here](#).

## RECENT PUBLICATIONS BY SECTION MEMBERS

### Ahmad, Nadia

Barry University, Dwayne O. Andreas School of Law

- *The Baseline Bar*, 65 U. KAN. L. REV. 579 (2017).
- *Trust or Bust: Complications with Tribal Trust Obligations and Environmental Sovereignty*, 41 VT. L. REV. 799 (2017).
- *Blood Biofuels*, 27 DUKE ENVTL. L. & POL'Y FORUM 265 (2017). *Resiliency and Responsive Regulation for Advanced Biofuels*, 36 VA. ENVTL. L. J. \_\_\_ (2018).

### Anderson, Jerry

Drake University Law School

- ENVIRONMENTAL LAW PRACTICE (4<sup>th</sup> edition 2018) (with Hirsch, Sachs, and Tormey).

### Berger, Bethany

University of Connecticut School of Law

- *The Illusion of Fiscal Illusion in Regulatory Takings*, 66 AMERICAN UNIVERSITY LAW REVIEW 1 (2016).
- *Kelo and the Constitutional Revolution that Wasn't*, 48 Connecticut Law Review 1429 (2016).
- *Hope for Indian Tribes in the U.S. Supreme Court? Menominee, Nebraska v. Parker, Bryant, Dollar General . . . and Beyond*, 2017 UNIVERSITY OF ILLINOIS LAW REVIEW 1901.

### Beyer, Gerry

Texas Tech University School of Law

- BEYER'S TEXAS PROPERTY CODE ANNOTATED WITH RELATED TEXAS LAW (2017 ed.).
- TEXAS ESTATE PLANNING STATUTES WITH COMMENTARY – 2017-2019 EDITION (2017).
- TEXAS TRUST LAW: CASES AND MATERIALS (3<sup>rd</sup> ed. 2017).
- 9 & 10 TEXAS LAW OF WILLS (Tex. Prac., (4<sup>th</sup> ed. 2016-2017).

- *Wills & Trusts*, 3 SMU ANN. TEX. SURV. 465 (2017).
- *The Texas Revised Uniform Fiduciary Access to Digital Assets Act: A Primer for Estate Planners*, EST. PLAN. DEV. FOR TEX. PROF., Oct. 2017, at 1.
- *Estate Planning for Mary Jane and Other Marijuana Users*, EST. PLAN. DEV. FOR TEX. PROF., Jan. 2017, at 1 (with Brooke Dacus).

### Bezdek, Barbara

University of Maryland Carey School of Law

- *Policing that Perpetuates Baltimore's Islands of Poverty and Despair*, 16 U. MD. L.J. RACE RELIG. GENDER & CLASS 153 (2016).

### Blumm, Michael

Lewis and Clark Law School

- *"No Ordinary Lawsuit:" Climate Change, Due Process, and the Public Trust Doctrine*, 67 AMERICAN U. LAW REVIEW 1 (forthcoming 2017) (with Mary C. Wood, Oregon).
- *The Trump Administration's Public Lands Revolution: Redefining "the Public" in Public Land Law*, 48 Environmental Law no. 2 (forthcoming 2018).
- *Still Crying Out For a "Major Overhaul" After All These Years—Salmon and Another Failed Biological Opinion on Columbia Basin Hydroelectric Operations*, 47 ENVIRONMENTAL LAW 287 (2017).
- *"Coordinating" with the Federal Government: Assessing County Efforts to Control Decisionmaking on Public Lands*, 38 PUBLIC LAND AND RESOURCES LAW REVIEW 1 (2017).
- *The Nation's First Forester-In-Chief: The Overlooked Role of FDR and the Environment*, 33 JOURNAL OF LAND USE AND ENVIRONMENTAL LAW (forthcoming, 2017).
- *Native American Natural Resources Law*, 4<sup>th</sup> ed. (Carolina Academic Press, forthcoming 2018)

(co-author with Judith Royster, Tulsa, and Elizabeth Kronk, Kansas).

### **Boyack, Andrea**

*Washburn University School of Law*

- *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 453 (2017).
- *Equitably Housing (Almost) Half a Nation of Renters*, 65 BUFFALO LAW REVIEW 109 (2017).
- *A New American Dream for Detroit*, 93 UNIVERSITY OF DETROIT MERCY LAW REVIEW 573 (2016).
- *Banking, Commercial & Contract Law*, (chapter 2), *Kansas Annual Survey* (Kansas Bar Association, annually 2013-2017) (coauthor).

### **Brady, Maureen “Molly”**

*University of Virginia School of Law*

- *The Damagings Clauses*, 104 Va. L. Rev. (forthcoming 2018).
- *Penn Central Squared: What the Many Factors of Murr v. Wisconsin Mean for Property Federalism*, 166 U. Pa. L. Rev. Online 53 (2017).

### **Bronin, Sara**

*University of Connecticut School of Law*

- LAND USE REGULATION (2d ed. 2016) (with Stewart Sterk & Eduardo Peñalver).
- HISTORIC PRESERVATION LAW IN A NUTSHELL (2d ed. 2018) (with Ryan M. Rowberry).
- *Solar Rights in the United States*, in DELIVERING ENERGY POLICY IN THE EU AND US: A MULTI-DISCIPLINARY READER (Raphael Heffron & Gavin Little, eds. 2016).
- *Reasoning the Post-Industrial City: Hartford*, in AMERICAN BAR ASSOCIATION PROPERTY & PROBATE, May/June 2017.
- *City of Hartford Climate Action Plan*.

### **Callies, David**

*University of Hawaii, William S. Richardson School of Law*

- *Fair Housing, Discrimination and Inclusionary Zoning in the United States*, 4 J. INT’L & COMP. L. 39 (2017) (with Derek Simon).
- LAND USE: CASES AND MATERIALS (7<sup>th</sup> ed. 2017, West Academic Publishing) (with R. Freilich and S. Saxer).

### **Cavalieri, Shelley**

*University of Toledo College of Law*

- *Back to the Basics: Lessons From U.S. Property Law for Land Reform*, 95 DENVER LAW REVIEW \_\_ (forthcoming 2017).
- *Linchpin Approaches to Salvaging Neighborhoods in the Legacy Cities of the Midwest*, 92 CHICAGO-KENT LAW REVIEW 475 (2017).

### **Chused, Richard**

*New York Law School*

- *Moral Right: The Anti-Rebellion Graffiti Heritage of 5Pointz*, 42 COLUM. J.L. & ARTS \_\_ (2018).
- GENDERED LAW IN AMERICAN HISTORY (Carolina Academic Press 2016) (with Wendy Williams).

### **Circo, Carl**

*University of Arkansas School of Law*

- *Professional Liability* (with David L. Gershner), in ARKANSAS CONSTRUCTION LAW HANDBOOK (Carl J. Circo, David M. Powell & John Dewey Watson eds., 2016).
- *Interpreting State Preferential Rights to Acquire Real Estate: Beyond the Restatement of Property*, 62 VILL. L. REV. \_\_ (forthcoming, 2017).
- *Rethinking Rights of First Refusal, Rights of First Offer, and Options to Purchase* (with Kathryn E. Allen, Wilhelmina Kightlinger, Beat U. Steiner, & KenDrell D. Collins), PROB. & PROP., Sept/Oct. 2017, at 45.

- *Introducing Law Students to the Inside Counsel Role*, UNDER CONSTRUCTION, Winter, 2017 (forthcoming).
- *Should Your Client Ever Grant a Right of First Refusal?*, AM. C. REAL EST. LAW. NEWS, Nov. 2016, at 25.
- *Preferential Purchase Rights in Practice and Theory*, CEB REAL PROP. L. REP., September 2016, at 108 (lead article).

### **Claeys, Eric**

*George Mason University, Antonin Scalia Law School*

- *Labor, Exclusion, and Flourishing in Property Law*, 95 N. CAR. L. REV. 413 (2017).
- *Intellectual Property and Practical Reason*, Jurisprudence (forthcoming, 2018).

### **Clowney, Stephen**

*University of Arkansas School of Law*

- *Should We Buy Selling Sovereignty*, 66 DUKE L.J. ONLINE 19 (2017).
- OPEN SOURCE PROPERTY (2016) (coauthor).

### **Davidson, Nestor**

*Fordham University School of Law*

- *Localist Administrative Law*, 126 YALE L.J. 564 (2017).
- *Affordable Housing Law and Policy in an Era of Big Data*, 44 FORDHAM URB. L. J. 277 (2017).
- *The Place of Flourishing Families*, 43 FORDHAM URB. L. J. 963 (2017) (with Clare Huntington).
- *Property, Wellbeing, and Home: Positive Psychology and Property Law's Foundations*, in LAW AND THE PRECARIOUS HOME: SOCIO-LEGAL PERSPECTIVES ON THE HOME IN INSECURE TIMES (forthcoming Hart Publishing 2018).
- *The Urban in Law*, in DEFINING THE URBAN: INTERDISCIPLINARY AND PROFESSIONAL PERSPECTIVES (Routledge 2017).

### **Diller, Paul**

*Willamette University College of Law*

- *The Challenge of Housing Affordability in Oregon: Facts, Tools and Outcomes*, JOURNAL OF AFFORDABLE HOUSING AND COMMUNITY DEVELOPMENT LAW (forthcoming) (with Edward J. Sullivan).
- Re-Orienting Home Rule: Part 2 – Remedying the Urban Disadvantage Through Federalism and Localism, 77 LOUISIANA LAW REVIEW 1045 (2017).
- *American Constitution Society Issue Brief, The Troubling Turn in State Preemption* (Sept. 2017) (with Nestor Davidson et al.).

### **Dyal-Chand, Rashmi**

*Northeastern University School of Law*

- COLLABORATIVE CAPITALISM IN AMERICAN CITIES: REFORMING URBAN MARKET REGULATIONS (2018).

### **Eagle, Steven**

*George Mason University, Antonin Scalia Law School*

- REGULATORY TAKINGS, Fifth Ed. (2016 Supplement).
- *Property Rights and Takings Burdens*, 7 PROPERTY RIGHTS CONFERENCE JOURNAL \_\_\_\_ (forthcoming 2018).
- *Land Use Regulation and Good Intentions*, 33 JOURNAL OF LAND USE & ENVIRONMENTAL LAW \_\_\_\_ (forthcoming 2018).
- *'Affordable Housing' as Metaphor*, 44 FORDHAM URBAN L. J. 301 (2017).
- *Property Rights After Home*, 10 NYU JOURNAL OF LAW & LIBERTY 669 (2016).
- *Advancing Judicial Review of Wetlands and Property Rights Determinations: U.S. Army Corps of Engineers v. Hawkes*, 2015–16 CATO SUPREME COURT REVIEW 257 (2016).



## Ely, James

*Vanderbilt University Law School*

- THE CONTRACT CLAUSE: A CONSTITUTIONAL HISTORY (2016).
- THE LAW OF EASEMENTS AND LICENSES IN LAND (rev. ed. 2017) ( with Jon Bruce).
- *The Contract Clause During the Civil War and Reconstruction*, 41 J. SUP CT. HIST. 257 (2016).
- *Are Eminent Domain and Confiscation Vehicles for Wealth Redistribution? A Skeptical View*, 6 BRIGHAM-KANNER PROPERTY RIGHTS CONF. J. 211 (2017).

## Fennell, Lee Anne

*University of Chicago Law School*

- EVIDENCE AND INNOVATION IN HOUSING LAW AND POLICY (Lee Anne Fennell & Benjamin J. Keys, eds.) (Cambridge University Press, 2017) (Open Access).
- *Accidents and Aggregates*, 59 WILLIAM & MARY L. REV. (forthcoming 2018).
- *Searching for Fair Housing*, 97 B.U. L. REV. 349 (2017).
- *Fee Simple Obsolete*, 91 N.Y.U. L. REV. 1457 (2016).

## Festa, Matthew

- *Developing Houston: Land-Use Regulation in the "Unzoned City" and its Outcomes* (Rice Kinder Institute, 2017) (with Alexius Marciano & Kyle Shelton)

## Flournoy, Alyson

*University of Florida Levin College of Law*

- *Beach Law Clean-Up: How Sea-Level Rise Has Eroded the Ambulatory Boundaries Legal Framework*, 42 VERMONT LAW REVIEW \_\_\_\_ (2017).

## Foster, Sheila

*Georgetown University Law Center*

- *The Limits of Mobility and the Persistence of Urban Inequality* 127 YALE LAW JOURNAL FORUM 480 (2017).
- *Vulnerability, Equality and Environmental Justice* in HANDBOOK OF ENVIRONMENTAL JUSTICE (Jayajit Chakraborty & Gordon Walker, eds.) (Routledge 2017).

## Gallanis, Thomas

*University of Iowa College of Law*

- A CONCISE RESTATEMENT OF DONATIVE TRANSFERS AND TRUSTS (2017).
- WILLS, TRUSTS, AND ESTATES (5th ed. 2017) (with W. McGovern, S. Kurtz, & D. English).
- PRINCIPLES OF PROPERTY LAW (7th ed. 2016) (with H. Hovenkamp and S. Kurtz).
- *The Use and Abuse of Governing-Law Clauses in Trusts: What Should the New Restatement Say?*, 103 IOWA L. REV. \_\_\_\_ (forthcoming 2018).
- *The U.S. Supreme Court and the Law of Trusts and Estates: A Law Reformer's Perspective*, 42 ACTEC L.J. 11 (2016) (essay).
- *Will-Substitutes: A U.S. Perspective*, in A. Braun and A. Röthel eds., PASSING WEALTH ON DEATH: WILL-SUBSTITUTES IN COMPARATIVE PERSPECTIVE (2016).

## Guzman, Katheleen

*University of Oklahoma College of Law*

- *Response: Worthier for Whom?*, 68 OKLA. L. REV. 779 (2016).
- *Dependent Disclaimers*, 42 ACTEC L. J. 159 (2016).
- *Defending Dependent Disclaimers*, 42 ACTEC L. J. 245 (2016).

STATES, with Uma Outka (Michael Gerrard and John Dernbach, eds., forthcoming 2017).

### Hines, Norman

University of Iowa

- *Reforming Iowa Zoning Law by Adopting A Practical Difficulties' Standard for Area Variances*, 103 IOWA L. REV. \_\_\_\_ (forthcoming 2018).

### Hudson, Blake

University of Houston Law Center

- ROUTLEDGE HANDBOOK OF THE STUDY OF THE COMMONS, Editor, with Jonathan Rosenbloom and Dan Cole: ROUTLEDGE/TAYLOR & FRANCIS (forthcoming 2018).
- *Curbing Dense Sprawl*, 33 NAT. RESOURCES & ENV. (forthcoming).
- *Consenting to Disaster: Policy-making and Climate Change Denial in the Southern United States*, U. ARK. LITTLE ROCK L. REV. (forthcoming) (symposium).
- *Fighting Fire with Fire? Forest Biomass Energy Markets and Southern U.S. Wildfire Mitigation*, J. OF ENV. L. & LITIG. (forthcoming) (symposium).
- *Harnessing Energy Markets to Conserve Natural Resources? The Case of Southern U.S. Forests*, 44 FLA. ST. U. L. REV. (forthcoming).
- *The Natural Capital Crisis in Southern U.S. Cities*, 92 CHI.-KENT L. REV. (forthcoming) (symposium).
- *Relative Administrability, Conservatives, and Environmental Regulatory Reform*, 68 FLA. L. REV. 1661 (2016).
- *Moral Limitations on Property Rights as Human Rights*, in ENCYCLOPEDIA OF HUMAN RIGHTS AND THE ENVIRONMENT (James R. May & Erin Daly, eds., forthcoming 2019).
- *Introduction*, in ROUTLEDGE HANDBOOK OF THE STUDY OF THE COMMONS (Blake Hudson, Jonathan Rosenbloom, and Dan Cole, eds., forthcoming 2018).
- *Biomass Feedstocks*, in LEGAL PATHWAYS TO DEEP DECARBONIZATION IN THE UNITED

### Iglesias, Tim

University of San Francisco School of Law

- *A Novel Tool for Teaching Property: Starting With The Questions*, 20 CHAPMAN LAW REVIEW 321 (2017).
- *Affordable Housing, Fair Housing and Community Development: Joined at the Hip, We Need to Learn to Walk Together*, 25 JOURNAL OF AFFORDABLE HOUSING & COMMUNITY DEVELOPMENT LAW 195 (2017).
- *Two Competing Concepts of Residential Integration*, book chapter in SOCIAL EQUITY IN A TIME OF CHANGE: A CRITICAL 21ST CENTURY MOVEMENT, Richard Gregory Johnson III, ed. (Birkdale Publishers, 2017).

### Infranca, John

Suffolk University Law School

- CAMBRIDGE HANDBOOK ON THE LAW OF THE SHARING ECONOMY (editor, with Nestor Davidson & Michèle Finck) (forthcoming 2018, Cambridge University Press).
- *(Communal) Life, (Religious) Liberty, and Property*, \_\_ MICH. ST. L. REV. \_\_ (forthcoming, 2017).
- *The Place of the Sharing Economy* (with Nestor Davidson) in THE CAMBRIDGE HANDBOOK ON THE LAW OF THE SHARING ECONOMY (Nestor Davidson, John Infranca & Michèle Finck, eds.) (forthcoming 2018).

### Johnson, Alex

University of Virginia School of Law

- UNDERSTANDING MODERN REAL ESTATE (Carolina Academic Press 2017)

### Juergensmeyer, Julian

Georgia State University College of Law

- MARKET DEMAND BASED PLANNING AND PERMITTING (ABA Press 2017) (with Nelson, Marshall, & Nicholas,

## Kaswan, Alice

University of San Francisco School of Law

- *Energy, Markets, and Governance*, \_\_ MIAAMI L. REV. \_\_ (forthcoming 2018).
- *Innovative State Climate Policies: California's Integration of Climate and Environmental Justice Objectives*, 9 SAN DIEGO J. CLIMATE & ENERGY POL'Y \_\_ (forthcoming 2018).

## Klein, Christine

University of Florida Levin College of Law

- NATURAL RESOURCES LAW: A PLACE-BASED BOOK OF PROBLEMS AND CASES (4th ed. forthcoming Feb. 2018) (with Cheever, Birdsong, Klass & Biber).
- *Owning Groundwater*, 35 VA. ENVTL. L.J. 474 (2017).
- PROPERTY: CASES, PROBLEMS, AND SKILLS (2016).

## Kochan, Donald

Chapman University, Dale E. Fowler School of Law

- EMANUEL LAW OUTLINES: PROPERTY – KEYED TO DUKEMINIER, KRIER, ALEXANDER, SCHILL & STRAHILEVITZ (8<sup>th</sup> ed., forthcoming Wolters Kluwer 2017) (with Calvin R. Massey).
- *The [Takings] Keepings Clause: An Analysis of Framing Effects from Labeling Constitutional Rights*, 45 FLA. ST. U. L. REV. \_\_ (forthcoming 2018).
- *Pride & Property: An Interdisciplinary Analysis of Their Symbiotic Relationship*, 27 S. CAL. INTERDISC. L.J. \_\_ (forthcoming 2018).
- *The Sharing Stick in the Property Rights Bundle: The Case of Short Term Rentals and HOAs*, 86 U. CIN. L. REV. \_\_ (forthcoming 2018).
- *The Commenting Power: Agency Accountability through Public Participation*, 70 OKLA. L. REV. \_\_ (forthcoming 2018).

- *Public Lands: Pride, Place, Proximity & Power*, 25 VA. J. SOC. POL'Y & L. 1 (forthcoming January 2018).
- *I Share, Therefore It's Mine*, 51 U. RICH. L. REV. 909 (2017).
- *Playing with Real Property Inside Augmented Reality: Pokémon Go, Trespass, and Law's Limitations*, 38 WHITTIER L. REV. \_\_ (forthcoming 2017) (symposium).
- *Deeds and the Determinacy Norm: Insights from Brandt and Other Cases on an Undesignated, Yet Ever-Present, Interpretive Method*, 43 FLA. ST. U. L. REV. 793 (2016) (printed 2017).
- *Part II: When Inquiring Minds Ought to Know . . .*, PROBATE & PROPERTY, Jan./Feb. 2018, at \_\_ (forthcoming) (with James Charles Smith).
- *When Inquiring Minds Ought to Know . . .*, PROBATE & PROPERTY, July/Aug. 2017, at 57-63 (with James Charles Smith).
- *Same Base, Different Taste: The Cultural Ingredient in Property Law*, JOTWELL (May 3, 2017). [reviewing Taisu Zhang, "Cultural Paradigms in Property Institutions," 41 YALE J. INT'L L. 347 (2016)].

## Korngold, Gerald

New York Law School

- *Community Benefits Agreements: Flexibility and Inclusion in U.S. Zoning*, in ONE HUNDRED YEARS OF ZONING AND THE FUTURE OF CITIES 95 (Amnon Lehari, ed., Springer, 2018).
- *Land Use Regulation as a Framework to Create Public Space for Speech and Expression in the Evolving and Reconceptualized Shopping Mall of the Twenty-first Century*, 68 CASE WESTERN RESERVE LAW REVIEW \_\_ (forthcoming).

## **Kwall, Roberta**

*DePaul University College of Law*

- FUNDAMENTALS OF MODERN PROPERTY LAW, 7TH EDITION, FOUNDATION PRESS, UNIVERSITY CASEBOOK SERIES (with E.H. Rabin, J. Kwall, & C.A. Arnold) (2017).
- *The Moral Rights of Art*, Grove Art Online (Oxford University Press, 2016).
- *From Maimonides to Microsoft: The Jewish Law of Copyright Since the Birth of Print*, IP LAW BOOK REVIEW (2016).

## **Lazerow, Herbert**

*University of San Diego School of Law*

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