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1999-2000 Supreme Court Preview

Who's Who On The Panel

AKHIL REED AMAR is Southmayd Professor of Law at Yale Law School where he teaches courses in constitutional law, federal jurisdiction, and criminal procedure. A frequent contributor to the *New Republic*, Professor Amar is the author of three books: *The Bill of Rights: Creation and Reconstruction* (1998), *For the People* (with A. Hirsch) (1997), and *The Constitution and Criminal Procedure: First Principles* (1996). Professor Amar also served as clerk to the Honorable Stephen Breyer of the United States Court of Appeals for the First Circuit.

CHARLES BIERBAUER, CNN's senior Washington correspondent, covers the Supreme Court as well as critical public policy issues including the federal budget, tax reform, and health care. In addition to his domestic expertise, he has 12 years experience as an international journalist. Bierbauer joined CNN after serving with ABC News as the network's bureau chief and correspondent in Moscow and Bonn from 1978 to 1981. Bierbauer received an Emmy for his role as anchor of CNN's coverage of the 1996 bombing of Olympic Park in Atlanta. His other awards include an Overseas Press Club award, Gold and Silver medals from the Houston Film Festival, and several CableACE awards.

JOAN BISKUPIC has been the Supreme Court reporter for *The Washington Post* since 1992. Before joining the *Post*, she was the legal affairs writer for *The Congressional Quarterly Weekly Report*. In 1991, Ms. Biskupic won the Everett McKinley Dirksen award for distinguished reporting of Congress for her coverage of the Clarence Thomas nomination. She received her B.A. in journalism from Marquette University, her M.A. in English from the University of Oklahoma, and her J.D. from Georgetown University Law Center. She is the co-author with Elder Witt of *Congressional Quarterly's* two-volume encyclopedia *Guide to the U.S. Supreme Court* (3rd Ed.). She is also the host of a weekly on-line column, "Holding Court," on washingtonpost.com

STEVE CALABRESI is George C. Dix Professor of Law at the Northwestern University School of Law where he teaches Federal Jurisdiction and Comparative Law. Professor Calabresi served as law clerk to the Honorable Ralph K. Winter of the United States Court of Appeals for the Second Circuit, the Honorable Robert H. Bork of the United States Court of Appeals for the D.C. Circuit, and the Honorable Antonin Scalia of the United States Supreme Court. He also served as special assistant to Attorney General Edwin Meese during the Reagan Administration. Professor Calabresi is the author of more than fifteen articles and comments in law reviews on various topics in constitutional law.

RICHARD CARELLI has worked for the Associated Press since 1969 and has covered the Supreme Court since 1976. He previously worked as a journalist in New York, West Virginia, Ohio, and Florida. Mr. Carelli is a chapter author for *A Year in the Life of the Supreme Court* (Duke University Press, 1995), which won the 1996 ABA Silver Gavel Award. He received his B.S. from Ohio University and his J.D. from George Washington University.

ERWIN CHEMERINSKY is Sydney M. Irmas Professor of Public Interest Law, Legal Ethics, and Political Science, at the University of Southern California. He is the author of *Federal Jurisdiction* (3d ed. 1999); *Constitutional Law: Principles and Policies* (1997); *Interpreting the Constitution* (1987), and many law review articles on aspects of constitutional law and federal jurisdiction.

LYLE DENNISTON, a reporter for *The Baltimore Sun*, Washington Bureau, is considered the dean of American journalists who cover the Supreme Court. He is a columnist and a contributing editor for *The American Lawyer* magazine. Mr. Denniston is also a lecturer on constitutional history in Pennsylvania State University's Communications and Democracy Semester in Washington, D.C. He received his B.A. from the University of Nebraska and his M.A. in American History and Political Science from Georgetown. Mr. Denniston is the author of *The Reporter and the Law: Techniques of Covering the Courts* (1992) and is a chapter author for *A Year in the Life of the Supreme Court* (Duke University Press, 1995), which won the 1996 ABA Silver Gavel Award.

NEAL DEVINS is Earnest W. Goodrich Professor of Law and Lecturer in Government at the College of William & Mary School of Law. He received his A.B. from Georgetown and his J.D. from Vanderbilt. He was Assistant General Counsel with the United States Commission on Civil Rights, and Project Director at the Vanderbilt Institute for Public Policy Studies. Professor Devins is the author of *Shaping Constitutional Values: Elected Government, the Supreme Court, and the Abortion Debate* (1996), co-author of *Political Dynamics of Constitutional Law* (2nd ed. 1996), co-editor of and contributor to *Redefining Equality* (1998), and editor of and contributor to *Public Values, Private Schools* (1989).

DAVISON DOUGLAS is Professor of Law and Director of the Institute of Bill of Rights Law at the College of William and Mary School of Law. He received his A.B. from Princeton University, his Ph.D. in History from Yale University, and his J.D. from Yale Law School. He also has an M.A.R. from Yale University Divinity School. Before joining the William and Mary faculty of law in 1990, he was a partner in a Raleigh, North Carolina law firm, specializing in labor and employment law and civil rights law. He also clerked for Judge Walter R. Mansfield of the United States Court of Appeals for the Second Circuit. Professor Douglas is the author of *Reading, Writing and Race: The Desegregation of the Charlotte Schools* (1995), and the editor of *The Development of School Busing as a Desegregation Remedy* (1994); *The Public Debate Over Busing and Attempts to Restrict Its Use* (1994); and *Redefining Equality* (1998) (with Neal Devins).

JOHN DUFFY is currently an Associate Professor of Law at the Benjamin N. Cardozo School of Law in New York City and a Visiting Assistant Professor of Law at the William & Mary School of Law. Professor Duffy received his undergraduate degree from Harvard College in 1985 and his J.D. from the University of Chicago in 1989. Prior to entering academics, Professor Duffy clerked for Judge Stephen Williams on the United States Court of Appeals for the D.C. Circuit and for Justice Antonin Scalia on the United States Supreme Court, served as an Attorney-Advisor in the Department of Justice's Office of Legal Counsel, and practiced law with the Washington firm of Covington & Burling. Professor Duffy's most recent article on administrative law, *Administrative Common Law in Judicial Review*, 77 Tex. L Rev. 113 (1998), received the 1999 Scholarship Award from the ABA Section on Administrative Law and Regulatory Practice.

AARON EPSTEIN is a national correspondent for Knight-Ridder Newspapers covering the Supreme Court and legal issues. Mr. Epstein received his B.A. from Dartmouth College and his J.D. from the McGeorge College of Law, University of the Pacific, and attended the University of Missouri School of Journalism. He is a chapter author for *A Year in the Life of the Supreme Court* (Duke University Press, 1995), which won the 1996 ABA Silver Gavel Award. He was a member of *The Philadelphia Inquirer* staff that won the 1980 Pulitzer Prize for Local Reporting for coverage of the Three Mile Island nuclear accident and of the Knight-Ridder team that won a 1988 Polk Award for coverage of the Iran-Contra affair. He received the 1996 ABA Silver Gavel Award for his Supreme Court Reporting.

MICHAEL GERHARDT, Professor of Law at William and Mary, has served as a Special Consultant to both the Clinton White House on judicial selection and to the National Commission on Judicial Discipline and Removal. He was a professor at the Wake Forest University School of Law before joining the William and Mary faculty of law in 1989; Professor Gerhardt visited at Cornell University during the 1994-95 academic term and plans to visit at Duke Law School in the spring of 2000. He received his B.A. from Yale, his M.Sc. in Political Philosophy from the London School of Economics and his J.D. from the University of Chicago Law School. He is the author of *Constitutional Theory: Arguments and Perspectives* (with Tom Rowe) *The Federal Impeachment Process* (Princeton University Press, 1996), and numerous articles on constitutional law. During the impeachment proceedings against President William Clinton in 1998-99, Professor Gerhardt served as the only joint witness to have appeared before the House Subcommittee on the Constitution in its special hearing on the impeachability of the President's misconduct and as CNN's full-time, resident expert on the federal impeachment process. Subsequently, he has finished a second edition of his book on impeachment and another book on the appointments process (to be published by Duke University Press).

LINDA GREENHOUSE has been on the staff of *The New York Times* since 1968. She has covered politics, the New York State Legislature, the United States Congress and, since 1978, the Supreme Court. She received her B.A. from Radcliffe and earned a Masters of Studies in Law from Yale. She has several honorary degrees and is a fellow of the American Academy of Arts and Sciences. For her coverage of the Supreme Court, she was awarded a Pulitzer Prize in journalism (beat reporting) in 1998.

SUSAN N. HERMAN is Professor of Law at Brooklyn Law School where she currently teaches courses in Criminal Law and Procedure and Constitutional Law, and seminars on law and literature, and was Visiting Professor of Law at Columbia Law School during spring semester, 1994. She writes extensively on constitutional and criminal procedure topics for publications ranging from law reviews and books to *New York Newsday*. Recent publications include articles in the Columbia and UCLA Law Reviews. In addition, she is a frequent speaker for continuing education groups including the Federal Judiciary Center as well as groups of federal judges, federal defenders and staff attorneys. She has participated in Supreme Court litigation and in some federal lobbying efforts. Before entering teaching, Professor Herman was *Pro Se* Law Clerk for the United States Court of Appeals for the Second Circuit, and Staff Attorney and then Associate Director of Prisoners' Legal Services of New York. She currently serves as a member of the Nation Board of Directors and Executive Committee, and General Council of the American Civil Liberties Union.

CHARLES H. KOCH, JR. is the Dudley W. Woodbridge Professor of Law at the College of William and Mary. Prior to joining the William and Mary faculty, he was a member of the faculty at the DePaul University College of Law and a staff attorney in the office General Counsel of the Federal Trade Commission. He has been a fellow at the Kennedy School of Government, Harvard University. He has also served as consultant to the Administrative Conference of the United States and is presently a member of the Virginia Code Commission's Administrative Law Advisory Committee. Between 1989 and 1996, he was editor-in-chief of the *Administrative Law Review*. He is author of a three-volume treatise, *Administrative Law And Practice Second*, and a casebook, *Administrative Law: Cases And Materials* (3d edition). Among his other publications are articles in the *Duke Law Journal*, the *Georgetown Law Journal*, the *North Carolina Law Review*, and the *George Washington Law Review*. He specializes in administrative law, energy law, and federal courts.

PAUL MARCUS is Haynes Professor of law at the College of William and Mary School of Law. He teaches criminal law, criminal procedure, and copyright law. Professor Marcus received his A.B. and J.D. from U.C.L.A. and served as law clerk to the United States Court of Appeals for the District of Columbia Circuit. He taught at the University of Illinois College of Law, and from 1983 to 1988, he served as Dean of the University of Arizona School of Law. He practiced law in Los Angeles, California. His publications include, among others, *The Law of Entrapment*, (1996); *Criminal Law: Cases and Materials* (4th Ed., 1998); *Criminal Procedure: Cases and Materials* (4th Ed., 1997); *Copyright and Other Aspects of Law Pertaining to Literary, Musical and Artistic Works* (5th Ed., 1998); *The Prosecution and Defense of Criminal Conspiracy Cases* (4th Ed., 1996); and *Drug Testing in the Workplace: A Substance Abuse Testing Act* (1991).

TONY MAURO has covered the Supreme Court and legal affairs for the *USA Today* and Gannett News Service for the last 20 years. Since 1987, he has also written a column on the Supreme Court for *Legal Times*. He received a bachelor's degree in political science from Rutgers University, and a master's degree from Columbia University Graduate School of Journalism. He is a contributing (chapter) author to three books: *A Year in the Life of the Supreme Court*, which received the American Bar Association's Silver Gavel Award, *Reason and Passion*, on Justice William Brennan, Jr., and *The Burger Court*, edited by Bernard Schwartz. A book by Mauro called *Illustrated Great Decision of the Supreme Court* will be published by the Congressional Quarterly Books in 2000. His 1998 stories on Supreme Court law clerks recently won a certificate of merit from the American Bar Association. Mauro also serves on the steering committee of the Reporters Committee for Freedom of the Press and is a longtime member of the Conference Group of Lawyers and Representatives of the News Media.

DAVID SAVAGE has been the Supreme Court correspondent in Washington for the *Los Angeles Times* since 1986. Before that assignment, he was an education writer for the *Times* in Los Angeles. He also covered Congress and the Supreme Court for a Washington weekly newspaper. He earned his B.A. in political science from the University of North Carolina at Chapel Hill and his M.S. from Northwestern University. He is the Author of *Turning Right: the Making of the Rehnquist Court* (1992), which won the 1993 ABA Silver Gavel Award, and a chapter author for *A Year in the Life of the Supreme Court* (Duke University Press, 1995), which won the 1996 ABA Silver Gavel Award.

SUZANNA SHERRY is the Earl R. Larson Professor of Civil Rights and Civil Liberties Law at the University of Minnesota Law School. Professor Sherry received her A.B. degree from Middlebury College and her J.D. degree from the University of Chicago Law School. She served as a judicial law clerk to the Honorable John C. Godbold of the United States Court of Appeals for the Fifth Circuit. She is the author of *Beyond All Reason: The Radical Assault on Truth in the American Law* (1997) (with Daniel A. Farber); *Federal Courts: Cases, Comments, and Questions* (1994) (with Martin Redish and Gene Nichol); and *A History of the American Constitution* (1990) (with Daniel S. Farber).

KATHRYN URBONYA has extensively written, studied, and lectured throughout the nation on constitutional tort litigation under the Fourth, Eighth, and Fourteenth Amendments. As a Professor of Law at the College of William and Mary, she teaches constitutional law, criminal procedure, and civil rights. In addition, she was appointed by Mayor Andrew Young of Atlanta to serve on the Civilian Review Board, which investigated claims of police misconduct. Before teaching, she was a law clerk for Justice Gerald W. VandeWalle of North Dakota Supreme Court and Federal District Judge G. Ernest Tidwell in Atlanta.

STEPHEN WERMIEL is a visiting professor at Washington College of Law at American University. From 1992 to 1998, he was an associate professor at Georgia State University Law School in Atlanta. For twelve years, he was the Supreme Court Correspondent for *The Wall Street Journal* and spent a year as the Lee Distinguished Visiting Professor of Law at the College of William and Mary. He is at work on the authorized biography of the late Supreme Court Justice William J. Brennan, Jr. and just completed a year long fellowship working on the book at the Woodrow Wilson Center for Scholars. He received his B.A. in political science from Tufts University and his J.D. from American University. He is a chapter author for *A Year in the Life of the Supreme Court* (Duke University Press, 1995), which won the ABA Silver Gavel Award. Other articles have appeared in the inaugural issue of the *William and Mary Bill of Rights Journal*, *Constitutional Commentary*, *Law and Contemporary Problems*, *Northwestern University Law Review*, *Rutger's Women's Rights Law Reporter*, and *Georgia State University Law Review*. He has two articles scheduled for publication this fall in the *William and Mary Bill of Rights Journal*, and the *Saint Louis University Law Journal*.