

1992

## 1992-1993 Supreme Court Preview: Schedule and Panel Members

Institute of Bill of Rights Law at the William & Mary Law School

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# 1992-93 Supreme Court Preview

## PROGRAM

Friday, September 25

- 6:00 p.m. Registration
- 6:30 p.m. Welcome
- 6:40 p.m. **MOOT COURT PRESENTATION**  
*Nixon v. United States* (No. 91-740) (Impeachment)
- 7:45 p.m. Break
- 8:00 p.m. **"TOWN MEETING" ON THE DIRECTION OF THE COURT**  
*Reflections on the Recent Past and the Future*

Saturday, September 26

- 9:00 a.m. Coffee
- 9:30 a.m. **PREVIEW OF THE COURT'S DOCKET**  
*Bray v. Alexandria* (No. 90-985) (Abortion)  
*Alexander v. United States* (No. 91-1526) (Forfeiture under obscenity)  
*Cincinnati, Ohio v. Discovery Network, Inc.* (No. 91-1200) (Speech)  
*Helling v. McKinney* (No. 91-1958) (Smoking; cruel and unusual punishment)  
Cases Awaiting Review:  
*McNary v. Haitian Centers Council* (No. 92-344) (International law)  
*Ada v. Guam* (No. 92-104) (Abortion)  
*Zobrest v. Catalina Foothills School District* (No. 92-94) (Establishment Clause)
- 10:30 a.m. Break
- 10:45 a.m. **PREVIEW OF THE COURT'S DOCKET**  
*Herrera v. Collins* (No. 91-7328) (Death penalty; new evidence; stay of execution)  
*Arave v. Creech* (No. 91-1160) (Death penalty; aggravating circumstances and mitigating evidence)  
*Richmond v. Lewis* (No. 91-7694) (Death penalty; aggravating circumstances)  
*Graham v. Collins* (No. 91-7580) (Death penalty; mitigating circumstances)  
*Withrow v. Williams* (No. 91-1030) (Miranda)  
*Montana v. Imlay* (No. 91-687) (Self-incrimination)  
*United States v. Dunnigan* (No. 91-1300) (Sentencing and perjury)
- 11:45 a.m. Break for Lunch (audience on own)
- 1:00 p.m. **MOOT COURT PRESENTATION**  
*Church of Lukumi Babalu Aye v. Hialeah* (No. 91-948) (Religion)
- 2:15 p.m. Break
- 2:30 p.m. **SMALL-GROUP SEMINAR DISCUSSIONS**
- 3:30 p.m. **DEBATE ON PRESS COVERAGE OF THE JUDICIARY**  
*Journalistic Press and Judicial Activism*

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David O. Stewart  
The Honorable Laurence H. Silberman  
Laurence Tribe  
John C. Tucker  
Stephen Wermiel

# 1992-93 Supreme Court Preview

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**WILLIAM BANKS** is a professor of law at Syracuse University. He has been a member of that faculty since 1978. Professor Banks is a scholar and commentator on U.S. and comparative constitutional issues. He received his B. A. from the University of Nebraska and his J.D. and M.S.L.S. from the University of Denver. Professor Banks lectures extensively on constitutional law topics throughout the United States as well as in South and Central America, the Caribbean and Europe. He is the author of numerous articles and book chapters on constitutional law and a co-author of *Constitutional Law: Structure and Rights in our Federal System* (2d ed. 1991) and *National Security Law* (1990). He is currently completing work on a book about the power of the purse in national security affairs, and an article comparing presidential emergency powers in Argentina and the United States.

**PAUL BARRETT** covers the Supreme Court for the *Wall Street Journal*. He has been with the *Journal* since 1987 and is covering the Court for the second time. Before joining the *Journal*, he was editor and writer for *The Washington Monthly* and has written for numerous other publications including *The Washington Post* and *Philadelphia Magazine*. He received his J.D. from Harvard and has authored articles on federal law enforcement and business regulation.

**JOAN BISKUPIC** is the Supreme Court reporter for the *Washington Post*. Before joining the *Post*, she was legal affairs writer for *Congressional Quarterly Weekly Report*. In 1991, she 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 currently attends Georgetown University Law Center. She is the author of *The Supreme Court Yearbook 1989-1990*, *Supreme Court Yearbook 1990-1991*, and the soon to be published *Yearbook 1991-1992*.

**JOHN BLUME** is the Executive Director of the South Carolina Death Penalty Resource Center in Columbia, South Carolina, and is an adjunct faculty member at the University of South Carolina School of Law. Before assuming the position of Executive Director in 1988, he was a partner with Bruck and Blume, in Columbia, emphasizing the practice of criminal law and the defense of persons sentenced to death. He received his B.A. from the University of North Carolina at Chapel Hill, his J.D. from Yale Law School and his M.A.R. from Yale Divinity School. He clerked for the Honorable Thomas A. Clark of the United States Court of Appeals for the Eleventh Circuit. He was a visiting professor at Cornell Law School and was a participant in various public defender, criminal law and continuing legal education seminars. He is the author of numerous publications concerning capital punishment and criminal law.

**DAAN BRAVEMAN** is a professor and associate dean at Syracuse University College of Law. He received his A.B. from the University of Rochester and his J.D. from the University of Pennsylvania. He clerked for Justice Samuel J. Roberts of the Supreme Court of Pennsylvania, and worked for the statewide backup center for legal services offices in New York. He is author of *Protecting Constitutional Freedoms: A Role for Federal Courts* (1989), *Constitutional Law: Structure and Rights in our Federal System* (1991) (with William Banks and Rodney Smolla), and numerous articles on civil rights, constitutional law and federal procedure.

**RICHARD CARELLI** has worked for The Associated Press since 1969 and has covered the Supreme Court since 1976. Prior to joining the Associated Press, he worked as a journalist in New York, West Virginia, Ohio, Florida, and Washington, D.C. He received his B.S. from Ohio University and his J.D. from George Washington University.

**WALTER DELLINGER** is a law professor at Duke University. He received his A.B. from the University of North Carolina at Chapel Hill and his L.L.B. from Yale. He clerked for United States Supreme Court Justice Hugo Black. Professor Dellinger is a scholar and commentator on constitutional law issues. He has testified before congressional committees and presented cases before the United States Supreme Court. He has been a member of the Duke faculty since 1969.

**LYLE DENNISTON**, a reporter for *The Baltimore Sun*, Washington Bureau, is the dean of American journalists who cover the Supreme Court. He is a regular columnist for the *Washington Journalism Review* and contributor to the *MacNeil-Lehrer News Hour*. Mr. Denniston is also an adjunct professor of law and lecturer at Georgetown. 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* (1980).

**NEAL DEVINS** is a law professor and lecturer in government at the College of William and Mary. He received his A.B. from Georgetown and his J.D. from Vanderbilt. He was Assistant General Counsel to the United States Commission on Civil Rights, and Project Director at the Vanderbilt Institute for Public Policy Studies. Professor Devins is co-author of *Constitutional Law: Readings in Institutional Dynamics* (1992), and editor and contributor for *Public Values, Private Schools* in the Stanford Series on Education and Public Policy (1989).

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**AARON EPSTEIN** is a national correspondent for Knight-Ridder Newspapers covering the Supreme Court, the Justice Department and related matters. He received his A.B. from Dartmouth and his J.D. from the McGeorge College of Law, University of the Pacific and attended the University of Missouri School of Journalism. 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.

**MICHAEL GERHARDT** is a law professor at the College of William and Mary and a Special Consultant to the National Commission on Judicial Discipline and Removal. He was a professor at the Wake Forest University School of Law prior to joining the William and Mary faculty in 1991. 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) and numerous articles on constitutional law.

**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 while a Ford Foundation Fellow. In 1991 she was awarded an honorary degree by Brown University for her distinguished contributions as a journalist.

**JUDITH LEDBETTER** is an adjunct professor of law at the College of William and Mary. She received her B.A. from the University of Colorado and her J.D. from the University of California, Hastings College of the Law, where she served as a teaching assistant for retired Supreme Court Justice Arthur Goldberg. After clerking for United States District Judge Spencer Williams, she was employed as a trial attorney and assistant branch director in the Civil Division of the United States Department of Justice. She is the advisor to the William and Mary Moot Court Board, whose teams have won the National Moot Court Competition twice in the last four years.

**TRACEY MACLIN** is a law professor at Boston University. This year he is visiting at Cornell University. He received his B.A. from Tufts University and his J.D. from Columbia University. Prior to joining the faculty at Boston University in 1987, Professor Maclin clerked for Judge Boyce F. Martin, Jr. of the United States Circuit Court and practiced law with the firm of Cahill, Gordon and Reindel in New York. He also served on the law faculty of the University of Kentucky.

**PAUL MARCUS** is the Haynes Professor of Law at William and Mary and was a professor of law and Dean of the University of Arizona College of Law prior to joining the faculty at William and Mary in 1991. He served as chair of the Institute's Task Force on the Drug-Free Workplace in 1990. Professor Marcus received his A.B. and J.D. from U.C.L.A. His publications include, among others, *Copyright and Other Aspects of Law Pertaining to Literary, Musical and Artistic Works* (with D.Meyers and D. Nimmer 1990), *The Law of Entrapment* (1989), *The Prosecution and Defense of Criminal Conspiracy Cases* (1978), *Criminal Procedure: Cases and Materials* (1986), and *Criminal Law: Cases and Materials* (1988).

**TONY MAURO** has covered the Supreme Court since 1980 for the Gannett News Service and also for *USA TODAY* since its creation in 1982. Since 1987, he has also written a column on the Supreme Court for *Legal Times* and *The American Lawyer* newspapers. He is on the executive committee of the Reporters Committee for Freedom of the Press and serves on the Conference of Lawyers and Representatives of the Media, and the Freedom of Information Committee of the Society of Professional Journalists. He received his B.A. from Rutgers University and his M.A. in journalism from Columbia University. Before coming to Washington, he worked for newspapers in Massachusetts and New Jersey.

**DAVID SAVAGE** has been the Supreme Court correspondent in Washington for the *Los Angeles Times* since 1986. Prior to that assignment, he was an education writer for the *Times* in Los Angeles. He has 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).

**RODNEY SMOLLA** is the Arthur B. Hanson Professor of Law, and the Director of the Institute of Bill of Rights Law at the College of William and Mary. He received his B.A. from Yale and his J.D. from Duke. He clerked for Judge Charles Clark of the United States Court of Appeals for the Fifth Circuit and practiced law in Chicago. His first book, *Suing the Press: Libel, the Media and Power* (1986) received the ABA Gavel Award Certificate of Merit in 1987. He is the author of a legal treatise, *Law of Defamation* (1986), of *Jerry Falwell v. Larry Flynt: The First Amendment on Trial* (1988), of *Constitutional Law: Structure and Rights in Our Federal System* (with Daan Braveman and William C. Banks, 1991), and of *Free Speech in an Open Society* (1992).

**JOHN TUCKER** is a lawyer and free lance writer. He received his A.B. from Princeton University and his J.D. from the University of Michigan. Before moving to Virginia, he was a distinguished trial and appellate lawyer with the firm of Jenner and Block in Chicago.

**STEPHEN WERMIEL** joined the faculty of Georgia State University Law School in August 1992 after completing a year as the Lee Distinguished Visiting Professor of Law at the College of William and Mary. For twelve years, Professor Wermiel was the Supreme Court correspondent for *The Wall Street Journal*. He covered more than 1300 Supreme Court decisions and analyzed trends on a broad array of legal issues. He received his B.A. in Political Science from Tufts University and his J.D. from American University. He is currently working on the authorized biography of retired Supreme Court Justice William Brennan and has authored an article on Supreme Court Justice Sandra Day O'Connor's first decade on the Supreme Court which is forthcoming in 1992. Other articles have appeared in the inaugural issue of the *William and Mary Bill of Rights Law Journal* and *Northwestern University Law Review*.

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# 1992-93 Supreme Court Preview

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