Association of Law, Property, and Society (ALPS) 2015 Annual Meeting University of Georgia School of Law

THURSDAY – April 30th

3:30 – 5:45 Field Trip (registered participants only, separate sign-up required) **Columbia Brookside – Athens new public housing community**

6:00-8:00 Welcome Reception & Registration

Herty Field, University of Georgia North Campus

FRIDAY - May 1st

8:00 Registration Rusk Atrium - Rusk 2d floor

8:00 – 8:30 Breakfast Walker Room - Rusk 4th floor

8:30 – 8:50 Welcome & Announcements

Walker Room - Rusk 4th floor

Bo Rutledge, Dean, University of Georgia School of Law Rashmi Dyal-Chand, ALPS President Jim Smith, Chair of ALPS Host Committee

9:00 – 10:30 Panel Session 1

1.1 Squatters Rights & Adverse Possession, Part I Rusk Courtroom - Rusk 1st floor Moderator: Laura Underkuffler

Helen Carr, "Out of Time and Out of Place--Unraveling the Deaths of Homeless People"

Lorna Fox O'Mahony, "From Criminalisation of Squatting to Asset-based Welfare: The Meaning of Ownership, the Rhetoric of Home and the New 'Rationality Mistake' in English Property Politics"

Sarah Keenan, "Making Land Liquid: Race, Time, and Registration of Title"

Marc Roark, "Human Housing Impact Statements"

1.2 New Directions in Intellectual Property

Room G - Main 3d floor

Moderator: Nestor Davidson

Tesh Dagne, "The Implications of 3D Printing for Canadian Intellectual Property Law"

Mikhalien du Bois, "Justificatory Theories"

James Stern, "Rivalry"

Deepa Varadarajan, "The Myth of 'Definite' Patent Boundaries"

1.3 The Global Indigenous Peoples Movement

Room K - Rusk 1st floor

Moderator: Ben Barros

Rebecca Hardin & Jens Dahl (University of Cophenhagen), "How the Subaltern Took Agency in the United Nations"

Pete Brosius & Laura Zanotti (Purdue University), "Political Ecologies of Indigenous Transnationalism"

Mayank Vikas & Virginius Xaxa (Tata Institute, India), "Global Indigenous Peoples Movement Stirring in India"

Kelly Askew & Kennedy Gastorn (Government office in Dar Es Salaam, Tanzania), "Constitutional Indigenous Peoples' Land Rights in Tanzania"

Hari Osofsky & Dalee Sambo Dorough (University of Alaska), "The Indigenous Political Enterprise"

1.4 Land Use and Environmental Law

Hatton Lovejoy Courtroom - Main

3d floor

Moderator: Doug Harris

Eric Claeys, "Accession, Riparianism, and the Colorado Doctrine"

Ben France-Hudson, "Social Obligation and Environmental Management"

Shana Jones & Scott Pippin, "The GeoSpatial Data Revolution at the Local Level: Implications for Land Use and Environmental Law"

Jessica Owley, "Enhancing Conservation Options: An Argument for Statutory Recognition of Options to Purchase Conservation Easements (OPCEs)"

10:30 – 10:45 Morning Break

Rusk 1st floor & Main Rotunda

10:45 – 12:15 Panel Session 2

2.1 Housing and Social Justice

Sanders Boardroom - Rusk 2d floor

Moderator: Carlo Pedrioli

Susan Bright & Lisa Whitehouse, "Does the English Housing Possession Process Provide Effective Access to Justice?"

Tim Iglesias, "Inclusionary Zoning: Opportunities and Risks for Affordable Housing and Fair Housing"

Shai Stern, "Taking Community Seriously: the Effects of Expropriation on Residential Communities"

Michel Vols, "'Neighbors from Hell': A Statistical Analysis of Eviction Litigation"

2.2 Indigenous Land Rights

Room K - Rusk 1st floor

Moderator: Ruth Thompson

Robert Hamilton, "After Tsilhqot'in: The Past and Future of Aboriginal Title in Atlantic Canada"

Felix Hoehn, "Property or Sovereignty? The Traditional Territories of Indigenous Peoples in Canada after Tsilhqot'in"

Jessica Shoemaker, "The Complexity Problem in American Indian Land Tenure"

2.3 Local Government Law

Rusk Courtroom - Rusk 1st floor

Moderator: Nestor Davidson

John Infranca, "Planned Spontaneity: City Governments and the Creation of Innovation"

Ashira Pelman Ostrow, "Weighted Voting in Local Elections"

Kenneth Stahl, "Local Home Rule in the Time of Globalization"

2.4 Retheorizing Property

Hatton Lovejoy Courtroom - Main 3d floor

Moderator: Ronit Levine-Schnur

Mark Andrews, "Hohfeld's Arc"

Simon Douglas, "The Limits of Property"

Meredith Render, "Forms versus Norms"

Katrina Wyman, "The New Essentialism in Property"

2.5 Empirical Methods in Intellectual Property Room G - Main 3d floor

Moderator: Dave Fagundes

Greg Dolin, "The Early Data on Post-Issuance Review"

Paul Heald, "The Valuation of Unprotected Works: A Case Study of Public Domain Photographers on Wikipedia"

Glynn Lunney, "Empirical Copyright: A Case Study of File Sharing, Sales Revenue, and Music Output"

Hannibal Travis, "Myths of the Internet as the Death of Old Media"

12:15 – 1:45 Conference Plenary Session and Lunch Walker Room - Rusk 4th floor

Keynote Speaker: Laura Underkuffler, Associate Dean for Academic Affairs and J. DuPratt White Professor of Law at Cornell Law School: "From Bailouts to Bogs: Shaking the 'Takings' Money Tree"

1:45 – 3:15 Panel Session 3

3.1 Housing and Homelessness

Room A - Main 1st floor

Moderator: Anupam Jha

Laura Binger, "Defiance at King Hill Hostel"

Susan Bright, "Judging Possession Cases: Heuristics and the Rule of Law"

Sarah Gwendolyn Ross, "The Waves of Gentrification: The City and the Tide Tables of Human Displacement"

Gakuto Takamura, "Vacant Properties in Japan and a New Challenge for Property Law"

3.2 Property, Preemption, and Power in Energy Governance

Room B - Main 1st floor

Moderator: Shelley Welton

Brice Huber, "Paying for Energy"

Alexandra Klass, "Kelo's Antecedents and Applications in Natural Resources and Energy Law"

Troy Rule, "Utility Regulation and the Transition to Distributed Energy"

Hannah Wiseman, "Oil and Gas Intrastate Preemption and Governance Alternatives"

3.3 Sharing Economy, Part I

Room K - Rusk 1st floor

Moderator: Christian Turner

Jordan Barry, "Regulation, Innovation, and the Sharing Economy"

Shelly Kreiczer-Levy, "Consumption Property in the Sharing Economy"

Kellen Zale, "Sharing Property"

3.4 Book Panel: Robin Paul Malloy's

Land Use Law and Disability

Rusk Courtroom - Rusk 1st floor

Moderator: John Lovett

Participants: Robin Malloy, John Lovett, Jessica Owley, Jim Smith, Kenneth Stahl,

3.5 Property Law and Social Change

Room C – Main 2d floor

Moderator: Peter Gerhart

Kristen Barnes, "Co-Housing in the Sharing Economy"

David Fagundes, "The Rise and Fall of the Roller Derby Master Roster"

Blake Hudson, "Changing Conceptions of Natural Resource Ownership: The Case of Forests"

3:15 – 3:30 Afternoon Break

Rusk 1st floor & Main Rotunda

3:30 – 5:00 Panel Session 4

4.1 New Approaches to Takings

Room A - Main 1st floor

Moderator: Lua Yuille

Ronit Levine-Schnur, "Is the Government Fiscally Blind? An Empirical Examination of the Effect of the Compensation Requirement on Eminent Domain Exercises"

Donald Kochan, "Cross-Pollination Possibilities in the Jurisprudence of the Business Judgment Rule and the Public Use Clause"

4.2 Governing Culture, Things, and Space

Room B - Main 1st floor

Moderator: Jessica Shoemaker

Mark Andrews, "Property as a Cultural Tool"

Anupam Jha, "Nuclear Reactors in India and People's Concerns on Displacement, Safety, and Transparency"

John Lovett, "Professor Longhair's Legacy: Revendicating Movables--A Comparative Perspective"

4.3 Property and Human Rights

Room K - Rusk 1st floor

Moderator: Sarah Nield

Chris Essert, "Property and Homelessness"

Shashi Kumar, "Development and Displacement of Tribes in India: A Study in Human Rights Perspective"

Emma Lees, "Human Rights and European Property Law: Integration or Imposition"

Ben Davy, "Property as a Human Right"

4.4 Comparative Perspectives on Land Use

Rusk Courtroom - Rusk 1st floor

Moderator: Nadia Ahmad

Alexandra Flynn, "The Landscape of Local in Toronto's Governance Model"

Gwom Peter, "Master Planning in Nigeria: Challenges and Prospects for Jos Urban Future"

Edward Sullivan, "Population Projections, Dueling Experts and Competition for Growth: The Oregon Experience"

4.5 The Public Domain

Room C – Main 2d floor

Moderator: Paul Heald

Abraham Bell, "Fair Use as a Grant to the Public Domain"

Deidre Keller, "If IP is Property, the Public Trust Doctrine Ought to Inform Our Understanding of the Public Domain"

Tyler Ochoa, "Are Sports Statistics in the Public Domain?"

5:00 – 7:00 Conference Reception Sutherland Courtyard - Main 1st floor

5:45 **Program Committee Meeting** Room A - Main 1st floor

6:00 International Outreach Committee Meeting Room B - Main 1st floor

SATURDAY – May 2nd

8:00 – 1:00 pm Registration Rusk Atrium - Rusk 2d floor

8:00 – 8:30 Breakfast Walker Room - Rusk 4th floor

8:30 – 10:00 Panel Session 5

5.1 The Chinese Real Estate Market:

Four Perspectives Room K - Rusk 1st floor

Moderator: Christian Turner

Tahirih Lee, "Property Rights in the International Settlement and French Concession of Shanghai"

Gregory Stein, "Harmonizing Chinese Real Estate Law with the Theory of Law and Development"

Mary Szto, "Chinese Real Estate Investors in the U.S."

5.2 The Geography of Energy Transition:

Property Issues in a Changing Climate Room A - Main 1st floor

Moderator: Lucy Finchett-Maddock

Nadia Ahmad, "Tribes and Pipelines"

Vinita Banthia & Amarachi Ihejirika, "Incorporating Environmental Justice into Regional Transportation Plans"

Hari Osofsky, "Energy Partisanship"

Shelley Welton, "Utility Regulation in a Climate Changing World"

5.3 Property and Community

Room B - Main 1st floor

Moderator: Alexandra Flynn

Jamie Baxter, "Collective Actions: New Logics from the Digital Age of Property Transitions"

Shelby D. Green, "Building Resilient Communities in the Wake of Climate Change: Keeping Affording Housing Safe from Sea Changes in Nature and Policy

Avital Margalit, "Social Change and the Incorporated Commons"

Thomas Mitchell, "Exit from Common Ownership: An International Comparative Perspective"

5.4 Squatters Rights & Adverse Possession, Part II Room C - Main 2d floor Moderator: Nick Hopkins

Robin Hickey, "Criminalised Squatting and the Mechanics of Property Law Adjudicated"

Sally Richardson, "Helmholz Revisited"

Rod Thomas, "Squatter Rights Under the New Zealand Torrens Regime"

5.5 Book Panel: Kara Swanson's Banking on the Body: The Market in Blood, Milk and Sperm in Modern America Room F - Main 2d floor Moderator: Laura Underkuffler

Participants: Kara Swanson, Gregory Alexander, Douglas Harris, Kali Murray

10:15 – 10:30 Morning Break Rusk 1st floor & Main Rotunda

10:30 – 12:00 Panel Session 6

6.1 Property and Wealth Concentration

Room K - Rusk 1st floor

Moderator: Jessica Owley

Marc-Tizoc Gonzalez, "Criminalizing Charity: The Food Sharing Cases"

Douglas Harris, "Dissolving Condominium, Private Takings, and the Nature of Property"

Nick Hopkins, "Community Land Trusts: A 'Progressive' Model of Land Wealth Management?"

6.2 Property Law, Foreclosure, and the Home

Room A - Main 1st floor

Moderator: Donald Kochan

Steve Clowney, "Home Improvement Decisions and the Law"

Judith Fox, "Revisiting the Law of Abandonment in Light of the Recent Mortgage Crisis"

Alan White, "Making Banks Talk: Foreclosure Mediation in the States and Under the Model Foreclosure Procedures Act"

6.3 Sharing Economy, Part II

Room B - Main 1st floor

Moderator: Nestor Davidson

Rashmi Dyal-Chand, "Regulating Sharing"

Timothy Mulvaney, "Takings and the 'Sharing Economy"

Sarah Schindler, "Regulating the Underground: Secret Supper Clubs, Pop-Up Restaurants, and the Role of Law"

6.4 Race, Place, and Property

Room C - Main 2d floor

Moderator: Sara Gwendolyn Ross

M. Alexander Pearl, "Redsk*n: A Property Right to Racism"

John Tehranian, "Selective Colorblindness and the Legal Construction of White Geographies"

Lua Kamal Yuille, "Trespassers Will be Shot, or The Right to Exclude as Right to Kill?"

6.5 Property and Sexuality

Room F - Main 2d floor

Moderator: Shelley Cavalieri

Carlo Pedrioli, "Chief Justice Margaret Marshall, *Goodridge v. Department of Public Health*, and the Creation of a Right to Same-Sex Marriage in Massachusetts"

Marc Poirier, "Things, Places, Neighborhoods: Placing the Official Memory of LGBTQ Identity"

Rhonda Reaves, "Dress and Appearance, Performing Identity in the Workplace: A Property Law Perspective"

12:00 - 1:15 Lunch

Walker Room - Rusk 4th floor

Program: ALPS as a Gateway to Mentoring

1:15 – 2:45 **Panel Session 7**

7.1 The Changing Landscape

Room K - Rusk 1st floor

Moderator: Tim Mulvaney

Lee Breckenridge, "Institutional Cognition and Urban Resilience"

Shelley Cavalieri, "Theorizing Land Reform"

Jill Fraley, "Surface Water Liability and the History of Drainage in North America"

Matthew Weber, "Informality as a Mode of Deurbanization: Property and the Shrinking City"

7.2 Critical Perspectives on Property

Room A - Main 1st floor

Moderator: Lisa Milot

James Kelly, "Progressive Property, Market Ideology, and Alienability"

Jason Leslie, "The Philosopher and the Developer: Understanding Developments in Condominium Law through Moral Theory"

Sarah Nield, Nick Hopkins & Susan Bright, "Enduring Property Relations"

Natalie Pratt, "Property, Personhood and the Community Claim"

7.3 Neighborhoods: The In, The Out,

The Inclusive, The Invisible

Room B - Main 1st floor

Moderator: Marc Poirier

Tiffany Graham, "LGBTQ Families in Forgotten America: Integration of Physical Space, Reintegration of Psychic Space"

Priya Gupta, "Judicial Constructions: Modernity, Economic Liberalization, and the Urban Poor in India"

Jeff Redding, "Queering Geography: From Territory to Commune?"

7.4 Property and Pedagogy: Strategies to Engage Students in Property Law

Moderator: Sally Richardson

Room C - Main 2d floor

Ben Barros, "Taking the Limitations of First Year Property Students

Tim Iglesias, "Eviction Lawyering, Litigation Skills and Ethics"

Carlo Pedrioli, "Property Pedagogy and the Concept of Audience" Seriously"

Ngai Pindell, "Providing Better Context—Projects and Strategies"

2:45 – 3:00 Afternoon Break Rusk 1st floor & Main Rotunda

3:00 – 4:30 Panel Session 8

8.1 Outsiders, Insiders, and Property Law

Room K - Rusk 1st floor

Moderator: Mark Roark

Maureen Brady, "The Lost 'Effects' of the Fourth Amendment: Giving Personal Property Due Protection"

Justin Steil, "The Legal Geography of Immigration Federalism"

Bela August Walker, "Tracing Parental Status from Property Rights to Fundamental Rights"

8.2 Religion and Property

Room A - Main 1st floor

Moderator: Ben Davy

Zack Bray, "RLUIPA and the Limits of Religious Institutionalism"

John Infranca, "The Right to Property and/or Religious Freedom as the 'Source and Synthesis' of Rights"

Jerrold Long, "Mormons in the Tetons: Developing an Environmental Ethic in a Harsh Landscape"

8.3 Squatters Rights & Adverse Possession, Part III Room B - Main 1st floor Moderator: Tim Iglesias

Lucy Finchett-Maddock, "Time's Up--Private Limitations on the Right to Protest and the Role of Property"

Sarah Nield, "Squatters as Humans with Rights"

Bruce Ziff, "Occupation, Protest, and the University Campus: A Canadian Perspective"

8.4 Property, Cultural Displacements, Collective Identities, and the Common Good

Room C - Main 2d floor

Moderator: Eric Claeys

Adam MacLeod, "Property from the Inside"

Dwight Newman, "Indigenous Title Rights and Justifications for Property"

Malcolm Lavoie, "Why Restrain Alienation of Indigenous Lands?"

4:30 – 5:30 Closing Plenary Session Room A - Main 1st floor Property Academics as Agents of Law Reform "in the Margins"

Audrey McFarlane Thomas Mitchell Lorna Fox O'Mahony

5:30 Conference Closing Reception

Walker Room - Rusk 4th floor

6:30 – 8:00 ALPS Board Meeting

Sanders Boardroom - Rusk 2d floor