
ISSUE 1

**SYMPOSIUM: THE LAST WORD; THE CONSTITUTIONAL IMPLICATIONS OF
PRESIDENTIAL SIGNING STATEMENTS**

- *Introduction*
Charlie Savage, Boston Globe
- *The On/Off Switch*
Philip Heymann, Harvard University Law School
- *The First Word*
M. Elizabeth Magill, University of Virginia
- *The Presidential Signing Statements Controversy*
Peter Strauss, Columbia University
Ronald Cass, Boston University
- *A Matter of Direction: The Reagan Administration, the Signing Statement, and the 1986
Westlaw Decision*
Christopher Kelley, Miami University of Ohio
- *Signing Statements as Declaratory Judgments: The President As Judge*
Phil Cooper, Portland State University
- *Fee Shifting as a Congressional Response to Adventurous Presidential Signing Statements*
Harold Krent, Chicago-Kent University of Law
- *Presidential Signing Statements and the Rule of Law As an “Unstructured Institution”*
Peter Shane, Ohio State University Moritz School of Law
- *Presidential Signing Statements in Perspective*
Nelson Lund, George Mason University School of Law
- *Presidential Signing Statements and Congressional Oversight*
A. Christopher Bryant, University of Cincinnati College of Law
- *The Unconstitutionality of “Signing and Not Enforcing”*
Michael Rappaport, University of San Diego School of Law
- *Signing Statements and Statutory Interpretation in the Bush Administration*
Neil Kinkopf, Georgia State University
- *Litigating Presidential Signing Statements*
Michele Gilman, University of Maryland at Baltimore
- *Signing Statements: Constitutional and Practical Limits*
Louis Fisher, Library of Congress
- *Signing Statements and Divided Government*
Neal Devins, William & Mary School of Law
- *Why the President Must Veto Unconstitutional Bills*
Saikrishna B. Prakash, University of San Diego School of Law

16 WM. & MARY BILL OF RTS. J.

NOTES

- *The Military and the First Amendment: Second Class Citizen Soldiers*
Emily Reuter, William & Mary Law School (JD 2008)
- *Strong Medicine: Exploring the Consequences of the FDA's Approval Process for Plan B and Establishing a Private Right of Action*
Michele Slachetka, William & Mary Law School (JD 2008)

16 WM. & MARY BILL OF RTS. J.

ISSUE 2

ARTICLES

- *Congress has the Power to Enforce the Bill of Rights Against the Federal Government: Therefore FISA is Constitutional and the President’s Terrorist Surveillance Program is Illegal*
Wilson Huhn, University of Akron Law School
- *Interpreting the Fourteenth Amendment: Two Don’ts and Three Dos*
Garrett Epps, University of Oregon Law School
- *Be They Fish or Not Fish: The Fishy Registration of Nonsexual Offenders*
Ofer Raban, University of Detroit Mercy School of Law
- *Sense Enhanced Searches and the Irrelevance of the Fourth Amendment*
David Steinberg, Thomas Jefferson School of Law
- *Family Law Federalism: Divorce and the Constitution*
Ann Laquer Estin, University of Iowa School of Law

NOTES

- *Congressional Criminality and Balance of Powers: Are Internal Filter Teams Really What our Forefathers Envisioned*
Emily Eineman, William & Mary Law School (JD 2008)
- *Garcetti v. Ceballos: Stifling the First Amendment in the Public Workplace*
Julie Wenell, William & Mary Law School (JD 2008)

ISSUE 3

ARTICLES

- *A Welfare State of Civil Rights: The Triumph of the Therapeutic in American Constitutional Law*
Daniel F. Piar, John Marshall Law School, Atlanta
- *Whither Sexual Orientation Analysis?: The Proper Methodology when Due Process and Equal Protection Intersect*
Sharon E. Rush, University of Florida Levin College of Law
- *Reinstating Treaty Making with Native American Tribes*
Phillip Kannan, Colorado College
- *The Unchecked Presidential Power of the “Ongoing Criminal Investigation” Constraint: Getting Away with Silence*
Luke M. Milligan, University of Louisville Law School

SYMPOSIUM: BRIGHAM-KANNER PROPERTY RIGHTS CONFERENCE

- *“A Frequent Recurrence to Fundamental Principles”: A Tribute to Jim Ely*
John V. Orth, University of North Carolina – Chapel Hill Law School
- *“A Poor Relation?” Reflections on a Panel Discussion Comparing Property Rights to Other Rights Enumerated in the Bill of Rights*
Rashmi Dyal-Chand, Northeastern University School of Law

NOTES

- *Twenty-three Years Later, 1984 on the Horizon: An Update on Thought(Crime), Technology and the Constitution*
William Federspiel, William & Mary Law School (JD 2008)
- *The Right to Access Experimental Drugs: Why the FDA Shouldn’t Deprive the Terminally Ill of a Chance to Live*
Nick Plionis, William & Mary Law School (JD 2008)

ISSUE 4

SYMPOSIUM: CONFLICTS 101: HIGHER EDUCATION AND THE FIRST AMENDMENT

- *Introduction*
Bill Marshall, State of Ohio Solicitor General
- *Free Expression and Education: Between Two Democracies*
Stephen M. Feldman, University of Wyoming College of Law
- *Intelligent Design in Public Universities Science Departments: Academic Freedom or Establishment of Religion*
Frank S. Ravitch, Michigan State University College of Law
- *The Cross at College: Accommodation and Acknowledgment of Religion at Public Universities*
Ira C. Lupu, The George Washington University Law School
Robert W. Tuttle, The George Washington University Law School
- *Higher Education, Harassment, and First Amendment Opportunism*
Kenneth L. Marcus, Staff Director, U.S. Commission on Civil Rights

ARTICLES

- *Considering a University Apology for Slavery: The Case of Thomas Roderick Dew*
Alfred Brophy, University of Alabama Law School
- *A First Look at the Worst*
Terry L. Meyers, College of William & Mary
- *Support our [Dead] Troops: Sacrificing Political Expression Rights for Familial Control over Names and Likenesses*
Clay Calvert, The Pennsylvania State University
- *Falsity, Insincerity, and the Freedom of Expression*
Mark Spottswood, Clerk, Federal District Court, Northern District of Illinois

NOTES

- *Lest We Regress to the Dark Ages: Holding Voluntary Surgical Castration Cruel and Unusual, Even for Sex Offenders*
Catherine Rylyk, William & Mary Law School (JD 2008)
- *Elephants, Mariachi Bands and the Ninth Circuit: The Removal of Offensive Collateral Estoppel in Illegal Immigration Cases*
Matthew Purcell, William & Mary Law School (JD 2008)