



The Law School Observer

Brian Leiter

IT'S TIME FOR THE annual wrap-up of the most significant lateral moves in the legal academy for the past year (03–04), in terms of their significance for the hiring or the “losing” school. Correspondents often complain about limiting the list to just ten, but space considerations do dictate some limits. Here then are ten major faculty moves in law schools for the past year:

Bernard S. Black from Stanford University to the University of Texas, Austin, where he will join his wife, assistant professor **Kate Litvak**, who joined the Texas faculty the year before. Leading figure in the economic analysis of corporate law and securities regulation, Black joins **Henry Hu, Ronald Mann** (hired away from Michigan last year), and **Jay Westbrook**, among others, to give Texas a strong presence in the business law areas.

Erwin Chemerinsky from the University of Southern California to Duke University. Prolific and influential constitutional lawyer, this was an important hire for Duke in a year

when they were losing **William Van Alstyne** (see below).

John Donohue III from Stanford University to Yale University. Leading law and economics scholar, he joins the astonishingly long list of faculty who have migrated from cold, grey, and dangerous Palo Alto to sunny, bucolic, and tranquil New Haven. (Others include **Ian Ayres, Robert Ellickson, Robert W. Gordon**, and **James Whitman**.)

Henry Hansmann from New York University back to Yale University, after less than a year at NYU. Leading figure in corporate law, he was one of several major hires for Yale this year. Together with NYU's other losses this year (**Robert Daines** and **Larry Kramer** to Stanford (the latter as Dean), **Michael Schill** to UCLA as the new Dean), many are now commenting that NYU, after its remarkable rise in the 1990s, appears to have peaked.

David Hyman from the University of Maryland to the University of Illinois. One

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of the leading health law scholars of his generation, he was one of *five* lateral hires for Illinois this past year, including the legal historian **Richard Ross** from the University of Wisconsin, Madison, the bankruptcy expert **Ralph Brubaker** from Emory University, and, at the junior level, behavioral law and economics scholar **Lee Anne Fennell** from the University of Texas, Austin.

Derek Jinks from Saint Louis University to Arizona State University. A rising star in international law, he visited at the University of Chicago Law School this past year.

Mark Lemley from the University of California, Berkeley to Stanford University. Top young intellectual property law scholar, Lemley passed up visits to Yale and Harvard in recent years because of his attachment to the Bay Area. Joining **Paul Goldstein**, **Larry Lessig**, and **Margaret Jane Radin**, Lemley's move probably makes Stanford tops in the nation in the IP area, displacing Berkeley from that perch (which must also now share **Robert Merges** with the University of California at Davis).

Jonathan Macey from Cornell University to Yale University. Hugely prolific and widely cited scholar in corporate and banking law, and law and economics, his departure is a blow for Cornell, while rounding out Yale's big year of hiring in corporate law and law and economics.

Steven Ratner from the University of Texas, Austin to the University of Michigan. One of the leading international law scholars of his generation in the legal academy, he

helps rejuvenate Michigan's presence in an area where it has long had a strong investment.

William Van Alstyne from Duke University to the College of William & Mary, where he joins his wife, law professor **Lan Cao**. A real catch for William & Mary, and a blow to Duke, where Van Alstyne had been the preeminent figure for several decades.

Other notable moves correspondents called to my attention: **Michael Byers** (international law) from Duke to a Canada Research Chair at British Columbia; **Marion Crain** (labor law) from North Carolina to West Virginia; **Christopher Edley** (administrative law, civil rights) from Harvard to Berkeley (to become Dean); **Catherine Fisk** (employment law) from Southern California to Duke; **Tracey George** (law & social science) from Northwestern to Vanderbilt (where she joins husband **Chris Guthrie** [law & behavioral economics], who turned down a Northwestern offer); **Larry Helfer** (international law) from Loyola/Los Angeles to Vanderbilt; **Vik Khanna** (corporate law) from BU to Michigan; **Mitchell Lasser** (comparative law) from Utah to Cornell; **John Manning** (administrative law) from Columbia to Harvard; **Neil Netanel** (intellectual property, copyright) from Texas to UCLA; **James Salzman** (environmental law) from American to Duke; **Sidney Shapiro** (administrative law) from Kansas to the University Distinguished Chair in Law at Wake Forest; **Katherine van Wezel Stone** (labor law) from Cornell to UCLA. *gfb*