



Deborah Widiss



Ben Trachtenberg

Visiting Assistant Professors' Work Wins National Acclaim

Brooklyn Law School's Visiting Assistant Professor Program continues to draw outstanding faculty whose writings are winning accolades.

Visiting Assistant Professor Deborah Widiss won a Scholarly Paper Award from the Association of American Law Schools, which was recognized at the 2009 AALS Annual Meeting in January in San Diego. The Special Committee to Review Scholarly Papers chose Professor Widiss's paper, "Shadow Precedents and the Separation of Powers: Statutory Interpretation of Congressional Overrides," out of almost 60 papers submitted to the prestigious competition. In her winning paper, which will appear in the *Notre Dame Law Review* later this year, Widiss addresses Congressional override of judicial interpretation of statutes. She argues that because judges are often faced with determining the exact extent to which Congress has overridden a judicial decision, they can easily leave in place as precedent the very concepts that Congress sought

to override. When other courts follow these "shadow precedents," legislative supremacy is threatened and the standard rationales offered for adherence to precedent are undermined.

Widiss joined Brooklyn Law School's Visiting Assistant Professor Program in 2007 and recently accepted a position as an associate professor at the Maurer School of Law at Indiana University—Bloomington for the fall of 2009. She taught employment and family law at BLS, and her research interests include employment law, the legislative process, and the significance of gender and gender stereotypes in the development of law and government policy.

Visiting Assistant Professor Ben Trachtenberg won the 2009 Ross Essay Contest, which is sponsored by the American Bar Association's *ABA Journal*. His essay, "Incarceration Policy Strikes Out," was published in the February 2009 issue of the *ABA Journal*. The Ross Essay Contest carries a \$5,000 prize that is supported by

a trust established in the 1930s by the late Judge Erskine M. Ross of Los Angeles. This year's prompt was to write an open letter to President Barack Obama and Congress describing the most important priority for improving the U.S. justice system.

In his essay, Trachtenberg argues that the exploding prison population compromises U.S. criminal justice policy and that a properly funded justice system that utilizes alternatives to incarceration, when appropriate, would place state budgets into a better balance concerning other resources.

Trachtenberg began his two-year visiting professorship this past fall. He teaches criminal law and environmental law — courses representing both of his research interests.

"Our visiting assistant professors' achievements at the early stages of their careers is a source of great pride for us at Brooklyn Law School," says Associate Dean for Academic Affairs Lawrence Solan. "We are looking forward to seeing more excellent work from these young professors." □