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Cutting Edge Issues in Family and Matrimonial Law: An Annotated Bibliography, 2008-2011

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This bibliography covers law review articles published, for the most part, after 2007. Articles for which the title is self-explanatory or that concern only a single case, state, or statute are cited, but not annotated. Property-related issues will appear in the fall 2011 bibliography.

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ANNOTATIONS

Adoption

Annette R. Appell, *Controlling for Kin: Ghosts in the Postmodern Family*, 25 WIS. J.L. GENDER & SOC'Y 73 (Spring 2010) (stressing the importance of connections with biological family members and urging fewer all-or-nothing models of adoption and instead allowing adoptions to proceed while preserving contacts with biological families).

Annette R. Appell, *Reflections on the Movement Toward a More Child-Centered Adoption*, 32 W. NEW ENG. L. REV. 1 (2010) (evaluating state statutes that regulate post-adoption contact and describing the psychosocial literature on the benefits and detriments of continuing contact in both newborn and foster child adoptions).

James G. Dwyer, *First Parents: Reconceptualizing Newborn Adoption*, 37 CAP. U. L. REV. 293 (2008) (arguing that newborns have a due process right to not be placed with birth parents whom the state has evidence will be unfit).

Lauren M. Fair, Comment, *Shame on U.S.: The Need for Uniform Open Adoption Records Legislation in the United States*, 48 SANTA CLARA L. REV. 1039 (2008) (noting that only five states (Alabama, Alaska, Kansas, New Hampshire and Oregon) allow adoptees unrestricted access to their adoption records and arguing that the secrecy of closed records adoption laws implies

shame and deprives adoptees of valuable personal and medical information).

Jessica R. Feinberg, *Friends as Co-Parents*, 43 U.S.F. L. REV. 799 (2009) (urging adoption agencies to allow close friends to adopt together).

Katherine Herrmann, *Reestablishing the Humanitarian Approach to Adoption: The Legal and Social Change Necessary to End the Commodification of Children*, 44 FAM. L.Q. 409 (2010) (examining procedural restrictions on international adoptions).

Michael J. Higdon, *When Informal Adoption Meets Intestate Succession: The Cultural Myopia of the Equitable Adoption Doctrine*, 43 WAKE FOREST L. REV. 223 (2008) (articulating the tests courts have developed to assess whether an individual has been equitably adopted under the intestate succession laws and maintaining that the strict requirements of the equitable adoption doctrine—including a contract to adopt—have “made it nearly impossible for informally adopted children to qualify as equitably adopted children”).

Lindsay J. Mather, Comment, *The Impact of the Genetic Information Nondiscrimination Act on the Disclosure of Information in Adoption Proceedings*, 78 U. CIN. L. REV. 1629 (2010) (addressing the need for familial health information as good cause to overcome birth parents’ privacy concerns).

Lisa M. Simpson, *Adoption Law: It May Take a Village to Raise a Child, But It Takes National Uniformity to Adopt One*, 3 PHOENIX L. REV. 575 (2010) (describing disparities across the country in birth father notification and post-adoption communication provisions).

E. Gary Spitko, *Open Adoption, Inheritance, and the “Uncleing” Principle*, 48 SANTA CLARA L. REV. 765 (2008) (proposing that birth parents and their children who are adopted through open adoption be treated as heirs of each other, in essentially an aunt or uncle—niece or nephew relationship).

Timothy L. Arcaro, *No More Secret Adoptions: Providing Unwed Biological Fathers with Actual Notice of the Florida Putative Father Registry*, 37 *CAP. U. L. REV.* 449 (2008) (Florida).

Deborah Bulkeley, Note, *Who's My Daddy?! A Call for Expediting Contested Adoption Cases in Utah*, 12 *J. L. & FAM. STUD.* 225 (2010) (Utah).

Brenda K. DeVries, Note, *Health Should Not Be a Determinative Factor of Whether One Will Be a Suitable Adoptive Parent*, 6 *IND. HEALTH L. REV.* 137 (2009).

Catherine L. Hartz, *Arkansas's Unmarried Couple Adoption Ban: Depriving Children of Families*, 63 *ARK. L. REV.* 113 (2010) (Arkansas).

Michelle Kaminsky, Note, *Excessive Rights for Putative Fathers: Heart of Adoptions Jeopardizes Rights of Mother and Child*, 57 *CATH. U. L. REV.* 917 (2008) (Florida).

Colin Schlueter, Note, *Color Conscious: The Unconstitutionality of Adoptive Parents' Expression of Racial Preferences in the Adoption Process*, 19 *WM. & MARY BILL RTS. J.* 263 (2010)

Irene Steffas, *The Hague Adoption Convention and Its Impact on All Adoptions*, 57 *FED. LAW.* 34 (Dec. 2010).

Mark Strasser, *Adoption, Best Interests, and the Arkansas Constitution*, 63 *ARK. L. REV.* 3 (2010) (Arkansas).

Mark Strasser, *Interstate Recognition of Adoptions: On Jurisdiction, Full Faith and Credit, and the Kinds of Challenges the Future May Bring*, 2008 *BYU L. REV.* 1809 (Tenth Circuit and Vermont).

Terry L. Turnipseed, *Scalia's Ship of Revulsion Has Sailed: Will Lawrence Protect Adults Who Adopt Lovers to Help Ensure Their Inheritance from Incest Prosecution?*, 32 *HAMLIN L. REV.* 95 (2009).

Tiffany Woo, Comment, *When the Forever Family Isn't: Why State Laws Allowing Adoptive Parents to Voluntarily Rescind an Adoption Violate the Adopted Child's Equal Protection Rights*, 39 *SW. L. REV.* 569 (2010).

Alternative Dispute Resolution

Connie J. A. Beck, et al., *Divorce Mediation With and Without Legal Representation: A Focus on Intimate Partner Violence and Abuse*, 48 FAM. CT. REV. 631 (2010) (studying pro se and attorney represented clients in divorce mediation in Arizona and Indiana, and finding no significant difference in the rates of reported intimate violence according to whether parties were represented or not).

Susan Daicoff, *Collaborative Law: A New Tool for the Lawyer's Toolkit*, 20 U. FLA. J.L. & PUB. POL'Y 111 (2009) (reviewing the historical emergence of collaborative law, its structures, processes and goals).

Christopher M. Fairman, *Growing Pains: Changes in Collaborative Law and the Challenge of Legal Ethics*, 30 CAMPBELL L. REV. 237 (2008) (addressing the Colorado ethics committee's opinion finding the conventional practice of collaborative law is unethical).

Barbara Glesner Fines, *Ethical Issues in Collaborative Lawyering*, 21 J. AM. ACAD. MATRIM. LAW. 141 (2008) (offering specific practical advice about attorney communications with clients in collaborative law practice, possible conflicts of interest, confidential communications, as well as permissible and required withdrawals).

Gregory Firestone, *Empowering Parents in Child Protection Mediation: Challenges and Opportunities*, 47 FAM. CT. REV. 98 (2009) (describing the power imbalances facing parents in child protection mediation and discussing the benefits and challenges to empowering parents).

Ronald S. Granberg & Sarah A. Cavassa, *Private Ordering and Alternative Dispute Resolution*, 23 J. AM. ACAD. MATRIM. LAW. 287 (2010) (discussing the absence of standards for family law mediation and comparing approaches and rules in California, Illinois, New York and Texas).

Wilma J. Henry et al., *Parenting Coordination and Court Relitigation: A Case Study*, 47 FAM. CT. REV. 682 (2009) (providing the results of one study of 49 couples in which child-related court

motions decreased approximately 75 percent the year after the couples participated in parenting coordination programs).

Brian Jarrett, *The Future of Mediation: A Sociological Perspective*, 2009 J. DISP. RESOL. 49 (reporting interviews with forty mediation teachers and their observations of increasing competition and specialization in the market for mediators, increasing formal regulation of the practice of mediation, and mediators' efforts to shape a professional identity).

Jan Jeske, *Custody Mediation Within the Context of Domestic Violence*, 31 HAMLINE J. PUB. L. & POL'Y 657 (2010) (addressing screening mechanisms for mandatory mediation in cases involving domestic violence).

John Lande, *The Movement Toward Early Case Handling in Courts and Private Dispute Resolution*, 24 OHIO ST. J. ON DISP. RESOL. 81 (2008) (describing various forms of early case management procedures, including differentiated management, early neutral evaluation and ADR screening mechanisms).

John Lande & Forrest S. Mosten, *Before You Take a Collaborative Law Case*, 33 FAM. ADVOC. 31 (Fall 2010) (discussing ethics rules regarding limited scope representations, conflicts of interest and informed consent).

Stephan Landsman, *Nothing for Something? Denying Legal Assistance to Those Compelled to Participate in ADR Proceedings*, 37 FORDHAM URB. L.J. 273 (2010) (addressing the risks of parties who proceed without counsel in compulsory mediation).

Peter Salem, *The Emergence of Triage in Family Court Services: The Beginning of the End for Mandatory Mediation?*, 47 FAM. CT. REV. 371 (2009) (urging triage or "differentiated case management": instead of requiring mediation of almost all participants, allowing the parties to help decide what mechanisms would best benefit them, such as early neutral evaluation or non-confidential dispute resolution and assessment).

Kent B. Scott & Cody W. Wilson, *Questions Clients Have About Whether (and How) to Mediate and How Counsel Should Answer Them*, 63 DISP. RESOL. J. 26 (July 2008) (offering clear answers

to likely questions about mediation, ranging from its disadvantages to enforceability of settlements reached).

Pauline H. Tesler, *Collaborative Family Law, the New Lawyer, and Deep Resolution of Divorce-Related Conflicts*, 2008 J. DISP. RESOL. 83 (considering interdisciplinary team collaborative divorce practice, including specialists in child psychology, financial services, and mediation).

Nancy Thoennes, *What We Know Now: Findings from Dependency Mediation Research*, 47 FAM. CT. REV. 21 (2009) (offering a meta-analysis of child protection mediation studies).

Nancy Ver Steegh, *Family Court Reform and ADR: Shifting Values and Expectations Transform the Divorce Process*, 42 FAM. L.Q. 659 (2008) (discussing the range of ADR services—such as parent education programs, early neutral evaluation, parenting coordination—and available empirical research about each of these).

Roselle L. Wissler, *Representation in Mediation: What We Know From Empirical Research*, 37 FORDHAM URB. L.J. 419 (2010) (reviewing studies regarding parties' experiences and outcomes in mediation when they are and are not represented by lawyers).

Andrea C. Yang, *Ethics Codes for Mediator Conduct: Necessary But Still Insufficient*, 22 GEO. J. LEGAL ETHICS 1229 (2009) (critiquing the Model Standards for mediators and considering the prospects for mediator malpractice actions).

Jaime Abraham, Note, *Divorce Mediation—Limiting the Profession to Family/Matrimonial Lawyers*, 10 CARDOZO J. CONFLICT RESOL. 241 (2008).

Julia Alanen, *When Human Rights Conflict: Mediating International Parental Kidnapping Disputes Involving the Domestic Violence Defense*, 40 U. MIAMI INTER-AM. L. REV. 49 (2008).

James R. Antes & Kristine Paronica, *The Promise of Mediation for North Dakota*, 84 N.D. L. REV. 669 (2008) (North Dakota).

Connie J. A. Beck et al., *Analysis of Mediation Agreements of Families Reporting Specific Types of Intimate Partner Abuse*, 47 *FAM. CT. REV.* 401 (2009).

Mara Berke, *Planned Parenthood*, 32 *L.A. LAW.* 16 (Mar. 2009) (California).

Christine A. Coates, *A Brief Overview of Parenting Coordination*, 38 *COLO. LAW.* 61 (July 2009) (Colorado).

Robert F. Cochran, Jr., *Legal Ethics and Collaborative Practice Ethics*, 38 *HOFSTRA L. REV.* 537 (2009).

Elizabeth Cunha, Comment, *The Potential Importance of Incorporation of Online Dispute Resolution Into a Universal Mediation Model for International Child Abduction Cases*, 24 *CONN. J. INT'L L.* 155 (2008).

J. Herbie DiFonzo, *A Vision for Collaborative Practice: The Final Report of the Hofstra Collaborative Law Conference*, 38 *HOFSTRA L. REV.* 569 (2009).

Leonard Edwards, *Child Protection Mediation: A 25-Year Perspective*, 47 *FAM. CT. REV.* 69 (2009).

Patrick Foran, Comment, *Adoption of the Uniform Collaborative Law Act in Oregon: The Right Time and the Right Reasons*, 13 *LEWIS & CLARK L. REV.* 787 (2009) (Oregon).

Kristin L. Fortin, *Reviving the Lawyer's Role as Servant Leader: The Professional Paradigm and a Lawyer's Ethical Obligation to Inform Clients About Alternative Dispute Resolution*, 22 *GEO. J. LEGAL ETHICS* 589 (2009).

T. Noble Foster, *The Promise of Confidentiality in Mediation: Practitioners' Perceptions*, 2009 *J. DISP. RESOL.* 163 (Florida and Washington).

Marsha B. Freeman, *Florida Collaborative Family Law: The Good, the Bad, and the (Hopefully) Getting Better*, 11 *FLA. COASTAL L. REV.* 237 (2010) (Florida).

Marilou Giovannuci & Karen Largent, *A Guide to Effective Child Protection Mediation: Lessons from 25 Years of Practice*, 47 FAM. CT. REV. 38 (2009).

Barbara Cashman Hahn, *Elder Mediation Comes of Age in Colorado*, 39 COLO. LAW. 45 (Mar. 2010) (Colorado).

Sherrill W. Hayes, "More of a Street Cop Than a Detective": *An Analysis of the Roles and Functions of Parenting Coordinators in North Carolina*, 48 FAM. CT. REV. 698 (2010) (North Carolina).

Jim Hilbert, *Educational Workshops on Settlement and Dispute Resolution: Another Tool for Self-Represented Litigants in Family Court*, 43 FAM. L.Q. 545 (2009).

Shelley Kierstead, *Parent Education Programs in Family Courts: Balancing Autonomy and State Intervention*, 49 FAM. CT. REV. 140 (2011).

Karl Kirkland & Matthew Sullivan, *Parenting Coordination (PC) Practice: A Survey of Experienced Professionals*, 46 FAM. CT. REV. 622 (2008).

Rebecca A. Koford, *The Ethics of Limited Representation in Collaborative Law*, 21 GEO. J. LEGAL ETHICS 827 (2008).

Maureen E. Laflin, *Dreamers and Visionaries: The History of ADR in Idaho*, 46 IDAHO L. REV. 177 (2009) (Idaho).

John Lande, *Learning From "Cooperative" Negotiators in Wisconsin*, 15 DISP. RESOL. MAG. 20 (Winter 2009) (Wisconsin).

John Lande, *Practical Insights From an Empirical Study of Cooperative Lawyers in Wisconsin*, 2008 J. DISP. RESOL. 203 (Wisconsin).

John Lande & Forrest D. Mosten, *Collaborative Lawyers' Duties to Screen the Appropriateness of Collaborative Law and Obtain Clients' Informed Consent to Use Collaborative Law*, 25 OHIO ST. J. ON DISP. RESOL. 347 (2010).

Lela P. Love, *Leaving More Than Money: Mediation Clauses in Estate Planning Documents*, 65 WASH. & LEE L. REV. 539 (2008).

National Conference of Commissioners on Uniform State Laws, *Uniform Collaborative Law Act*, 38 HOFSTRA L. REV. 421 (2009).

Kelly Browe Olson, *Family Group Conferencing and Child Protection Mediation: Essential Tools for Prioritizing Family Engagement in Child Welfare Cases*, 47 FAM. CT. REV. 53 (2009).

Daniel B. Pickar & Jeffrey J. Kahn, *Settlement-Focused Parenting Plan Consultations: An Evaluative Mediation Alternative to Child Custody Evaluations*, 49 FAM. CT. REV. 59 (2011).

Andrew Schepard, *Kramer v. Kramer Revisited: A Comment on the Miller Commission Report and the Obligation of Divorce Lawyers for Parents to Discuss Alternative Dispute Resolution With Their Clients*, 27 PACE L. REV. 677 (2007) (New York).

Suzanne Schmitz, *Illinois Family Mediations: The Case Against Allowing GALs*, 98 ILL. B.J. 576 (Nov. 2010) (Illinois).

Catherine Anne Seal & Michael A. Kirtland, *Using Mediation in Guardianship Litigation*, 39 COLO. LAW. 37 (Mar. 2010).

Nancy Ver Steegh, *The Uniform Collaborative Law Act and Intimate Partner Violence: A Roadmap for Collaborative (and Non-collaborative) Lawyers*, 38 HOFSTRA L. REV. 699 (2009).

Thomas D. Vu, Note, *Going to Court as a Last Resort: Establishing a Duty for Attorneys in Divorce Proceedings to Discuss Alternative Dispute Resolution With Their Clients*, 47 FAM. CT. REV. 586 (2009).

Natalie Wright, *Collaborative Divorce Practice*, 44 ARIZ. ATT'Y 36 (Jan. 2008) (Arizona).

Jennifer Zawid, *Practical and Ethical Implications of Mediating International Child Abduction Cases: A New Frontier for Mediators*, 40 U. MIAMI INTER-AM. L. REV. 1 (2008).

Samara Zimmerman, Note, *Judges Gone Wild: Why Breaking the Mediation Confidentiality Privilege for Acting in "Bad Faith" Should Be Reevaluated in Court-Ordered Mandatory Mediation*, 11 CARDOZO J. CONFLICT RESOL. 353 (2009).

Assisted Reproductive Technologies

Articles relating to assisted reproductive technologies (ART), including embryo disputes and preconception agreements and gestational surrogacy, from 2005-2008 can be found in Nancy Levit, *Family Law in the Twenty-first Century: An Annotated Bibliography*, 21 J. AM. ACAD. MATRIM. LAW. 271 (2008), and articles from 2008-2010 relating to ART agreements can be found in Nancy Levit, *Familial and Matrimonial Agreements: An Annotated Bibliography*, 23 J. AM. ACAD. MATRIM. LAW. 453 (2010). The following section covers articles from 2008-2011 other than those relating to ART agreements.

Dominic J. Campisi, et al., *Heirs in the Freezer: Bronze Age Biology Confronts Biotechnology*, 36 ACTEC J. 179 (2010) (addressing issues faced by executors and trustees regarding advances in biotechnology, including how to handle the issues of frozen gametes in trust distributions, paying medical expenses for a beneficiary in a coma, responding to requests to pay for assisted reproduction treatments, and other matters).

Taylor Irene Dudley, Comment, *A Fair Hearing for Children*, 9 WHITTIER J. CHILD & FAM. ADVOC. 341 (2010) (discussing preimplantation genetic diagnosis and the rights of parents who intentionally want to choose in favor of a disabling trait, such as deafness).

Michele Goodwin, *A View From the Cradle: Tort Law and the Private Regulation of Assisted Reproduction*, 59 EMORY L.J. 1039 (2010) (suggesting tort remedies for medical care providers' negligent or reckless use of assisted reproductive technologies).

Jim Hawkins, *Financing Fertility*, 47 HARV. J. ON LEGIS. 115 (2010) (evaluating the ways in which fertility clinic refund programs are presented to patients and arguing for additional consumer protection regulations).

Melissa B. Jacoby, *The Debt Financing of Parenthood*, 72 LAW & CONTEMP. PROBS. 147 (2009) (considering specialty loans, tax financing and alternative funding sources for what are typically very expensive assisted reproduction services).

Courtney G. Joslin, *Protecting Children(?): Marriage, Gender, and Assisted Reproductive Technology*, 83 S. CAL. L. REV. 1177 (2010) (observing that the statutes in most states only cover the situations of children of assisted reproduction born to married parents and evaluating “the eligibility of nonmarital children born through ART to two specific financial protections: child support and children’s Social Security benefits”).

Crystal Liu, Note, *Restricting Access to Infertility Services: What Is a Justified Limitation on Reproductive Freedom?*, 10 MINN. J.L. SCI. & TECH. 291 (2009) (discussing jurisdictions that exclude same-sex couples and single women from assisted reproductive technology services).

Kerry Lynn Macintosh, *Brave New Eugenics: Regulating Assisted Reproductive Technologies in the Name of Better Babies*, 2010 U. ILL. J.L. TECH. & POL’Y 257 (addressing the medical evidence regarding birth defects, low birth weight and perinatal problems, and assessing whether these dangers stem from assisted reproductive technologies or prior infertility problems).

Dena Moyal & Carolyn Shelley, *Future Child’s Rights in New Reproductive Technology: Thinking Outside the Tube and Maintaining the Connections*, 48 FAM. CT. REV. 431 (2010) (considering whether children born through assisted reproductive technologies have rights to obtain information about their donors).

Susan B. Apel, *Access Denied: Assisted Reproductive Technology Services and the Resurrection of Hill-Burton*, 35 WM. MITCHELL L. REV. 412 (2009).

Bebe J. Anderson, *Lesbians, Gays, and People Living With HIV: Facing and Fighting Barriers to Assisted Reproduction*, 15 CARDOZO J.L. & GENDER 451 (2009).

Catherine Belfi, Note, *Birth of a New Age: A Comprehensive Review of New York Inheritance Law Responding to Advances in Reproductive Technology*, 24 ST. JOHN’S J. LEGAL COMMENT. 113 (2009) (New York).

Meredith Leigh Birdsall, Note, *An Exploration of “the ‘Wild West’ of Reproductive Technology”: Ethical and Feminist Perspectives on Sex Selection Practices*, 17 WM. & MARY J. WOMEN & L. 223 (2010).

Andrea Mechanick Braverman, *How the Internet Is Reshaping Assisted Reproduction: From Donor Offspring Registries to Direct-to-Consumer Genetic Testing*, 11 MINN. J.L. SCI. & TECH. 477 (2010).

Buckley W. Bridges, Note, *Statutory Misconception: The Arkansas Supreme Court’s Method in Finley v. Astrue Sets New Precedent for Uncertainty*, 63 ARK. L. REV. 419 (2010) (Arkansas).

Barry Dunn, Note, *Created After Death: Kentucky Law and Posthumously Conceived Children*, 48 U. LOUISVILLE L. REV. 167 (2009) (Kentucky).

Browne Lewis, *Graveside Birthday Parties: The Legal Consequences of Forming Families Posthumously*, 60 CASE W. RES. L. REV. 1159 (2010).

Patrick F. Madden, Note, *ARTfully Discriminating: How Hall v. Nalco Co. Applies Title VII to Adverse Employment Actions Based on Assisted Reproduction Technologies*, 28 TEMP. J. SCI. TECH. & ENVTL. L. 307 (2009).

Lisa Medford, Note, *Family Law and Estate Law—Reproductive Technology—Use of Artificial Reproductive Technologies After the Death of a Parent*, 33 U. ARK. LITTLE ROCK L. REV. 91 (2010).

Kimberly M. Mutcherson, *Disabling Dreams of Parenthood: The Fertility Industry, Anti-Discrimination, and Parents With Disabilities*, 27 LAW & INEQ. 311 (2009).

Kimberly E. Naguit, Note, *The Inadequacies of Missouri Intestacy Law: Addressing the Rights of Posthumously Conceived Children*, 74 MO. L. REV. 889 (2009) (Missouri).

Katherine Pratt, *Deducting the Costs of Fertility Treatment: Implications of Magdalin v. Commissioner for Opposite-Sex Couples, Gay and Lesbian Same-Sex Couples, and Single Women and Men*, 2009 WIS. L. REV. 1283.

Michelle Quigley, Comment, *Fired for Wanting a Child: Why Infertility Treatment Is Within the Scope of the Pregnancy Discrimination Act*, 2009 MICH. ST. L. REV. 755.

Vardit Ravitsky, “*Knowing Where You Come From*”: *The Rights of Donor-Conceived Individuals and the Meaning of Genetic Relatedness*, 11 MINN. J.L. SCI. & TECH. 665 (2010).

Kirsten Rabe Smolensky, *Creating Children With Disabilities: Parental Tort Liability for Preimplantation Genetic Interventions*, 60 HASTINGS L.J. 299 (2008).

Kayte K. Spector-Bagdady, *Artificial Parentage: Screening Parents for Assisted Reproductive Technologies*, 14 MICH. ST. U. J. MED. & L. 457 (2010).

Jenna M. F. Suppon, Note, *Life After Death: The Need to Address the Legal Status of Posthumously Conceived Children*, 48 FAM. CT. REV. 228 (2010).

Morgan Kirkland Wood, Note, *It Takes a Village: Considering the Other Interests at Stake When Extending Inheritance Rights to Posthumously Conceived Children*, 44 GA. L. REV. 873 (2010).

Embryo Disputes

Linda S. Anderson, *Adding Players to the Game: Parentage Determinations When Assisted Reproductive Technology Is Used To Create Families*, 62 ARK. L. REV. 29 (2009) (making the case for an intent-based approach to resolve disputes regarding custody of children born from assisted reproductive technology).

June Carbone & Naomi Cahn, *Embryo Fundamentalism*, 18 WM. & MARY BILL RTS. J. 1015 (2010) (examining flashpoint political issues regarding the legal status of embryos, considering practices of in vitro fertilization providers and the fate of the estimated 500,000 leftover embryos, and comparing statutes in California, Georgia, Louisiana and Oklahoma governing embryo disposition).

Tracy J. Frazier, Comment, *Of Property and Procreation: Oregon's Place in the National Debate Over Frozen Embryo Disputes*, 88 OR. L. REV. 931 (2009) (Oregon).

Surrogacy and Egg and Sperm Donation

Justine Durrell, *Women's Eggs: Exceptional Endings*, 22 HASTINGS WOMEN'S L.J. 187 (2011) (addressing the process of egg donation, as well as its physical and psychological risks, and the prospects of rights and remedies for egg donors for malpractice and the absence of informed consent).

Christina M. Eastman, Comment, *Statutory Regulation of Legal Parentage in Cases of Artificial Insemination by Donor: A New Frontier of Gender Discrimination*, 41 MCGEORGE L. REV. 371 (2010) (arguing that sex-specific state statutes regarding gamete donation violate guarantees of equal protection).

Ashley Peyton Holmes, *Baby Mama Drama: Parentage in the Era of Gestational Surrogacy*, 11 N.C. J.L. & TECH. ON. 233 (2010) (addressing surrogacy case law and state statutes that ban paid surrogacy).

Kimberly D. Krawiec, *A Woman's Worth*, 88 N.C. L. REV. 1739 (2010) (critiquing the practice of price controls for egg donation and surrogacy according to the American Society for Reproductive Medicine egg donor compensation guidelines and various state statutes capping payments to egg donors and surrogates).

Brock A. Patton, Note, *Buying a Newborn: Globalization and the Lack of Federal Regulation of Commercial Surrogacy Contracts*, 79 UMKC L. REV. 507 (2010) (reviewing varied state and international approaches to the regulation of surrogacy).

Vanessa L. Pi, Note, *Regulating Sperm Donation: Why Requiring Exposed Donation Is Not the Answer*, 16 DUKE J. GENDER L. & POL'Y 379 (2009) (covering federal eligibility rules for sperm donation and current state regulations and arguing for greater protections for donor privacy).

J. Brad Reich & Dawn Swink, *You Can't Put the Genie Back in the Bottle: Potential Rights and Obligations of Egg Donors in the Cyberprocreation Era*, 20 ALB. L.J. SCI. & TECH. 1 (2010) (ad-

dressing potential parental rights and child support obligations of egg donors, as well as possible products liability claims against them).

Carla Spivack, *The Law of Surrogate Motherhood in the United States*, 58 AM. J. COMP. L. 97 (2010) (covering various state approaches to surrogacy).

Victoria Uroz & Lucia Guerra, *Donation of Eggs in Assisted Reproduction and Informed Consent*, 28 MED. & L. 565 (2009) (detailing health risks of egg donation).

Charles W. Adamson, Comment, *Assisted Reproductive Techniques: When Is a Sperm Donor a Dad?*, 8 WHITTIER J. CHILD & FAM. ADVOC. 279 (2009).

Ashley Bashur, Comment, *Whose Baby Is It Anyway? The Current and Future Status of Surrogacy Contracts in Maryland*, 38 U. BALT. L. REV. 165 (2008) (Maryland).

Christen Blackburn, Note, *Family Law—Who Is a Mother? Determining Legal Maternity in Surrogacy Arrangements in Tennessee*, 39 U. MEM. L. REV. 349 (2009) (Tennessee).

Eric Blyth, *Donor-Conceived People's Access to Genetic and Biographical History: An Analysis of Provisions in Different Jurisdictions Permitting Disclosure of Donor Identity*, 23 INT'L J.L. POL'Y & FAM. 174 (2009).

Darra L. Hofman, "Mama's Baby, Daddy's Maybe:" *A State-by-State Survey of Surrogacy Laws and Their Disparate Gender Impact*, 35 WM. MITCHELL L. REV. 449 (2009).

Julie L. Sauer, Comment, *Competing Interests and Gamete Donation: The Case for Anonymity*, 39 SETON HALL L. REV. 919 (2009).

Attorney Advertising Through Internet Ads, Blogs, and Websites

Articles relating to the legal profession from 2002-2007 can be found in Nancy Levit, *Family Law in the Twenty-first Century*:

A Supplemental Annotated Bibliography, 21 J. AM. ACAD. MATRIM. LAW. 271 (2008).

J. Nick Badgerow, *Www.Lawfirm.com: A Web of Risks*, 79 J. KAN. B. ASS'N 9 (Dec. 2010) (reviewing ABA Opinion 10-457 establishing guidelines for lawyer websites).

Jonathan G. Blattmachr, *Looking Back and Looking Ahead: Preparing Your Practice for the Future: Do Not Get Behind the Change Curve*, 36 ACTEC J. 1 (Summer 2010) (suggesting ways in which lawyers can do business forecasting, discussing areas of practice that are burgeoning, and evaluating marketing opportunities, such as interactive websites).

Judy M. Cornett, *The Ethics of Blawging: A Genre Analysis*, 41 LOY. U. CHI. L.J. 221 (2009) (evaluating lawyers' blawgs as marketing tools and discussing ethical tensions and constraints on the interactive nature of blogs as well as the inadvertent formation of attorney-client relationships).

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