Front Matter

Follow this and additional works at: https://scholarship.law.tamu.edu/lawreview

Recommended Citation

Available at: https://scholarship.law.tamu.edu/lawreview/vol10/iss2/1

This Front Matter is brought to you for free and open access by Texas A&M Law Scholarship. It has been accepted for inclusion in Texas A&M Law Review by an authorized editor of Texas A&M Law Scholarship. For more information, please contact aretteen@law.tamu.edu.
TEXAS A&M LAW REVIEW

VOLUME TEN

2022–2023

Texas A&M Law Review ISSN 2837-5165, Volume Ten, 2022–2023

Published by the Texas A&M University School of Law, 1515 Commerce Street, Fort Worth, Texas 76102. Direct (817) 212-4000. Fax (817) 212-4002.

Postmaster: Send address corrections to the Texas A&M Law Review, 1515 Commerce Street, Fort Worth, Texas 76102. All notifications of address changes should include past and current addresses with zip code. Please inform the Texas A&M Law Review of any address changes one month in advance to ensure prompt delivery. Subscriptions are deemed to be renewed annually unless instructions to the contrary are communicated to the Executive Editor at executive.editor@lawreview.law.tamu.edu. Annual subscriptions are $55.00, or $22.00 per single issue (postage included).

Copyright © 2023 by the Texas A&M University School of Law. Except as otherwise expressly provided, the author of each article in this Volume has granted permission for copies of that article to be made and used by nonprofit education institutions, provided that the author and the Texas A&M Law Review are identified and that proper notice of copyright is affixed to each copy. In all other cases, the author and the Texas A&M Law Review should be contacted directly. Except as otherwise expressly provided, copyright in each article is held solely by the author. Additionally, each author grants the Texas A&M Law Review an irrevocable, nonexclusive, and royalty-free license to publish the article.

All communications should be directed to:

Editor-in-Chief
Texas A&M Law Review
Texas A&M University School of Law
1515 Commerce Street
Fort Worth, Texas 76102
Direct: (817) 212-4000
Fax: (817) 212-4002
eic@lawreview.law.tamu.edu
www.law.tamu.edu/current-students/academics/law-journals/law-review

The Texas A&M Law Review welcomes unsolicited article submissions. Articles should be submitted online through Scholastica.

Cite as: 10 Tex. A&M L. Rev. __ (2023).
Should Prosecutors Be Expected to Rectify Wrongful Convictions? ......................... Bruce A. Green 167

“In These Times of Compassion when Conformity’s in Fashion”: How Therapeutic Jurisprudence Can Root Out Bias, Limit Polarization, and Support Vulnerable Persons in the Legal Process ............... Michael L. Perlin 219

My Body, My Choice: Should Physician-Assisted Suicide Be Legalized in the United States for Individuals with Chronic Mental Illness? ...................... Angelika Anderson 269

Extinction or Bust: Improving Species Recovery Under the Endangered Species Act by Amending the Funding Allocation and Recovery Planning Processes ................. Max Hayashi 299

Redressing Sustainable Fashion Practices: Upcycling as a Defense to Trademark Infringement ......................... Victoria Lepesant 335

Discretionary Disfunction and Shivers v. United States: Consequences of Assuming the Intent of Congress ......................... Emily B. Garza 359
ARTICLE CONTRIBUTORS

Bruce A. Green
*Should Prosecutors Be Expected to Rectify Wrongful Convictions?*

Bruce A. Green is the Louis Stein Chair at Fordham University School of Law, where he directs the Stein Center for Law and Ethics. He teaches and writes primarily on legal ethics and criminal procedure. Before joining the Fordham faculty, Professor Green served as a law clerk to Judge James L. Oakes and Justice Thurgood Marshall. He also served as an Assistant United States Attorney for the Southern District of New York. Since then, his part-time work has included serving as a member of the NYC Conflicts of Interest Board, a member of the Departmental Disciplinary Committee, and Associate Counsel in the office of the Iran-Contra independent counsel. His service to the legal profession has included chairing the ABA Criminal Justice Section, the ABA Criminal Justice Standards Committee, and the ethics committees of the NY State Bar Association, the NYC Bar, the ABA Criminal Justice Section, the ABA Litigation Section, and the AALS. Additionally, he received the ABA’s Michael Franck Professional Responsibility Award in 2018.

Michael L. Perlin
*“In These Times of Compassion when Conformity’s in Fashion”: How Therapeutic Jurisprudence Can Root Out Bias, Limit Polarization and Support Vulnerable Persons in the Legal Process*

Michael L. Perlin is Professor of Law Emeritus at New York Law School (NYLS), where he was director of NYLS’s Online Mental Disability Law Program, and director of NYLS’s International Mental Disability Law Reform Project in its Justice Action Center. Professor Perlin is also co-founder of Mental Disability Law and Policy Associates. Professor Perlin has written 35 books and over 300 articles on all aspects of mental disability law. His work focuses primarily on issues related to criminal law and procedure, therapeutic jurisprudence, and international human rights. Professor Perlin has done advocacy work on every continent and has litigated at every court level, from police courts to the U.S. Supreme Court. He is the honorary life president of the International Society for Therapeutic Jurisprudence and a member of that society’s current Board of Trustees. He is also a member of the Lawrence Township (NJ) Community Concert Band, the Temple University Night Owls Band, the Mercer County Symphonic Concert Band, and the board of directors of the Washington Crossing (NJ) Audubon Society.
Angelika Anderson
My Body, My Choice: Should Physician-Assisted Suicide Be Legalized in the United States for Individuals with Chronic Mental Illness?

Angelika Anderson will graduate from Texas A&M University School of Law in May 2023. During law school, Angelika was a member of the Texas A&M Law Review Executive Board of Editors, the recipient of a Texas A&M Public Interest Law Fellowship, a mock trial and alternative dispute resolution champion, and an intern with the United States Department of Justice. Prior to attending law school, Angelika graduated with distinction from the University of Michigan with a B.A. in Psychology.

Max Hayashi
Extinction or Bust: Improving Species Recovery Under the Endangered Species Act by Amending the Funding Allocation and Recovery Planning Processes

Max Hayashi is a J.D. Candidate at Texas A&M University School of Law and will graduate in May 2023. During law school, Max served as a Note and Comment Editor on the Texas A&M Law Review and as a Research Assistant to Professor Gabriel Eckstein. Prior to law school, Max earned a B.S. in Biochemistry from Baylor University and worked for two years as a lab scientist at the National Institutes of Health, where he researched protein biochemistry and anti-cancer drugs.

Victoria Lepesant
Redressing Sustainable Fashion Practices: Upcycling as a Defense to Trademark Infringement

Victoria Lepesant is a J.D. candidate at Texas A&M University School of Law and will graduate in May 2023. During law school, Victoria served as a Senior Articles Editor for the Texas A&M Law Review, as a Research Assistant for Professor Paul George, and as a Teaching Assistant for Professor Paul George’s Civil Procedure class. After graduation, she will work for Simpson Thacher & Bartlett LLP as a Corporate Associate. Prior to law school, Victoria graduated from Princeton University with an A.B. from the Princeton School of Public and International Affairs and a certificate in French Language & Culture.

Emily B. Garza
Discretionary Disfunction and Shivers v. United States: Consequences of Assuming the Intent of Congress

Emily Garza is a J.D. candidate at Texas A&M School of Law and will graduate in May 2023. During law school, Emily served as a Senior Articles Editor for the Texas A&M Law Review and as a Teaching Assistant for Professor Carol B. Pauli. Prior to attending law school, she graduated summa cum laude from Texas A&M University with a B.A. in Political Science and a minor in Communication. After graduation, Emily will join Bourland, Wall & Wenzel, P.C. as an Associate.