

THURSDAY, MAY 16

2:30–9:30 p.m. Field Trip to the Oneida Nation

The buses for this field trip will depart from and return to the College of Law, 950 Irving Ave, Syracuse, NY 13244. Please arrive promptly at 2:30 for departure at 3:00.

The Oneida Nation: Participants will travel to visit the sacred and sovereign homelands of the Oneida Nation in central New York, where Oneida leaders and lawyers will provide a tour and engage in conversation about the history of the Nation, its legal challenges, and their ongoing plans and initiatives, especially related to land-based sovereign revitalization and economic development. The Oneida Nation will host a cocktail reception at their Turning Stone Resort following this informational visit. Then ALPS participants will have some free time to explore (on their own) the many different dinner options available at the resort (www.turningstone.com).

FRIDAY, MAY 17

7:30–8:30 a.m. Registration, Coffee, and Continental Breakfast Service, Law School Atrium, Dineen Hall

8:30–9:15 a.m. Welcome and Announcements, Melanie Gray Ceremonial Courtroom & Auditorium
Robin Paul Malloy, Syracuse University College of Law, Doug Harris, Peter A. Allard School of Law (UBC)

9:15–10:45 a.m. CONCURRENT PANELS SESSION I

1.1 Submitted Panel: The Role of Property in Corporate Energy Transition—PART I, Room 340
Moderator: Hari Osofsky

The Road to Paris Runs Through Delaware: Climate Litigation, Regulation and Risks—Corporate Law Contributions, by: Lisa Benjamin

The Grand Bargain: Can Private Initiatives Look Over the Horizon, by: Michael P. Vandenberg

1-Click Energy: Managing Corporate Demand for Clean Power, by: Gina Warren

1.2 Optimizing Property Use, Room 350, Moderator: Timothy Mulvaney

Making Property Useful, by: Nate Ela

The Absentee Landowner Problem, by: Ann Eisenberg

An Exploration into Louisiana Enclosed Estate Doctrine, by: Sally Richardson

1.3 Governance and Local Land Use, Room 352, Moderator: Ted De Barbieri

Qualifying to Serve on Local Land Use Boards and Commissions, by: Kellen Zale

The Meaning of Corruption in Local Politics, by: Kenneth Stahl

Indigenous-Municipal Legal Relationships: The Lost Opportunities in Ontario's New Planning Law Framework, by: Alexandra Flynn

Localist Democratic Experimentalism and the New Localism, by: Lisa Alexander

1.4 Wills, Trusts, Estates, and Fiduciary Duties, Room 440, Moderator: Steve Clowney

The Estate of Duke Case: Let's Talk about the Elephant in the Case, by: Peter Wendel

Testing Times for Attestation, by: Brian Sloan

The Pre-Contractual Duty of Utmost Duty—An Unjustified Burden on the Insured, by: Adekemi Adebawale
Biologically Biased Beneficence, by: Jeffrey Stake

1.5 Wealth, Distribution, and Special Issues in Insolvency and Foreclosure

Room 360, Moderator: Thomas Mitchell

"Takings" of Property Via Insolvency Legislation: A Perspective from South Africa, by: Reghard Brits

Predatory Cities, by: Bernadette Atuahene

3rd paper TBD

10:45–11:05 a.m. Coffee Break, Collaboratory/Atrium

11:05 a.m.–12:35 p.m. CONCURRENT PANELS SESSION II

2.1 Submitted Panel: The Role of Property in Corporate Energy Transition—PART II

Room 340, Moderator: Hari Osofsky

Energy Reinvestment, by: Hari Osofsky (co-authored with Jacqueline Peel, Brett McDonnell, and Anita Foerster)

Solar Development in California Where Least Cost Trumps Least Conflict, by: Jessica Owley (co-authored with Amy Morris)

Roundtable Discussion and Wrap Up:

Building from the five papers across this two-part panel, panelists and audience members will have an opportunity to continue discussion surrounding property issues in corporate energy transition.

2.2 Emerging Issues in Land Use and Urban Planning, Room 350, Moderator: Ezra Rosser

The Impact of Autonomous Vehicles on the Urban Environment, by: Gregory Stein

Who Gets the View? Establishing and Preserving View Cones: Sustainable Urban Development, Public Access, and Decision-Making for the Contested City, by: Sara Ross

Global Cities and Integrated Resorts: Harmonizing Gaming Development with Urban Landscapes, History, and Culture, by: Ngai Pindell

Protecting Cultural Heritage through Sustainability Inventions, by: Shelby Green

2.3 Data, Privacy, and Information, Room 352, Moderator: Sally Richardson

Data as Property, by: Christopher Odinet

On the Difference Between Personal and Non-Personal Data and Its Importance in Land Transactions, by: Anna Berlee

Ownership of Data? Well Begun is Half Done, by: Koen Swinnen

2.4 Property Innovations and Property Dynamism, Room 440, Moderator: Lisa Alexander

Destabilized Property: Property Law in the Sharing Economy, by: Shelly Kreiczler-Levy

How is Embedding of Property Within Condominium Changing the Character of Land Ownership?, by: Doug Harris

Can Floating Platforms Be Legally Qualified as Land?, by: Pernille van der Plank

Property's Capacity for Change, by: Sarah Nield

2.5 Property, Protected Spaces, and the State, Room 360, Moderator: Matthew Festa

The Uncertainty of Sovereignty and Governance in Manned Outbound Space Missions, by: Wian Erlank

What is a National Park?, by: Sheldon Lyke

The Public Estate, Modern Enclosure, and the 'Worrying Global Trend of Public Spaces Going Private' by: John Page

Climate Change Hits the Ground: Permafrost and Drilling in the Alaska National Wildlife Refuge by: Katherine Trisolini

12:45–2:15 p.m. Lunch and Plenary Panel, “Indigenous Property Rights in North America”

Melanie Gray Ceremonial Courtroom & Auditorium

Moderator: Doug Harris, Peter A. Allard School of Law

Participants: Gregory Ablavsky (Stanford), Kristen Carpenter (Colorado), and Jessica Shoemaker (Nebraska)

Building on themes from the field trip to the Oneida Nation, this panel will focus on Indigenous peoples, property, and the law. Scholars will share a window into the important ongoing work being done in these fields and pay particular attention to how, and if, these and other Indigenous legal issues may be better incorporated into wider property law scholarship and discourses.

2:15–2:30 p.m. Break, Collaboratory/Atrium

2:30–4:00 p.m. CONCURRENT PANELS SESSION III

3.1 Submitted Panel: Sustainable Property Law Methodology, Room 340, Moderator: Bram Akkermans

The Pivotal Role of Constitutional Property Principles in the Process Towards Sustainable Property Law,
by: Bram Akkermans

Squatting, Resilience and the State: An Approach and Methodology for Taming ‘Wicked’ Property Problems,
by: Lorna Fox O’Mahony

Law and CO2: Methods for Making Property Law More Sustainable, by: Björn Hoops

Assembling a Sustainable System: Exploring the Systemic Constitutional Approach to Property Regulation in the Context of Sustainability, by: Elsabe van de Sijde, Jill Robbie

3.2 Indigenous Land Governance and Land Reform, Room 350, Moderator: Jessica Owley

Sitting Out the War of Attrition: Native Nations, Territorial Sovereignty, and Private Property, by: Richard Monette

Aboriginal Title Resolution Processes: Comprehensive Claim Settlements in Canada and Australia,
by: Bradford Morse, Margaret Stephenson

The Navajo Nation and Local Land Governance, by: Ezra Rosser

3.3 Evaluating Expression and Exclusion in Land Use Planning, Room 352, Moderator: Sara Ross

Can Property Theory Differentiate Exclusionary Tendencies?, by: John Infranca

Making Zoning Alienable: Property Rights, NIMBYism, & Urban Growth, by: Michael Gleba

Condos for the Rich – Benefit or Menace?, by: Michael Lewyn

The Property Right to Voice, by: Avital Margalit, Shai Stern

3.4 Housing: Credit, Regulation, and Access, Room 440, Moderator: Susan Bright

Mortgages, Markets and a Big Mess: ‘Behind-the-Scenes’ Finance and Canadian Housing, by: Jason Leslie

The Mexican Crowdfunding Regulation: A Friend or Foe of the Human Right of Housing, by: Rafael Ibarra Garza

Debt and Property in Spain, by: Kristen Barnes

Understanding the (Re)Regulation of Private Renting in England: Karl Polanyi, the Rogue Landlord, The Responsible Tenant and the Decent Home, by: Helen Carr

3.5 Property Institutions Doctrinally, Functionally, and Comparatively, Room 360, Moderator: John Lovett

The Nature and Scope of Possessory Protection: A Doctrinal Analysis, by: Ernst Marais

A Comparative Analysis of Several Mandatory Legal Regimes for Apartment Ownership, by: Charlotte Willemot

The Scope of Party Autonomy in South African Property Law, by: Nzumbululo Siphuma

The Horror Vacui of the Common Law of Property—On the (Im)Possibility of Unilateral Abandonment,
by: Konstanze von Schütz

4:00–4:15 p.m. Break, Collaboratory/Atrium

4:15–5:15 p.m. KEYNOTE, “Precarious Relationality: Property Law, Housing, and the Sociospatial Order”

Melanie Gray Ceremonial Courtroom & Auditorium

Nicholas Blomley, Simon Fraser University Department of Geography

Nicholas Blomley is a Professor of Geography at Simon Fraser University in British Columbia, Canada. His remarkable body of work has done much to define the field of Law and Geography, especially as it relates to property and the world-making consequences of legal geographies.

5:30–7:00 p.m. Opening Reception, Dineen Hall Atrium

SATURDAY, MAY 18

8:15–9:15 am Coffee and Continental Breakfast Service, Collaboratory/Atrium

9:15–10:45 am CONCURRENT PANELS SESSION IV

4.1 Submitted Panel: Property and Disability—PART I, Room 340, Moderator: Robin Paul Malloy

Accessibility Adaptations in Multi-Unit Buildings—The Swedish Approach to Achieving Universal Accessibility in an Aging Housing Stock, by: Elisabeth Ahlinder

Disability Adaptations in Residential Leasehold Buildings and the Contribution of Equality Law, by: Susan Bright, Sarah Nield

[Un]Usual Suspects: Deservingness, Scarcity, and Disability Rights, by: Doron Dorfman

4.2 Housing, Justice, and Human Rights, Room 350, Moderator: Björn Hoops

Comparing Urban Squatters: Resilience, Territoriality, and the State, by: Marc Roark

Homelessness & Public Space: Legal and Policy Issues, by: Sara Rankin

The Progressive Realization of the Human Right to Housing in Mexico, by: Raul Morales de Alba

Progressive Property Theory and Housing Justice Campaigns, by: Brandon Weiss

4.3 Public vs. Private Values, Public vs. Private Solutions, Room 352, Moderator: Robin Hickey

Community Land Trusts: Institutionalizing the Social Obligation Norm in Ownership, by: John Lovett

The Evolution of the Right to Exclude and Community Rights to Land in Scots Law, by: Colin Bathgate

Lawmakers as Jobs Buyers, by: Ted De Barbieri

Private-Public Partnerships Projects to Rescue Cultural Heritage, by: Ulises de la Fuente

4.4 Property, Power, and (In)Equality in Context, Room 440, Moderator: Jennifer Breen

Properties of Intimacy, by: Emily Stolzenberg

Property as Disenfranchisement, by: Lua Yuille

Discriminatory Dualism, by: Sarah Swan

Insubordinate Accommodation, by: Jessie Allen

4.5 Property Issues in Energy Resources and Infrastructure, Room 360, Moderator: Patricia Farnese

Property Fragmentation and Temporal Spillovers, by: Bruce Huber

Local Involvement in Oil and Gas Permitting Decisions: What a Difference a Border Makes, by: Heidi Robertson

Property Usage Rights in the Development of Heat Networks, by: Maja Reynebeau

Forced Pooling as Private Eminent Domain, by: Kevin Lynch

10:45–11:05 a.m. Coffee Break, Collaboratory/Atrium

11:05 a.m.–12:35 p.m. CONCURRENT PANELS SESSION V

5.1 Submitted Panel: Property and Disability—Part II, Room 340, Moderator: Chris Day

Incorporating Common Property Modifications for People with Disabilities: An Australian Perspective, by: Nicole Johnston

Market Failure in Providing Accessible Housing, by: Robin Paul Malloy

Internet Architecture and Disability, by: Blake Reid

National Implementation of the Marrakesh Treaty: End of the Book Famine?, by: César Ramírez-Montes

5.2 Reconciliation and Contested Historical and Cultural Spaces, Room 340, Moderator: John Infranca

We Are All Growing Old Together: Making Sense of American Monument-Protection Laws, by: Zachary Bray

Using Multidisciplinary Methods of Design and Law for Better Relationships Between Tribes and Museums,

by: Victoria Sutton, Summer Sutton

Human Dignity, Identity, Culture and Property in the Aftermath of Genocide, by: Robin Hickey
(co-author: Rachel Killean)

How Property Law Constrains or Facilitates Confederate Monument Removal, by: Jess Phelps
(co-author Jessica Owley)

5.3 New Perspectives in Economics, Room 352, Moderator: Rashmi Dyal-Chand

Property Valuation Beyond Numbers, by: Thomas Mitchell

Economics, Democracy, and the Distribution of Capital Ownership, by: Robert Ashford

Toxic Public Goods, by: Brian Frye

Affordable Housing: Of Inefficiency, Market Distortion, and Government Failure, by: Michael Diamond

5.4 Interdisciplinary Approaches: Property Discourses in History, Geography, and Philosophy,

Room 440, Moderator: Greg Ablavsky

'Unnecessary Hardship': Property, Waste, and Land Use Planning in Winnipeg, Canada, 1928-1938,

by: Trevor Wideman

Property Law's Uses of Geography, by: Tenille Brown

The Confucian Analects and Property Law, by: Mary Szto

American "Degeneracy" and the Birth of the Ideal of Equality, by: Liam O'Melinn

5.5 Developing Issues in Takings Jurisprudence, Room 360, Moderator: Brandon Weiss

The Character of the Government Action in the Regulatory Takings Analysis, by: Ben Barros,
April Marie Johnson, Evangeline Nketia

Pipeline Takings, by: Shelley Saxer

Takings Localism, by: Nestor Davidson, Timothy Mulvaney

12:45–2:00 p.m. Lunch, Dineen Hall Atrium

Future ALPS Announcement, Committee Announcements and Meetings

2:00–2:15 p.m. Break, Collaboratory/Atrium

2:15–3:45 p.m. CONCURRENT PANELS SESSION VI

- 6.1 Submitted Book Discussion: Author-Meets-Reader for COLLABORATIVE CAPITALISM IN AMERICAN CITIES: REFORMING URBAN MARKET REGULATIONS** (Cambridge 2018), Room 340,
Author: Rashmi Dyal-Chand
Panelists: Nestor Davidson, Lorna Fox O'Mahony, Lua Kamal Yuille
- 6.2 Water Resources and Water Challenges**, Room 350, Moderator: Shelley Saxer
Property Rights Attitudes as Unlikely Source of Public Opposition to Flood Mitigation, by: Logan Strother (co-author: Laura Hatcher)
The Effectiveness of the Reform of Water Ownership and Management in Poland, by: Katarzyna Królikowska
Public Planning and Management of Ocean Resources, by: Edward Sullivan
- 6.3 Land Tenure, (In)Security, and Land Reform**, Room 352, Moderator: Bradford Morse
Evaluating Indigenous Land Tenure Reform in Australia, by: Jayne Weepers
Insecure Land Tenure in Mining Communities: A Closer Look at the Xolobeni Community Dispute, by: Mpho Tlale
The Impact of Real Estate and Energy Regulatory Overload in Mexico, by: Jorge Arrambide
- 6.4 Limits and Potential in Copyright**, Room 440, Moderator: Brian Frye
Abandoning Copyrights, by: Dave Fagundes
Can Nonhuman Author?—Rethinking Copyright Through Algorithmic Authorship, by: Shun-Ling Chen
Determining Originality: Is "Sweat of the Brow" (Still) Required in South African Law for Copyright to Subsist in a Work?, by: Sunelle Geyer
- 6.5 The Nature and Origin of Property**, Room 360, Moderator: Greg Alexander
Constitutional Property, by: Jim Smith
What Property Does, by: Christopher Serkin
Becoming Owners, by: Christian Turner
Property and the Social Life of Things, by: Meghan Morris

3:45–4:00 p.m. Break, Collaboratory/Atrium

4:00–5:30 p.m. CONCURRENT PANELS SESSION VII

- 7.1 Submitted Panel: Urban Law, Property, and Politics Under Finance Capitalism**, Room 340,
Moderator: Priya S. Gupta
(Un)Affordability: On the Street Where I Live, by: Margot Young, Alexandra Flynn
(How) Can Cities Regulate Financialization?, by: Priya S. Gupta
A Place Called Home (in England), by: Antonia Layard
Regulatory Gentrification, by: Amelia Thorpe
- 7.2 Landscape Management, Agriculture, and the Environment**, Room 350, Moderator: Rebecca Hardin
Land-use and Landscapes, by: Patricia Farnese
Governing Through Property Intermediaries: A Theory of Property for Better Land Management, Illustrated with the Example of Property Reforms in Kenya, by: James Krueger
Conacre: An Agricultural Institution or an Outdated Souvenir?, by: Bróna McNeill

7.3 Intellectual Property and Patents in Property Discourses, Room 440, Moderator: Dave Fagundes

Intellectual Property in Service of Constitutional Goals: South African Legal Culture and the Transformative Imperative, by: Richard Shay

State Use Provisions for Patents and Expropriation Law, by: Mikhalien du Bois

Is There 'Patent' in Sharia?: Property Theory Debate & Patent Eligibility Examination, by: Tabrez Ebrahim

7.4 Property and Security in Things, Room 360, Moderator: Chris Odinet

Repossession/Dispossession, by: Juliet Moringiello

The New Belgian Pledge Registry: Setting a New Standard for the Harmonisation of the Law of Proprietary Security in Movable Assets?, by: Joke Baeck (co-author: Lize Heytens)

Allocation of Subrogation Recoveries and Competing Interests in Property Insurance Contracts: Is the English Judicial Approach Fair on the Insured?, by: Omotolani Somoye

6:00 p.m. Closing Reception and ALPS 10th Anniversary Dinner, Skaneateles Lake Country Club

Buses depart from College of Law. Overlooking one of the world's most picturesque lakes, we will celebrate the 10th Anniversary of ALPS as a scholarly association committed to encouraging dialogue among people in many disciplines with a shared interest in property law, policy, and theory.