

2008 NATIONAL CONFERENCE FACULTY BIOGRAPHICAL INFORMATION

Kenneth R. Berman is a partner in the Litigation Department of the Boston law firm Nutter McClennen & Fish LLP. His practice focuses on complex business and commercial disputes, domestic and international sales transactions, intellectual property litigation, land use litigation, and public law disputes. He also chairs the firm's pro bono committee. Mr. Berman frequently writes and lectures for local and national audiences on topics of current legal interest, high profile litigation, and advanced litigation techniques. He previously served as a legal commentator for WBZ-TV in Boston, and served on the Board of Editors of the Boston Bar Journal. Mr. Berman's articles have appeared in *Litigation* (the Journal of the Litigation Section of the American Bar Association), the *National Law Journal*, and the *Boston Globe*, among other publications. Mr. Berman is a member of the American Bar Association's Litigation Section, where he serves as Vice Chair of the Corporate Counsel Committee, and a member of the Business Torts and Intellectual Property Committees. He is a former member of the Boston Bar Association's Council and Executive Committee, and a former chair of the Boston Bar Association's Litigation Section and Torts Committee. Mr. Berman is a former chair of the Massachusetts Joint Bar Committee on Judicial Nominations, which reviews, evaluates, and makes recommendations on the qualifications of individuals under consideration for judicial appointments in Massachusetts. Mr. Berman received a J.D. degree with high honors, from the University of Connecticut School of Law, where he was an editor of the Connecticut Law Review. He received a B.A. from Yale University.

Thomas Blass, Ph.D., is a professor in the Department of Psychology at the University of Maryland Baltimore County. Although he has had a research interest in a number of topics in social psychology, for several years now his primary focus has been on the social psychology of Stanley Milgram, creator of the well-known obedience experiments, resulting in over 70 publications and papers. Among them is the first and only biography of Milgram, *The Man Who Shocked the World* (Basic Books, 2004), which *Discover* magazine named one of the best books of the year, and which has been translated into Chinese and Japanese. Additionally, he has served as an expert consultant and witness in court cases involving "crimes of obedience."

Barbara J. Bowe, LICSW has been with Lawyers Concerned for Lawyers (LCL) in Boston Massachusetts for the past 12 years. She is a graduate of Boston University's School of Social Work. She has been in practice for over 23 years. In that time she has managed inpatient and outpatient substance abuse treatment programs in the greater Boston area. She has worked for both in house and off site EAP programs in New England. Prior to coming to LCL she was at Westwood Lodge Hospital where she was a co-leader of the hospitals Dual Diagnosis Treatment Program. In addition to her clinical work she has been the liaison with all New England Law Schools. She facilitates LCL's professional conduct group for lawyers who are in trouble with their license at the BBO. She is also responsible for presentations to the MBA, BBA, and various other aspects of the bar in addition to providing consultation and training to the Judiciary. She maintains a private practice in Brookline, MA

Avis E. Buchanan is the director of the Public Defender Service for the District of Columbia, a position she has held for three years. She was PDS's deputy director for the two preceding years. From 1989 to 2002, Ms. Buchanan served first as a staff attorney with the Equal Employment Opportunity Project of the Washington Lawyers' Committee for Civil Rights and Urban Affairs, then as director of the Project, and then as the Committee's director of litigation. Ms. Buchanan was a staff attorney at PDS from 1982 to 1989, where she represented clients in delinquency, misdemeanor, and felony cases. Ms. Buchanan is a graduate of Michigan State University and Harvard Law School. After graduating from Harvard, Ms. Buchanan worked as a law clerk for the late Honorable Theodore J. McMillian of the U.S. Court of Appeals for the 8th Circuit.

Daylian Cain joined the faculty at the Yale School of Management from Harvard University's Economics Department, where he was the Russell Sage Fellow of Behavioral Economics. A former Canada Science Scholar, Cain has three master's degrees and earned his PhD from Carnegie Mellon University's Tepper School of Business. Cain's research — which focuses on decision-making — combines behavioral economics and philosophy; e.g., Cain is becoming a recognized expert on how people think through conflicts of interest. He is co-editor of Cambridge Press's *Conflicts of Interest: Problems and Solutions from Law, Medicine and Organizational Settings* (2005), and he won the Herb Simon Dissertation Award for his work *The Dirt on Coming Clean: Perverse Effects of Disclosing Conflicts of Interest*. Cain's research on disclosure (e.g., Cain, Loewenstein, & Moore, *Journal of Legal Studies*, 2005) has been discussed in the *New Yorker*, *Forbes*, *Harvard Business Review*, *Washington Post*, *Business Week*, *Wall Street Journal*, and it has been mentioned on *CNN Financial News*. An award-winning educator in both business and philosophy, Cain is building a new Yale MBA course called "Leadership & Values."

Michael Cassidy is a Professor and Associate Dean for Academic Affairs at Boston College Law School. He teaches and writes in the areas of Criminal Law, Evidence, and Professional Responsibility. He is considered an expert on the subject of prosecutorial ethics, and frequently provides training to public sector attorneys on their responsibilities under the Rules of Professional Conduct. During his extensive career as a government lawyer, Professor Cassidy prosecuted hundreds of serious felony cases at both the trial and appellate levels, including briefing and arguing numerous high-profile criminal matters before the Massachusetts Supreme Judicial Court. Immediately prior to joining the Boston College faculty, Professor Cassidy served as Chief of the Criminal Bureau in the Massachusetts Attorney General's Office. Among his many professional and community activities, Professor Cassidy has served as a member of the Governor's Commission on Corrections Reform, as a member of the Massachusetts State Ethics Commission, as Editor-in-Chief of the *Massachusetts Law Review*, as a hearing officer for the Board of Bar Overseers, as a member of the Criminal Justice Section Council of the Boston Bar Association, and as a member of the Board of Advisors to the National District Attorneys Association. Professor Cassidy received his B.A. degree, magna cum laude, from the University of Notre Dame, and his J.D. degree, magna cum laude, from Harvard Law School. Following law school he served as law clerk to the Honorable Edward F. Hennessey, Chief Justice of the Massachusetts Supreme Judicial Court.

Among other publications, Professor Cassidy is the author of *Character and Context: What Virtue Theory Can Teach Us About a Prosecutor's Ethical Duty to 'Seek Justice'*, 82 NOTRE DAME L. REV. 635 (December 2006); *Toward a More Independent Grand Jury: Recasting and Enforcing the Prosecutor's Duty to Disclose Exculpatory Evidence*, 13 GEO. J. LEGAL ETHICS 361 (2000); and *Prosecutorial Ethics* (Thomson/West, 2005).

M. Keith Chen is Assistant Professor of Economics at the Yale School of Management, where he teaches courses in Behavioral Economics and Negotiation Strategy. Professor Chen's research blurs traditional boundaries in both subject and methodology, bringing unorthodox tools to bear on problems at the intersection of Economics, Psychology, and Biology. In a recent project he measured what ex-prisoners' lives would have looked like had prison conditions been more or less harsh. In another project he demonstrates the ability of Tamarin Monkeys to master complex repeated food-exchange games, displaying a game-theoretic acumen previously thought unique to humans. Most recently Professor Chen has shown that when allowed to make purchasing decisions, Capuchin Monkeys display many of the hallmark biases of human behavior, suggesting that some of our most fundamental biases are evolutionarily ancient. Professor Chen earned a Ph.D. in Economics from Harvard University and a B.S. in Mathematics from Stanford University.

Kathleen Clark is a law professor at Washington University in St. Louis. She writes about ethics and national security law, and teaches in the law school's Congressional and Administrative Law Clinic in Washington, DC. She has co-authored amicus briefs in cases involving prosecutors' obligations to disclose exculpatory information; is a member of the American Law Institute; and is past Chair of the National Security Law Section of the Association of American Law Schools.

Daniel R. Coquillette is the Lester Kissel Visiting Professor at Harvard Law School (since 2001) and the J. Donald Monan University Professor of Law at Boston College (since 1996). He received a B.A. Summa Cum Laude from Williams College (1966), and earned a Fulbright Scholarship to study law at University College, Oxford University, England, where he earned a B.A. (1969) and an M.A. (1980). He acquired a J.D. Magna Cum Laude from Harvard Law School (1971), served as an Editor of the Harvard Law Review, and went on to clerk for Justice Robert Braucher of the Supreme Judicial Court of Massachusetts and Chief Justice Warren E. Burger of the Supreme Court of the United States. He then taught legal ethics on the faculty of the Boston University Law School, taught as a Visiting Professor at Cornell Law School and Harvard Law School, and became a partner for six years at the Boston law firm of Palmer & Dodge, where he specialized in complex litigation. He became Dean of Boston College Law School from 1985-1993. Professor Coquillette teaches Professional Responsibility, English Legal History and a seminar on Lawyers and Morals. Among his many outside activities, Professor Coquillette is an Advisor to the American Law Institute's Restatement on Law Governing the Legal Profession, a member of the Harvard University Overseers' Committee to Visit Harvard Law School, and Reporter to the Committee on Rules of Practice and Procedure, Judicial Conference of the United States. For five years, he was Chairman of the Massachusetts Bar Association Committee on Professional Ethics and

Chairman of the Task Force on Unauthorized Practice of Law. He also served on the American Bar Association Standing Committee on Ethics and Professional Responsibility, the Board of the American Society of Legal History, the Massachusetts Task Force on Model Rules of Professional Conduct, the Massachusetts Task Force on Professionalism, and the Special Committee on Model Rules of Attorney Conduct of the Supreme Judicial Court of Massachusetts.

Robert A. Creamer retired in January 2006 as Vice President - Loss Prevention Counsel, of Attorneys' Liability Assurance Society, Inc., a Risk Retention Group ("ALAS"), which he joined in January 1994. He teaches legal ethics as an adjunct professor at Northwestern University School of Law and Loyola University Chicago School of Law, and has written numerous articles on legal ethics, conflicts of interest, and law firm risk management, including "Lateral Screening after Ethics 2000," published in the *2006 Symposium Issue of The Professional Lawyer*. Creamer has also served on numerous ethics committees, including co-chairing the Illinois State Bar Association/Chicago Bar Association Joint Committee on Ethics 2000 and helping write ethics advisory opinions for the Illinois State Bar Association as a member of its Standing Committee on Professional Conduct. Creamer graduated from Northwestern University (B.A., 1963) and Harvard Law School (LL.B., 1967). From 1967 to 1993, Creamer practiced with Keck, Mahin & Cate in Chicago, concentrating in commercial litigation, arbitration, appeals, and lawyers' professional responsibility.

Jason Dana is an Assistant Professor of Psychology who also teaches for the Philosophy, Politics, and Economics program at the University of Pennsylvania. His research interests lie at the intersection of psychology and economics, bringing economic games to bear on issues of fairness, ethics, and professional conflict of interest.

Angela J. Davis is a Professor of Law at the American University Washington College of Law where she teaches Criminal Law, Criminal Procedure, and Criminal Defense: Theory and Practice. Professor Davis has been a Visiting Professor at George Washington University Law School and has served on the adjunct faculty at George Washington, Georgetown, and Harvard Law Schools. She is the author of *Arbitrary Justice: The Power of the American Prosecutor* (Oxford University Press, 2007), the co-editor of *TRIAL STORIES* (with Professor Michael E. Tigar) (Foundation Press, 2007), and a co-author of the 4th edition of *Basic Criminal Procedure* (with Professors Stephen Saltzburg and Daniel Capra). Professor Davis' other publications include articles and book chapters on racism in the criminal justice system and prosecutorial discretion. Prof. Davis received the American University Faculty Award for Outstanding Teaching in a Full-Time Appointment in 2002 and the Washington College of Law's Pauline Ruyle Moore award for scholarly contribution in the area of public law in 2000. Professor Davis was awarded a Soros Senior Justice Fellowship in 2004. Professor Davis is a graduate of Howard University and Harvard Law School. She serves on the Board of Trustees of the Southern Center for Human Rights, the Sentencing Project, and the Peter M. Cicchino Social Justice Foundation. Professor Davis served as the Executive Director of the National Rainbow Coalition from 1994 - 1995. From 1991 - 1994, she was the Director of the Public Defender Service for the District of Columbia ("PDS"). She also served as

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Michael Downey is a partner in the national Lawyers for the Profession ® practice group at Hinshaw & Culbertson, LLP, and resident of the firm's St. Louis office. His practice focuses on advising lawyers, accountants, and their firms regarding legal, ethical, disciplinary, risk management, and related business and professional issues. Mike also teaches legal ethics and law firm practice as an adjunct professor at Washington University School of Law. He has published more than 40 articles and spoken more than 100 times on professional ethics. Mike also chairs the Ethics and Technology Committee in the ABA Center for Professional Responsibility, is co-chair of the Education Board for the ABA Law Practice Management Section, and serves on ethics committees for the Missouri Bar and the Illinois State Bar Association. Mike graduated from Georgetown University and first in his class from Washington University School of Law, then clerked for the Hon. Pasco M. Bowman, Chief Judge of the U.S. Court of Appeals for the Eighth Circuit, before entering private practice.

William (Bill) Freivogel is a private consultant to law firms on ethics and professional liability issues. Until recently he was Senior Vice President-Loss Prevention at Aon Risk Services and a member of its Professional Services Group. He provided legal ethics and loss prevention services to Aon's law firm clients. Bill provided similar services as ALAS' Loss Prevention Counsel from 1988 until 2000. He was a private consultant to law firms from 2000 until July 2002. Bill was a trial lawyer from 1965 until 1988, handling matters in the following substantive areas: antitrust; securities; civil rights; and products liability. He is Chair of the Editorial Board of the *ABA/BNA Lawyers' Manual on Professional Conduct*. He is a member of the American Law Institute, where he was a member of the Members' Consultative Group for the *RESTATEMENT (THIRD) OF THE LAW GOVERNING LAWYERS* project. He was a member of the Advisory Council to the American Bar Association "Ethics 2000" Commission, and is a member of the ABA Business Law Section Legal Opinions Committee. Bill has written and spoken extensively in the areas of legal ethics and loss prevention. He is the author of *Freivogel on Conflicts*, a comprehensive online guide to conflicts of interest, <http://www.freivogelonconflicts.com>. A partial list of his other writings includes: *Conflicts of Interest: A Storm Warning from the U.S.?*, THE EUROPEAN LAWYER, Nov. 2001, at 20; *Selected Ethics Issues in Litigation Practice*, 72 TULANE L. REV. 637 (1997) (co-author); *Conflicts of Interest and the Business Lawyer: A Professional Liability Epidemic*, 11 DELAWARE LAWYER 32 (Winter 1993); *Emerging Conflict of Interest Issues*, 79 ILL. BAR J. 628 (December 1991). Bill received his LL.B. from the University of Illinois College of Law in 1965 and his B.S. from the University of Illinois in 1962.

Barbara Glesner Fines is the Ruby M. Hulen Professor of Law at the University of Missouri-Kansas City, where she has taught since 1986. Professor Glesner received her law degree from the University of Wisconsin at Madison and her masters of law degree from Yale Law School. Professor Glesner teaches Professional Responsibility, Family Law and Seminars in Family Violence and Ethical Issues in the Representation of

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Lawrence J. Fox is a partner (since 1976) and former Managing Partner at the firm of Drinker Biddle & Reath LLP, where he specializes in securities and general commercial litigation and the counseling of law firms. He received his LL.B. cum laude from the University of Pennsylvania School of Law in 1968, where he was Managing Editor of the University of Pennsylvania Law Review. He is currently the I. Grant Irey, Jr., Adjunct Professor at Penn Law School and a lecturer on law at the Harvard Law School. He is a Fellow in the American College of Trial Lawyers, a Fellow in the American Bar Foundation and a member of the American Law Institute where he served as an adviser to the Restatement of the Law Governing Lawyers. Mr. Fox is the author of a long list of articles which have appeared in regional and national publications, covering a wide variety of subjects with particular emphasis on ethical issues. He also has authored *Legal Tender: A Lawyer's Guide to Professional Dilemmas*, published by the American Bar Association (1995); co-authored (with Susan R. Martyn) *Traversing the Ethical Minefield: Problems, Law, and Professional Responsibility*, published by Aspen (2004); *Red Flags: A Lawyer's Handbook on Legal Ethics*, published by ALI-ABA (2005) and *Your Lawyer: A User's Guide*, published by Lexis Nexis (2006); co-authored (with Susan R. Martyn and W. Bradley Wendell) *The Law Governing Lawyers, National Rules, Standards, Statutes, and State Lawyer Codes* (2007-2008 Edition), published by Aspen (2007); and written numerous book chapters relating to internal investigations, sanctions, expert witnesses and other topics. Mr. Fox has participated in well over 100 continuing legal education programs and has given lectures or classes at over 35 law schools. Among Mr. Fox's many professional and community service activities, he was a member of the ABA Commission on the Evaluation of the Rules of Professional Conduct (Ethics 2000), Chair of the ABA Post-Conviction Death Penalty Representation Project (1996-2003), Chair of the ABA Litigation Section and Chair of the ABA Standing Committee on Ethics and Professional Responsibility. He was sent by the United States State Department to Argentina (1997) and China (2002) as a Specialist and Speaker on the Role and Rights of Lawyers. He has made numerous television appearances on *Nightline*, *Cross-Fire*, the *Today Show*, *Talk Back Live*, *Burden of Proof*, *CNN* and *MSNBC* on topics ranging from the Clinton Impeachment to the Death Penalty. Mr. Fox won the ABA's Pro Bono Publico Award in 2005 and the Michael Franck Award in 2007.

Allan Gates is Loss Prevention Partner with the firm of Mitchell, Williams, Selig, Gates and Woodyard in Little Rock, Arkansas, where he practices in the area of Environmental Law and Litigation. In his firm Mr. Gates has served as a Practice Group Chair and as a member of the firm's Management Committee and Compensation Committee. Mr. Gates

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Jon Hanson is the Alfred Smart Professor of Law at Harvard Law School, where he has taught since 1992. His scholarship, which melds social psychology, economics, and law, includes the following: *Legal Academic Backlash: The Response of Legal Theorists to Situationist Insights*, __ EMORY L.J. __ (2008) (with Adam Benforado); *The Blame Frame: Justifying (Racial) Oppression in America*, 41 HARV. C.R.-C.L. L. REV. 413 (2006) (with Kathleen Hanson); *The Illusion of Law: The Legitimizing Schemas of Modern Policy and Corporate Law*, 103 U. MICH. L. REV. 1 (2004) (with Ron Chen); *Broken Scales: Obesity and Justice in America*, 53 EMORY L.J. 1645 (2004) (with Adam Benforado & David Yosifon); *The Situation: An Introduction to the Situational Character, Critical Realism, Power Economics, & Deep Capture*, 152 U. PENN. L. REV. 129 (2003) (with David Yosifon). Hanson is currently working on several projects involving corporate influence and the role of “choice” in law, policy, and legal theory. He is also working on a casebook, called *Situationist Torts*, with Michael McCann. Hanson is the of The Project on Law and Mind Sciences at Harvard Law School and the co-creator (with Michael McCann) and a contributor to *The Situationist* blog (both accessible at www.lawandmind.com).

Geoffrey C. Hazard Jr. has served as a professor of law at including Boalt Hall (University of California, Berkeley), the University of Chicago, Yale University, University of Pennsylvania and, most recently, the University of California Hastings College of the Law. He is the 2008 recipient of the Michael Franck Professional Responsibility Award. The award is presented annually to individuals whose career commitments in areas such as legal ethics, disciplinary enforcement and lawyer professionalism demonstrate the best accomplishments of lawyers. His service to the American Bar Association includes appointments to the Special Commission on Evaluation of Professional Standards (the “Kutak Commission”), Ethics 2000 Commission, Special Committee on the Code of Judicial Conduct; Special Commission on the Standards of Judicial Administration, and the Resource Team for High Profile Trials. He also serves as senior advisor to the ABA Section of Business Law. He has served as a member of the Standing Committee on Rules of Practice and Procedures for the Judicial Conference of the United States and on its Ad Hoc Committee on Mass Torts. He has been the executive director of both the American Bar Foundation (1964-1970) and the American Law Institute (1984-1999). His publications include co-author of a treatise and a casebook in civil procedure and professional ethics and author or co-author of numerous books and articles. His professional awards in acknowledgment of his accomplishments include the Ceremony of Salute from the Superior Court of

Pennsylvania, the Gold Medal from the International Insolvency Institute and the Kutak Award from the American Bar Association Section of Legal Education.

Katherine E. Jean is General Counsel to the North Carolina State Bar. Katherine received her law degree from the University of North Carolina at Chapel Hill in 1985. She clerked at the North Carolina Court of Appeals and the North Carolina Supreme Court. She was a partner in the firm McMillan, Kimzey, Smith and Plyler and later was a sole practitioner, both in Raleigh. In 2005, Katherine joined the North Carolina State Bar, where she directs the disciplinary program and supervises the provision of all legal services to the Bar.

Bruce E. H. Johnson is a loss prevention partner in the Seattle office of Davis Wright Tremaine LLP, where he regularly handles First Amendment media and advertising cases. He is the co-author of the PLI treatise, *Advertising and Commercial Speech: A First Amendment Guide*, and represented the lawyer rating website Avvo.com in *Browne v. Avvo, Inc.*, a December 2007 federal court decision affirming the company's First Amendment right to evaluate attorneys.

Peter Joy is a Professor of Law and Director of the Criminal Justice Clinic at Washington University School of Law in St. Louis. He was the inaugural Director of the Trial and Advocacy Program from 2002-06, and he teaches Legal Profession, Comparative Legal Ethics Seminar, Trial Practice & Procedure, and the Criminal Justice Clinic. He is a contributing editor and co-authors an ethics column for the ABA publication *Criminal Justice*, and he is the co-author with Professor Kevin C. McMunigal of the forthcoming book *Ethical Issues for Prosecution and Defense* (American Bar Association, 2008). He serves on the Board of Editors for the *Clinical Law Review*, the Association of American Law Schools (AALS) Committee on Academic Freedom and Tenure, the Clinic and Skills Training Committee of the American Bar Association's (ABA's) Section on Legal Education and Admissions to the Bar, the Executive Committee of the AALS Section on Professional Responsibility, and he consults with law professors starting clinical legal education programs in Japan. He received the 2001 AALS Pincus Award for contributions to clinical legal education. Professor Joy was a contributor to Best Practices for Legal Education, and he writes about legal education, legal ethics, lawyer and judicial professionalism, access to justice, and criminal justice issues.

Robert R. Keatinge is a Visiting Associate Professor at Suffolk University School of Law for the 2007-2008 academic year and is Of Counsel to the Denver law firm of Holland & Hart LLP. He practices in the areas of business organizations, taxation, and professional responsibility. Mr. Keatinge has represented a wide variety of business organizations and their owners from small start-up companies to publicly traded corporations. He has written and spoken nationally in the areas of business law, taxation and professional responsibility. He is the co-author of *Keatinge and Conaway on Choice of Business Entity* (2006) and *Ribstein and Keatinge on Limited Liability Companies Second Edition* (2004) (both Thomson/West) as well as author of law review and other articles on business, tax, and professional responsibility. He has been an adjunct

professor at the University of Denver College of Law and the University of Miami School of Law. He is a fellow of the American College of Tax Counsel and a member of the American Law Institute. He is a current member of the ABA Business Law Section/National Conference of Commissioners on Uniform State Laws (NCCUSL) Joint Editorial Board on Unincorporated Business Organizations and the Association of Professional Responsibility Lawyers. He has been ABA Advisor to the NCCUSL Drafting Committees on Revisions to Uniform Limited Liability Company Act; the Revision to the Uniform Limited Partnership Act (2001) and the Uniform Limited Liability Company Act (1996) and an ABA Section of Real Property Probate and Trust Law adviser on the Model Entity Transactions Act and a member of the Ad Hoc Subcommittee to Comment on the Revised Uniform Partnership Act. He is former Chair of the Colorado Bar Association Business Law Section and the CBA Taxation Section. He is former chair of the Committees on Taxation and on Partnerships and Unincorporated Business Organizations of the ABA Business Law Section and of the Joint Editorial Board for the ABA/BNA Lawyer's Manual on Professional Conduct. He is a former Member of the American Bar Association House of Delegates.

Kimberly Kirkland is a professor at Franklin Pierce Law Center in Concord, New Hampshire, where she teaches Ethics, Civil Procedure and Employment Law. Before she began teaching, Professor Kirkland spent ten years litigating civil disputes including employment, commercial and professional liability cases. She also counseled corporate clients on employment issues. The primary focus of Professor Kirkland's scholarship is empirical research on the legal profession and lawyers' ethics in practice. She is the author of *"Ethics in Large Law Firms: the Principle of Pragmatism"*, 35 U. MEMPHIS LAW REV. 631 (2005) and *"Confessions of a Whistleblower, A Law Professor's Reflections on the Experience of Reporting a Colleague"*, 20 GEO J. LEGAL ETHICS 1105 (Fall 2007). Professor Kirkland is a graduate of Williams College and Northeastern University School of Law.

Daniel Klubock is Of Counsel to Feinberg & Kamholtz, concentrating in litigation, mediation, and arbitration. From 1990 to 2003 he was an Associate Justice, Trial Court of the Commonwealth of Massachusetts, District Court Department, where he presided over civil and criminal cases, both jury and jury-waived. From 1980 to 1990, he was Bar Counsel, Massachusetts Board of Bar Overseers of the Supreme Judicial Court. Before becoming an Assistant Bar Counsel in 1974, Klubock was in private practice, concentrating in constitutional law, criminal law and family law. He has a J.D. from Harvard Law School and a B.A. from Bard College. He has taught professional responsibility at Boston University School of Law (1987-1990), New England School of Law (Summer 1986) and Suffolk University School of Law (1984, 1985). Klubock has been a member of the ABA Standing Committee on Professional Discipline (1991-1997); the Editorial Board of the ABA/BNA Lawyers' Manual on Professional Conduct (1987-1990); and the Massachusetts Supreme Judicial Court Committee on Lawyer Advertising and Solicitation. He has spoken on judicial independence and ethics in China and Cuba.

Donald C. Langevoort is the Thomas Aquinas Reynolds Professor of Law at Georgetown University Law Center, Washington, D.C. He joined the Georgetown faculty

in 1999 after eighteen years at Vanderbilt University School of Law, where he had been the Lee S. & Charles A. Speir Professor. He has also been a visiting professor at the University of Michigan, Harvard Law School, and the University of Sydney in Australia. Professor Langevoort graduated from the Harvard Law School in 1976, and went into private practice with the law firm of Wilmer, Cutler & Pickering in Washington. In 1978, he joined the staff of the U.S. Securities & Exchange Commission as Special Counsel in the Office of the General Counsel. Since entering academia in 1981, Professor Langevoort has written a treatise on insider trading, co-authored a casebook on securities regulation, and produced numerous law review articles on topics such as insider trading, the impact of technology on securities regulation, investor behavior and the intersection between cognitive psychology and lawyers' professional responsibilities. He has served on the Legal Advisory Committee of the New York Stock Exchange, the Legal Advisory Board of the National Association of Securities Dealers, the SEC's Advisory Committee on Market Information (chairing its subcommittee on alternative models for data consolidation), and the Nominating Committee of the Municipal Securities Rulemaking Board, and has testified numerous times before Congressional committees on matters relating to securities regulation and litigation. Professor Langevoort is also a member of the American Law Institute.

Lisa G. Lerman is professor of law at The Catholic University of America, Columbus School of Law, where she has taught since 1987. Professor Lerman is coordinator of clinical programs for the law school and co-director of CUA's Law and Public Policy Program, an academic enrichment program for students interested in careers in public interest law, government and politics. Lerman teaches contracts, professional responsibility, and the public policy practicum. She is co-author of *Ethical Problems in the Practice of Law* (Aspen 2005) of *Learning from Practice* (West 1998), and of many articles about lawyers, law firms, the legal profession and legal education. Professor Lerman is a member and former chair of the planning committee for the ABA National Conference on Professional Responsibility. She is a member of the National Advisory Committee for Equal Justice Works. Lerman has served as chair of the Professional Responsibility Section of the Association of American Law Schools and as a member of the D.C. Bar Legal Ethics Committee. Professor Lerman received a B.A. with honors in History from Barnard College, Columbia University, in 1976. She received a J.D. in 1979 from New York University School of Law, where she was senior articles editor of the *N.Y.U. Review of Law and Social Change*. She received an LL.M. in Advocacy from Georgetown University Law Center in 1984 after a two-year clinical fellowship at the Center for Applied Legal Studies.

Donald R. Lundberg has been the Executive Secretary of the Indiana Supreme Court Disciplinary Commission since December of 1991. He graduated summa cum laude from Indiana University School of Law in Bloomington in 1976. He is also a member of the bars of the Indiana Supreme Court, the U.S. District Courts for the Northern and Southern Districts of Indiana, the United States Court of Appeals for the Seventh Circuit, and the United States Supreme Court. He regularly teaches the course in legal ethics as an adjunct professor at Indiana University School of Law, Bloomington. He is the author of *Documenting Client Decisions: A Critique of the Model Rules Post-Ethics 2000*, 14 THE

PROFESSIONAL LAWYER No. 4 at 2 (ABA 2004); co-author with Charles M. Kidd of *You Say You Want an Evolution? An Overview of the Ethics 2000 Amendments to the Indiana Rules of Professional Conduct*, 39 IND. L. REV. 1255 (2005). He writes a regular legal ethics column, *Ethics Curbstone*, for *Res Gestae*, the monthly journal of the Indiana State Bar Association. He is a member of the American (Governing Council, Government and Public Sector Lawyers Division, 2003-2006), Indiana State (Board of Governors, 2005-07) and Indianapolis (Board of Managers, 2005-06) Bar Associations, and a Master of the Indianapolis American Inn of Court. He is a member and current President of the National Organization of Bar Counsel and a member of the Editorial Board of the ABA/BNA Lawyers Manual on Professional Conduct.

Bonnie H. MacLeod-Mancuso has been a Judge of the Superior Court of Massachusetts since 2002. Prior to that she was a Judge of the District Court from 1989 to 2002; First Assistant Bar Counsel, Board of Bar Overseers, Chief of Litigation Division from 1976 to 1989; and Assistant District Attorney, Middlesex County, Chief of Appeals Division from 1973 to 1976. She has degrees from Regis College, 1969 and Suffolk University Law School, 1972 (Law Review). She has taught at Suffolk University Law School, as an Adjunct Professor from 1985 to the present and at New England School of Law as an Adjunct Professor from 1976 to 2002. She is a member of the Massachusetts Judges Conference; Massachusetts Bar Association; National Association of Women Judges; Massachusetts Bar Foundation (Brandeis Life Fellow); Women's Bar Association; Hellenic Bar Association; Essex County Bar Association; and Massachusetts Association of Women Lawyers.

James M. McCauley is the Ethics Counsel for the Virginia State Bar, and manages the staff counsel serving the Standing Committees on Legal Ethics, Unauthorized Practice of Law, and the Standing Committee on Lawyer Advertising and Solicitation. Mr. McCauley and his staff write the draft advisory opinions for the Standing Committees and provide informal advice over the telephone to members of the bar, bench and general public on matters involving legal ethics, lawyer advertising and the unauthorized practice of law. Mr. McCauley frequently lectures and publishes articles on matters relating to legal ethics and the unauthorized practice of law. He teaches Professional Responsibility at the T.C. Williams School of Law in Richmond, Virginia. In 2001-2002, Mr. McCauley served on the Supreme Court of Virginia's Pro Se Litigation Planning Committee. Prior to assuming his duties as Ethics Counsel, Mr. McCauley was an Assistant Bar Counsel for the Virginia State Bar for six years, prosecuting cases of attorney misconduct before the District Committees, Disciplinary Board and Three-Judge Courts. Before his employment with the Virginia State Bar, Mr. McCauley was in private practice for seven years. Mr. McCauley graduated cum laude from James Madison University in 1978 with a B.A. in Political Science. He received the Edward G. Hudgins Scholarship for Character and Leadership at the T.C. Williams School of Law, University of Richmond, where he graduated in 1982. Mr. McCauley was a member of the University of Richmond Law Review. Mr. McCauley serves as a member on the Virginia State Bar's Mandatory Professionalism Course faculty. He is also a Fellow of the Virginia Law Foundation and the American Bar Foundation. Mr. McCauley also serves on the Board of

Governors of the Real Property Section of the Virginia State Bar. Mr. McCauley is also a member of the John Marshall Inn of Court in Richmond, Virginia.

Ellen J. Messing is a partner in the Boston firm of Messing, Rudavsky & Weliky, P.C., which concentrates its practice in representing employees in labor and employment litigation, including wrongful termination, discrimination, contract, sexual harassment, and public employee matters. A Fellow of the College of Labor and Employment Lawyers and a member of the advisory council to the ABA Commission on Evaluation of the Rules of Professional Conduct (Ethics 2000 Commission), Ms. Messing is the immediate past National Secretary of the National Employment Lawyers Association (NELA), former co-chair of the Boston Bar Association Professional Ethics Committee, a former chair of the Massachusetts chapter of NELA, and a former co-chair of the Massachusetts Bar Association Labor Law Section Ethics Committee. She is co-chair of national NELA's Ethics and Sanctions Committee. An adjunct faculty member at Boston University School of Law in the Trial Advocacy Program from 1983 to 1991, Ms. Messing has also served as an adjunct faculty member at University of Michigan Law School and Northeastern University School of Law, teaching evidence, trial advocacy, and clinical courses. She has written and lectured extensively on substantive issues and litigation strategy in employment cases. Ms. Messing is a graduate of Radcliffe College and Boston University School of Law.

Erica Moeser has been the president of the National Conference of Bar Examiners since 1994. She is a former chairperson of the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association and has served as a law school site evaluator, as a member of the Section's Accreditation Committee, and as the co-chairperson of the Section's Bar Admissions Committee. She worked as the director of the Board of Bar Examiners of the Supreme Court of Wisconsin for 17 years before joining the National Conference. Ms. Moeser holds the following degrees: B.A. (geology), Newcomb College of Tulane University, 1967; M.S. (Curriculum and Instruction), the University of Wisconsin, 1970; and J.D., the University of Wisconsin, 1974. She was admitted to practice law in Wisconsin in January 1975. Ms. Moeser holds honorary degrees from Nova Southeastern University, John Marshall Law School and Barry University School of Law. Ms. Moeser has taught Professional Responsibility as an adjunct at the University of Wisconsin Law School. She was elected to membership in the American Law Institute in 1992.

Lisa H. Nicholson is a Professor of Law at the University of Louisville. She has been a member of the University of Louisville's Louis D. Brandeis School of Law faculty since 2000. She has been a visiting Associate Professor at Brooklyn Law School in New York during the Spring 2005 semester, and a visiting Professor at Boston College Law School and at the University of Richmond School of Law during the 2007-2008 academic year. Her main research and teaching interests are in securities regulations and corporate law. Prior to teaching, Professor Nicholson was a litigation associate with the firm of Kaye, Scholer, Fierman, Hayes & Handler LLP, where she focused on commercial transactions. She also served as Senior Counsel and as a staff lawyer with the U.S. Securities and Exchange Commission, where she analyzed and applied the federal securities laws as

well as the rules of the NYSE and NASD to a host of investigations and litigations involving broker-dealers, issuers, corporate officers and directors, and other regulated entities.

Paula H. Noe practices Family Law, as collaboratively as possible, helping clients and families through crises with dignity and respect, in Cambridge, Massachusetts, where she is a partner in the domestic relations firm of Bowman, Moos, Elder and Noe, LLP. She also serves as a Parenting Coordinator. She was named a “Woman of Distinction in Law and Public Service” by the Massachusetts Association of Women Lawyers in 2005. She served as the President of the Massachusetts Collaborative Law Council from 2005 to 2006, and is a founding member, has been a board member since 2000, and currently serves, at the request of the President, on the Advisory Council. She participates in trainings and speaking engagements about Collaborative Law for the Massachusetts Collaborative Law Council and for the American Bar Association, and has written extensively about Collaborative Law practice and ethics. She is also currently a Co-Chair of the Family Law Committee of the American Bar Association’s Dispute Resolution section. She also serves on the Collaborative Law Committee of the American Bar Association section of Dispute Resolution, and on its Ethics subcommittee. Her practice emphasizes the need for fostering dialogue and relationships with and between clients. In addition to her expertise in Dispute Resolution, she is trained as an advocate for her clients, and represented the husband in the precedent-setting Massachusetts custody of frozen embryos case, *AZ v. BZ*, which was ultimately decided by the Massachusetts Supreme Judicial Court in her client's favor. She is admitted to practice in Massachusetts, in the District of Massachusetts and at the U.S. Supreme Court.

Richard W. Painter is a professor at the University of Minnesota Law School. He received his B.A., summa cum laude, in history from Harvard University and his J.D. from Yale University, where he was an editor of the Yale Journal on Regulation. Following law school, he clerked for Judge John T. Noonan Jr., of the United States Court of Appeals for the Ninth Circuit and later practiced at Sullivan & Cromwell in New York City. From February 2005 to July 2007, he was Associate Counsel to the President in the White House Counsel's office, serving as the chief ethics lawyer for the President, White House employees and senior nominees to Senate-confirmed positions in the Executive Branch. Professor Painter has been active in law reform efforts aimed at deterring securities fraud and improving ethics of corporate managers and lawyers. A key provision of the Sarbanes-Oxley Act of 2002, requiring the SEC to issue rules of professional responsibility for securities lawyers, was based on earlier proposals Professor Painter made in law review articles and to the ABA and the SEC. He has given dozens of lectures on the Sarbanes-Oxley Act to law schools, bar associations, and learned societies, such as the American Academy of Arts and Sciences. Professor Painter has provided invited testimony before committees of the U.S. House of Representatives and the U.S. Senate on private securities litigation and the role of attorneys in corporate governance. Professor Painter is the author of two casebooks: *Securities Litigation and Enforcement* (with Margaret Sachs and Donna Nagy; West 2003; Second Edition, 2007) and *Professional and Personal Responsibilities of the Lawyer* (with Judge John T. Noonan Jr.; Foundation 1997; Second Edition, 2001). He has published dozens of

articles, book reviews, and essays. Recent articles and comments in symposia include *Ethics in the Age of Un-incorporation* in the *University of Illinois Law Review*, and *Convergence and Competition in Rules Governing Lawyers and Auditors* in the *Journal of Corporation Law*.

Paul Paton joined the Faculty of Law at Queen's in 2004, and will become Associate Professor and Director of the Ethics Across the Professions initiative at Pacific McGeorge in August 2008. His teaching and research interests center on legal ethics and professional responsibility, corporate governance, the regulation of accountants and lawyers, and ethics in corporate contexts. He is Vice-Chair of the Canadian Bar Association's National Ethics and Professional Issues Committee. He is a Fellow of the Salzburg Seminar on Globalization & the Development of Transnational Legal Services (2002), and was Director of the Queen's ISC International Law Program in 2006. He served on the Law Society of Upper Canada's Advisory Committee on Professional Responsibility, taught in and prepared materials for the Bar Admission Course for a number of years, and served on teams drafting licensing examinations in Business Law and Professional Responsibility. In 2007 he appeared frequently as a commentator in national press and on television on the Conrad Black/Hollinger trial, and on issues facing corporate counsel. His publications include peer-reviewed articles on ethics and governance issues, and he co-authored and co-edited *Business Organizations: Principles, Policies and Practice* (Emond Montgomery, 2007). His commissioned papers include a study on "lawyers as whistleblowers" for the Law Society of Upper Canada Task Force on the Independence of the Bar. Paul was Senior Manager and in-house counsel with PricewaterhouseCoopers between 1998 and 2004, heading the firm's Canadian multidisciplinary practice initiative. He served as Justice and Social Policy Advisor to the Premier of Ontario in 1997-98, prior to which he was Associate and Partner in the litigation group of Davies, Ward & Beck in Toronto. In 1992-93 he clerked for Chief Justice Charles Dubin, Associate Chief Justice John Morden and five other Justices of the Ontario Court of Appeal. He was Associate and Acting Director of the Canadian Studies program at the University of Toronto between 1994-97 and 2000-01. Paul received his B.A. with high distinction from the University of Toronto and was named Moss Scholar as top all-round graduate in the Faculty of Arts & Science his graduating year. He holds an M.Phil from Cambridge (1989), an LL.B. from the University of Toronto (1992), a J.S.M. from Stanford (2002), and he completed his J.S.D. at Stanford in 2008. He was a Fellow of Stanford's Keck Center on Legal Ethics and the Legal Profession between 2002 and 2004, receiving Shultz Grants from the Stanford Institute for International Studies in 2002 and 2003.

Scott R. Peppet is an Associate Professor at the University of Colorado School of Law in Boulder, Colorado, where he teaches legal ethics, negotiation and conflict resolution, contract law, and a course on counseling families in business. Before moving to Colorado, he was a Lecturer on Law at Harvard Law School and a Senior Fellow on negotiation at the Harvard Negotiation Research Project. He was also a faculty member for Harvard's Program of Instruction for Lawyers. Mr. Peppet is the author of several articles on legal ethics and dispute resolution, particularly focused on the role of lawyers in collaborative processes. His most recent work in this area is *The Ethics of*

Collaborative Law, J. Disp. Resol (forthcoming 2008). He is the co-author of an award-winning book on negotiation titled *Beyond Winning: Negotiating to Create Value in Deals and Disputes* (Harvard University Press, 2000) and of a textbook titled *Processes of Dispute Resolution: The Role of Lawyers* (Foundation Press, 4th edition, 2006). Mr. Peppet did his undergraduate studies in Conflict Resolution at Cornell, and received his law degree from Harvard Law School, *magna cum laude*, where he was an editor of the *Harvard Law Review* and the co-founder and co-editor-in-chief of the *Harvard Negotiation Law Review*.

Lucian T. Pera is a partner with the Memphis, Tennessee, office of Adams and Reese LLP. His practice is composed primarily of civil trial work, including a wide variety of general commercial litigation and media law work. He also counsels and represents lawyers, law firms, and others in the area of ethics and professional responsibility. A Memphis native, he is a graduate of Princeton University and Vanderbilt University School of Law. He served for five years as a member of the ABA Special Commission on the Evaluation of the Rules of Professional Conduct (also known as “Ethics 2000”), which revised the ABA Model Rules of Professional Conduct. He has served for more than seven years as Chair of the Tennessee Bar Association Standing Committee on Ethics and Professional Responsibility, which revised Tennessee’s legal ethics rules based on the ABA Model Rules of Professional Conduct. He currently chairs the Media Law Resource Center Defense Counsel Section’s Ethics Committee and has chaired the ABA Section of Business Law’s Committee on Professional Conduct. He is a member of the American Law Institute and is listed in *The Best Lawyers in America* for Ethics and Professional Responsibility Law and First Amendment Law.

Andrew M. Perlman is an associate professor at Suffolk University Law School, where he teaches professional responsibility, civil procedure, and federal courts. Professor Perlman has authored a number of articles on legal ethics, including recent works on the inadvertent disclosure of privileged information and the constitutionality of bar admission rules. His current work focuses on the implications of social psychology for legal ethics. Professor Perlman is a co-contributor to a legal ethics blog, www.legalethicsforum.com, and is active in a number of bar related activities in Massachusetts. He has also been a visiting associate professor at Boston University Law School, where he has taught professional responsibility and civil procedure. Prior to joining the Suffolk faculty, Professor Perlman was an associate-in-law at Columbia Law School, where he conducted research on professional responsibility issues, taught legal research and writing, and received his LL.M. Professor Perlman also clerked for a federal district court judge in Chicago and practiced as a litigation associate with the Chicago firm of Schiff Hardin & Waite. He is a graduate of Yale College and Harvard Law School.

Karen K. Phillips received an undergraduate degree in economics from Northwestern University in 1973. She graduated in 1976 from the Georgetown University Law Center, where she served as an editor of the *Law & Policy in International Business* law journal. Karen spent numerous years as an associate and then partner with a major Chicago law firm, specializing in commercial litigation. Her experience includes jury and non-jury trial and appellate work in state and federal courts in Illinois and elsewhere. Since 1996,

Karen has been a Loss Prevention Counsel with Attorneys' Liability Assurance Society, Inc., a Risk Retention Group. ALAS is a mutual insurance company providing lawyers' professional liability insurance to approximately 250 large law firms located throughout the United States. Karen's duties include writing, speaking, and counseling on topics related to professional responsibility and lawyer liability.

Charles B. Plattsmier attended Louisiana State University Law Center from 1975 thru 1978 and became licensed to practice law in Louisiana in October of 1978. He entered the private practice of law and by 1981 was a partner in the law firm of Hunter and Plattsmier in Morgan City, Louisiana where the firm's emphasis was on maritime litigation. In 1993, Mr. Plattsmier began his own firm with offices in both Morgan City and Baton Rouge. During his first 17 years of private practice, Mr. Plattsmier was active in both local and state bar associations serving as the President of the St. Mary Parish Bar Association and as a House of Delegates member to the Louisiana State Bar from 1983 until 1995. In 1990, he extended his volunteer service to the legal profession by becoming one of the first lawyer hearing committee members in the then newly created Louisiana Attorney Disciplinary Board. After serving as a lawyer member and chair of the hearing committee for four years, Mr. Plattsmier was offered and he accepted a position as a board member on the Disciplinary Board where he served for two years. On February 1, 1996 he became the Chief Disciplinary Counsel for the State of Louisiana and today stands as the longest serving Chief Counsel under the Louisiana Attorney Disciplinary Board. Mr. Plattsmier has authored amendments to both the Rules of Professional Conduct as well as Supreme Court Rule 19, was a member of the Ethics 2000 Committee that updated and amended Louisiana's ethics rules, and has served on countless committees of both the Louisiana Supreme Court and the Louisiana State Bar Association. He is a prolific speaker having provided over 300 lectures and presentations on ethics and professionalism nationally and across the state.

David Remes, a partner at Covington & Burling LLP, represents clients in appellate, class action, and other litigation involving complex procedural, statutory, and constitutional issues. His practice includes 30 years of experience in the Supreme Court in nearly 60 cases and wide experience in other federal and state courts at all levels. Mr. Remes also represents clients in legislative matters at the federal, state, and local levels. Covington & Burling hired Mr. Remes in 1983 to assist then-partner (now-Judge) Michael Boudin on appellate matters. He received the firm's Senior Lawyer Pro Bono award in 2005 and the Human Rights Campaign's Ally of Justice Award in 2006. Mr. Remes also worked on appellate matters at Kaye Scholer in 1982-1983. From 1978 to 1982, Mr. Remes worked for Professor Laurence H. Tribe of Harvard Law School on appellate matters, first as a law student (J.D. 1979) and then as Professor Tribe's first full-time post-graduate assistant. He is co-chair of Advertising & Commercial Speech Committee of the Media Law Resource Center. Mr. Remes also is a member of the ABA Commission on Gender Equality and Sexual Identity, and he is among the leading lawyers in the Guantánamo litigation.

Mary T. Robinson provides consulting and expert witness services and programs on professional responsibility issues. From 1992 to 2007, she served as Administrator of the

Attorney Registration and Disciplinary Commission (ARDC) of the Supreme Court of Illinois, having served on the Commission that oversees that agency for the three prior years. Her practice before her appointment as Administrator included several years with the Illinois State Appellate Defender as an assistant and then deputy in charge of a regional office, followed by ten years in private practice concentrating in appellate, criminal and family law. Ms. Robinson is a member of the ABA Standing Committee on Ethics and Professional Responsibility and she chairs the planning committee for the 2008 ABA National Conference on Professional Responsibility. In the past, she served on the ABA Standing Committee on Professional Discipline, and several committees of the Illinois Supreme Court and various Illinois bar associations, most recently, the Illinois Supreme Court Commission on Professionalism. She has taught Professional Responsibility at Northwestern University Law School and Northern Illinois University School of Law, and has presented in multiple programs sponsored by national, state and local bar associations. She is a 1971 graduate of the University of Illinois at Chicago and received her law degree from the University of Southern California in 1974. She is licensed in Illinois and California.

Robert Rubinson is Professor of Law and Director of Clinical Education at the University of Baltimore School of Law. Professor Rubinson graduated from Columbia University in 1984 and from New York University School of Law in 1988, where he was previously a faculty member. Prior to entering academia, Professor Rubinson practiced law at Cahill Gordon & Reindel and the Legal Aid Society's Brooklyn Office for the Aging. Professor Rubinson focuses his scholarship and teaching on professional responsibility, clinical education, and alternative dispute resolution. His articles on professional ethics have addressed the pedagogy of teaching professional responsibility, representing clients with diminished capacity, ethical issues facing attorney-mediators, and access to justice. He has written about and worked with legal educators in Japan regarding the interplay of professional responsibility and clinical education. Professor Rubinson also served as Reporter for the Maryland Court of Appeals Select Committee to Study the ABA Ethics 2000 Amendments.

Mark F. Scurti is a partner with the law firm of Hodes, Pessin & Katz, P.A. He is admitted to practice in Maryland, the District of Columbia, United States Federal Court, 4th Circuit Court of Appeals, U.S. Tax Court and the United States Supreme Court. His practice focuses on bankruptcy and consumer protection, estate planning, family law, corporate, mediation, and civil rights. He has been an activist throughout his career challenging regulations and laws that are unfair and assisting indigent clients through the legal process. Mark had the privilege of handling a case that resulted in a report decision from both the 4th Circuit Court of Appeals and the Maryland Court of Appeals involving the refund of wage garnishments obtained by judgment creditors within the 90 day preference period and requiring that it be returned to the Debtor. He handled this case on a pro bono basis. Mark is actively involved in the Maryland State Bar Association, Baltimore City Local Pro Bono Committee, and is one of the founding members of the MSBA Consumer Bankruptcy Section where he has served as Chair of the Section. He has served as President of the Bar Association of Baltimore City, President of the Pro

Bono Resource Center of Maryland, and President of the Baltimore Bar Foundation for Baltimore City.

Lynda C. Shely, of The Shely Firm, PC, provides ethics and risk management advice to lawyers and law firms. She also assists lawyers in responding to initial Bar charges. Prior to opening her own firm, she was the Director of Lawyer Ethics for the State Bar of Arizona for ten years. Lynda is a frequent speaker throughout the country on professional responsibility, law firm risk management, and professionalism topics. She is a member of the ABA Center for Professional Responsibility's Strategic Planning Committee and a Fellow of the American Bar Foundation. She currently serves on the State Bar's UPL Advisory Opinion Committee, the Professionalism Committee, and the State Bar Convention Committee. Lynda has received awards from the State Bar of Arizona for her contributions to Law Related Education Projects, Outstanding Leadership in Continuing Legal Education, and she was selected as Member of the Year in 2007. Prior to moving to Arizona, Lynda was an intellectual property associate with Morgan, Lewis & Bockius in Washington, DC. Lynda received her BA from Franklin & Marshall College in Lancaster, PA and her JD from The Catholic University in Washington, DC.

Jeffrey Swope is a partner in the Boston office of Edwards Angell Palmer & Dodge LLP. He has served as general counsel and loss prevention partner of his firm, and as Regional Loss Prevention Coordinator for Attorneys' Liability Assurance Society. Jeff's area of practice is general and appellate litigation, although he now devotes a substantial portion of his time to representing colleges and universities in the Boston area and throughout the Northeast on a wide variety of issues other than litigation. Jeff has made numerous presentations at bar and continuing legal education programs, and has served as a trial practice advisor at Harvard Law School and in programs sponsored by Massachusetts Continuing Legal Education. Jeff is a former chair of the Boston Bar Association's College and University Section, and is President of the Social Law Library in Boston. He is a graduate of Harvard College and Law School, where he was an editor of the Harvard Law Review.

Pauline H. Tesler is a specialist in family law, certified by the State Bar of California, Board of Legal Specialization since 1984, and a fellow of the American Academy of Matrimonial Lawyers. After conducting a vigorous litigation and appellate practice for twenty years, in the mid-1990's she became a pioneer in developing and extending the practice of Collaborative Law worldwide. Since 1998 she has limited her practice with clients to collaborative representation and consultation. Ms. Tesler co-founded the International Academy of Collaborative Professionals and was its first President, and co-founded its journal, *The Collaborative Review*. She chaired the Standards Committee that drafted the first standards for Collaborative Practice, and is current chair of the IACP Ethics Task Force. Her practice manual, *Collaborative Law: Achieving Effective Resolution in Divorce Without Litigation* (published by the American Bar Association) was the first book-length treatise for collaborative lawyers. A substantially revised second edition will be available in mid-2008. She co-authored *Collaborative Divorce: The Revolutionary New Way to Restructure Your Family, Resolve Legal Issues, and Move On With Your Life* (HarperCollins, 2006), intended for general readers and as a practice

development tool for collaborative lawyers. Pauline has introduced many thousands of lawyers and other professionals to collaborative practice in North America, Europe, Australia and New Zealand. She provides interdisciplinary and lawyer-only trainings and practice development workshops at all levels, and also provides mentoring, coaching, and case consultation to professionals whose cases are in difficulty. She and Stu Webb jointly received the first "Lawyer as Problem Solver" award from the American Bar Association in 2002.

Anne E. Thar is the Conflicts of Interest Partner for Winston & Strawn LLP. In that capacity, Ms. Thar is in charge of the Firm's Conflicts Department and the opening of all new clients and matters. Ms. Thar also monitors compliance with the firm's conflicts procedures and assists partners in analyzing and resolving conflict of interest issues. Before joining Winston & Strawn LLP, Ms. Thar was Vice President and General Counsel for the Illinois State Bar Association Mutual Insurance Company (ISBA Mutual) and President of ISBA Mutual Consulting Services, Inc., a subsidiary of ISBA Mutual that provides risk management services to the legal profession. At ISBA Mutual, Ms. Thar was in charge of ISBA Mutual's loss prevention program and lectured and wrote frequently on loss prevention topics. Ms. Thar also practiced privately for several years, primarily at Hopkins & Sutter. She received her undergraduate degree from Mount Holyoke College in South Hadley, Massachusetts in 1979 and her law degree from Northwestern University School of Law in 1983.

Mark L. Tuft is a litigation partner with Cooper, White & Cooper LLP. He serves as outside counsel to lawyers and law firms on professional responsibility, professional liability, law firm mergers and dissolutions and State Bar disciplinary matters. He also acts as an expert witness and consultant in these matters. His trial practice includes legal malpractice defense, media law and related first amendment litigation and defense of individuals and businesses in criminal matters. He is also an arbitrator and mediator in lawyer-client and law firm disputes. Mr. Tuft obtained his J.D. degree with honors from Hastings College of the Law in 1968. He also received an LL.M. degree with highest honors from George Washington University in 1972. Mr. Tuft is a vice-chair of the California State Bar Commission on the revision of the rules of professional conduct. He is a former chair and special advisor to the California State Bar Committee on Professional Responsibility and Conduct and has served as a member of several State Bar task forces on professional responsibility. Mr. Tuft teaches legal ethics as an adjunct professor at the University of San Francisco School of Law. He has served on the board of directors of the Bar Association of San Francisco and formerly chaired its ethics committee. He is currently a member of the ABA Center on Professional Responsibility and its Publications Board and serves as a member of the board of directors of the Association of Professional Responsibility Lawyers. He is a frequent lecturer and writer on professional responsibility issues and has received several teaching awards.

Robert K. Vischer is an Associate Professor at the University of St. Thomas Law School in Minneapolis, where he teaches a variety of courses, including Professional Responsibility. His scholarship explores the intersection of law, religion, and public policy, with a particular focus on the religious and moral dimensions of professional

identity. His current book project, titled *Conscience and the Common Good: Reclaiming the Space Between Person and State*, defines and defends the relational dimension of conscience and identifies ways in which our legal system can better maintain the communal venues in which the dictates of conscience are shaped, articulated, and lived out. His scholarship has appeared in the Georgetown Journal of Legal Ethics, Illinois Law Review, Notre Dame Law Review, Florida Law Review, Indiana Law Review, Stanford Journal of Law & Policy, Journal of Law & Religion, Legal Ethics, Journal of Catholic Social Thought, and Journal of Catholic Legal Studies, among others. He also writes for the magazines *Commonweal* and *America*, and blogs regularly at *Mirror of Justice*. Professor Vischer came to St. Thomas from St. John's University Law School, where he was an Assistant Professor. Previously, Professor Vischer practiced corporate litigation with Kirkland & Ellis and clerked for three federal judges: Judge David Ebel of the Tenth Circuit Court of Appeals, Judge Joan Gottschall of the Northern District of Illinois, and Judge John Wiese of the Court of Federal Claims. He received his B.A. degree, summa cum laude, from the University of New Orleans, and his J.D., cum laude, from Harvard Law School, where he was an editor of the Harvard Law Review.

Judith Welch Wegner is the Burton Craige Professor of Law at the University of North Carolina School of Law. Professor Wegner joined the UNC faculty in 1981, became associate dean in 1986 and dean from 1989-1999. Wegner was President of the Association of American Law Schools (1995), and has been a member of several national boards (the Executive Committee of the Order of the Coif, the Board of CALI, and the national advisory board of Lexis). She was Senior Scholar at the Carnegie Foundation for the Advancement of Teaching and principal investigator on the Foundation's study on legal education from 1999-2001. From 2003-2006, she was Faculty Chair for UNC-Chapel Hill. Wegner received her B.A. from the University of Wisconsin-Madison (1972) and her J.D. from UCLA (1976). She served as law clerk to federal district and court of appeals Judge Warren Ferguson. From 1977-1980, she was an attorney in the United States Department of Justice (Office of Legal Counsel, and Lands Division) and special assistant to United States Secretary of Education Shirley Hufstедler. Wegner teaches and writes in the areas of legal education, land use, property law, state and local government law, and disability rights. She is co-author of *Educating Lawyers*, and *State and Local Government in a Federal System* among other publications.

John A. Weiss is the Tallahassee partner in the law firm of Weiss & Etkin. His practice is limited to the representation of lawyers in grievance proceedings, applicants in admissions cases and consultation in the field of ethics and disciplinary proceedings. Mr. Weiss received his J.D. from the University of Florida in 1974. From 1974 to 1983 he was Bar Counsel at The Florida Bar. He is a founder and past president of the Association of Professional Responsibility Lawyers (APRL) and, prior to his leaving The Florida Bar, was active in the National Organization of Bar Counsel. He has served on numerous professional responsibility committees including the Professional Ethics Committee of The Florida Bar and the ABA Standing Committee on Client Protection. He has also taught Professional Responsibility as an Adjunct Professor of Law at the Florida State University College of Law. Mr. Weiss has participated in many seminars on lawyer ethics and discipline including one jointly sponsored by APRL and the United States Department of State in June 2000 at Fudan University in Shanghai, China.

Mark L. Wolf was appointed to the United States District Court for the District of Massachusetts in 1985 and became its Chief Judge in 2006. He is also a member of the Judicial Conference Advisory Committee on Criminal Rules. Chief Judge Wolf previously served in the Department of Justice as a Special Assistant to the Deputy Attorney General of the United States (1974) and the Attorney General of the United States (1975-1977), and as Deputy United States Attorney for the District of Massachusetts and Chief of the Public Corruption unit in that office (1984-1985). He was also in private practice in Washington, D.C. with Surrey, Karasik & Morse and in Boston with Sullivan & Worcester. Among other honors, Chief Judge Wolf received a Certificate of Appreciation from President Gerald Ford for his work in the resettlement of Indochinese refugees (1976), the Attorney General's Distinguished Service Award (1984), an honorary degree from Boston Latin School (1990), and the Boston Bar Association's Citation for Judicial Excellence (2002 and 2007). Chief Judge Wolf is the Chairman Emeritus of the Albert Schweitzer Fellowship, the past Chair of the Judge David S. Nelson Fellowship, and the Chair of the John William Ward Public Service Fellowship. He has taught courses on the role of the judge in American democracy at the Harvard and Boston College Law Schools, and spoken on this subject and human rights issues in Egypt, Cyprus, Turkey, the Czech Republic, Slovakia, Hungary, and China. Chief Judge Wolf is a graduate of Yale College and the Harvard Law School.