

PETER A. JOY
Henry Hitchcock Professor of Law
WASHINGTON UNIVERSITY IN ST. LOUIS SCHOOL OF LAW
One Brookings Drive, Campus Box 1120
St. Louis, Missouri 63130
(314) 935-6445 Phone
joy@wustl.edu

Appointments:

WASHINGTON UNIVERSITY IN ST. LOUIS SCHOOL OF LAW, St. Louis, Missouri
Henry Hitchcock Professor of Law, 2010 to present
Vice Dean for Academic Affairs, September 2018 to January 2020
Vice Dean, January 2010-July 2012
Professor of Law and Director of the Criminal Justice Clinic, 1998-present
Director of Trial and Advocacy Program, 2002-06
Israel Treiman Research Fellow, 2018-19; 2001-02; 2018-19
Visiting Associate Professor of Law, Summer 1997 and Fall 1992

CASE WESTERN RESERVE UNIVERSITY SCHOOL OF LAW, Cleveland, Ohio
Professor of Law and Director of Clinical Program, 1998
Assistant Professor of Law and Director of Clinical Program, 1984-98
Acting Director of Clinical Program and Assistant Professor of Law, 1983-84
Supervising Attorney in Clinical Program, 1981-83 and 1978-80

Other Teaching and Research:

Campbell Visiting Fellowship, Monash University, Melbourne, Australia, May 2016
Visiting Professor of Law, Utrecht University, Utrecht, Netherlands, January 2015
Visiting Scholar, Hitotsubashi University Law School, Kunitachi, Japan, 2012 and 2013
Visiting Professor of Research, Northumbria University, Newcastle Upon Tyne, UK, 2009-15
Visiting Professor of Law, St. Louis University, Spring 2006
Visiting Professor of Law, Aoyama-Gakuin University, Tokyo, Japan, Summer 2003

Books:

PROFESSIONAL RESPONSIBILITY: A CONTEMPORARY APPROACH (West, 3d ed. 2017, 4th ed. 2020)
(co-author)

AUSTRALIAN CLINICAL LEGAL EDUCATION (ANU Press, 2017) (co-author)

PROFESSIONAL RESPONSIBILITY: A CONTEMPORARY APPROACH, TEACHER'S MANUAL (WEST, 2d, 3d
& 4th eds. 2015, 2017 & 2020) (co-author)

DO NO WRONG: ETHICS FOR PROSECUTORS AND DEFENDERS (ABA, 2009) (co-author)

CLINICAL EDUCATION FOR THIS MILLENNIUM: THE THIRD WAVE (Miche & Osaka trans. 2005)
(co-author) (Japanese language)

Book Chapters:

Competency of Counsel: Mitigation and National Standards of Practice, in TELL THE CLIENT'S STORY: MITIGATION IN CRIMINAL AND DEATH PENALTY CASES (Monahan & Clark, eds. ABA, 2017) (co-author)

Ethics: Criminal Practice and the Media, in MEDIA COVERAGE IN CRIMINAL JUSTICE CASES (Taslitz ed. ABA, 2013) (co-author)

Ethics in Criminal Advocacy, in THE STATE OF CRIMINAL JUSTICE 2010, 2011, 2013, 2014, 2015 (Raeder ed. ABA, 2010, 2011, 2013; Wojcik ed. ABA, 2014, 2015) (co-author)

Ethics in Criminal Advocacy, in THE STATE OF CRIMINAL JUSTICE 2012 (Raeder ed. ABA, 2012)

Japan's New Clinical Programs: A Study in Light and Shadow, in GLOBAL CLINICAL MOVEMENT (Bloch ed. Oxford University 2011) (co-author)

Criminal Law Clinics in the United States: Variation, History and the Quality of Student Representation, in DEVELOPMENT OF LAWYERS BY CLINICAL LEGAL EDUCATION (Shigeo Miyagawa ed. 2007) (Japanese language)

Articles and Essays:

Tribute to Professor Judith Lipton, 70 CASE WESTERN RESERVE UNIVERSITY LAW REVIEW 249 (2020)

Judges' Misuse of Contempt in Criminal Cases and Limits of Advocacy, 50 LOYOLA UNIVERSITY CHICAGO LAW JOURNAL 907 (2019)

Challenges to Legal Education, Clinical Legal Education, and Clinical Scholarship, 26 CLINICAL LAW REVIEW 237 (2019)

Special Counsel Investigations and Legal Ethics: The Role of Secret Taping, 57 DUQUESNE LAW REVIEW 252 (2019).

The Great Recession and United States Legal Education, 52 WASEDA COMPARATIVE LAW REVIEW 93 (Yoshiaki Haraguchi trans. 2019) (Japanese language)

Reflections on Adrian Evans's Contributions Internationally to Clinical Legal Education and Legal Ethics, 26 INTERNATIONAL JOURNAL OF LEGAL EDUCATION 105 (2019)

Foreword: *In Honor of Prof. Bennett L. Gershman*, 16 OHIO STATE JOURNAL OF CRIMINAL LAW, 291 (2019) (co-author)

Sentencing Reform: Fixing Root Problems, 87 UMKC LAW REVIEW 97 (2018) (co-author)

The Uneasy History of Experiential Education in U.S. Law Schools, 122 DICKINSON LAW REVIEW 551 (2018)

A Judge's Duty to Do Justice: Ensuring the Accused's Right to the Effective Assistance of Counsel, 46 HOFSTRA LAW REVIEW 139 (2017)

"What Do I Do with the Porn on My Computer?": How a Lawyer Should Counsel Clients about Physical Evidence, 54 *American Criminal Law Review* 751 (2017) (co-author)

ABA Standard 405(c): Two Steps Forward and One Step Back for Legal Education, 66 JOURNAL OF LEGAL EDUCATION 606 (2017)

Lawyers Serving as Judges, Prosecutors, and Defense Lawyers at the Same Time: Legal Ethics and Municipal Courts, 49 WASHINGTON JOURNAL OF LAW & POLICY 23 (2016); reprinted in 2017 JOURNAL OF THE PROFESSIONAL LAWYER 65 (2017)

Monroe Freedman's Influence on Legal Education, 45 HOFSTRA LAW REVIEW 649 (2016)

Tribute to Professor Ken Margolis, 67 CASE WESTERN RESERVE UNIVERSITY LAW REVIEW 3 (2016)

Race Matters in Jury Selection, 109 NORTHWESTERN UNIVERSITY LAW REVIEW ONLINE 180 (2015)

Unequal Assistance of Counsel, 24 KANSAS JOURNAL OF LAW & PUBLIC POLICY 518 (2015)

Systemic Barriers to Effective Assistance of Counsel in Plea Bargaining, 99 IOWA LAW REVIEW 2103 (2014) (co-author)

Law Schools and the Legal Profession: A Way Forward, 46 AKRON LAW REVIEW 177 (2014)

Prosecutors' Disclosure Obligations in the U.S., 42 HITOTSUBASHI JOURNAL OF LAW & POLITICS 51 (2014) (co-author)

The Criminal Discovery Problem: Is Legislation a Solution?, 52 WASHBURN LAW JOURNAL 37 (2012)

Why Lawyers Should Assess Lawyers' Ethics, 15 LEGAL ETHICS 405 (2012)

The Cost of Clinical Legal Education, 32 BOSTON COLLEGE JOURNAL OF LAW & SOCIAL JUSTICE 309 (2012)

Rationing Justice by Rationing Lawyers, 37 WASHINGTON UNIVERSITY JOURNAL OF LAW & POLICY 205 (2011)

Government Interference with Law School Clinics and Access to Justice: When Is There a Legal Remedy, 61 CASE WESTERN RESERVE LAW REVIEW 1087 (2011)

Ensuring the Ethical Representation of Clients in the Face of Excessive Caseloads, 75 MISSOURI LAW REVIEW 771 (2010)

'Kneecapping' Academic Freedom, 69 ACADEME 8 (2010) (co-author)

Constructing Systemic Safeguards Against Informant Perjury, 7 OHIO STATE JOURNAL OF CRIMINAL LAW 677 (2010)

Lawyering in the Academy: The Intersection of Academic Freedom and Professional Responsibility, 59 J. LEGAL EDUC. 97 (2009) (co-author)

Commemoration of the Founding of the Japan Clinical Legal Education Association, 1 LAWYERS & CLINICAL EDUCATION 21 (2009) (Japanese language)

The Evolution of ABA Standards for Clinical Faculty, 75 TENNESSEE LAW REVIEW 183 (2008) (co-author)

Introduction: New Directions in Clinical Legal Education – Law for the People, 28 WASHINGTON UNIVERSITY JOURNAL OF LAW & POLICY 1 (2008)

Brady and Jailhouse Informants: Responding to Injustice, 57 CASE WESTERN RESERVE LAW REVIEW 619 (2007)

The Relationship Between Prosecutorial Misconduct and Wrongful Convictions: Shaping Remedies for a Broken System, 84 WISCONSIN LAW REVIEW 399 (2006); reprinted in BENCH AND BAR: ETHICS (Reddy ed. Amicus Books 2008)

Building Clinical Legal Education Programs in a Country Without a Tradition of Graduate Professional Legal Education: Japan Educational Reform as a Case Study, 12 CLINICAL LAW REVIEW 417 (2006) (co-author)

Political Interference in Clinical Programs: Lessons from the U.S. Experience, 7 INTERNATIONAL JOURNAL OF CLINICAL LEGAL EDUCATION 83 (2006)

Lawyer Ethics and the Expanding Role of the Media in Criminal Cases, 17 PROFESSIONAL LAWYER 1 (2006) (co-author)

Prosecution Clinics: Dealing with Professional Role, 74 MISSISSIPPI LAW JOURNAL 955 (2005)

Criminal Law Clinics in the United States: Variation, History and the Quality of Student Representation, 7 WASEDA PROCEEDINGS OF COMPARATIVE LAW 93 (2005)

Reflection in Action: Constructing New Clinical Teacher Training by Using Lessons Learned from New Clinicians, 11 CLINICAL LAW REVIEW 49 (2004) (co-author)

Teaching Ethics in the Criminal Law Course, 48 ST. LOUIS UNIVERSITY LAW J. 1239 (2004)

The Ethical Obligations of Law School Clinic Students as Student Lawyers, 45 SOUTH TEXAS LAW REVIEW 815 (2004)

Evolution of ABA Externship Standards: Steps in the Right Direction, 10 CLINICAL LAW REVIEW 681 (2004)

The Relationship Between Civil Rule 11 and Lawyer Discipline: An Empirical Analysis Suggesting Institutional Choices in the Regulation of Lawyers, 37 LOYOLA OF LOS ANGELES LAW REVIEW 765 (2004)

An Ethics Critique of Interference in Law School Clinics, 71 FORDHAM LAW REVIEW 1971 (2003) (co-author)

The Law School Clinic as a Model Ethical Law Office, 30 WILLIAM MITCHELL LAW REVIEW 35 (2003)

Teaching Ethics in Evidence, 22 QUINNIPIAC LAW REVIEW 961 (2003) (co-author)

Making Ethics Opinions Meaningful: Toward More Effective Regulation of Lawyers' Conduct, 15 GEORGETOWN JOURNAL OF LEGAL ETHICS 313 (2002)

Conflict of Interest and Competency Issues in Law Clinic Practice, 9 CLINICAL LAW REVIEW 493 (2002) (co-author)

A Professionalism Creed for Judges: Leading by Example, 52 SOUTH CAROLINA LAW REVIEW 667 (2001)

Clinical Education for This Millennium: The Third Wave, 7 CLINICAL LAW REVIEW 1 (2000) (co-author)

Political Interference with Clinical Legal Education: Denying Access to Justice, 74 TULANE LAW REVIEW 235 (1999)

Access to Justice, Academic Freedom, and Political Interference: A Clinical Program Under Siege, 4 CLINICAL LAW REVIEW 531 (1998) (co-author)

Submission of the Association of American Law Schools to the Supreme Court of the State of Louisiana Concerning the Review of the Supreme Court's Student Practice Rule, 4 CLINICAL LAW REVIEW 539 (1998) (co-author)

Clinical Scholarship: Improving the Practice of Law, 2 CLINICAL LAW REVIEW 385 (1996)

What We Talk About When We Talk About Professionalism, 7 GEORGETOWN JOURNAL OF LEGAL ETHICS 987 (1994)

The MacCrate Report: Moving Toward Integrated Learning Experiences, 1 CLINICAL LAW REVIEW 401 (1994)

Report of the Committee on the Future of the In-House Clinic, 42 JOURNAL OF LEGAL EDUCATION 508 (1994) (contributor)

Dunleavy v. Local 1617, United Steelworkers: A Shield for Union Members, 19 UNIVERSITY OF TOLEDO LAW REVIEW 355 (1988)

Miscellaneous Publications:

Ethics Columns Co-Authored with Kevin C. McMunigal:

Ethical Responsibilities of Standby Counsel, 36 ABA Criminal Justice 49 (2021)

The Ethics of Trump's Lawyers?, 36 ABA Criminal Justice 62 (Spring 2021)

A Lawyer's Obligations to Avoid Assisting in a Crime or Fraud, 35 ABA Criminal Justice 74 (Fall 2020)

Post-Conviction Relief After a Guilty Plea?, 35 ABA CRIMINAL JUSTICE 53 (Summer 2020)

A Prosecutor's Obligations in Negotiating a Misdemeanor Guilty Plea, 34 ABA CRIMINAL JUSTICE 51 (Winter 2020)

New York Creates Commission on Prosecutor Conduct, 34 ABA CRIMINAL JUSTICE 62 (Fall 2019)

Misuse of Titles by Former Government Lawyers, 34 ABA CRIMINAL JUSTICE 64 (Spring 2019)

Attempted Ethics Violations, 33 ABA CRIMINAL JUSTICE 55 (Winter 2019)

Police Misconduct and Release Dismissal Agreements, 33 ABA CRIMINAL JUSTICE 31 (Fall 2018)

Overloaded Prosecutors, 33 ABA CRIMINAL JUSTICE 31 (Summer 2018)

Prosecutors and Use of Subpoenas, 33 ABA CRIMINAL JUSTICE 43 (Spring 2018)

Postconviction Prosecutorial Duties, 32 ABA CRIMINAL JUSTICE 53 (Winter 2018)

Prosecutors and Literary or Media Deals: Conflicts of Interest Hiding in Plain Sight, 32 ABA CRIMINAL JUSTICE 41 (Fall 2017)

Lawyers, Marijuana, and Ethics, 32 ABA Criminal Justice 29 (SPRING 2017); reprinted in *Best of ABA Sections*, 34 GP SOLO 72 (July/Aug. 2017)

When Does Monitoring Defendants and Their Lawyers Cross the Line?, 31 ABA CRIMINAL JUSTICE 48 (Winter 2017)

Different Rules for Prosecutors, 31 ABA CRIMINAL JUSTICE 48 (Fall 2016)

Racial Discrimination and Jury Selection, 31 ABA CRIMINAL JUSTICE 43 (Summer 2016)

Misuse of Letterhead by Prosecutors and Attorneys General, 30 ABA CRIMINAL JUSTICE 48 (Winter 2016)

The Ethics of Prosecutorial Disclosure, 30 ABA CRIMINAL JUSTICE 41 (Fall 2015)

Prosecutorial Conflicts of Interest and Excessive Use of Force by Police, 30 ABA CRIMINAL JUSTICE 47 (Summer 2015)

Innocent Defendants Pleading Guilty, 30 ABA CRIMINAL JUSTICE 45 (Spring 2015)

ABA Approves Researching Jurors' Public Presence on Internet, 29 ABA CRIMINAL JUSTICE 50 (Fall 2014)

Confronting Prosecutors With Their Own Words?, 29 ABA CRIMINAL JUSTICE 33 (Summer 2014)

Waivers of Ineffective Assistance of Counsel as Condition of Negotiated Pleas, 29 ABA CRIMINAL JUSTICE 32 (Spring 2014)

The Ethics of Talking to the Media, 29 ABA CRIMINAL JUSTICE 17 (Winter 2014) reprinted in *Best of ABA Sections*, 31 GP SOLO 72 (July/Aug. 2014)

Supervisors, Subordinates, and Sanctions, 28 ABA CRIMINAL JUSTICE 43 (Fall 2013)

Internet Marketing, 28 ABA CRIMINAL JUSTICE 43 (Summer 2013)

Ethical Concerns of Internet Communications, 28 ABA CRIMINAL JUSTICE 45 (Winter 2013)

Client or Prospective Client: What's the Difference?, 27 ABA CRIMINAL JUSTICE 51 (Fall 2012)

The Ethical Risks of Technology, 27 ABA CRIMINAL JUSTICE (Summer 2012)

Does the Lawyer Make a Difference?, 27 ABA CRIMINAL JUSTICE 46 (Spring 2012)

Contingent Rewards for Prosecutors, 27 ABA CRIMINAL JUSTICE 55 (Fall 2011)

The Problem of Plagiarism as an Ethics Offense, 26 ABA CRIMINAL JUSTICE 56 (Summer 2011)

Confidentiality and Ineffective Assistance of Counsel Claims, 26 ABA CRIMINAL JUSTICE 42 (Winter 2011)

Deceit in Defense Investigations, 25 ABA CRIMINAL JUSTICE 36 (Fall 2010)

Corporate Miranda Warnings, 25 ABA CRIMINAL JUSTICE 47 (Summer 2010)

Do Two Wrongs Protect a Prosecutor?, 25 ABA CRIMINAL JUSTICE 23 (Spring 2010)

ABA Explains Prosecutor's Ethical Disclosure Duty, 24 ABA CRIMINAL JUSTICE 41 (Winter 2010)

Amend Rule 11 to Require Disclosure, 24 ABA CRIMINAL JUSTICE 59 (Fall 2009)

Incriminating Evidence – Too Hot to Handle?, 24 ABA CRIMINAL JUSTICE 42 (Summer 2009)

Are We Blind to Innocence?, 24 ABA CRIMINAL JUSTICE 49 (Spring 2009)

Conceding Guilt, 23 ABA CRIMINAL JUSTICE 57 (Fall 2008)

Confidentiality and Wrongful Incarceration, 23 ABA CRIMINAL JUSTICE 46 (Summer 2008)

New Rules for Scientific and Exculpatory Evidence, 23 ABA CRIMINAL JUSTICE 44 (Spring 2008)

Counsel or Client – Who's in Charge?, 23 ABA CRIMINAL JUSTICE 34 (Winter 2008)

Prosecutorial Disclosure of Exculpatory Information in the Guilty Plea Context: Current Law, 22 ABA CRIMINAL JUSTICE 50 (Fall 2007)

Prosecutorial Disclosure of Exculpatory Information During Plea Negotiations, 22 ABA CRIMINAL JUSTICE 42 (Summer 2007)

Implicit Plea Agreements and Brady Disclosure, 22 ABA CRIMINAL JUSTICE (Spring 2007)

Campaign Pledges to Prosecute, 22 ABA CRIMINAL JUSTICE 40 (Winter 2007)

Client Autonomy and Choice of Counsel, 21 ABA CRIMINAL JUSTICE 57 (Fall 2006)

Corporate Privilege Waivers in Plea Negotiations, 21 ABA CRIMINAL JUSTICE 42 (Summer 2006)

To Tape or Not to Tape: Secret Recordings, 21 ABA CRIMINAL JUSTICE 36 (Spring 2006) reprinted in *The Best Articles Published by the ABA*, 23 GP SOLO 26 (Sept. 2006)

Destroying Documents, 20 ABA CRIMINAL JUSTICE 50 (Winter 2006)

Why Should Prosecutors "Seek Justice"?, 20 ABA CRIMINAL JUSTICE 65 (Summer 2005)

Are a Prosecutor's Responsibilities "Special"? 20 ABA CRIMINAL JUSTICE 58 (Spring 2005)

Should Prosecutors Use Inconsistent Arguments?, 19 ABA CRIMINAL JUSTICE 47 (Winter 2005)

The Role of Lawyers in Client Media Campaigns, 19 ABA CRIMINAL JUSTICE 48 (Fall 2004)

Trial by Media: Arguing Cases in the Court of Public Opinion, 19 ABA CRIMINAL JUSTICE 47 (Summer 2004)

Clients, Lawyers, and the Media, 19 ABA CRIMINAL JUSTICE 77 (Spring 2004)

Thou Shalt Not Use Religion in Closing Argument, 19 ABA CRIMINAL JUSTICE 43 (Winter 2004)

Brother's Keeper: Must You Protect Opponent's Confidentiality?, 18 ABA CRIMINAL JUSTICE 43 (Fall 2003) reprinted in *The Best Articles Published by the ABA*, 21 GP-SOLO 20 (March, 2004)

Has Gideon's Promise Been Fulfilled?, 18 ABA CRIMINAL JUSTICE 46 (Summer 2003)

Inadequate Representation and Wrongful Convictions, 18 ABA CRIMINAL JUSTICE 57 (Spring 2003)

The Alternative Perpetrator Strategy, 18 ABA CRIMINAL JUSTICE 32 (Winter 2003)

The Ethics of Witness Preparation, 17 ABA CRIMINAL JUSTICE (Fall 2002)

The Supreme Court and Defense Counsel Conflicts, 17 ABA CRIMINAL JUSTICE 40 (Spring 2002)

Anti-Contact Rule in Criminal Cases, 17 ABA CRIMINAL JUSTICE 44 (Winter 2002)

Disclosing Exculpatory Material in Plea Negotiations, 16 CRIMINAL JUSTICE 41 (Fall, 2001)

Other Miscellaneous Writings:

Changing Ethics Rules Is Key to Law Firm Innovation, LAW360, Aug. 7, 2019, at <https://www.law360.com/trials/articles/1182253/changing-ethics-rules-is-key-to-law-firm-innovation> (co-author)

Battering Down Sentence, THE COMMON READER (Apr. 2017) (Reviewing HEATHER ANN THOMPSON, BLOOD IN THE WATER: THE ATTICA UPRISING OF 1971 AND ITS LEGACY (2016))

When Justice is Unequal, NEW YORK TIMES, Feb. 1, 2016, at <http://nyt.ms/1WXYUB8> (letter to the editor)

Prosecutors' Misconduct, NEW YORK TIMES, April 21, 2015, at A22 (letter to the editor)

How Damage Caps Harm Public Safety and Justice, NEW YORK TIMES, Jan. 7, 2015, at A22 (letter to the editor)

ENCYCLOPEDIA OF THE FIRST AMENDMENT (Vile et al. eds. CQ Press 2009) entries:

“*Bar Admissions*,” at 135

“*In re R.M.J. (1982)*,” at 601

“*Konigsberg v. State Bar (1961)*,” at 644

Spaulding v. Zimmerman: Exploring the Ethics and Morality of Lawyers and Physicians in Practice, 1277 JURISUTO 80 (2004)

Law Students in Court: Providing Access to Justice, EJOURNAL USA ISSUES OF DEMOCRACY, Aug. 2004, available at <http://usinfo.state.gov/journals/itdhr/0804/ijde/joy.htm>

Professional Legal Ethics: A Comparative Perspective, (2002) available at http://papers.ssrn.com/paper.taf?abstract_id=321700 (contributor)

AALS Issues a Strong Statement in Support of Academic Freedom for All Clinical Faculty, 1 CLINICAL LEGAL EDUCATION NEWSLETTER 35 (2001) (with McCormack)

‘Pay to Play’ Justice, NEW YORK TIMES, Jan. 15, 2000, at A18 (letter to the editor)

Insulation Needed for Elected Judges, NATIONAL LAW JOURNAL, Jan. 10, 2000, at A19.

Clinical Experience Translates to Client Experience, 11 NATIONAL ASSOCIATION LAW PLACEMENT BULLETIN (1998)

Ethics Perspectives: What Are the Ethical Ramifications of an "Of Counsel" Affiliation? 68 CLEVELAND BAR JOURNAL 20 (1997)

Amendments to Disciplinary Rules Create New Expectations for Ohio Lawyers, LAW & FACT, Jan.-Feb. 1997, at 12

Clients Are Consumers, Too, 82 ABA JOURNAL 120 (April, 1996)

Losing Titles, OHIO LAWYER, Jan.-Feb. 1996, at 14.

A Time to Disrobe to Save Your Honor, NATIONAL LAW JOURNAL, Aug. 14, 1995, at A19.

Preserving the Bill of Rights, LAW & FACT, Jan.-Feb. 1991, at 3

Professional Responsibility Problems for First Year Courses, distributed to every ABA accredited and fee paid law school through Case Western Reserve University School of Law, 1991

Joinder and Severance, PUBLIC DEFENDER REPORTER, 17 (Nov.-Dec., 1979) (co-author)

Editorial and Columnist Positions:

Columnist (previous title Contributing Editor), ABA CRIMINAL JUSTICE, 2001-present

Board of Editors, INTERNATIONAL JOURNAL OF CLINICAL LEGAL EDUCATION, 2015 to present
 ABA Section of Legal Education and Admissions to the Bar Publications Committee, 2015-2021
 Board of Editors, CLINICAL LAW REVIEW, 2005-11
 Board of Editors, OHIO LAWYER, 1996-98

Presentations (Current Period):

“Clinical Legal Education in American Law Schools and Its Social Contribution, 84th Annual Conference Japan Society for Comparative Law, Tokyo, Japan (June 2021) (participated via Zoom)

“Current and Future Challenges for Clinical Legal Education,” Conference on Experiential Learning and Innovations in Legal Education 2019, Faculty of Law, The University of Hong Kong (October 2019) (participated via Skype)

“Making the Incompetent Accused Fit for Trial: The U.S. Approach to Competency to Stand Trial,” XXXVIth International Congress on Law and Mental Health, Rome, Italy (July 2019)

“Money Laundering and Lawyers’ Independence in the Pacific Rim,” International Legal Ethics Conference, Melbourne, Australia (December 2018)

“Client Confidentiality and the Digital Realm,” INTERNATIONAL JOURNAL OF CLINICAL LEGAL EDUCATION Conference, Melbourne, Australia (December 2018)

“Reflections on Adrian Evans’s Contributions Internationally to Clinical Legal Education and Legal Ethics,” Adrian Evans Festschrift, Monash University, Melbourne, Australia (November 2018)

“Judges Misuse of Contempt in Criminal Cases and the Limits of Advocacy,” Southeast Association of Law Schools Conference, Ft. Lauderdale, Florida (July 2018)

“Client Confidentiality in the Digital Realm,” AALS Clinical Conference, Chicago, Illinois (May 2018)

“The Great Recession and American Legal Education,” The Fourth Waseda and UC-Berkeley Joint Conference on Professional Legal Education, Tokyo Japan (December 2017)

“Why Clinicians Should Develop Best Practices for Clinical Legal Education for Their Country,”

INTERNATIONAL JOURNAL OF CLINICAL LEGAL EDUCATION Conference, Newcastle Upon Tyne, UK (July 2017)

“Early Effects of New Experiential Education Standards on Law Schools,” lunch plenary at the AALS Directors Conference, Denver, Colorado (May 2017)

“Tumultuous Ten Years and Beyond: Experiences and Prospects of Clinical Legal Education in Japan,” AALS Clinical Conference, Denver, Colorado (May 2017)

“Case Disposition and Its Consequences in Misdemeanor Cases,” panel moderator, at Judicial Responsibility for Justice in Criminal Courts National Conference sponsored by the Freedman Institute at Hofstra University School of Law (April 2017)

“Blueprint for the Future of Clinical Legal Education,” Campbell Oration, Monash University Law School, Melbourne, Australia (May 2016)

“Emerging Ethics Issues with New Technology,” presentation to faculty, students, and alumni at University of Missouri-Columbia School of Law (January 2016)

“ABA Standards, Clinical Legal Education, and the New Normal: Has Anything Changed?,” AALS Clinical Conference, Rancho Mirage, California (May 2015)

“Unequal Assistance of Counsel,” KANSAS JOURNAL OF LAW & PUBLIC POLICY Symposium, Lawrence, Kansas (February 2015)

“Prosecutorial Ethics and Criminal Discovery,” Japan Federation of Bar Associations (JFBA), Tokyo, Japan (December 2013)

“Criminal Discovery,” Hitotsubashi University Law School, Kinatachi, Japan (December 2013)

“Systemic Barriers to Effective Assistance of Counsel in Plea Bargaining,” faculty workshop at the University of Denver School of Law, Denver, Colorado (November 2013)

“Systemic Barriers to Effective Assistance of Counsel in Plea Bargaining,” IOWA LAW REVIEW Symposium, Iowa City, Iowa (October 2013)

“Strengthening Clinical Legal Education by Developing Best Practices: Comparing Approaches,” INTERNATIONAL JOURNAL OF CLINICAL LEGAL EDUCATION Conference keynote, Brisbane, Australia (July 2013)

“Are We Abandoning the In-House Clinic? In-House Clinics, Community-Based/Community Lawyering Hybrid Clinics, and Experiential Practicum/Lab Courses,” AALS Clinical Conference, San Juan, Puerto Rico (May 2013)

“Law Schools and the Legal Profession: A Way Forward,” AKRON LAW REVIEW Symposium, Akron, Ohio (March 2013)

“Evidence of Innocence and Prosecutorial Ethics,” Japan Federation of Bar Associations (JFBA), Tokyo, Japan (December 2012)

“Prosecutorial Ethics,” Hitotsubashi University Law School, Kinatachi, Japan (December 2012)

“Generational Differences and Criminal Justice Issues in Clinical Courses: From *Perry Mason* and *Andy Griffith* to *LA Law* and *Hill City Blues* to *Law & Order* and *the Wire*,” Midwest Clinical Conference, St. Louis University Law School, St. Louis, Missouri (November 2012)

“The Criminal Discovery Problem: Is Legislation a Solution?,” faculty workshop at Elon University School of Law, Greensboro, North Carolina (October 2012)

“Federal Criminal Discovery Reform: A Legislative Approach,” MERCER LAW REVIEW Symposium, Macon, Georgia (October 2012) (commentator)

“Hired Gun? The Principle and Limits of Zealous Advocacy as a Measure of the Ethical Lawyer,” University of Northumbria Law School (March 2012)

“Curriculum Development for Improving Legal Education: Building on *Best Practices for Legal Education* and *Educating Lawyers*,” faculty workshop, University of Baltimore School of Law (March 2012)

“Does the First Amendment Protect Attorney Advice, Assistance, and Representation?,” moderator, AALS Annual Meeting Professional Responsibility Section Program, Washington, D.C. (January 2012)

“Academic Freedom in Contexts of Experiential Learning and Community-Based Research,” State University of New York at Buffalo, School of Law (February 2011)

“Government Control of Law School Clinics,” Government Speech Symposium, sponsored by the CASE WESTERN RESERVE LAW REVIEW (November 2010)

“Developing Professional Identity for Lawyers,” INTERNATIONAL JOURNAL OF CLINICAL LEGAL EDUCATION Conference keynote, Newcastle upon Tyne, United Kingdom (July 2010)

“Ensuring the Ethical Representation of Clients in the Face of Excessive Caseloads,” Broke and Broken: Can We Fix Our State Indigent Defense Systems?,” sponsored by the MISSOURI LAW REVIEW (February 2010)

“What Makes an Ethical Lawyer?,” Visiting Professor inaugural lecture, University of Northumbria Law School (November 2009)

“Curriculum Development,” University of Indiana-Bloomington School of law faculty presentation (November 2009)

“Best Practices for Prosecutors’ Offices to Overcome Cognitive Biases,” 2009 Hofstra Legal Ethics Conference, Power, Politics & Public Service: The Legal Ethics of Lawyers in Government, Hofstra University School of Law (October 2009)

“Lawyering in the Academy: The Intersection of Academic Freedom and Professional Responsibility,” lunch keynote at AALS Clinic Directors Conference, Cleveland, Ohio (May 2009)

“The Clinician in Today’s Legal Academy,” plenary speaker, 2009 Midwest Clinical Conference, University of Indiana-Bloomington School of Law (October 2008)

“Exploring How Large U.S. Law Firms Promote Ethical Practice,” International Ethics Conference, Brisbane, Australia (July 2008); Monash University Law School faculty seminar, Melbourne, Australia (July 2008)

“Teaching Ethics and Professional Development: Legal Education at a Crossroads,” 34th ABA National Conference on Professional Responsibility, Boston, Massachusetts (May 2008)

“Commemoration of the Founding of the Japan Clinical Legal Education Association (JCLEA): Opportunities for Collaboration,” keynote, Tokyo, Japan (April 2008)

“*Best Practices for Educating Lawyers & Assessing Clinical Students*,” 2007 Midwest Clinical Conference, Drake University School of Law (October 2007)

“*Best Practices for Educating Lawyers & Law School Curriculum Planning*,” University of New Mexico School of Law faculty and staff presentation (October 2007); NOVA School of Law faculty presentation (September 2007)

“Challenging Assumptions About Legal Education: *Best Practices for Educating Lawyers*,” Association of Legal Writing Directors Conference keynote, University of Denver School of Law (June 2007); Southeast Legal Writing Faculty Conference keynote, NOVA University School of Law (September 2007)

“Legal Education and the Ethical Development of the Legal Professional: Promoting Justice and Fairness,” INTERNATIONAL JOURNAL OF CLINICAL LEGAL EDUCATION Conference, Johannesburg, South Africa (July 2007)

“Criminal Clinical Legal Education in the World: A Professor’s View,” Criminal Clinical Education in the U.S. and Japan Workshop, sponsored by Waseda University Law School, Tokyo, Japan (March 2007)

“*Brady* and Jailhouse Snitches: Responding to Injustice,” Prosecutorial Ethics and the Right to a Fair Trial: The Role of the *Brady* Rule in the Modern Criminal Justice System Symposium, sponsored by the CASE WESTERN RESERVE LAW REVIEW (January 2007)

“Practical Pointers for Developing a Research and Scholarship Agenda,” 2006 Midwest Clinical Conference, University of Notre Dame Law School (October 2006)

“The Relationship Between Prosecutorial Misconduct and Wrongful Convictions: Shaping Remedies for a Broken System,” Preventing Wrongful Convictions Symposium, sponsored by the WISCONSIN LAW REVIEW (November 2005)

“The Globalization of Clinical Legal Education,” Sixth International Clinical Conference, sponsored by UCLA and University of London, Lake Arrowhead, California (October 2005)

“Political Interference in Clinical Programs: Lessons from the U.S. Experience,” Third INTERNATIONAL JOURNAL OF CLINICAL LEGAL EDUCATION and Eighth Australian Clinical Legal Education Conferences, Melbourne, Australia (July 2005)

“The Birth of the Waseda Law Clinics: Bridging Theory and Practice,” Dedication Lecture at the Opening Ceremony for the Waseda Law School Clinical Program, Tokyo, Japan (May 2005)

“Clinical Legal Education from a Student’s Perspective: Learning How to Think and Act Like a Lawyer,” Dean’s Invited Lecture, Kokugakuin Law School, Tokyo, Japan (May 2005)

“Lessons Learned from New Clinicians,” CLEA New Clinical Teachers Conference, Cleveland (2009), New Orleans (2007), Chicago (2005) and Vancouver, Canada (2003)

“Challenges of Providing Clinical Programs for Part Time Students,” Omiya Law School, Omiya, Japan (December 2004)

“Conflicts of Interest in the Legal and Medical Professions,” Legal and Medical Ethics Conference sponsored by the University of Tokyo (December 2004)

“Ready from Day One: What Should Law Graduates Be Able to Do?,” 2004 ABA Annual Meeting, Atlanta, Georgia (August 2004)

“The Three Hardest Questions For Clinical Legal Education in Japan,” Public Lecture sponsored by the Japan Federation of Bar Associations, Tokyo, Japan (June 2004)

“Challenges Facing the Waseda Law Faculty in Starting a Criminal Clinic,” Waseda University Law School (June 2004)

“*Spaulding v. Zimmerman*: Exploring the Ethics and Morality of Lawyers and Physicians in Practice,” University of Tokyo (July 2004)

“Teaching Legal Ethics in Law School,” Aichi University, Nagoya, Japan (July 2004)

“Legal Ethics and Lawyer Discipline in the United States,” sponsored by the ABA-Asia Law

Initiative, Komite Kerja Advokat Indonesia, and Pusat Studi Hukum & Kebijakan Indonesia, Workshop on the Indonesian Advocates Code of Ethics: Steps Towards Enforcement, Jakarta, Indonesia (February 2004)

“The Ethics of Law Students as Student Lawyers,” Faculty Workshop, Kansas University School of Law (November 2003)

“Rationing Legal Services in Clinical Programs,” Midwest Clinical Teachers Conference, sponsored by law schools, St. Paul, Minnesota (November 2003)

“The Ethics of Law School Clinic Students as Student Lawyers,” SOUTH TEXAS COLLEGE OF LAW REVIEW Symposium (October 2003)

“Recent Developments in Clinical Legal Education and Ethics Instruction in American Law Schools, Meeting of the Legal Education Committee of the Japan Federation of Bar Associations, Tokyo, Japan (July 2003)

“The Ethics of Law School Students and Professors,” 2003 ABA 29th National Conference on Professional Responsibility, Chicago, Illinois (May 2003)

“Evolution of ABA Externship Standards: Steps in the Right Direction,” National Externship Conference, sponsored by The Catholic University School of Law (March 2003)

Presentations (Beyond Current Period):

Numerous presentations on various subjects at annual meetings and conferences sponsored by the American Bar Association (ABA), Federal Judicial Center, Association of American Law Schools (AALS), the Clinical Legal Education Association (CLEA), as well as conferences or lectures sponsored by Aoyama Gakuin University, Case Western Reserve University, DePaul University, Hitotsubashi University, Kokugakuin University, Rutgers Law School-Newark, University of Minnesota, Monash University, Northumbria University, Stanford University’s Keck Center on Legal Ethics and the Legal Profession, St. Louis University, University of Illinois, University of Kansas, University of Michigan, University of South Carolina, University of Tokyo, Washington University in St. Louis, Waseda University, William Mitchell Law School, University of Wisconsin, the Cleveland City Club, and the Cleveland Council on World Affairs.

Numerous continuing legal education (CLE) presentations to lawyers and judges on a wide range of subjects sponsored by the ABA, state and local bar associations, The Federal Judicial Center, federal district courts, state courts, professional organizations, state and federal prosecutor and public defender offices, and law schools in several states.

Education:

J.D., CASE WESTERN RESERVE UNIVERSITY SCHOOL OF LAW (1977);
Martin Luther King, Jr. Award

A.B., *summa cum laude*, Political Science, YOUNGSTOWN STATE UNIVERSITY (1974);
The Vindicator Award; *Phi Kappa Phi* Honor Society; Gould Honor Society

Practice of Law:

Practice of law in connection with clinical teaching in Ohio and Missouri, supervising attorney and direct representation of clinic clients from 1978-98 in Ohio and supervising attorney from 1998 to present in Missouri; representation of private clients from 1978-98 in Ohio; legal ethics consulting and pro bono representation of clients from 1998 to present in Missouri

MECKLER AND MECKLER, Cleveland, Ohio

Of Counsel (1980-88), primarily civil practice; accepted appointments from the Cuyahoga County Court of Common Pleas as an arbitrator and guardian ad litem

CENTER FOR HUMAN SERVICES, Cleveland, Ohio

Consultant Mediator (1983-88)

LAW STUDENTS CIVIL RIGHTS RESEARCH COUNCIL (LSCRRC), Atlanta, Georgia

National Co-Director (1977-78)

At-Large Service:

American Law Institute (ALI), elected member

National Conference of Bar Examiners, Subject Matter Expert for the Multistate Professional Responsibility Examination (MPRE) (2018 to present)

Association of American Law Schools (AALS)

Professional Responsibility Section (Chair, 2011) (Executive Committee, 2008-12)

Committee on Academic Freedom and Tenure (2005-08; 2009-10)

Standing Committee on Clinical Legal Education (2010-14)

Clinical Section (Chair, 1997) (Executive Committee, 1994-98) (committees, 1991-2004)

2012 Clinical Conference Planning Committee (Chair, 2011-12)

Externship White Paper Committee (1997-2001)

ABA Section of Legal Education and Admissions to the Bar,

Appeals Panel (2018 to present)

Accreditation Fact Finder (2017 to present)

Standards Review Committee (2014-18)

Foreign Programs Committee (2014-16)

Accreditation Committee (2008-14)

Clinical & Skills Education Committee (2005-08)

Member of more than twenty-five ABA Site Teams, five as chair

ABA-Asia Law Initiative, Indonesia, 2004 (consultant)

Center for the Study of Applied Legal Education Board Member & Secretary (2004 to present)

Clinical Legal Education Association (CLEA) (President, 2002; Vice President, 2001; Board Member, 1994-2003) (various committees, 1993-2009)

Society of American Law Teachers (SALT) (Board Member, 2008-16)

Awards:

AALS Section on Clinical Legal Education Pincus Award (2001)

AALS Section on Clinical Legal Education Special Recognition (1999)

Bar Admission, Memberships and Activities:

Admitted, Ohio (1977); District of Columbia (1979) (inactive); Missouri (1998); 6th (1983), 3rd (1984), 5th (1999) and 8th (1999) Circuits; U.S. Supreme Court (1995) & various district courts American Bar Association, ABA Center for Professional Responsibility, Missouri Bar Association, and former member of the Ohio Bar Association, Cleveland Bar Association, and Cuyahoga County Bar Association

Special Investigator for the Ohio Supreme Court Board of Commissioners on Character and Fitness (1990-91); Cleveland Bar Association Ethics Committee (1987-98) and Advertising Committee (1989-90); Cuyahoga County Bar Association – Ethics Committee (1989-90, 1991-98, Vice-Chair, 1997-98) and Judicial Selection/Standards Committee (1994-98); Joint Cleveland-Cuyahoga County Bar Admissions Committee (1987-92)

Public Comment:

Quoted in various print and electronic media, including *The BBC*, *The Economist*, *The New York Times*, *The Wall Street Journal*, *Christian Science Monitor*, *Newsweek*, *Time Magazine*, *The New Yorker*, *Rolling Stone*, *ABC News*, *CBS News*, *CNN*, *ESPN*, *Dateline NBC*, *Reuters*, *National Public Radio*, *Canada National Television*, *China Central TV*, *USA Today*, *AP Wire*, *The Progressive*, *St. Louis Public Radio*, *The Los Angeles Times*, *The Atlanta Journal Constitution*, *The Boston Herald*, *The Cleveland Plain Dealer*, *The St. Louis Post-Dispatch*, *ABA Journal*, *ABA Journal eReport*, *ABA Student Lawyer*, *The American Lawyer*, *LawyersUSA*, *Legal Affairs*, *The Legal Times*, *Law360*, *The National Law Journal*, *National Jurist*, *WNYC*, and other media outlets.

Consulting and Public Service:

Outside reviewer for book proposals and articles submitted to: Cambridge University Press; Oxford University Press; Ashgate Publishing; Aspen Publishing; University of Notre Dame Press; *Yale Law Journal*; *The International Journal of Clinical Legal Education*; *The Journal of Legal Education*; *The Journal of Law, Medicine & Ethics*; *Law & Society Review*; *Social Science & Medicine*; and *Nonprofit Management & Leadership*

Qualified as an expert witness for legal ethics and lawyer professional negligence by state and federal courts in Kansas, Massachusetts, Missouri, and Ohio and prepared reports for matters in other states

AV Rating Martindale-Hubbell, 1980-present