

David Pimentel

875 Perimeter Dr.
Moscow, ID 83844-2321

+1-208-874-7562
dpimentel@uidaho.edu

EXPERIENCE

Academic

- Aug 2015-
present **University of Idaho, College of Law, Moscow, ID**
Professor of Law (Associate Professor until August 2019) and
Associate Dean for Faculty Development (October 2018 – May 2021) – teaching Torts,
Contracts, Remedies, Comparative Law, and Law and Economics; Diversity and Human Rights
Committee member (2015-16) and chair (2016); Appointments Committee vice-chair (2017-18)
and chair (2018-2021); University Promotions Committee member (2017-18); University
Dismissal Hearings Committee member (2017-2022) and chair (2018-19, 2021-2022);
University Curriculum Committee member (2018-19); J. Reuben Clark Law Society faculty
advisor (2015-18); Idaho Critical Legal Studies Journal faculty advisor (2017- present).
- Aug 2012-
July 2015 **Ohio Northern University, Claude W. Pettit College of Law, Ada, OH**
Visiting Associate Professor (2012-15) – taught Public Law and Legislative Process, Property, Law
and Economics, and, in the LL.M. Program, American Legal System, and the Rule of Law Seminar;
faculty adviser to the International Law Society (2014-15); chaired Student-Faculty Relations
Committee (2013-14) and served on the Faculty Engagement and Development Committee (2013-
present) and the Strategic Planning Committee (2014-15)
- Dec 2011 **Hong Kong University, Centre for Comparative and Public Law, Hong Kong, China**
Visiting Fellow – lecturing and research on post-conflict justice and judicial reform
- May 2011-
July 2011 **Université d’Auvergne, Clermont-Ferrand, France**
Visiting Professor – taught summer course on post-conflict justice
- Sep 2010-
May 2011 **University of Sarajevo, Faculty of Law, Sarajevo, Bosnia & Herzegovina**
Visiting Professor/Fulbright Scholar – researched impact of post-war judicial reform; lectured
- Aug 2007-
May 2012 **Florida Coastal School of Law, Jacksonville, FL**
Associate (previously Assistant) Professor of Law – taught Criminal Law, Remedies, Torts,
Comparative Law, Law and Economics, and Int’l Rule of Law; chaired Academic Standards
Committee (2009-10); faculty adviser to the Hispanic American Law Students Association and to
the J. Reuben Clark Law Society

Rule of Law Reform and Judicial Administration

- Jan 2014-
July 2015 **Ohio Northern University, Claude W. Pettit College of Law, Ada, OH**
Interim Director, Democratic Governance and Rule of Law LL.M. Program (2014-15)
Director, Center for Democratic Governance and Rule of Law (2014)
- May 2006-
Jan. 2007 **United Nations Mission in Sudan (UNMIS), Juba, Sudan**
Senior Judicial Affairs Officer and Head of Rule of Law for Southern Sudan (P5) – oversaw
UNMIS’s efforts to foster rule of law development in South Sudan, working with the judiciary of
the newly-formed Government of Southern Sudan, executive agencies, NGOs, and other donors
- Feb. 2003-
May 2006,
Jan 2007-
July 2007 **United Nations, International Criminal Tribunal for the former Yugoslavia,**
The Hague, Netherlands
Chief of Court Management (P5) – supervised a staff of over 40, facilitating courtroom
proceedings and overseeing case filings, documents and archives; implemented electronic case files
system and “eCourt” (allowing paperless trials); overhauled and administered legal aid system

Oct.2002-
Jan. 2003 **ABA / Central European and Eurasian Law Initiative (CEELI)**, Bucharest, Romania
Legal Specialist – led the Romania office of CEELI (now the ABA Rule of Law Initiative); pursued projects on court administration reform, judicial education, and ethics in the Romanian judiciary

Jan. 2002-
Oct. 2002 **Independent Judicial Commission**, Sarajevo, Bosnia & Herzegovina
Court Reform Consultant
– led a project to map a restructuring of the BiH court system, on a direct contract with USAID
– served as the court administration expert on a Norwegian-funded court reform project

Aug. 1998-
Jan. 2002 **United States Courts for the Fifth Circuit**, Office of the Circuit Executive, New Orleans, LA
Deputy Circuit Executive – served as the Circuit Executive’s chief deputy, overseeing staff work for the Judicial Council of the Fifth Circuit and the Chief Circuit Judge

Aug. 1997-
July 1998 **United States Supreme Court**, Washington, DC
Supreme Court Fellow – special research projects for the Rules Committees of the U.S. Judicial Conference, the Administrative Office of the U.S. Courts and the U.S. Sentencing Commission

Oct. 1991-
Aug. 1997 **United States Courts for the Ninth Circuit**, Office of the Circuit Executive, San Francisco, CA
Assistant Circuit Executive for Legal Affairs – provided legal advice to the Circuit Council; served as chief ethics officer in the circuit; conducted investigations and hearings on charges of judicial misconduct; staffed committees on, *inter alia*, Jury Instructions, Local Rules, Capital Cases, Criminal Justice Act Implementation, Civil Justice Reform Act Review, and Tribal Courts

Oct. 1990-
Oct. 1991 **United States District Court**, Honolulu, HI
Law Clerk to Senior U.S. District Judge Martin Pence – legal research, briefing, and drafting

Active Law Practice

Sept. 1988-
Sept. 1990 **Perkins Coie**, Seattle, WA
Associate Attorney – litigation in federal and state court: discovery, trial, appeals, and arbitration

EDUCATION

Legal **University of California, Berkeley**
Harvard Law School, Cambridge, Massachusetts (third year)
May 1988 J.D. (awarded by Berkeley)
• *California Law Review*, member
• Concurrently enrolled in Ph.D. program in Economics at Berkeley (ABD as of 1987)

General **University of Graz (Karl-Franzens-Universität Graz)**, Graz, Austria
Oct. 2022-
present Centre for Southeastern European Studies
Law & Politics (Ph.D. in progress, expected completion Spring 2025)

Dec. 1987 **University of California, Berkeley**
M.A. Economics
• Field exams: Law & Economics, Labor Economics

Aug. 1984 **Brigham Young University**, Provo, Utah
B.A. Economics, *summa cum laude*

PUBLICATIONS & OTHER WRITINGS

Rule of Law Reform and Judicial Administration

2023 *Lessons from a Small and Troubled Country: Bosnia’s Struggling Judiciary Paints an Ominous Picture for the Rule of Law in the United States*, 45 MITCHELL HAMLIN LAW JOURNAL OF PUBLIC POLICY AND PRACTICE ____ (2023)

Reinforcing the Rule of Law in the Western Balkans, (work in progress)

- Concept Formation and the Rule of Law*, (work in progress)
- 2016 *Balancing Judicial Independence and Accountability in a Transitional State: The Case of Thailand*, 33 UCLA PAC. BASIN L. J. 155 (2016)
- 2015 *Legal Education as a Rule of Law Strategy – Problems and Opportunities with U.S.-based Programs*, 22 U.C. DAVIS J. INT’L L. & POL’Y 41 (2015)
- Rule of Law Reform in Transitional States: Bringing Method to the Madness* (a review of RACHEL KLEINFELD, ADVANCING THE RULE OF LAW ABROAD: NEXT GENERATION REFORM), 13 SANTA CLARA J. INT’L L. 467 (2015) (solicited)
- 2014 *Culture and the Rule of Law: Cautions for Constitution-making*, 37 FORDHAM INT’L L. J. ONLINE 101 (2014); published separately, in Turkish, as a chapter in FATİH ÖZTÜRK, ED., YENİ ANAYASA İÇİN YOL HARİTASI 67 (2012), and in English, in FATİH ÖZTÜRK, MURAT YANIK, HÜSEYİN ÖZCAN, ED., A ROAD MAP OF A NEW CONSTITUTION FOR TURKEY: ESSAYS IN COMPARATIVE CONSTITUTIONAL LAW 81 (2014)
- Prospects for the Rule of Law in South Sudan*, JURIST – Forum, Jan. 29, 2014
<http://jurist.org/forum/2014/01/david-pimentel-south-sudan.php>
- 2013 *Judicial Independence in Post-conflict Iraq: Establishing the Rule of Law in an Islamic Constitutional Democracy* (with Brian Anderson), 46 GEO. WASH. INT’L L. REV. 29 (2013)
- 2011 *Judicial Independence at the Crossroads: Grappling with Ideology and History in the New Nepali Constitution*, 21 IND. INT’L & COMP. L. REV. 207 (2011); published simultaneously in the sub-continent at 5 INDIAN J. CONST. L. 77 (2011)
- Legal Pluralism in Post-colonial Africa: Linking Statutory and Customary Adjudication in Mozambique*, 14 YALE HUMAN RTS. & DEV. L. J. 59 (2011)
- Foreword*, MUSTAFA TÖREN YÜCEL, JUDICIAL REFORM AND DEMOCRACY (YARGI REFORMU VE DEMOKRASİ) (published in Turkish and English by Çankaya University, 2011)
- 2010 *Legal Pluralism and the Rule of Law: Can Indigenous Justice Survive?*, 32(2) HARV. INT’L. REV. 32 (2010) (solicited)
- Constitutional Concepts for the Rule of Law: A Vision for the Post-Monarchy Judiciary in Nepal*, 9 WASH. U. GLOBAL STUD. L. REV. 283 (2010)
- Rule of Law Reform without Cultural Imperialism: Strengthening Customary Justice through Collateral Review in Southern Sudan*, 2 HAGUE J. ON RULE L. 1 (2010) (peer reviewed)
- 2009 *The Reluctant Tattle-tale: Closing the Gap in Federal Judicial Discipline*, 76 TENN. L. REV. 909 (2009)
- Reframing the Independence v. Accountability Debate: Defining Judicial Structure in Light of Judges’ Courage and Integrity*, 57 CLEV. ST. L. REV. 1 (2009)
- 2008 *Restructuring the Courts: In Search of Basic Principles for the Judiciary of Post-war Bosnia and Herzegovina*, 9 CHI. J. INT’L LAW 107 (2008)
- 2004 *Technology in a War Crimes Tribunal: Recent Experience at the ICTY*, 12 WM. & MARY BILL OF RTS. J. 715 (2004).
- Forfeiture Law**
- 2018 *Forfeiture Policy in the United States: Is There Hope for Reform?* 17 CRIMINOLOGY & PUB. POL’Y 129 (2018)
- 2017 *Forfeitures and the Eighth Amendment: Applying the Excessive Fines Clause as a Check on Government Seizures*, 11 HARV. L. & POL’Y REV. 541 (2017)

2012 ***Forfeitures Revisited: Bringing Principle to Practice in Federal Court***, 13 NEV. L. J. 1 (2012)
• cited in *United States v. \$196,969.00*, 719 F.3d 644 (7th Cir. 2013) (J. Posner)

1999 ***Forfeiture Procedure in Federal Court: An Overview***, 183 F.R.D. 1 (1999)

Child Protection, Juvenile and Family Law

2023 ***Legislating Childhood Independence***, 50 PEPP. L. REV. 285 (2023)

2019 ***Punishing Families for Being Poor: How Child Protection Interventions Threaten the Right to Parent while Impoverished***, 71 OKLA. L. REV. 883 (2019)

2018 ***Free-range parenting gets legal protection in Utah – but should the state dictate how to parent?***
THE CONVERSATION (June 5, 2018) <https://theconversation.com/free-range-parenting-gets-legal-protection-in-utah-but-should-the-state-dictate-how-to-parent-97284>

2017 ***Protecting the Free-Range Kid: Recalibrating Parents’ Rights and the Best Interest of the Child***, 38 CARDOZO L. REV. 1 (2016), republished in 30 MINN. FAMILY L. J. 235 (2017)

2016 ***The Impact of Obergefell: Traditional Marriage’s New Lease on Life?***, 30 B.Y.U. J. PUB. L. 251 (2016)

2014 ***Fearing the Bogeyman: How the Legal System’s Overreaction to Perceived Danger Threatens Families and Children***, 42 PEPP. L. REV. 235 (2014)

Amicus Brief, New Jersey Dep’t of Children and Families v. E.D.-O, Supreme Court of New Jersey, No. 073916 (2014), arguing for the grant of review to reconsider and reverse a finding of child endangerment, upheld by the Court of Appeals, against a mother who left her child in a parked car for a short time; review was ultimately granted, and the decision was unanimously reversed

Op-Ed, *NJ courts interfere with parents’ child-rearing rights*, N.J. STAR-LEDGER, January 30, 2014 http://blog.nj.com/njv_guest_blog/2014/01/nj_courts_interfere_with_paren.html

2013 ***The Widening Maturing Gap: Trying Juveniles as Adults in an Era of Extended Adolescence***, 46 TEXAS TECH L. REV. 72 (2013) (solicited)

2012 ***Criminal Child Neglect and the “Free Range Kid”: Is Overprotective Parenting the New Standard of Care?***, 2012 UTAH L. REV. 947 (2012)

- over 20,000 downloads
- quoted at length and relied upon in *State v. Cummings*, 297 Kan. 716, 726-27 (2013)
- discussed at length and relied upon in *Hall v. State*, 448 Md. 318, 332-33 (2016)

Other Topics

2023 ***“You’re Gonna Need a Bigger Boat”: Assessing the Relationship Between Economic Performance and Ethno-nationalism in Bosnia and Herzegovina (2002-2022)*** (with Benetta Merlino, Lorenzo Ugurgieri, and Adrian Waters) (work in progress)

2022 ***A Cure for What Ails You: How Universal Healthcare Can Help Fix Our Tort System***, 100 OR. L. REV. 501 (2022)

2021 ***The Blues and the Rule of Law: Musical Expressions of the Failure of Justice***, 67 LOY. L. R. 191 (2021); republished in Romania in REVISTĂ FORUMUL JUDECĂTORILOR (Judges’ Forum Review) (Jan. 2022)

2020 ***Innovation in a Legal Vacuum: The Uncertain Legal Landscape for Shared Micro-Mobility***, 2020 J. L. & MOBILITY 17 (2020) (with Michael B. Lowry, Timothy W. Koglin, and Ronald W. Pimentel) (peer reviewed publication at University of Michigan Law School)

If You Provide, Will They Ride? Motivators and Deterrents to Shared Micro-Mobility, 6(6) INT’L J. BUS & APPLIED SOC. SCI. (June 2020) (with Ronald W. Pimentel, Michael B. Lowry,

Amanda K. Glazer, Timothy W. Koglin, Grace A. Moe, and Marianna M. Knysch) (peer reviewed)

- 2018 ***Cycling, Safety, and Victim-Blaming: Toward a Coherent Public Policy for Bicycling in 21st Century America***, 85 TENN. L. REV. 753 (2018)
Op-Ed, ***Quality of Life on Third Street and Bicycling the Corridor***, MOSCOW-PULLMAN DAILY NEWS (Jan. 19, 2018)

PEER REVIEW

Served as peer-reviewer for the following publishers/organizations:

- 2010-present **The Hague Journal on Rule of Law**, The Hague, Netherlands (Re: African Customary Law, Legal Pluralism, Human Rights)
- 2013-present **LEAD Journal** [Law, Environment and Development Journal], London, New Delhi (Re: Customary Law and Indigenous Rights to Resources)
- 2015-present **Routledge**, London, UK (Re: Politics and Human Rights in Sudan and South Sudan)
- 2015-present **State University of New York Press**, Albany NY (Re: Rule of Law in Post-Communist States)
- 2015-present **African Journal of Political Science and International Relations** (Re: Peacekeeping in Africa)
- 2016-present **Rubriq** (Re: Shari'a in Common Law Jurisdictions)
- 2016-present **Law & Social Inquiry** (Re: Colonial Influence in the Rule of Law in Sub-Saharan Africa)
- 2017-present **Criminology & Public Policy** (Re: Forfeitures)
- 2018-present **National Science Foundation** (Re: Rule of Law in Post-Conflict Societies)
- 2018-present **Cambridge University Press, Journal of African Law** (Re: Customary, Islamic, and Colonial Law in Africa)
- 2018-present **Canadian Journal of African Studies / La revue canadienne des études africaines** (Re: Legal Pluralism in Sub-Saharan Africa)
- 2019-present **The University of Hong Kong, Faculty of Law**, serve as External Examiner for the LL.M. Program, conducting annual review of the quality of the academic program
- 2020 **L'Università Bocconi**, Milan, Italy, review of scholarship of tenure candidate
- 2022-present **Criminal Justice Policy Review** (Re: Forfeitures)
- 2022-present **Maastricht Journal of European and Comparative Law** (Re: standards of independence for prosecutors)
- 2023-present **Oxford University Press, Policing: A Journal of Policy and Practice** (Re. Forfeitures)

ADDITIONAL PURSUITS AND AFFILIATIONS

Lectures/Presentations

- 2023 **University of Colorado Denver, The Kempe Center** for the Prevention and Treatment of Child Abuse and Neglect, International Virtual Conference: A Call to Action to Change Child Welfare, Aurora CO (October 2, 2023) "Why Letting Kids Play Isn't Child Neglect: Bringing Common Sense to Law and Child Welfare Practice" panel presentation (with Lenore Skenazy and Diane Redleaf)
- University of Idaho, College of Law**, Moscow Idaho (September 20, 2023)
"Post-Conflict Judicial Reform in Bosnia and Herzegovina: The False Promise of Judicial

Independence” – faculty colloquium presentation

Washington and Lee University School of Law, Law Review Symposium, Lexington VA (September 8, 2023), “Protecting Kids by Protecting Families: Why the Law Needs to Trust Parents”

University of Graz, Centre for Southeastern European Studies, Benediktinerstift Sankt Lambrecht im Bezirk Murau, Austria (June 27, 2023) “Post-Conflict Judicial Reform in Bosnia and Herzegovina: The False Promise of Judicial Independence”

2022 **University of Graz, Centre for Southeastern European Studies**, Schloss Retzhof, Wagna, Austria (December 5, 2022) “Post-conflict Judicial Reform in Bosnia and Herzegovina: What worked? What didn’t?”

University of Graz, Centre for Southeastern European Studies, Graz, Austria (November 8, 2022) “Redefining Judicial Independence: Issues in the Reform of the Bosnian Judiciary” (brownbag lecture series)

California State University San Bernadino, CSUSB Conversations on Race and Policing Series, San Bernadino CA (October 26, 2022) “Civil Asset Forfeiture: How is this Still a Thing?” (sole speaker webinar)

Georgetown Law School, Washington, D.C. (April 1, 2022) “State Intervention in the Family” guest lecture

University of Idaho, Lionel Hampton Jazz Festival, Moscow Idaho (February 25, 2022) “Music and the Rule of Law: from Blues to Hip-Hop” presentation

2021 **Delta State University, International Conference on the Blues**, Cleveland, Mississippi (October 1, 2021) “Music and the Rule of Law: The Blues’s legacy in legal reform augurs a future role for Hip-Hop” presentation

Institute of Religion (at University of Idaho), Moscow, Idaho (April 9, 2021) “I’m a Stranger Here Myself,” presentation reflecting on experiences doing court reform in various countries, and the role that culture plays in concepts of justice and of faith

Washington State University, Pullman, Washington (March 18, 2021) guest lecture in history, “International Response to Genocide – the case(s) of the former Yugoslavia”

2020 **University of Idaho, Lionel Hampton Jazz Festival**, Moscow Idaho (February 22-23, 2019) “The Blues and the Rule of Law: Musical Expressions of the Failure of Justice” presentation

Transportation Research Board 99th Annual Meeting, Washington, DC (Jan. 14-15, 2020)

- “Innovation in a Legal Vacuum: The Uncertain Legal Landscape for Shared Micro-mobility” (with Ronald W. Pimentel) – poster session
- “If You Provide, Will They Ride? Motivators and Deterrents to Bikeshare” (with Ronald W. Pimentel) – poster session

2019 **University of Idaho, College of Law**, Moscow Idaho (November 6, 2019) “Genocide – Thoughts and Reflections” – panel presentation

PacTrans CSET Regional Transportation Conference, University of Washington, Seattle WA (October 11, 2019) “Innovation in a Legal Vacuum: The Uncertain Legal Landscape for Shared Micro-mobility” (with Michael B. Lowry, Timothy W. Koglin, and Ronald W. Pimentel) – poster session

Brigham Young University, Provo UT (March 28, 2019) “Promoting the Rule of Law Abroad” – lecture to over 200 pre-law students

University of Idaho, Lionel Hampton Jazz Festival, Moscow Idaho (February 22-23, 2019) “The Blues and the Rule of Law: Musical Expressions of the Failure of Justice” presentation

- J. Reuben Clark Law Society**, New Orleans (January 2, 2019)
 “Punishing Families for Being Poor: How Child Protection Interventions Threaten the Right to Parent while Impoverished” paper presentation
- 2018 **Malcolm M. Renfrew Interdisciplinary Colloquium, University of Idaho**, Moscow, Idaho (December 4, 2018) “Promoting the Rule of Law Abroad: Noble Pursuit or Fool’s Errand?”
- University of Idaho, Bellwood Lecture Immigration Law & Policy Series**, Moscow, Idaho (October 23, 2018) “Emerging Security Threats for the Next Decade,” moderated panel that included former Secretary of Homeland Security Michael Chertoff
- Washington State University**, Pullman, Washington (October 14, 2018) guest lecture in history, “International Response to Genocide – the case(s) of the former Yugoslavia”
- Int’l Academy for the Study of the Jurisprudence of the Family, Symposium on the “Family and Poverty,”** Manila, Philippines (June 20-21, 2018) “Denying the Poor the Privilege of Parenting: How State Intervention in Parenting Choices Discriminates Against the Poor and Disempowered” paper presentation
- Charles Koch Institute**, “Future of Policing” policy working group (May 9, 2018) presentation on “State-Based Forfeiture Reform”
- University of Idaho, Lionel Hampton Jazz Festival**, Moscow Idaho (February 23-24, 2018) “The Blues and the Rule of Law: Musical Expressions of the Failure of Justice” presentation
- 2017 **Int’l Academy for the Study of the Jurisprudence of the Family, Symposium on the “Judicial Protection of the Family: Too Little or Too Much?”**, Białystok, Poland (July 19-20, 2017) “Impact of Obergefell” paper presentation
- Universidad Nacional de Costa Rica**, Heredia, Costa Rica (June 20, 2017)
 “Post-Conflict Justice” guest lecture
- Kootenai County Bar Association**, Coeur d’Alene, Idaho (May 1, 2017)
 “Civil Forfeitures as an Assault on Property Rights: Can New State Legislation Address the Problem Where Federal Legislation Has Failed?” CLE Presentation
- ABA Center on Children and the Law**, Fifth National Parent Attorney Conference: Valuing Dignity and Respect for All Families, Tysons Corner, VA (April 26, 2017) “When can Parents Let Children be Alone? Labeling Parents Neglectful in an Age of State-Enforced Helicopter Parenting Norms” panel
- Brigham Young University**, Provo UT (March 9, 2017)
 “Promoting the Rule of Law Abroad” – lecture to over 200 pre-law students
- University of Idaho, Lionel Hampton Jazz Festival**, Moscow Idaho (February 24-25, 2017)
 “The Blues and the Rule of Law: Musical Expressions of the Failure of Justice and of Extra-Legal Recourse” presentation
- J. Reuben Clark Law Society**, San Francisco (January 3, 2017)
 “Civil Asset Forfeiture Abuses: Can State Legislation Solve the Problem?” paper presentation
- 2016 **Federalist Society / Environmental Law Society**, University of Idaho (November 3, 2106)
 “Climate Change and Regulation” panel presentation
- Delta State University, International Conference on the Blues**, Cleveland, Mississippi (October 3, 2016) “The Rule of Law and the Blues: Musical Expressions of the Failure of Justice and of Extra-legal Recourse” presentation
- Inland Northwest Scholars’ Conference**, Gonzaga University, Spokane WA (July 31, 2016)
 “Forfeitures and the Eighth Amendment: the Excessive Fines Clause as a Check on Government Seizures” paper presentation

Int'l Academy for the Study of the Jurisprudence of the Family, Symposium on the Jurisprudence of Family Relations, San Pablo Catholic University Faculty of Law, Arequipa Peru (June 15-16, 2016) “Judging Parents” paper presentation; chaired panel on same-sex marriage issues

Law and Society Association, New Orleans, LA (June 2, 2016)

“Judging Parents: Problems with State Enforcement of Parenting Norms” organized and chaired roundtable discussion

Institute of Religion (at University of Idaho), Moscow, Idaho (May 6, 2016) “I’m a Stranger Here Myself,” presentation reflecting on experiences doing court reform in various countries, and the role that culture plays in concepts of justice and of faith

J. Reuben Clark Law Society, New York, NY (January 6, 2016)

“Parental Rights and ‘The Best Interest of the Child’: Rebalancing the Roles of State and Family” paper presentation

2015

Law & Economics Center at George Mason University, Aventura FL (December 13, 2015)

“Judicial Independence and Judicial Accountability” presentation at Workshop for Law Professors on the Economics of the Rule of Law

Brigham Young University School of Law, Provo UT (October 12, 2015)

“The Impact of *Obergefell*: Traditional Marriage’s New Lease on Life?” at Symposium on “The Implications of *Obergefell v. Hodges* for Families, Faith and the Future”

Thailand Institute of Justice, Bangkok, Thailand (September 29, 2015)

“Balancing Judicial Independence and Accountability” – presented day-long seminar

Inland Northwest Scholars’ Conference, University of Idaho, Boise ID (July 31, 2015)

“Parental Rights and ‘The Best Interest of the Child’: Rebalancing the Roles of State and Family,” paper presentation

Int'l Academy for the Study of the Jurisprudence of the Family, Symposium on the Jurisprudence of Family Relations, Ono Academic College, Tel Aviv, Israel (June 8-9, 2015)

“Parental Rights and ‘The Best Interest of the Child’: Rebalancing the Roles of State and Family”

Law and Society Association, Seattle WA (May 30, 2015)

“Legal Education as a Rule of Law Strategy – Problems and Opportunities with U.S.-based Programs” paper presentation

Federalist Society, Ohio Northern University (February 24, 2015)

“Globalization: the Answer to International Poverty?” panel, responding to remarks by Doug Bandow of the CATO Institute

J. Reuben Clark Law Society, Arizona State University (February 13, 2015)

moderated panel of law school deans from the Arizona law schools and BYU

2014

Federalist Society, Ohio Northern University (September 16, 2014)

“The Rise and Fall of Detroit: How Government Ruined One of the World's Greatest Cities” panel, responding to remarks by Mario Loyola, Senior Fellow at the Texas Public Policy Foundation

Center for Democratic Governance and Rule of Law, Ohio Northern University, Ada, OH (April 11, 2014)

“The Rwandan Genocide – 20 Years of Hindsight” panel discussion organizer and participant

Center for Democratic Governance and Rule of Law, Ohio Northern University, Ada, OH (March 25, 2014)

“The Crisis in Ukraine: What is Happening and What Does it Mean?” panel discussion organizer and moderator

J. Reuben Clark Law Society, University of Missouri – Kansas City (February 15, 2014)

“Avenues into Legal Academia” conference panel organizer and moderator

Ohio Legal Scholarship Workshop, Ohio Northern University, Ada, OH (January 25, 2014)

“Forfeitures as Excessive Fines: Finding a Practical and Principled Approach for Eighth Amendment Protection”

2013

Brigham Young University, Provo UT (November 7, 2013)

“Promoting the Rule of Law Abroad”

Center for Human Rights and Genocide Studies, University of North Dakota

Visiting Fellow (October 14-16, 2013)

- “South Sudan: Building a New Nation through the Courthouse and the Schoolhouse” (panelist)
- “Narratives of Judicial and Extra-Judicial Transition in Romania” (panelist)
- “Promoting the Rule of Law and Human Rights in Post-Conflict Societies: Practical and Ethical Dilemmas for the Modern Day Imperialist” (keynote address)
- “Chemical Weapons in Syria: Prospects for Justice, Intervention and Post-Conflict Healing” (panelist)

Ohio Wesleyan University, Delaware OH (October 11, 2013)

“Promoting the Rule of Law Abroad”

Int’l Academy for the Study of the Jurisprudence of the Family, Symposium on the Jurisprudence of Family Relations, Yeshiva University, New York NY (June 10-11, 2013)

“State Intervention in Parental Discretion: Enforcing Overprotective Norms”

Law and Society Association, Boston, MA

- “Promoting the Rule of Law in Precarious Places: Noble Pursuit or Fool’s Errand?” Roundtable Discussion Chair (May 31, 2013)
- “The Syrian Civil War: Prospects for Intervention, Justice and Post-Conflict Rebuilding” Roundtable Discussion Participant (June 1, 2013)

Int’l Jurists Union, International Symposium on Human Rights and the Islamic World: The Case of Iraq, Istanbul, Turkey (May 23-24, 2013)

“Judicial Independence and the Role of Shari’a in a Modern Constitutional Democracy”

Rule of Law Collaborative, University of South Carolina, Columbia, SC

Interagency Training on Rule of Law for federal personnel from DOJ, DOD, DOS, and USAID

“Interagency Rule of Law Planning – the Case of South Sudan” Washington DC (16 March 2013)

Carhart Symposium, Ohio Northern University, Ada, OH (April 12, 2013)

“Law and Religion in Conflict: Problems for Ethical Lawyering” – discussant

7th Annual Criminal Law Symposium, Texas Tech University, Lubbock, TX (April 5, 2013)

“Juveniles and Criminal Law: When are (should) juveniles (be) tried as juveniles and when as adults?”

Ohio Legal Scholarship Workshop, Ohio State University, Columbus, OH (February 2, 2013)

“Trying Juveniles as Adults in an Era of Extended Adolescence”

J. Reuben Clark Law Society, New Orleans, LA (4 January 2013) paper presentation

“Legal Standards for Parental Care: the ‘Free Range Kid’ in an Era of Overprotective Parenting”

2012

Central States Law Schools Association, Cleveland, OH (19 October 2012)

Southeastern Association of Law Schools, Amelia Island, FL (2 August 2012)

New Scholars’ Panel: “Criminal Child Endangerment and the ‘Free-Range Kid’: Is Overprotection the New Standard of Care?”

JAG School, Charlottesville, VA (11 July 2012)

Lecture on “‘Blended’ Legal Systems: Legal Pluralism and the Rule of Law”; served also on a panel with Int’l Committee of the Red Cross and USAID representatives on working with NGOs

- Rule of Law Collaborative**, University of South Carolina, Columbia, SC
 Interagency Training on Rule of Law for federal personnel from DOJ, DOD, DOS, and USAID
- “Working with NGOs and International Rule of Law Actors” Washington DC (15 March 2012), Columbia, SC (7 May 2012), Washington, DC (7 June 2012)
 - “Interagency Rule of Law Planning– the Case of South Sudan” Washington DC (16 March 2012), Columbia, SC (8 May 2012), Washington DC (8 June 2012)
 - “‘Blended’ Legal Systems: Legal Pluralism and the Rule of Law” Columbia, SC (May 9, 2012)

J. Reuben Clark Law Society, Washington, DC (4 January 2012)
 “Establishing a Framework for Forfeiture Procedure”

2011

Asian Constitutional Law Forum, The University of Hong Kong (18 December 2011)
 “Judicial Independence at the Crossroads: Grappling with Ideology and History in the New Nepali Constitution”

Florida Coastal School of Law, Alumni Day, Jacksonville FL (21 October 2011)
 Keynote address: “Establishing the Rule of Law in Post-conflict Societies”

Melikşah University, Int’l Constitutional Symposium, Kayseri, Turkey (10 October 2011)
 “Judicial Independence on Trial: Tensions and Compromises in Pursuit of the Rule of Law”

Boğaziçi Lawyers Ass’n, International Congress on Constitutional Law “Katılımcı Anayasa” (“Deliberative/Pluralistic Constitution”) Istanbul, Turkey (7-8 October 2011)
 “Independence of the Judiciary”

University of Washington, “Learning from Tradition: Tribal Justice and the Rule of Law,” Seattle, Washington (June 16-17, 2011)
 “Maximizing Traditional Justice: Legal Pluralism and the Rule of Law”

Université d’Auvergne, “L’hégémonie du droit américain et son impact en France: Mythe ou réalité?” Clermont-Ferrand, France (June 16, 2011) (with Sonya Hoener)
 “Parole à accusé: L’américanisation du droit, point de vue d’un américain en France”

Constitutional Complaint International Symposium, Hukuk Adamları Birliği (Turkish Judges’ Union), Ankara, Turkey (May 13, 2011)
 “Individual Application to the Constitutional Court in Other Countries”

Istanbul University, Int’l Congress on Constitutional Law, Istanbul, Turkey (May 12, 2011)
 Chaired panel on “The Rule of Law, Judicial Reform, Independence and Impartiality of the Judiciary”; presented paper on “Judicial Governance: Independence and Accountability as a Product of Constitutional Structure”

Amity University, Institute for Advanced Legal Studies, New Delhi, India (May 9, 2011)
 “Rethinking the Tension between Judicial Independence and Accountability: the Role of Court Structure” at a conference on “Religion and Governance in a Secular State”

G.P.K. Centre for Democracy, Peace & Development, Tribhuvan University, and the Nepal Bar Ass’n, “The Emerging New Constitution in Nepal,” Kathmandu, Nepal (May 6-7, 2011)
 Chaired panels and made presentations on “Judicial Independence in the New Nepali Constitution,” “Rule of Law in Post-Conflict Nepal,” and “Property Rights Under the New Constitution.”

University of Tuzla, Tuzla, Bosnia and Herzegovina (April 6, 2011)
 “Comparative Legal Culture and the Role of the Judiciary – Lessons for Rule of Law Reform”

2010

Government of Montenegro, Ministry of Justice, Budva, Montenegro (Nov. 16, 2010)
 “Approach to a Court Network Reorganization Project in Montenegro” (funded by OSCE)

Southeastern Association of Law Schools, Palm Beach FL (August 4, 2010) panel
 “From *Crow Dog* to *Ted Bundy*: Restorative and Retributive Justice as a Cultural Divide”

- Supreme Court Bar Association**, Kathmandu, Nepal (18 July 2010) lecture
“Judicial Independence and Accountability in the Post-conflict State”
- UN Office of the High Commissioner on Human Rights / Constitutional Lawyers’ Forum**, Kathmandu, Nepal (17 July 2010)
“The Independence of the Judiciary and Constitutional Courts”
- Centre for Constitutional Dialogue (UNDP)**, Kathmandu, Nepal, (16 July 2010) speech
“How to Ensure and Strengthen Access to Justice in the Federal System”
- State and Non-State Justice Provision Conference**, Maputo, Mozambique (29 April 2010)
“The Dynamics of Legal Pluralism in Mozambique,” paper presentation on panel
- University of North Florida**, Jacksonville, Florida (30 March 2010) guest lecture in history,
“International Efforts to Suppress Genocide and Other Crimes Against Humanity”
- J. Reuben Clark Law Society** Salt Lake City, Utah (12 February 2010)
“So You Want to be a Law Professor: Avenues into Academia” moderated conference panel
- American Association of Law Schools**, New Orleans, Louisiana (10 January 2010) panel
“New Voices in Human Rights” Panel – paper presentation on customary law in Sudan
- J. Reuben Clark Law Society**, New Orleans, Louisiana (6 January 2010)
“Rule of Law Reform without Cultural Imperialism” paper presentation at conference
- 2009 **United States Institute of Peace, George Washington University, World Bank**, Washington, DC (16-17 November 2009) paper presentation
“Customary Justice and Legal Pluralism in Post-Conflict and Fragile Societies”
- Franklin Pierce Law Center**, Concord, NH (9 March 2009) guest lecture
“Building the Rule of Law in Post-Conflict Society – Lessons from Bosnia and Sudan”
- Nepal Constitution Consortium**, Kathmandu (13-15 February 2009)
“Issues and Challenges for the Judiciary in the New Nepali Constitution” presented and moderated multiple panels at the conference
- J. Reuben Clark Law Society**, San Diego, California (6 January 2009) paper presentation
“The Reluctant Tattle-tale” on federal judicial discipline
- 2008 **Stetson University School of Law**, St. Petersburg, Florida (15 November 2008)
Junior Faculty Forum: “The Reluctant Tattle-tale” on federal judicial discipline
- International Association for Court Administration**, Dublin, Ireland (23 April 2008)
“Achieving Justice in Southern Sudan” presentation at the conference
- University of North Dakota**, Grand Forks, North Dakota (8 April 2008)
“Child Protection Challenges in Southern Sudan: The Legacy of Culture & Conflict” presentation at the conference on international rights of the child
- 2004 **Academy of European Law**, Trier, Germany (6 April 2004)
“The Rights and Treatment of Detainees [in International Criminal Tribunals]” lecture
- 1999 **Federal Judicial Center**, Washington, DC
“All About the Circuit Executive” developed and delivered a live, nation-wide ethics training broadcast for federal court judges and staff (with Mike Siegel & Robin Donaghue)
- 1997 **U.S Courts for the Ninth Circuit**, Los Angeles, San Francisco, Boise, Honolulu, Anchorage
Developed and delivered ½-day ethics courses, to federal court staff in nine federal courts
- Honors
- 2014 **Fowler V. Harper Award for Excellence in Legal Scholarship**, awarded to one faculty member

each year at Ohio Northern University's Claude W. Pettit College of Law

- 2010-11 **Fulbright Scholar**, University of Sarajevo, Bosnia and Herzegovina
- 2007 **William R. McMahon Award**, awarded by the American Bar Association for leadership in the field of technology in the courts
- 1998 **Tom C. Clark Award**, distinction reserved for one Supreme Court Fellow each year, presented by Chief Justice Rehnquist and the family of the late Justice Tom C. Clark
- 1997-98 **Supreme Court Fellow**, United States Supreme Court Fellows Commission. Washington, DC
- 1996 **Circuit Executive's Award**, U.S. Courts for the Ninth Circuit, for exceptional performance
- 1987 **Robert P. Cowell Fellowship** in Labor Law, Boalt Hall School of Law

Professional Training

- 1992-98 **Institute for Court Management**, Williamsburg, Virginia
Completed *Court Executive Development Program*, a part-time, in-service training program for court professionals, including a thesis; named an ICM Fellow in April 1998
- 1993 **National Judicial College**, Reno, Nevada
Completed a full-week course in Indian tribal court jurisdiction

Associations

- 2017-present **International Journal on the Jurisprudence of the Family**, Managing Editor
- 2015-present **International Academy for the Study of the Jurisprudence of the Family**
2016-present Executive Board member
- 1989-present **American Bar Association**, member
2007-present Committee on Rule of Law and International Courts, ABA Judges' Division
2007-present Committee on Judicial Affairs, ABA International Law Section
- 1993-97 **State Bar of California, Committee on Federal Courts**, (ex officio) federal court liaison
- 1994-97 **Alameda County Bar Association**, Legislation Committee (vice-chair, 1997)
1996-97 Subcommittee on State Bar/Legal Practice, chair

Community

- 1995-2014 **União Portuguesa do Estado da California** (California Portuguese Union), Council No. 1
- 1981-present **Church of Jesus Christ of Latter-Day Saints**, various volunteer positions including full-time missionary (Southern Italy, 1981-83)

Languages Italian

BAR ADMISSIONS

- 1988 Washington State Bar
- 1998 United States Supreme Court
- 1991 Hawaii State Bar (inactive)
- 1991 California State Bar (inactive)