

PAUL B. MILLER
Notre Dame Law School
University of Notre Dame
2160 Eck Hall of Law
Notre Dame, IN 46556

POSITIONS

Notre Dame Law School

Associate Dean for International & Graduate Programs, 2018 – present
Professor of Law (tenured), 2017 – present

McGill University Faculty of Law

Associate Professor of Law (tenured), 2015 – 2017
Assistant Professor of Law, 2013 – 2015

Queen's University Faculty of Law

Assistant Professor of Law, 2008-2013

Hon. Justice Ian Binnie, Supreme Court of Canada

Law Clerk, 2007-2008

VISITS

Tel Aviv University, Buchmann Faculty of Law

Tel Aviv, Israel

Visiting Professor of Law, 2018 (May-June)

Melbourne Law School

Melbourne, VIC, Australia

Visiting Scholar, 2016 (April)

EDUCATION

University of Toronto

Ph.D. in Philosophy, 2008

University of Toronto Faculty of Law

J.D., 2004

Cambridge University

M.Phil. in History and Philosophy of Science, 2001

University of Toronto

M.A. in Philosophy, 2000

Mount Allison University

B.A.Hons. in Philosophy, 1999

INTERESTS

Philosophy of Law, Private Law Theory, Fiduciary Law, Agency, Trusts, Business and Non-Profit Organizations

SELECTED PUBLICATIONS

Books

FIDUCIARIES AND TRUST: ETHICS, POLITICS, ECONOMICS, AND LAW (Cambridge University Press, forthcoming) (ed. with Matthew Harding).

CIVIL WRONGS AND JUSTICE IN PRIVATE LAW (Oxford University Press, forthcoming) (ed. with John F.K. Oberdiek).

THE OXFORD HANDBOOK OF FIDUCIARY LAW (Oxford University Press, forthcoming 2019) (ed. with Evan J. Criddle and Robert H. Sitkoff).

FIDUCIARY GOVERNMENT (Cambridge University Press, forthcoming 2018) (ed. with Evan J. Criddle, Evan Fox-Decent, Andrew S. Gold and Sung Hui Kim).

CONTRACT, STATUS, AND FIDUCIARY LAW (Oxford University Press, 2016) (ed. with Andrew S. Gold).

PHILOSOPHICAL FOUNDATIONS OF FIDUCIARY LAW (Oxford University Press, 2014) (paperback, 2016; Chinese translation, forthcoming 2018) (ed. with Andrew S. Gold).

Chapters

- Equity as Supplemental Law*, in PHILOSOPHICAL FOUNDATIONS OF THE LAW OF EQUITY (Dennis Klimchuk, Irit Samet, and Henry Smith, eds.) (Oxford University Press, forthcoming).
- New Frontiers in Private Fiduciary Law*, in THE OXFORD HANDBOOK OF FIDUCIARY LAW (Evan J. Criddle, Paul B. Miller, and Robert H. Sitkoff, eds.) (Oxford University Press, 2019).
- The Identification of Fiduciary Relationships*, in THE OXFORD HANDBOOK OF FIDUCIARY LAW (Evan J. Criddle, Paul B. Miller, and Robert H. Sitkoff, eds.) (Oxford University Press, 2019).
- Introduction*, in THE OXFORD HANDBOOK OF FIDUCIARY LAW (Evan J. Criddle, Paul B. Miller, and Robert H. Sitkoff, eds.) (Oxford University Press, 2019) (with E. Criddle and R. Sitkoff).
- Fiduciary Representation*, in FIDUCIARY GOVERNMENT (Evan J. Criddle, et al., eds.) (Cambridge University Press, 2018).
- Fiduciary Duties in Social Enterprise*, in THE CAMBRIDGE HANDBOOK OF SOCIAL ENTERPRISE LAW (Joseph Yockey and Benjamin Means, eds.) (Cambridge University Press, 2018) (with A. Gold).
- Dimensions of Fiduciary Loyalty*, in RESEARCH HANDBOOK ON FIDUCIARY LAW (D. Gordon Smith and Andrew S. Gold, eds.) (Edward Elgar, 2018).
- The Idea of Status in Fiduciary Law*, in CONTRACT, STATUS, AND FIDUCIARY LAW (Paul B. Miller and Andrew S. Gold, eds.) (Oxford University Press, 2016).
- Introduction*, in CONTRACT, STATUS, AND FIDUCIARY LAW (Paul B. Miller and Andrew S. Gold, eds.) (Oxford University Press, 2016) (with Andrew S. Gold).
- Principles of Public Fiduciary Administration*, in BOUNDARIES OF STATE, BOUNDARIES OF RIGHTS (Anat Scolnicov and Tsvi Kahana, eds.) (Cambridge University Press, 2016) pp. 251-270.
- The Fiduciary Relationship*, in PHILOSOPHICAL FOUNDATIONS OF FIDUCIARY LAW (Andrew S. Gold and Paul B. Miller, eds.) (Oxford University Press, 2014) pp. 63-90.

Introduction, in PHILOSOPHICAL FOUNDATIONS OF FIDUCIARY LAW (Andrew S. Gold and Paul B. Miller, eds.) (Oxford University Press, 2014) (with Andrew S. Gold) pp. 1-17.

Articles

Regularizing the Trust Protector, 103 IOWA L. REV. 101 (2018).

Defining the Scope of Fiduciary Liability, 80 SUP. CT. L. REV. 237 (2017).

Fiduciary Governance, 57 WM. & MARY L. REV. 455 (2015) (with Andrew S. Gold).

Multiple Loyalties and the Conflicted Fiduciary, 40 QUEEN'S L. J. 301 (2014).

Justifying Fiduciary Remedies, 63 U. TORONTO L. J. 570 (2013).

Justifying Fiduciary Duties, 58 MCGILL L. J. 969 (2013).

The Future for Business Trusts, 36 QUEEN'S L. J. 443 (2011).

A Theory of Fiduciary Liability, 56 MCGILL L. J. 235 (2011).

PRESENTATIONS

Toward an Integrative Theory of the Corporation

- Conference on The Landscape of Private Law, Harvard Law School, Cambridge, MA (March 2019)

Political (Dis)Trust and Fiduciary Government

- Workshop on Fiduciaries and Trust: Ethics, Politics, Economics and Law, Melbourne Law School, Melbourne, VIC, Australia (December 2018)

Torts Against the State

- Workshop on Civil Wrongs and Justice in Private Law, Rutgers Law School, Camden, NJ (October 2018)

Equity as Supplemental Law

- Workshop on Theoretical and Legal Aspects of Equity and Commercial Law, St. Hugh's College, University of Oxford, Oxford, UK (May 2018)
- Faculty Colloquium, Notre Dame Law School, Notre Dame, IN (November 2016)

The Identification of Fiduciary Relationships

- Fiduciary Law: Charting the Field, Harvard Law School, Cambridge, MA (November 2017)

Regularizing the Trust Protector

- Symposium on Wealth Transfer Law in Comparative and International Perspective, University of Iowa College of Law, Iowa City, IA (September 2017)

Fiduciary Representation

- 1st International Fiduciary Law Conference, UNSW School of Law, Sydney, NSW, Australia (December 2017)
- Workshop on Fiduciary Government, UCLA School of Law, Los Angeles, CA (June 2017)

Fiduciary Duties in Social Enterprise

- 2017 Fiduciary Law Workshop, UCLA School of Law, Los Angeles, CA (June 2017)
- Social Enterprise Law Conference, Notre Dame Law School, Notre Dame, IN (March 2017)

Trust and Fiduciary Law

- Ideas in Fiduciary Law Workshop, Notre Dame Law School, Notre Dame, IN (April 2017)

Dimensions of Fiduciary Loyalty

- Common Law Colloquium, Université de Montréal Faculté de droit, Montreal, QC (November 2016)
- Legal Theory Workshop, Melbourne Law School, Melbourne, VIC, Australia (April 2016)
- Private Law Workshop, Harvard Law School, Cambridge, MA (November 2015)

The Idea of Status in Fiduciary Law

- Workshop on Contract, Status and Fiduciary Law, McGill University Faculty of Law, Montreal, QC (November 2015)

Fiduciary Governance

- Panel on Agency and Fiduciary Law, 19th Annual Conference of the International Society for New Institutional Economics (ISNIE), Harvard Law School, Cambridge, MA (June 2015)
- Law and Society Association Annual Meeting, Seattle, WA (May 2015)

- 2015 Fiduciary Law Workshop, J. Reuben Clark Law School, Brigham Young University, Provo, UT (May 2015)

The Fiduciary Relationship

- Workshop on Fiduciary Relationships, Department of Philosophy and Faculty of Law, Western University, London, ON (November 2014)
- Philosophical Foundations of Fiduciary Law Workshop, DePaul University College of Law, Chicago, IL (July 2013)
- 2013 Fiduciary Law Workshop, Notre Dame Law School, Notre Dame, IN (March 2013)

Principles of Public Fiduciary Administration

- Law and Society Association Annual Meeting, Minneapolis, MN (June 2014)

Multiple Loyalties and the Conflicted Fiduciary

- 43rd Annual Workshop on Commercial and Consumer Law, McGill University Faculty of Law, Montreal, QC (October 2013)

Justifying Fiduciary Remedies

- Obligations VI Conference, Western University Faculty of Law, London, ON (July 2012).
- Law and Society Association Annual Meeting, Honolulu, HI (June 2012)
- Canadian Private Law Theory Workshop, University of Toronto Faculty of Law, Toronto, ON (April 2012)

Justifying Fiduciary Duties

- Law and Society Association Annual Meeting, San Francisco, CA (June 2011)

EVENTS

RECURRING

Co-founder / co-organizer (with A. Bagchi, A. Gold, J. Goldberg, D. Klimchuk, H. Smith and S. Smith), North American Workshop on Private Law Theory (NAWPLT):

NAWPLT VI, Yale Law School, New Haven, CT, TBD 2018 (local host: Daniel Markovits)

NAWPLT V, USC Gould School of Law, Los Angeles, CA, December 2017 (local host: Greg Keating)

NAWPLT IV, Fordham Law School, New York, NY, November 2016 (local hosts: Aditi Bagchi and Ben Zipursky)

NAWPLT III, University of Toronto Faculty of Law, Toronto, ON, October 2015 (local hosts: Lisa Austin and Larissa Katz)

NAWPLT II, Harvard Law School, Cambridge, MA, October 2014 (local hosts: John Goldberg and Henry Smith)

NAWPLT I, McGill University Faculty of Law, Montreal, QC, October 2013 (local host: Stephen Smith)

Co-founder / co-organizer (with D. DeMott, T. Frankel, A. Gold, S.H. Kim, G. Smith, and J. Velasco), Annual Fiduciary Law Workshop (FLW):

FLW VII, Rutgers Law School, Camden, NJ, June 2019 (local host: Arthur Laby)

FLW VI, Washington University School of Law, St. Louis, MO, June 2018 (local host: Andrew Tuch)

FLW V, UCLA School of Law, Los Angeles, CA, June 2017 (local host: Sung Hui Kim)

FLW IV, Duke Law School, Durham, NC, June 2016 (local host: Deborah DeMott)

FLW III, J. Reuben Clark Law School, Brigham Young University, Provo, UT, May 2015 (local host: Gordon Smith)

FLW II, McGill University Faculty of Law, Montreal, QC, May 2014 (local host: Paul Miller)

FLW I, Notre Dame Law School, Notre Dame, IN, March 2013 (local host: Julian Velasco)

Co-founder / co-organizer (with S. Degeling, A. Gold, and M. Harding), International Fiduciary Law Conference (IFLC):

IFLC II, Hong Kong University Faculty of Law, Hong Kong, December 2018 (local hosts: Lusina Ho and Rebecca Lee)

IFLC I, UNSW School of Law, Sydney, Australia, December 2017 (local host: Simone Degeling)

AD HOC

- Co-organizer (with M. Harding), Fiduciaries and Trust: Ethics, Politics, Economics and Law, Melbourne Law School, Melbourne, Australia, December 2018 (local host: Matthew Harding)
- Co-organizer (with J. Oberdiek), Civil Wrongs and Justice in Private Law, Rutgers Law School, Camden, NJ, Fall 2018 (local host: John Oberdiek)
- Co-organizer (with E. Criddle and R. Sitkoff), Fiduciary Law: Charting the Field, Harvard Law School, Cambridge, MA, November 2017 (local host: Robert Sitkoff)
- Co-organizer (with E. Criddle, E. Fox-Decent, A. Gold, and S.H. Kim), Workshop on Fiduciary Government, UCLA School of Law, Los Angeles, CA, June 2017 (local host: Sung Hui Kim)
- Co-organizer (with A. Gold), Workshop on Contract, Status, and Fiduciary Law, McGill University Faculty of Law, Montreal, QC, November 2015 (local host: Paul Miller)
- Co-organizer (with A. Gold), Philosophical Foundations of Fiduciary Law Workshop, DePaul University College of Law, Chicago, IL, July 2013 (local host: Andrew Gold)

TEACHING

Notre Dame

- Jurisprudence (S 2018; F 2018; S 2019)
Private Law Theory (S 2018)

McGill

- Business Associations (W 2014; W 2015; W 2016; F 2016)
Trusts (W 2016)
Corporate Law Theory (F 2015; W 2017)
Seminar in Law and Management (W 2015; F 2016)

Queen's

- Business Associations (W 2009; W 2010; F 2010; W 2013)
Private Law Theory (W 2013)

Osler Business Law Symposium (W 2010; F 2010; W 2011; F 2012)
Property (F/W 2008-2009; F 2009; F 2012)

SERVICE

General

Editorial

Advisory Board Member, *SSRN Fiduciary Law eJournal*

Manuscript Review

Journal of Equity

Law and Philosophy

Legal Studies

Legal Theory

McGill Law Journal

The Monist

Sydney Law Review

University of British Columbia Law Review

University of Toronto Law Journal

Grant Review

Fonds de recherche du Québec - Société et culture (FRQSC)

Notre Dame

Member, Dean Search Committee for Notre Dame Law School, 2018-2019

Member, Colloquium Committee, 2017-2019

Member, Ad Hoc Advisory Committee – Law Library, 2017-2018

McGill

Chair, Prizes, Scholarships and Awards Committee, McGill Faculty of Law, 2016-2017

Member, Appointments Committee, McGill Faculty of Law, 2016-2017

Member, Admissions Committee, McGill Faculty of Law, 2016

Member, Prizes, Scholarships and Awards Working Group, McGill Faculty of Law, 2015-2016

Supreme Court Clerkships Coordinator, McGill Faculty of Law, 2013-2015.

Queen's

Director, Osler Distinguished Lectures in Business Law, 2008-2013.

Member and Chair, Faculty Admissions Committee, 2008-2009, 2011-2012, 2013-2014

Member, Faculty Appointments Committee, 2009-2010.