

CURRICULUM VITAE

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Birthdate: April 4, 1943

Birthplace: Providence, Rhode Island

Family Status: Married, two children

Bar Admission: Rhode Island (1980)

Education

May, 1979: J.D.
Boalt Hall School of Law
University of California
Berkeley, CA

May, 1975: Ph.D. (Philosophy)
University of Notre Dame
Notre Dame, IN

August, 1972: M.A. (Philosophy)
University of Notre Dame
Notre Dame, IN

June, 1967: B.A. (Philosophy)
Boston College
Boston, MA

June, 1961: High School Diploma
LaSalle Academy
Providence, RI

Professional Experience

Current: Associate Professor of Law
Notre Dame Law School
Notre Dame, IN

2002-04: Associate Dean for Academic Affairs
Notre Dame Law School
Notre Dame, IN

1994-Present Faculty Editor, Journal of College
and University Law
University of Notre Dame
Notre Dame, IN

1988-97: Director
The Thomas J. White Center
On Law & Government
University of Notre Dame
Notre Dame, IN

1984-88: Assistant Professor of Law and Philosophy
University of Notre Dame
Notre Dame, IN

1981-84: Assistant Professor
Philosophy Department
University of Notre Dame
Notre Dame, IN

1980-81: Law Clerk
Hon. T. Emmet Clarie
Chief Judge, U.S. District Court
Hartford, CT

1979-80: Instructor
University of Miami Law School
Coral Gables, FL

1973-76: Instructor, Assistant Professor
University of San Francisco
San Francisco, CA

1972-73 Instructor
Indiana University, South Bend
South Bend, IN

Professional Contributions

A. Publications

- (1) Unraveling the Codes: The Dialectic between Knowledge of the Genetic Person and of the Moral Person in Criminal Law,” (with Roberta Berry), in Lisa Parker and Rachel Ankeny (eds.), Mutating Concepts, Evolving Disciplines: Genetics, Medicine, and Society Kluwer Academic Publishers (2002).
- (2) The Extraterritorial Application of American Law: Preliminary Reflections, Vol. 27, Journal of College and University Law, pp. 187-205 (2000).
- (3) A Symposium on the Implementation of *Ex Corde Ecclesiae*: Introduction, Vol. 25, Journal of College and University Law, pp. 645-652 (1999).
- (4) A Health Law Reader: An Interdisciplinary Approach (with Roberta M. Berry and Kevin McDonnell) Carolina Academic Press (1999).
- (5) Why an Acceptable Cloning Policy Will be Hard to Achieve, Vol. 13, Notre Dame Journal of Law, Ethics & Public Policy, pp. 9-14 (1999).
- (6) Foreword: Physician Assisted Suicide: A Constitutional Crisis Resolved, Vol. 13, Notre Dame Journal of Law, Ethics & Public Policy, pp. 369-386 (1998).
- (7) Foreword: The Compromise of '38 and the Federal Courts Today, Vol. 73, Notre Dame Law Review, pp. 871-912 (1998).
- (8) H. Jefferson Powell on the American Constitutional Tradition: A Conversation (edited with Thomas L. Shaffer), Vol. 72, Notre Dame Law Review, pp. 11-101 (1996).
- (9) The Law of Higher Education and the Courts: 1994 in Review (with Catherine Pieronek), Vol. 22, Journal of College & University Law, pp. 367-881 (1996).
- (10) Foreword: Culpability and Punishment, Vol. 10 Notre Dame Journal of Law, Ethics & Public Policy, pp. 1-10 (1996).

- (11) Foreword: Physician Assisted Suicide: Its Challenge to the Prevailing Constitutional Paradigm, Vol. 9, Notre Dame Journal of Law, Ethics & Public Policy, pp. 345-366 (1995).
- (12) Foreword: Church, State, and Sex, Vol. 9, Notre Dame Journal of Law, Ethics & Public Policy, pp. 1-10 (1995).
- (13) The Law of Higher Education and the Courts: 1993 in Review (with Mary Elizabeth Huber), Vol. 21, Journal of College and University Law, pp. 157-305 (1994).
- (14) Jerry's Jeremiad (A response to Gerald V. Bradley, The New Constitutional Covenant), 9 The World and I, No. 3, 388-391 (1994).
- (15) Book Review: Review of J. Dukeminier and S. Johanson, Wills, Trusts, and Estates (Fourth Edition), Vol. 41, Journal of Legal Education, pp. 525-532 (1991).
- (16) Catholic Doctors and the Catholic Church, Vol. 165, America, pp. 163-166 (1991).
- (17) Foreword: Adolescence, Choice, and Punishment, Vol. 5, Notre Dame Journal of Law, Ethics & Public Policy, pp. 257-265 (1991).
- (18) Commentary: The Constitutional Status of Religious Broadcasting, Vol. 4, Notre Dame Journal of Law, Ethics & Public Policy, pp. 815-824 (1990).
- (19) Foreword: Religious Discourse and the Reinvigoration of American Political Discourse, Vol. 4, Notre Dame Journal of Law, Ethics & Public Policy, pp. 385-395 (1990).
- (20) Response to Paul Sigmund, The Catholic Tradition and Modern Democracy, in Leslie Griffin (ed.), Religion and Politics in the American Milieu, pp. 22-24 (1989).
- (21) Foreword: Why Schooling is so Controversial in America Today, Vol. 3, Notre Dame Journal of Law, Ethics & Public Policy, pp. 519-533 (1988).
- (22) Foreword: Corporate Social Responsibility, Vol. 2, Notre Dame Journal of Law, Ethics & Public Policy, pp. 733-740 (1987).
- (23) Book Review: Review of M. J. Detmold, The Unity of Law & Morality: A Refutation of Legal Positivism, Vol. 31, American Journal of Jurisprudence, pp. 173-174 (1986).

- (24) Book Review: Envisioning the New Court (review of L. Tribe, God Save This Honorable Court: How the Choice of Supreme Court Justices Shapes our History), Vol. 48, Review of Politics, pp. 463-467 (1986).
- (25) Foreword: Ethics and the Line-Item Veto, Vol. 1, Notre Dame Journal of Law, Ethics & Public Policy, pp. 157-163 (1985).
- (26) Book Essay: Madness and the Criminal Law (by Norval Morris), Vol. 59, Notre Dame Law Review, pp. 297-311 (1983).

B. Publications in Preparation

- (1) Law and Moral Community: An Introduction to Law, to be submitted for publication in July of 2005.
- (6) Death and Dying, an encyclopedia entry for The Annals of Bioethics (to be published in 2005).

C. Speaking Engagements

- (1) October 2004, Presentation on The Changing Contours of Lawyer-Client Confidentiality, at a Continuing Legal Educational Session, at Notre Dame.
- (2) February 2004, Presentation on Recent Developments in Higher Education Law, give at the Stetson Conference on Law and Higher Education, Clearwater Beach, Florida.
- (3) December 2002, Presentation on Sarbanes-Oxley and Lawyer-Client Confidentiality, at a meeting of the Saint Joseph County Bar Association, South Bend, Indiana.
- (4) September 2002, Presentation on Being a Lawyer for a Fiduciary (with Professor John Price), at the Notre Dame Estate Planning Institute, South Bend, Indiana.
- (5) June 2001, Presentation on Recent Religion Clause Cases and *Ex Corde Ecclesiae*, at the annual convention of the National Association of College and University Attorneys in San Diego, California.
- (6) March 2001, Presentation on How Brain Death Became Part of American Law, at the Georgia Technical, School of Public Policy, Georgia Technical University, Atlanta, Georgia.

- (7) March 2001, Presentation on Right to Die, at the Georgia Tech, School of Public Policy, Georgia Technical University, Atlanta, Georgia.
- (8) June, 2000, Presentations on *Ex Corde Ecclesiae* and on Recent Developments in Religion Clause Law, at the annual convention of the National Association of College and University Attorneys in Washington, DC.
- (9) March, 2000, Lecture on Stem Cell Research and Human Cloning, given at Xavier University, Cincinnati, Ohio.
- (10) February, 2000, Lecture on the Religion Clauses of the First Amendment and the implementation of *Ex Corde Ecclesiae*, given at the Stetson Conference on Law and Higher Education, Clearwater Beach, Florida.
- (11) October, 1999, Lecture on the Constitutional Dimensions of the Assisted Suicide Debate, given at a Medical/Legal Ethics Conference in Scranton, Pennsylvania.
- (12) September, 1999, Lecture on the Ethics of Judging from Hammurabi to Winship, given at the Texas Judicial Conference in Austin, Texas.
- (13) September, 1999, Presentation on the Case of the Speluncean Explorers, at a Seminar for United States Court of Appeals Judges, at Notre Dame.
- (14) February, 1999, Presentation on The Extraterritorial Application of Anti-Discrimination Laws, given at the Stetson Conference on the Law of Higher Education, Clearwater Beach, Florida.
- (15) January, 1999, Lecture on What We Should Have Learned from the Right to Die Cases of the Past Ten Years, given at the University of Osteopathic Medicine and Health Sciences, Des Moines, Iowa.
- (16) January, 1999, Lecture on Medical Ethics and Medical Students, given at the University of Osteopathic Medicine and Health Sciences, Des Moines, Iowa.
- (17) November, 1998, Lecture on the Difficulty Inherent in Regulating Cloning, given to the Notre Dame Club of Washington, DC.
- (18) October, 1998, Presentation on Advance Directives, given at Notre Dame.
- (19) June, 1997, Lecture on the Constitutional Status of Assisted Suicide, given to the Notre Dame Club of Riverside, California.
- (20) November, 1996, Presentation on the Ethical Implications of Joint Representation, given at a meeting of the Saint Joseph County Bar Association, South Bend, Indiana.

- (21) November, 1995, Lecture on the Constitutionalization of Assisted Suicide and the Revitalization of the American Catholic Church, given at the Doran Foundation Lecture in Grand Rapids, Michigan.
- (22) October, 1995, Presentation on Physician Assisted Suicide, given to the American College of Surgeons, in New Orleans, Louisiana.
- (23) March, 1995, Lecture on Physician Assisted Suicide, given at King's College, Wilkes-Barre, Pennsylvania.
- (24) October, 1994, Lecture on Physician Assisted Suicide, given to the Notre Dame Club of Worcester, Massachusetts.
- (25) April, 1994, Lecture on Physician-Assisted Suicide, given to the Notre Dame Club of Portland, Oregon.
- (26) February, 1994, Presentation on Neonatal Ethics, given to the Medical Staff of St. Joseph's Medical Center, South Bend, Indiana.
- (27) March, 1993, Lecture on Physician-Assisted Suicide, given to the Notre Dame Club of Detroit, Michigan.
- (28) July, 1992, Presentation on Issues in Family Law, given to the Family Life International Conference at Andrews University, Berrien Springs, Michigan.
- (29) December, 1991, Presentation on Catholic Lawyers and the Catholic Church, given to the St. Thomas More Society of Indianapolis.
- (30) November, 1991, Lecture on the Role of Lawyers in American Life, given at Manchester College in North Manchester, Indiana.
- (31) November, 1991, Lecture entitled "Your Right to Die," given to the Notre Dame Club of Memphis, Tennessee.
- (32) September, 1991, Presentation on the Patient Self-Determination Act, made at the Forever Learning Institute, South Bend.
- (33) September, 1991, Presentation on the Patient Self-Determination Act, made at the Critical Care Symposium, Notre Dame.
- (34) March, 1991, Aquinas Lecture, entitled "Moral Philosophy and Social Policy" delivered at Mount Mercy College, Cedar Rapids, Iowa.
- (35) March, 1991, Lecture entitled, "How Can You Defend Those People?" delivered at Coe College, Cedar Rapids, Iowa.

- (36) October, 1990, Address on The Role of Catholic Physicians Guilds in the Life of the Church, delivered at the Annual Meeting of the National Federation of Catholic Physicians Guilds at Notre Dame.
- (37) September, 1990, Presentation on Living Wills and Health Care Consent Laws, made at the Critical Care Symposium, Notre Dame.
- (38) September, 1990, Presentation on Living Wills and Health Care Consent Laws, made at the Forever Learning Institute, South Bend.
- (39) September, 1990, Presentation on the Mission of the Local Hospital, made to the Board of Directors of the Freeport Memorial Hospital, Freeport, Illinois.
- (40) July, 1990, Lecture entitled "Fairness and Justice" delivered to the Thomas J. White Seminar, Catholic University of America, Washington, D.C.
- (41) January, 1990, Address on "The Free Exercise Clause of the First Amendment from a Roman Catholic Perspective" delivered at the Fifth Annual Institute on Law and Pastoral Ministry, at Valparaiso University, Valparaiso, Indiana.
- (42) April, 1989, Keynote Address, Conference on the Religion Clauses of the First Amendment, Law School, Notre Dame.
- (43) April, 1989, Paper entitled "From Original Sin to the Original Position" delivered at the Notre Dame Philosophy Colloquium.
- (44) November, 1988, Talk on Punishment and the Law, given to the Metaphysical Club of the University of Chicago Law School.
- (45) September, 1988, Lecture entitled "The Legal System's Response to AIDS" delivered at the Center for Clinical Medical Ethics in the University of Chicago Medical School.
- (46) April, 1988, Paper on the Phenomenon of Punishment, delivered at Notre Dame Philosophy Colloquium.
- (47) September, 1987, Address on the Proper Role of the United States Senate in the Selection of Supreme Court Justices, delivered at the Forever Learning Institute, South Bend.
- (48) June, 1987, Address on Hermeneutics and the Law, delivered at University of San Francisco Conference on the Application of Interpretive Studies in Education, Law, Business, and Health Care.

- (49) April, 1987, Paper on Constitutional Privacy, delivered at Notre Dame Philosophy Colloquium.
- (50) March, 1987, Commentator on Alfred P. Rubin's, "Do the Rules that Bind the Conscience Bind the State?," a Carnegie Council Ethics and Foreign Policy Lecture, delivered at Notre Dame.
- (51) April, 1986, Address on "The United States Constitution and the Law of Intimate Association" delivered to Notre Dame Symposium on German American Constitutional Law.
- (52) February, 1986, Commentator on Paul Sigmund, "The Catholic Tradition and Modern Democracy" at Notre Dame Conference on Religion and Politics in the American Milieu.
- (53) June, 1985, Commentator on Creationism Debate at Conference on the History, Philosophy, and Sociology of Biology, Saint Mary's College.
- (54) March, 1985, Keynote Address, "Should Religion Support Public Education?" at Ball State University Conference on Religion and Public Education.
- (55) February, 1985, Commentator at Notre Dame Philosophy Colloquium on Mill, On Liberty.
- (56) November, 1984, Commentator at Notre Dame Philosophy Colloquium on the Concept of Moral Desert.
- (57) October, 1984, Participant in Debate on "Moral Belief and Social Policy: Mario Cuomo and the Abortion Question," sponsored by the Arts and Letters/Science Honors Program, Notre Dame.
- (58) September, 1984, Lecture on "Religion, Politics, and the First Amendment," delivered to Friday Forum, Center for Social Concerns, Notre Dame.
- (59) March, 1982, Public lecture on "Censorship and the Library" at First Annual Friends of the Library Colloquium, Notre Dame.

D. Conference Organization

- (1) February, 1997, organizer of a Conference on the Welfare Revolution and Catholic Social Thought.
- (2) March, 1996, cosponsor of a Conference on the Political Theology of H. Jefferson Powell.

- (3) March, 1995, cosponsor of a Conference on the Jurisprudence of Robert Rodes.
- (4) February, 1994, cosponsor of a Conference on the Political Theology of Stanley Hauerwas.
- (5) 1988-1994, organizer of Annual Conference on Legal Ethics, in conjunction with Notre Dame Alumni Association.
- (6) 1987-present, legal expert for Annual Conference on "Ethical Issues in Medical Practice" sponsored by the Notre Dame Alumni Association.
- (7) Spring, 1989, Plenary Conference on Religion Clauses of the First Amendment, at Notre Dame.
- (8) May, 1987, Preliminary Conference on the Religion Clauses of the First Amendment, in Washington, D.C.

E. Dissertations Directed

- (1) Hurley, Timothy. John Rawls and Liberal Neutrality (1995).
- (2) Bassham, Gregory. Original Intent and the Constitution: A Philosophical Study (1991).

F. University Service

- (1) 1995-present, member, Faculty Editor, Journal of College and University Law.
- (2) 2002-03, Chair, Faculty Senate, Notre Dame.
- (3) 2002-present, member, Academic Council, Notre Dame.
- (4) 1999-present, member, Faculty Senate, Notre Dame.
- (5) 2002-03, member, Appointments Committee, Notre Dame Law School.
- (6) 1999-2002, 2004-present, member, Promotions Committee, Notre Dame Law School.
- (7) 1984-present, member, Editorial Board, The American Journal of Jurisprudence.

- (8) 1988-2000, member, Advisory Committee, Center for Civil and Human Rights, Notre Dame Law School.
- (9) 1987-1996, Faculty Fellow, Institute for International Peace Studies, Notre Dame.
- (10) 1988-1998, Executive Committee, Hesburgh Program in Public Service, Notre Dame.
- (11) 1987-1998, Faculty Advisor, Thomas More Society, Notre Dame.
- (12) 1981-1991, Chair, Ad Hoc Committee on Law-Philosophy Collaboration, Notre Dame.
- (13) 1985-87, 1988-1998, Member, Judicial Review Board, Notre Dame.
- (14) 1984-1986, Coordinator, Philosophy Colloquium, Philosophy Department, Notre Dame.
- (15) 1983-1984, Director, Perspectives in Philosophy Lecture Series (on the Philosophy of Law).

Community Service

- (1) 1990-1992, member, Health Care Ethics Advisory Committee, Saint Joseph's Medical Center, South Bend, Indiana.
- (2) 1990-present, member, Human Rights Committee, Logan Center, South Bend, Indiana.
- (3) 1999-2005, assistant troop master, Troop 505, LaSalle Council, Boy Scouts of America.