Daniel B. Rodriguez

Northwestern University School of Law
375 East Chicago Avenue
Chicago, IL 60611-3069

Academic Positions

Dean and Harold Washington Professor
Northwestern University School of Law
January 2012-present

Minerva House Drysdale Regents Chair in Law
University of Texas-Austin School of Law
July 2007- December 2011

Research Fellow
Baker Institute for Public Policy
Rice University
July 2008-2011

Stephen & Barbara Friedman Visiting Professor, Columbia University School of Law
Spring 2011

July 2005-June 2007
Warren Distinguished Professor of Law
University of San Diego School of Law

July, 1998–June 2005
Dean and Professor of Law, University of San Diego School of Law

July 1988-June, 1998
Professor of Law, Boalt Hall School of Law, University of California,
Berkeley, 1988-98 (tenured in 1994)

Adjunct Professor, Graduate School of International Relations/Pacific Studies,
University of California, San Diego, 2005-08

Faculty Affiliate/Fellow, Cal Tech-USC Center for the Study of Law
& Politics, 2004-present

Visiting Professor, University of Southern California Law School, Fall, 2005

Distinguished visitor, University of Illinois College of Law, November, 2005

Professor, University of San Diego Institute on International & Comparative Law, Paris I, Summer, 2009, 2005, 2003

Distinguished Visiting Scholar, Hoover Institution, Stanford University, Summer, 2006, 2004-05

Visiting Scholar, Hoover Institution, Stanford University, Summer, 2003, 2002 and 1993

Adjunct Lecturer, UCSD-Scripps Institute on Oceanography Course on "Marine Law, Science, & Policy," Fall and Winter Quarters, 2002-03

Adjunct Lecturer, UCSD Department of Political Science Course on "Theories of Law and Politics" Fall, 2000

Visiting Professor, McGeorge School of Law-Government Affairs Program, Fall, 1995

John M. Olin Fellow in Law and Economics, University of Virginia School of Law, Spring, 1993

Visiting Professor, Free University of Amsterdam, The Netherlands, Summer, 1991 & 1992

Distinguished Visiting Lecturer, Kobe University, Japan, October, 1990

Judicial law clerk, The Hon. Alex Kozinski, United States Court of Appeals, Ninth Circuit, 1987-88

Summer law associate, Brown & Bain, Summer, 1987

Summer law associate, Howard, Rice, Nemerovski, Canady, Robertson & Falk, San Francisco, Summer, 1986

Areas of teaching and academic specialty: administrative law, local government law, property, state constitutional law, statutory interpretation, law & positive political theory

Research & Publications

Losing Ground: A Nation on Edge," (co-edited with John Nolon, Pace University School of Law) (Environmental Law Institute Press, 2007)

works in progress:

"A Positive Political Theory of the Reformation of American Administrative Law" (with Barry Weingast, Stanford Dep't of Political Science) (under submission at Journal of Law, Economics, & Organization)

"Impartiality and Administrative Law"

"Instrumental Statutory Interpretation" (with Mathew McCubbins, USC Business & Law)

"Interpretive Canons and Theories of Lawmaking" (with McCubbins)

Publications:

"The Political Question Doctrine in State Constitutional Law," Rutgers Law Journal (state constitutional law annual issue, forthcoming, 2013)

"The Location Market," 19 Geo. Mason L. Rev. 637 (2012) (symposium issue) (with David Schleicher)

"Change that Matters: An Essay on State Constitutional Development," 115 Penn St. Law Review 1073 (2011) (symposium issue)

"State Constitutional Failure," 2011 U. Illinois Law Review 1243

"Statutory Meanings: Deriving Interpretive Principles from a Theory of Communication and Legislation," Brooklyn Law Review (symposium issue) (forthcoming, 2011) (with McCubbins)

"Super Statutory Entrenchment: A Positive and Normative Interrogatory," Yale On-Line Law Journal (symposium issue) (with McCubbins)

"State Constitutionalism and the Scope of Judicial Review," in New Frontiers of State Constitutional Law (Jim Gardner & Jim Rossi eds., Oxford Press (2011)

"The Rule of Law Unplugged," 59 Emory Law Journal 1455 (2010) (with McCubbins & Weingast)

"Opting In or Opting Out: The Conditions for Developing Consensus," 7 J. Empirical Legal Studies 868 (2010) (with McCubbins, Cheryl Boudreau, UC Davis Dep't of Political Science, Nick Weller, USC Dep't of Political Science)

"Constitutional Home Rule and Judicial Scrutiny," 86 Denver Law Review 1337 (2009) (symposium issue) (with Lynn Baker, U. Texas Law)

"Administrative Law," in Oxford Handbook on Law & Politics 340 (Keith Whittington ed., Oxford Press, 2008)

"The Market for Deans," 17 Journal of Contemporary Legal Issues 121 (2008)

"Administrative Law Agonistes," 108 Columbia Law Review Sidebar (2008) (with McCubbins, Roger Noll, Stanford Economics, & Weingast)

"What Statutes Mean: Interpretive Lessons from Positive Theories of Communication and Legislation," 44 San Diego Law Review 957 (2007) (with McCubbins, Cheryl Boudreau, UC-Davis Poli Sci Dep't & Arthur Lupia, U. Michigan Poli Sci)

"Institutions Matter: Some Remarks on Disaster Mitigation and the Comparative Competence Debate," in Losing Ground 245 (Nolon & Rodriguez eds. 2007)

"The Paradox of Expansionist Statutory Constructions" (with Weingast), 101 Northwestern Law Review 1207 (2007)

"Positive Political Theory and the Role of Law," Oxford Handbook on Political Economy (with McCubbins) (Barry Weingast & Donald Wittman eds., Oxford Press, 2006)

"When Does Deliberation Improve Democratic Decisionmaking" (with McCubbins), 15 Journal of Contemporary Legal Issues 9 (2006)

"Delegation, Risk Diversification, and the Properly Political Project of Administrative Law," Harvard Law Review On-Line Forum (2006)

"The Intentional(ist) Stance," (with Boudreau & McCubbins), 38 Loyola L.A. Law Review 2131 (2005) (symposium issue on "theories of statutory interpretation")

"Canonical Construction and Statutory Revisionism: The Strange Case of the Appropriations Canon of Statutory Interpretation," (with McCubbins), 14 Journal of Contemporary Legal Issues 669 (2005)

"What's New in the New Statutory Interpretation? Introduction to Journal of Contemporary Legal Issues Symposium," (with McCubbins), 14 Journal of Contemporary Legal Issues 535 (2005)

"Of Gift Horses and Great Expectations: Remands without Vacatur in Administrative Law," 36 Arizona State Law Journal 599 (2004)

"The Positive Political Theory of Legislative History: New Perspectives on the 1964 Civil Rights Act," 151 University of Pennsylvania Law Review 1417 (2003) (with Weingast)

"Foreword: Public Interest Lawyering and Law School Pedagogy," 40 San Diego Law Review 1 (2003)

"Straw Polls," 12 Journal of Contemporary Legal Issues 791 (2002)

"Localism and Lawmaking," 32 Rutgers Law Journal 627 (2001)

"Regulatory Incrementalism and Moral Choices: A Comment on Adlerian Welfarism," 28 Florida State University Law Review 375 (2001)

"Administrative Law and the Case Method," 38 Brandeis Law Journal at the University of Louisville 303 (2000)

"State Constitutionalism and the Domain of Normative Theory," 37 San Diego Law Review 523 (2000)

"Legal Process," In The Encyclopedia of the American Constitution II (L. Levy, et al. 2 ed. (2000)

"Legislative Intent," The New Palgrave Dictionary on Economics and the Law (Peter Newman ed.) (Macmillan Press, 1998)

"State Constitutional Theory and its Prospects," 28 New Mexico Law Review 271 (1998) (symposium issue)

"The Role of Legal Innovation in Ecosystem Management: Perspectives from American Local Government Law," 24 Ecology Law Quarterly 745 (1997)

"Jaffe's Law: An Essay on the Intellectual Underpinnings of Modern Administrative Law Theory," 72 Chicago-Kent Law Review (1997)

"Turning Federalism Inside Out: The Intrastate Aspects of Interstate Regulatory Competition," 14 Yale Journal of Law & Public Policy/Yale Journal on Regulation 149 (symposium issue) (1996)

"State Supremacy, Local Sovereignty: Reconstructing State/Local Relations Under the California Constitution," in Constitutional Reform in California (Roger Noll & Bruce Cain eds. 1995)

Review of "The Federal Courts, Politics, and the Rule of Law," Political Science Quarterly (Winter, 1995)

"Management, Control, and the Dilemmas of Presidential Leadership in the Modern Administrative State," 43 Duke Law Journal 1180 (1994)

"The Positive Political Dimensions of Regulatory Reform," 72 Washington University Law Quarterly 1 (1994)

"Earl Warren: An Interpretive Essay," in Biographical Dictionary of U.S. Supreme Court Justices (Melvin Urofsky ed. 1994)

"The Constitutionality of Legislative Term Limits," California Lawyer (February, 1993)

"Statutory Interpretation and Political Advantage," 11 International J. Law & Economics 217 (1992)

"Administrative Government and the Original Understanding: Comments on Eskridge & Ferejohn," 8 J. Law, Economics & Organization 197 (1992)

"The Presumption of Reviewability: A Study in Canonical Construction and its Consequences," 45 Vanderbilt Law Review 743 (1992)

"Preface to Symposium on Civil Rights Legislation in the 1990's," 79 California Law Review 591 (May, 1991) (symposium organized by author)

"Civil Rights Politics as Interest Group Politics," 14 Harvard J. Law & Public Policy 1 (Winter, 1991)

"Official Notice and the Administrative Process," 10 J. National Association of Administrative Law Judges 47 (Spring, 1990)

"The Substance of the New Legal Process," 77 California Law Review 919 (May, 1989)

"Free Speech: In Search of a Pattern," American Bar Association Journal (October, 1989)

"Note: Collateral Estoppel and Nonacquiescence: Precluding Government Relitigation in the Pursuit of Litigant Equality," 99 Harvard Law Review 847 (1986)

Selected Academic Presentations

"Constitutional Borrowing and Democracy," Brown University Lecture, Political Theory Project, February 2013

"The Political Question Doctrine in State Constitutional Law," State Constitutional Law Lecture, Rutgers-Camden Law School, February 2012

"The Location Market," State and Local Government Panel, Association of American Law Schools (AALS) Annual Meeting, San Francisco, January 2012

"A Positive Political Theory of the Reformation of American Administrative Law," University of Texas School of Law Workshop, October 2011

Symposium Panel on "*A Republic of Statutes*," Yale Law School, December 2010

"Are State Constitutions Fundamentally Progressive Documents (and Why Should we Care")?, William J. Brennan Lecture, Oklahoma City University School of Law, October 2010

"The Positive Political Foundations of Administrative Law," 25th Anniversary Conference on Positive Political Theory" Northwestern University School of Law & University of Texas School of Law, October 2010 (co-convenor and presenter)

"Revision, Amendment, and the Dynamics of Constitutional Change," Penn St. Law School Conference on "State Constitutionalism in the 21st Century, September 2010

"State Constitutional Failure," Faculty workshops at Columbia Law School (March 2011), St. John's Law School (March 2011), UC Davis School of Law (September 2010), and University of Texas School of Law (September 2010)

"Measuring the Rule of Law," Conference at University of Texas School of Law, March 2010 (co-convenor and presenter)

"State Constitutional Failure: Perspectives from California," Conference on California Constitutional Reform, USC, February 2010

"Constitutional Home Rule," AALS Annual Meeting, New Orleans, January 2010

4th Annual Conference on Empirical Legal Studies," USC School of Law (presented two peer reviewed papers), November 2009

"Defining the Rule of Law," Conference at USC-Caltech Center for the Study of Law & Politics, March 2009 (co-convenor and presenter)

"Home Rule and the New American Constitutionalism," Conference at University of Colorado, Byron White Center for Constitutional Law, January 2009

"Same Sex-Marriage and State Constitutional Law," AALS Annual Meeting, San Diego, January 2009

"Is Administrative Law Inevitable?" Faculty workshops at Northwestern University School of Law, February 2009; University of Virginia Administrative Law Conference, November 2008, Emory University Department of Political Science, October 2008; Vanderbilt Law School, March 2007

"Criminal Justice Meets Democracy and Bureaucracy: Revisiting the Puzzle of Prosecutorial Discretion," University of Texas drawing board workshop, September 2008

"Textual Analysis and the Law," Emory University Conference, February 2008

"State Constitutionalism and Modern Governance: What's the Big Idea?," 23rd Nathaniel Nathanson Lecture, University of San Diego School of Law, April 2007

"State Constitutionalism and the Scope of Judicial Review," Faculty Workshops at University of Pennsylvania Law School, October 2009, Ohio State Law School, February 2007; Florida State College of Law, October 2007, American U. School of Law, October 2007

"When Does Deliberating Improve Decisionmaking?," Faculty Workshops at Duke, Florida State, Georgetown, Ohio State, and University of San Diego Law Schools, UCLA and USC Departments of Political Science, September 2005—May 2006, and at the First Annual Conference on Empirical Legal Studies, University of Texas-Austin School of Law, October 2006

"The Paradox of Expansionist Statutory Interpretations," Faculty Workshops at USC Law School, December 2005, Duke Law School, October 2005, and Vanderbilt Law School, September 2005

Participant, Conference on Constitutional Law and Economics, Boalt Hall School of Law, UC Berkeley, August 2005

"A Fly on the Wall: Lessons for Statutory Interpretation from the Positive Political Theory of Legislation," Faculty Workshop at the University of Chicago Law School and at Northwestern University Law School Conference on "Positive Political Theory," April 2005

Panelist, *Localism and the Federal System: Comparative Institutional Competence,"* Yale University Conference on Disaster Mitigation and Public Policy, April 2005

"Rethinking the Appropriations Canon of Statutory Interpretation," Faculty Workshops at University of Texas-Austin School of Law, March 2005 and at University of California, Berkeley (Boalt Hall School of Law), April 2004

Discussant, Conference on Direct Democracy, UC Irvine/USC/Caltech, January 2005

Convenor and Panelist, Section on Legislation, Association of American Law Schools Annual Meeting, San Francisco, January 2005

Panelist, AALS Panel on Future of the Solomon Amendment, AALS Annual Meeting, San Francisco, January 2005

Co-organizer and Panelist, Conference on *Administrative Procedure in the U.S. and Abroad*, USD School of Law, UCSD Department of Political Science, and UCSD School of International Relations and Pacific Studies, San Diego, January 2005

Invited Participant and Host, Third Annual Administrative Law Discussion Forum, USD School of Law, May 2004

Paper presenter, University of San Diego Institute for Law & Philosophy Conference on *"What is Legal Interpretation?,"* San Diego, April 2004

Commentator, Conference on the Legacy of the Earl Warren Court, UC Berkeley School of Law, February 2004

"Remands without Vacatur in Administrative Law," Arizona State Law Journal Symposium on Remands in American Law, Phoenix, February 2004

Panelist, American Association of Law Schools Joint Workshop on Administrative Law and Legislation Sections, *"New Perspectives on Congressional Oversight,"* Atlanta, January 2004

Panelist, AALS Panel on Plagiarism, Section on Student Services, Atlanta, January, 2004

Paper presenter, Conference on Dual Enforcement of Constitutional Norms, William & Mary School of Law, Williamsburg, November 2003

Panelist, *"Procedural Due Process and Fair Hearings,"* Conference on "Demystifying Due Process," UC Hastings School of Law, October 2003

"New Perspectives on the Civil Rights Act of 1964," Paper presented (with Barry Weingast) at American Political Science Association Annual Meeting, Philadelphia, August 2003

"State Constitutions as Documents of Limit/National Constitution as a Document of Grant: Reconsidering the Police Power," USC/Caltech Conference on Modeling the Constitution, May 2003

Moderator, Panel on Agencies and Economic Justice, Institute for Law and Economic Policy/Duke Law School Conference, April 2003

"The Positive Political Theory of Legislative History," Faculty workshops at Washington University at St. Louis School of Law and University of California-Berkeley, Department of Political Science, October 2002

Panel organizer and paper presenter, Public Choice Society Annual Meeting, San Diego, March 2002

Panel organizer and moderator, *"The Administrative States,"* ABA Mid-year meeting, Section on Administrative Law, Philadelphia, February 2002

Keynote Address: *"Political Theory and Public Law through the Lens of Socio-Economics,"* AALS Annual Meeting, New Orleans, January 2002

Participant in Second Annual Workshop on Administrative Law, University of Louisville School of Law, November 2001

"Rethinking Statutory Interpretation and the Appropriations Process," International Association of New Institutional Economics Annual Meeting, University of California, Berkeley, September 2001

Colloquium on Statutory Interpretation and Appropriations, USD School of Law, July 2001

Workshop on the New Federalism Jurisprudence, Arizona State College of Law, April 2001

Panel on *"Finding the Source of State Sovereign Immunity,"* Stanford Law Review Symposium, February 2001

"Straw Polls: Thoughts on Community and Coercion," Journal on Contemporary Legal Issues Conference on "Illiberal Communities," University of San Diego School of Law, February 2001

Presentation on *"Finding Moral Resources in the Law,"* Conference on Conscience, Law, and Personal Integrity, University of San Diego School of Law, January 2001

Panel Presentation on *"Theories of Lawmaking,"* Section on Law and Interpretation, AALS Annual Meeting, Washington DC, January 2001

Panel Presentation on *"Transforming Boundaries: Federalism,"* Joint Program of Sections on Constitutional Law, Family Law, and Federal Courts, AALS Annual Meeting, Washington DC, January 2001

"Home Rule, Municipal Finance, and State Prerogatives," National Tax Association Annual Meeting, Santa Fe, New Mexico, November 2000

Participant in Conference on Welfarism, Institute on Law and Philosophy, University of San San Diego School of Law, October 2000

"Localism and Lawmaking," Faculty Workshop Presentation, Seton Hall University School of Law, September 2000

Discussant, National Association of Scholars of Color Annual Conference, Honolulu, Hawaii, May 2000

Participant/paper presenter in a Ford Foundation conference on *"The State of State Constitutions,"* Center for State Constitutional Studies, Rutgers-Camden Law School, New Jersey, May 2000

Panel participant and panel co-convenor in AALS Workshop on *"Emerging Themes in Administrative Law,"* Washington, DC, March 2000

Participant in Roundtable on Teaching Administrative Law, University of Louisville School of Law, November 1999

Panel on *"Deans of Color Speak Out,"* National People of Color in the Law Conference, John Marshall School of Law, Chicago, Illinois, March 1999

Berkeley Business School Conference on *"Positive Political Theory and Business Strategy,"* Marconi Conference Center, Marin, California, October 1998

Presentation at Conference on *"Constitutional Aspects of Impeachment,"* UC Berkeley Institute for Governmental Studies, October 1998

"Positive Political Theory and Law," Law & Economics Workshop, University of Pennsylvania School of Law, March 1998

"The Constitutional Construction of State and Local Fiscal Policy," Conference on State Constitutional Law, University of New Mexico School of Law, Albuquerque, New Mexico, November 1997

Commentator, Conference: *"Cities on the Cutting Edge,"* Hastings Law School, San Francisco, California, September 1997

"Jaffe's Law: Perspectives on the Intellectual Underpinnings of Modern Administrative Law Theory," Symposium on Administrative Law, Chicago-Kent College of Law, April 1997

Discussant, Conference on *"Judicial Strategy and Judicial Politics*," Washington University, St Louis, November 1996
"Reconsidering Section 5 of the Fourteenth Amendment," Cardozo School of Law, Yeshiva University, September 1996

Paper, *"New Theoretical Paradigms of Federalism,"* Conference on Constructing a New Federalism: Jurisdictional Competition and Competence, Yale Law School, March 1996

Commentator, Conference on *"Major Issues in Federalism*," University of Arizona College of Law, March 1996

Convenor and Participant, Conference on Federalism, UC Berkeley, December 1995

Panel Presentation on *"The Anti-federalist Revival in American Constitutional Law,"* American Association of Law Schools Annual Meeting, San Antonio, Texas, January 1996

"Legislative Rhetoric, Statutory Interpretation, and the Civil Rights Act," American Political Science Association Annual Meeting, Chicago, Illinois, September 1995

Co-convenor and presenter, short-course on *"Public Law, Public Choice, and Positive Political Theory,"* APSA Annual Meeting in Chicago, September 1995

"State Supremacy and Local Sovereignty," Conference on Constitutional Reform in California, UC Berkeley-Stanford University, June 1995

"The Constitutional Status of Federalism," Conference on Revitalizing Federalism, Hoover Institution, Stanford University, May 1995

"Legislative Rhetoric, Statutory Interpretation, and the Civil Rights Act," Conference on Law and Positive Political Theory, University of Southern California Law Center and California Institute of Technology, May, 1995 and Faculty Workshop, Stanford University School of Law, December 1993

"Presidential Leadership in the Modern Administrative State," Duke Law Journal Annual Conference on Administrative Law, January 1994

"The Positive Political Dimensions of Regulatory Reform," Conference on Positive Political Theory and the Rule of Law, University of Rochester, October, 1993; Faculty Workshops, Emory University School of Law, March 1993 & University of Virginia School of Law, April 1993

Discussant, Law & Contemporary Problems Symposium on The Political Economy of Administrative Procedures and Regulatory Instruments, Duke University, November 1992

"The History of the Civil Rights Act," Public Choice Society Annual Meeting, New Orleans, Louisiana, March 1992

Presenter, Panel on *"Administrative Law and the New Public Law,"* American Association of Law Schools Annual Meeting, San Antonio, January 1992

Discussant, Conference on Administrative Adjudication, UCLA Law School, November 1991

"The Presumption of Reviewability: A Study in Canonical Construction," Symposium on The Canons of Statutory Construction, Vanderbilt University Law School, November 1991 and Faculty Workshop, USC Law Center, March 1992

Discussant, Conference on *"The Economics of Administrative Law,"* University of Illinois, Champaign-Urbana, May 1991

"Statutory Interpretation and Political Advantage," Conference on Constitutional Law and Economics, Stanford University, October 1990 and Faculty Workshop, University of Washington School of Law, March 1991.

Panelist, Conference on *"The New Public Law,"* University of Michigan School of Law, March 1991

"The Concept of Expertise in American Administrative Law," Lecture, Kobe University, Japan, October 1990

Panelist, Federalist Society National Student Conference on Civil Rights, Stanford Law School, March 1990

"Presidential Signing Statements," Western Political Science Association Annual Meeting, Salt Lake City, Utah, April 1989 (won Pi Sigma Alpha award for Best Paper presented at the meeting)

Other presentations:

"Same Sex Marriage: Anatomy of a Legal Controversy," Rice Alumni Association Presentations, New York City, March 2011; Palo Alto, California, November 2010

Presentation on *Christian Legal Society v. Martinez*, University of Texas Legal Counsel Annual Meeting, Austin, Texas, November 2010

"Governing Arizona," Conference presentation to political leaders and journalists, Phoenix, Arizona, November 2009

Presentation on *"Canons of Statutory Interpretation"* to Texas Bill of Rights Annual Symposium, May 2008

Luncheon speaker, ABA Section on State & Local Government Law Spring Meeting, San Diego, March 2006

Moderator, Panel on Doing Business in China, sponsored by Procopio, Cory law firm and USD School of Law, San Diego July, 2004

Discussant, Keynote Address by Anthony Lewis on *Brown v. Board of Education*, San Diego, May 2004

Panelist, California League of Cities Spring Meeting, *"Procedural Due Process Developments in California,"* San Diego, May 2004

Panelist, ABA Deans' Workshop, Seattle, February 2003

Presentation on *"Foreign Narcotics Kingpin Act,"* ABA Fall Administrative Law Conference, Washington, DC, October 2000

Testimony before U.S. Congress Judicial Review Commission on "Foreign Narcotics Kingpin Act," Washington, DC, September 2000

Participant/Consultant, GTZ Conference on Reform of Budget Law in the People's Republic of China, Beijing, China, June 2000

Federal Judicial Center Program on *"Reviewing Administrative Decisions in a Post-Chevron Environment,"* Stanford Law School, April 1999

"Zealot's Advocacy," Foothill County Bar Ass'n, El Cajon, California, January 1999

"Dimensions of Local Governance," St. Thomas More Society, San Diego, California, August 1998

Panel presentation on *"Opportunities for Minorities in the Legal Profession,"* American Bar Ass'n Annual Meeting, Toronto, Canada, August 1998

Lecture on *"Official Notice and the Administrative Process,"* Annual Meeting of the National Ass'n of Administrative Law Judges, New Orleans, Louisiana, October 1989

Education

J.D. Harvard Law School, 1987

Supreme Court Editor, *Harvard Law Review*
Research assistant, Visiting Prof. Cass Sunstein
Legal Methods Instructor

B.A. California State University, Long Beach, 1984

Outstanding graduate in the Department of Political Science and in the School of Social & Behavioral Sciences

Distinguished Alumnus of the Year, College of Liberal Arts, 2000

Honors

Fellow, American Bar Foundation

Elected Member, American Law Institute

Distinguished Alumnus of the Year -- 2000, College of Liberal Arts, California State University at Long Beach

Honorary member, San Diego County Bar Association

Honorary member, Phi Alpha Delta Law Fraternity, McCormick Chapter

Honorary member, American Inns of Court, Louis Welsh Chapter

Selected as John M. Olin Fellow in Law & Economics for 1993, University of Virginia School of Law

Pi Sigma Alpha Award (for best paper at annual meeting), Western Political Science Ass'n, 1990

Research grant (co-recipient), Smith-Richardson Foundation, awarded for research on civil rights law and policy, 1992-93

Research grants, 1989, 1990-91, and 1994-95, UC Berkeley Committee on Research

University Service

University of Texas

Chair, Laterals Subcommittee, Faculty Appointments Committee, 2009-10

Chair, Hamilton Book Prize Committee (campus-wide), 2009

Chair, Dual Degree Committee, 2008-09

Member, Laterals Subcommittee, Faculty Appointments Committee, 2008-09

Chair, Entry-Level Subcommittee, Faculty Appointments Committee, 2007-08

Coordinator, UT Law/LBJ School of Public Affairs Joint Degree Program

University of San Diego

Member, President's Advisory Committee, USD Cabinet, and University Senate

Member, Provost Search Committee

Member, Planning Committee, Joan B. Kroc School of Peace Studies

Member, Council of Deans

Chair, Chief Information Officer Search Committee

Member, Nursing School Dean Search Committee

Member, Committee on University Professorships

Member, Task Force on Implementing Faculty/Administrator Diversity (Irvine II Grant)

UC Berkeley

Campus:

Committee on the Protection of Human Subjects, 1995-97

Advisory Board, Berkeley-Washington, D.C. Center, 1995-98

Committee on Positive Financial Disclosure, 1994-95

Selection Committee, John Gardner Public Service Fellowship, 1993-present

Ad Hoc Review Committee, Berkeley Center for Law & Society, 1992-93

Committee on Academic Freedom, 1990-92

Law School**:**

Chair, Faculty Appointments Committee, 1996-98

Chair, Committee on Academic Placement, Judicial Clerkships, and Fellowships, 1995-96

Committee on Faculty Appointments, 1991-92, 1994-98

Chair, Subcommittee on Diversity, Committee on Faculty Appointments, 1991-92, 1994-95

Chair, Committee on the Academic Support Program, 1993-94

Committee on Law School Admissions, 1993-95

Task Force on Student-Faculty Relations, 1989-91

Advisory Board, Ecology Law Quarterly

Advisory Board, Environmental Law Program at Boalt Hall

Dissertation Advisor/Graduate Committee:

Lydia Tiede, UCSD (assistant professor-designate, University of Houston, Department of Political Science)
Nathan Monroe, UCSD (currently an assistant professor, Michigan State University, Department of Political Science)
Emerson Tiller, UC Berkeley Graduate School of Business (currently on the faculty at Northwestern University School of Law)

Selection Committee, Harmon Environmental Law Writing Competition, 1995, 1996

Citation awarded by the Boalt Hall Moot Court Board for help in advising students in intramural and extramural moot court competitions, 1995

Academic/Public Service

President-elect, AALS, 2013

Member, American Law Institute Council, 2012--

Executive Committee, AALS, 2009-2011

Member, AALS Committee on Curriculum, 2007-09

Chair, AALS Section on Legislation, 2004-05

Chair, Consultant's Committee, ABA Project on Administrative Law in the European Union, Transparency Section, 2004-06

Affiliated Scholar, Center for the Study of Law & Politics, USC School of Law, 2004--

Academic Board of Advisors, Initiative and Referendum Institute, 2004--

Executive Council, American Bar Association Section on Administrative Law and Regulatory Practice, 1999-2002

Executive Committee, American Law Deans Association, 1999–2005

Committee, AALS Section on Libraries and Information Technology, 2003-06

Executive Committee, Section on Local Government Law, American Association of Law Schools, 1997–2002

ABA Mid-Year Administrative Law Meeting Program Chair, 2001

ABA/AALS Site Inspection Teams:
University of Puerto Rico, April, 2002 (Team Chair)
Seton Hall University School of Law, March, 2001
University of Richmond School of Law, April, 2000
Detroit College of Law–Michigan State University, October, 1998

Teacher, Legal Opportunity Program (CLEO), Boalt Hall, Summer, 1992

Television and radio commentator on various topics, including appearances on the O'Reilly Factor, February, 2004, McNeil- Lehrer News Hour, September, 1991 and San Diego and San Francisco TV and radio programs, 1991-present

Subcommittee, Uniform Rules of Agency Procedure and Practice, American Bar Association, 1988-90

Reviewer,
Foundation Press
Oxford University Press
Little, Brown & Co. Press
Journal of Law, Economics & Organization
American Journal on Political Science
Western Political Science Quarterly (now Political Research Quarterly)

Law school appointment/tenure evaluations: Harvard, Chicago, Stanford, UC Berkeley, Cornell, Florida State, Illinois, Minnesota, North Carolina, Northwestern, Toledo, Vanderbilt, USC, & Georgetown

Professional Service

Amicus brief, Petition for Certiorari, *Council Tree Investors, Inc. et al v. FCC et al* (Supreme Court of the United States)

Amicus brief in *Christian Legal Society v. Hastings College of Law* (Supreme Court of the United States)

Expert witness: *Root v. Thomas Jefferson School of Law*

Consultant: Travis County Grand Jury (separation of powers), City of San Diego (pension fund litigation); City of Los Angeles (charter dispute);City of Los Angeles, Office of Controller (development of new Fraud, Waste, & Abuse Unit); Simon Properties & the City of Austin (land use and scope of local authority); assorted pro bono work