MEMORANDUM

TO: Voting Faculty

FROM: Laura A. Rosenbury, Dean

RE: Faculty Meeting Agenda, April 5, 2019

April 5, 2019

I have scheduled a Faculty Meeting for Friday, April 5, 2019, in the Faculty Lounge, beginning at noon. A light lunch will be provided.

The agenda will be as follows:

1. Approve Faculty Meeting Minutes for March 15, 2019, attached

2. Proposal of Credit Standards of Clinics and Externships from the Curriculum and Strategic Planning Committee (Johathan Cohen, chair), attached

3. Proposal of Requirements for Underperforming Students from Jason Nance (chair of the Ad Hoc Bar Task Force) and Jeff Davis (chair of the Academic Standards Committee), attached

4. Information Item and Discussion regarding developing formal guidelines for review of lateral candidates, facilitated by the Appointments Committee (Danny Sokol, chair)

5. Information Item and Discussion regarding faculty hiring priorities, facilitated by the Appointments Committee (Danny Sokol, chair)

6. Nominations for University Faculty Senate: The College of Law has two seats to be filled on the University Faculty Senate. Nominations have been solicited via email, attached. Nominations will also be accepted from the floor. Voting will then take place.

7. Approve visiting professor for 2019-2020 academic year, (curriculum vitae attached)
Law Faculty Meeting Minutes
March 15, 2019 11:00 a.m.

PRESENT:

NOT PRESENT: Mary Jane Angelo, Stephanie Bornstein, Yariv Brauner, Charles Collier, Deborah Cupples, Jeffrey Davis, Nancy Dowd, Bill Hamilton, Jeffrey Harrison, Mindy Herzfeld, Joseph Jackson, Michelle Jacobs, Shani King, Leslie Knight, Silvia Menendez, Fred Murray, Kenneth Nunn, Leanne Pflaum, Teresa Reid, Elizabeth Rowe, Sharon Rush, Amy Stein, Steinberg, John Stinneford, Diane Tomlinson, Lee-Ford Tritt, Henry Wilhnyk, Steven Willis, Sarah Wolking, Wentong Zheng

Meeting called to order at 11:03 am.

I. Announcements

Dean Rosenbury made two separate announcements and reminders: Information Item Only
one regarding Admitted Students’ Day events and General Counsel
Amy Hass’ roundtable on Outside Activities certifications.

II. Approve Faculty Meeting Minutes for February 22, 2018

Faculty considered minutes from February 22, 2018 meeting. Unanimously Approved

III. Approve Proposal for Permanent Grading for Introduction to Lawyering

As presented by Professor Cohen, faculty considered a proposal to Proposal Adopted
change Introduction to Lawyering from a S/U graded course to letter grading.
Discussion ensued regarding history and benefits of change.

IV. Recommendation from Tenured Lateral Appointments Committee (Danny Sokol, chair)

Danny Sokol discussed charges to the committee and process Faculty invited to vote
for coming to these recommendations.

Candidate Neil Buchanan was brought forward to the faculty. Discussion.

Meeting adjourned at 11:44 am.
TO: Voting Faculty
FROM: Curriculum & Strategic Planning Committee (Cohen, chair, Brauner, Cupples, Drake, Mathapo, Nance, Nunn, Pflaum, and Steinberg)
DATE: March 19, 2019
RE.: Credit Standards for Clinics and Externships

Dean Rosenbury charged our Committee to “review the number of credits awarded for our live-client clinics, placement clinics, and externships and to develop recommendations for standardizing those credits or justifying distinctions between the credits awarded, focusing on credits awarded for both the academic and experiential components of these courses.” These changes were requested so that our curriculum better complies with the ABA rules on experiential learning. Our Committee reviewed these matters, including consulting with Associate Dean of Experiential Learning Silvia Menendez. In response, our Committee proposes the following changes to the “Externships (Educational Field Placement)” section of the Faculty Policy Manual. The essential change is found in section G below, where we propose standardizing credit hours for all such offerings, specifically, that credit hours be “determined by the number of hours the student works, with each credit requiring at least 45 hours of work, with a minimum of 2 credits.” Below are our recommended changes to the relevant section of the faculty policy manual, followed by the current version from the faculty policy manual and a redline version reflecting the changes for your reference.
Recommended changes on pages 65-68

Externships (Educational Field Placements) and Clinics

(Historical note: modifying 3/18/2019, 3/21/2017, 2/21/2017, 1/18/2017 (replacing 9/19/2012 policy in its entirety))

A. Purpose of externship and clinic experiences: An externship or a clinical experience is intended to provide students with an opportunity to apply the doctrines learned in school to the practice of law; explore practice areas in which they have an interest; develop the professional skills needed in their future careers; develop a career network; and begin developing their legal resumes. An externship or a clinical experience also may provide the student with the experiential credits required by ABA Standard 303(a)(3).

B. Availability of credit: The College of Law will grant credit to students for studies or activities away from the law school in accordance with ABA standard 304(c).

C. Description of externship: An externship is made up of two parts: (1) a placement working with a practicing attorney on lawyering tasks, outside of the law school, and (2) an academic component intended to supplement and enhance the material learned at the site. Externships are intended primarily for the academic and professional benefit of the student, and the student must be physically working at the site. This section applies to traditional externships.

D. Approval and review of externships:

1. Submission of externship proposals: Faculty, students or prospective sites may propose new externships to the Director of Externships. In a proposal, the proposer will include all information necessary to ensure that the externship meets the requirements of ABA Standard 304 and UF standards. The Director will develop forms and other information necessary to assist those proposing new externships.

2. Review of proposals: The Curriculum Committee is ultimately tasked with the review and approval or rejection of all externship proposals. The Curriculum Committee, in conjunction with the Director of Externships, may establish procedures for summary approval of certain types of externships by the Director. Director approval is subject to Committee oversight of the criteria and procedures used for approval.

3. Periodic review of placements: The Curriculum Committee will periodically review educational field placements, and after each academic year the Curriculum Committee will make available to the faculty a list of placements that have been approved during that year.

4. Application of ABA Standard 304: In its review of externship proposals, the committee or its delegate will apply ABA Standard 304 and ensure that:

a. The placement has appropriate academic focus and will enhance the student’s legal education;
b. The placement provides opportunity for research and writing, application of substantive law, or development of skills;

c. The field supervisor is a licensed attorney;

d. The placement is able to provide the student with a substantial lawyering experience, supervision, feedback, and opportunities for self-evaluation; and

e. The placement personnel understand that the externship is primarily for the benefit of the student.

E. Academic component of an externship:

1. Purpose of academic component: Each student registered for externship credits also will participate in a course or regularly scheduled tutorial related to the externship experience and will work with a faculty supervisor to ensure the academic focus of the externship is maintained. The Director of Externships and individual supervisors will create course material and assignments necessary to provide this focus.

2. Role of faculty supervisor: Faculty supervisors will provide students with an opportunity for ongoing, contemporaneous, guided reflection concerning the externship experience. Students will provide the faculty supervisor with journal entries describing the work the student is doing, and faculty supervisors will regularly meet (in person or by telephone) with the student to discuss the work and other aspects of the externship. Faculty supervisors will provide the students with supplemental reading, research, or skills exercises as a framework for the externship, and provide an evaluation of the student’s academic performance.

F. Communication with externship placement sites: To ensure that the placement remains academic in nature, the faculty supervisor will maintain regular contact with the site and the site supervisor during the externship.

G. Course credit allocation for externships and clinics: Credit hours are determined by the number of hours the student works, with each credit requiring at least 45 hours of work, with a minimum of 2 credits.

H. Selection of students for externship opportunities:

1. Selection by externship site: Unless a student falls into one of the prohibited categories, personnel at an approved externship site may select the student extern, with or without the assistance of the faculty supervisor.

2. Prohibitions on externship participation:

a. A student may not receive credit for a placement for which that student is paid a salary or wage. A student may accept a stipend, scholarship, or grant paid by the site in an amount not to
exceed $1,000 for each credit hour of the externship. A student may accept a stipend, scholarship, or grant paid by a third party in any amount.

b. No student may participate before successful completion of all required first year courses.

c. No student may be enrolled in a field placement over the express objection of the field supervisor.

d. No student may participate in a clinic and a field placement in the same semester.

1. Faculty participation for externship experiences:

1. Faculty eligible for supervision: All law school and CGR faculty are eligible to act as faculty supervisors for externships.
2. Selection of supervisors: The Associate Dean for Academic Affairs will assign faculty to supervise externs throughout the year.

3. Compensation for externship supervision: The Dean and the Associate Dean will develop compensation policies for externship supervision.

*Committee note: Our understanding is that a minimum of 45 hours per credit hour is needed for us to be in accordance with the ABA Standard 310.*
(Current Faculty Policy Manual)

Exterships (Educational Field Placements)

(Historical note: 3/21/2017, 2/21/2017, 1/18/2017 (replacing 9/19/2012 policy in its entirety))

A. Availability of credit: The College of Law will grant credit to students for studies or activities away from the law school in accordance with ABA standard 304(c).

B. Description of externship: An externship is made up of two parts: (1) a placement working with a practicing attorney on lawyering tasks, outside of the law school, and (2) an academic component intended to supplement and enhance the material learned at the site. Externships are intended primarily for the academic and professional benefit of the student, and the student must be physically working at the site. This section applies to traditional 2-6 credit summer and academic year externships.

C. Purpose of externship: An externship is intended to provide students with opportunities to apply the doctrines learned in school to the practice of law; explore practice areas in which they have an interest; develop the professional skills needed in their future careers; develop a career network; and begin developing their legal resumes. An externship also may provide the student with the experiential credits required by ABA Standard 303(a)(3).

D. Approval and review of externships:

1. Submission of externship proposals: Faculty, students or prospective sites may propose new externships to the Director of Externships. In a proposal, the proposer will include all information necessary to ensure that the externship meets the requirements of ABA Standard 304 and UF standards. The Director will develop forms and other information necessary to assist those proposing new externships.

2. Review of proposals: The Curriculum Committee is ultimately tasked with the review and approval or rejection of all externship proposals. The Curriculum Committee, in conjunction with the Director of Academic Externships, may establish procedures for summary approval of certain types of externships by the Director. Director approval is subject to Committee oversight of the criteria and procedures used for approval.

3. Periodic review of placements: The Curriculum Committee will periodically review educational field placements, and after each academic year the Curriculum Committee
will make available to the faculty a list of placements that have been approved during that year.

4. Application of ABA Standard 304: In its review of externship proposals, the committee or its delegate will apply ABA Standard 304 and ensure that:

   a. The placement has appropriate academic focus and will enhance the student's legal education;

   b. The placement provides opportunity for research and writing, application of substantive law, or development of skills;

   c. The field supervisor is a licensed attorney;

   d. The placement is able to provide the student with a substantial lawyering experience, supervision, feedback, and opportunities for self-evaluation; and

   e. The placement personnel understand that the externship is primarily for the benefit of the student.

E. Academic component:

1. Purpose of academic component: Each student registered for externship credits also will participate in a course or regularly scheduled tutorial related to the externship experience and will work with a faculty supervisor to ensure the academic focus of the externship is maintained. The Director of Academic Externships and individual supervisors will create course material and assignments necessary to provide this focus.

2. Role of faculty supervisor: Faculty supervisors will provide students with an opportunity for ongoing, contemporaneous, guided reflection concerning the externship experience. Students will provide the faculty supervisor with journal entries describing the work the student is doing, and faculty supervisors will regularly meet (in person or by telephone) with the student to discuss the work and other aspects of the externship. Faculty supervisors will provide the students with supplemental reading, research, or skills exercises as a framework for the externship, and provide an evaluation of the student's academic performance.

F. Communication with placement sites: To ensure that the placement remains academic in nature, the faculty supervisor will maintain regular contact with the site and the site supervisor during the externship.

G. Course credit allocation: Externship credit hours are determined by the number of hours the student works at the placement, with each externship credit requiring 55 hours of work, with a minimum of 2 credits. Students can earn 2-5 credits during the standard 15 week fall or
spring semester; 2-6 credits during the 8 week summer session; or 6-10 credits for the 15 week Semester in Practice. The required hours for externship credits are as follows:

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<tr>
<th>Credits Awarded</th>
<th>Total Hours Required</th>
<th>Average Weekly Hours Required</th>
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<td>Spring/Fall = 15 weeks</td>
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</tr>
</tbody>
</table>

(Scribe’s note: The “Semester in Practice” referenced in the above table is explained in more detail in the “Semester in Practice” policy in this manual, below.)

H. Selection of students:

1. Selection by externship site: Unless a student falls into one of the prohibited categories, personnel at an approved externship site may select the student extern, with or without the assistance of the faculty supervisor.

2. Prohibitions on externship participation:

a. A student may not receive credit for a placement for which that student is paid a salary or wage. A student may accept a stipend, scholarship, or grant paid by the site in an amount not to exceed $1,000 for each credit hour of the externship. A student may accept a stipend, scholarship, or grant paid by a third party in any amount.

b. No student may participate before successful completion of all required first year courses.

c. No student may be enrolled in a field placement over the express objection of the field supervisor.

d. No student may participate in a clinic and a field placement in the same semester.

I. Faculty participation:

1. Faculty eligible for supervision: All law school and CGR faculty are eligible to act as faculty supervisors for externships.
2. Selection of supervisors: The Associate Dean for Academic Affairs will assign faculty to supervise externs throughout the year.

3. Compensation for externship supervision: The Dean and the Associate Dean will develop compensation policies for externship supervision.
We recommend that the following language be amended in the Faculty Policy Manual:

Recommended changes on pages 65-68

Externships (Educational Field Placements) and Clinics

(Historical note: modifying 3/18/2019, 3/21/2017, 2/21/2017, 1/18/2017 (replacing 9/19/2012 policy in its entirety))

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B. Availability of credit: The College of Law will grant credit to students for studies or activities away from the law school in accordance with ABA standard 304(e).

B.C. Description of externship: An externship is made up of two parts: (1) a placement working with a practicing attorney on lawyering tasks, outside of the law school, and (2) an academic component intended to supplement and enhance the material learned at the site. Externships are intended primarily for the academic and professional benefit of the student, and the student must be physically working at the site. This section applies to traditional 2-6 credit summer and academic year externships.

C. Purpose of externship: An externship is intended to provide students with opportunities to apply the doctrines learned in school to the practice of law, explore practice areas in which they have an interest, develop the professional skills needed in their future careers, develop a career network, and begin developing their legal resumes. An externship also may provide the student with the experiential credits required by ABA Standard 303(a)(2).

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G. Course credit allocation for externships and clinics: Externship-credit hours are determined by the number of hours the student works at the placement, with each externship credit requiring at least 55-15 hours of work, with a minimum of 2 credits.

Students can earn 2-3 credits during the standard 15-week fall or spring semester, 2-6 credits during the 8-week summer sessions, or 6-10 credits for the 15-week semester.

The required hours for externship credits are as follows:

Credits:—Awarded

<table>
<thead>
<tr>
<th>Total Hours Required</th>
<th>Required Hours:</th>
<th>15-week Semester in Practice</th>
<th>Summer 8 weeks</th>
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</table>

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Committee note:
Our understanding is that a minimum of 45 hours per credit hour is needed for us to be in accordance with the ABA Standard 310.

Current Version of the Faculty Policy Manual
To: UF Law Faculty

From: Jason Nance, Chair of the Ad Hoc Bar Task Force; Jeff Davis, Chair of the Academic Standards Committee

Re: Requirements for Underperforming Students

Date: March 28, 2019

Context of Current Challenge

Our July 2018 Florida bar exam results (70.9% overall pass rate, fourth in the state) indicate that we must better prepare our students to pass the bar exam on the first attempt. Not only must we continue to support our students from the time they graduate to when they take the bar exam, but we must also do more to prepare students during their three years of law school.

Among other support strategies, this academic year we offered many courses on core subjects that might be tested on the Florida bar exam (e.g., secured transactions, Florida Civil Procedure, Florida Constitutional Law, Florida Criminal Procedure, Florida Rules of Judicial Administration, Florida Trusts, Wills, and Estates, and sales). In addition, we have introduced three general bar preparation courses designed primarily to help underperforming students to pass the bar exam on the first attempt: (1) Foundations in Law, (2) Multistate Bar Topics, and (3) Florida Bar Topics. These courses are not designed to replace a commercial bar preparation course. Rather, they are designed to supplement such a course and help struggling students review the most commonly-tested areas on the bar and develop stronger legal analysis, essay writing, issue identification, and multiple choice test-taking skills. Specifically, in Foundations in Law, underperforming 2Ls and 3Ls review and further develop foundational skills relating to content organization, reading comprehension, rule stating, analysis and logical reasoning, issue identification, and essay writing. In the Multistate Bar Topics course, students review and memorize core principles on the seven tested MBE subject areas, learn how to apply these principles to successfully answer multiple choice questions, and develop other multiple choice test taking skills. In the Florida Bar Topics course, students review selected topics routinely tested on the Florida bar exam and develop technique for analyzing, organizing, and writing successful essays. We have received very positive feedback thus far from students enrolled in these courses.

One significant challenge we face is that many underperforming students who should take core subject area courses and the three bar preparation courses choose not to take them, even after we explain to them the advantages of enrolling in these courses. For example, Rachel Inman, Brian Mitchell, and I invited all 2Ls who earned a GPA below a 3.0 and all 3Ls who earned a GPA below a 2.75 to enroll in the Foundations in Law course. We emailed and called each student to explain the advantages of enrolling in this course. We also waived the course
fee, and there were no textbook or instructional material costs associated with taking this course. After investing much time and effort into this process, 32 out of the 71 2Ls we invited (45%) and 9 out of the 15 3Ls we invited (60%) still chose not to enroll in this important course.

To further illustrate, 14 out of 63 3L students (22%) who earned a GPA below 3.0 and 33 out of 142 3L students (23%) who earned a GPA below a 3.2 did not enroll in either the Florida Bar Topics course or the Multistate Bar Topics course despite multiple email invitations, panel discussions, and personal outreach to explain the advantages of taking these courses. Several other at-risk students enrolled in only one of these courses when they should have enrolled in both courses. The reasons for not enrolling in these courses varied. They ranged from not wanting to take a course on Fridays to not wanting to enroll in course with a mandatory mean to preferring to take other courses.

Furthermore, individual invitations by phone is extremely time consuming and imperfect. Students often do not answer or call us back. When we do talk to them, we cannot always persuade them to take the courses they need.

Imposing Requirements for Underperforming Students

We recognize that we must provide different types of support strategies to help students pass the bar exam on the first attempt. We will continue to carefully consider, implement, and measure a variety of different strategies.

As part of our approach, we propose that we require underperforming students to meet with an academic advisor, assistant dean, or associate dean before they are permitted to register for courses and to limit their registration options to the advisor’s recommendations. The advisor can create an individualized course schedule that will best help each underperforming student pass the bar exam on the first attempt, secure employment, and otherwise meet their goals. Once a student’s GPA rises to a 3.0 or above, the student can resume registering for courses on their own without approval. If a student and advisor disagree about course selection, the student can appeal the decision to a designated associate dean.

We hope that this individualized approach will help underperforming students take advantage of our curricular offerings designed to help them pass the bar exam on the first attempt and make better decisions that are consistent with their long-term goals. This approach also will allow us to be flexible in our course offerings as the needs of our students shift and as we better understand the types of courses that effectively help our students perform well on the bar exam.

If this measure passes, we will notify rising 2L and 3L students this summer that this policy will be in effect beginning with Spring 2020 course registration, which will occur in October 2019.
Faculty Policy Manual Addition

We propose that the following language be added to the Faculty Policy Manual and our Student Academic Policies:

Any student registering for upper-level courses whose law school GPA falls below a 3.0 is required to meet with an academic advisor or associate dean before registering for courses and must limit their registration options to the advisor or associate dean’s recommendations. If a student and advisor disagree about course selection, the student can appeal the decision to the Associate Dean for Students or the Associate Dean for Academic Affairs. When a student’s law school GPA rises to a 3.0 or above, the student can resume registering for courses on their own without approval.
March 28, 2019

To: Voting Faculty
From: Your Senate Nominating Committee (Tracy Reid, Henry Wihnyk, and Ben Fernandez)
Re: Faculty Senate Nominations

At our next faculty meeting (April 5, 2019), we need to elect two University Faculty Senators who will represent the College of Law. To that end, we need your help, please!

Attached is a list of eligible nominees. If you’d like to nominate yourself or someone else, please send an email to Tracy (reid@law.ufl.edu); Henry (wihnyk@law.ufl.edu); or Ben (fernandez@law.ufl.edu) by April 4th. Nominations will also be received from the floor at the April 5th faculty meeting.

If you’ve never served as a Senator, please consider doing so. It’s a great way to get to know other faculty members, and to help shape the course of our University.

Thank you,

Tracy, Ben, and Henry
<table>
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<tr>
<th>ID</th>
<th>Name</th>
<th>Title</th>
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<td><a href="mailto:adkinsm@law.ufl.edu">adkinsm@law.ufl.edu</a></td>
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<td>Angelo, Mary Jane</td>
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University of Cincinnati College of Medicine, Cincinnati, OH (on academic leave 2018-2019)
Professor of Internal Medicine

Penn State University Colleges of Law and Medicine, University Park, PA, 2017- 2018
Visiting Professor of Law and Medicine
Course: Public Health Law

University of Iceland Faculty of Law, Reykjavik, Iceland, March - April 2018
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Course: International Human Rights and Global Health Law

Texas Tech University School of Law, Lubbock, TX, 2003- 2015
Alvin R. Allison Professor of Law (2007- 2015) Professor of Law (tenured and promoted 2007)
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Courses: Torts; Public Health Law; Bioethics; Constitutional Issues in Health Law; Human Subject Research Law; Correctional Health Care Law; Assisted Reproductive Technology; Law; Medicine, and Literature; Insurance Law; Medical Malpractice

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Personnel Committee (2012-2013)
Chair, Promotion Committee, Professor DeLeith Gossett (2012)
Strategic Planning Committee (2012)
Search Committee for AT & T Professor of Law (2007-2008) Chair, Promotion Committee, Professor Rosemary Dillon (2007)
Promotion and Tenure Committee, Professor Richard Rosen (2007)
Post-Tenure Review Committee, Clerkship Committee (2003-2007)
Law School Representative to Texas Tech Institute of Forensic Sciences (2003-2007)
Diversity Committee (2003-2006)
Advisor, Health Law Students Association (2001-2015)

Texas Tech University Health Sciences Center, School of Medicine, Lubbock, TX, 2004-2015
Clinical Professor, 2013-2015
Associate Clinical Professor, 2004-2012

Academic Service:
Search Committee, Chair of Department of Public Health (2011-2012) Board of Advisors, Community Medical School (2006-2008)
Alternate Member, Texas Tech University Health Sciences Center Institutional Review Board (2006)

Texas Tech University Health Sciences Center, Department of Psychiatry, Graduate School of Biomedical Sciences, Lubbock, TX, 2014-2015
Professor, Public Health Program
Chair, Curriculum and Student Affairs Committee
Course: Introduction to Public Health

La Trobe University, Melbourne, Australia, January 2012
Visiting Professor
Course: Torts (in Global Business Law LLM Program)

Drake Law School, Des Moines, IA, 2010-2011
Visiting Professor
Course: Health Law; The Business of Health Law; Legal & Clinical Issues in Human Subject Research
Academic Service: Advisor, Health Law Students Organization

Graduate School of Medical Sciences University of Texas Medical Branch, Institute for the Medical Humanities, Galveston, TX, 2001-2003
Jennifer S. Bard, C.V.
Assistant Professor, Department of Preventive Medicine and Community Health
Courses: Integrated Curriculum Evaluation Exercise; Internal Medicine Ethics Case Conference Series; Neurology Clerkship Lectures (every six weeks); Practice of Medicine I and II; Surgery Ethics Rounds; General Clinical Research Center: Ethics Lecture; Ethics of Scientific Research; Bioethics and the Law

Academic Service:
Clerkship Director, Medical Jurisprudence
Research Director, Program on Legal and Ethical Issues In Correctional Health
Scientist, Sealy Center for Vaccine Development
Fellow, Center for Interdisciplinary Research in Women’s Health

University of Houston Law Center, Houston, TX, 2002
Course: Co-taught LLM Seminar with Dr. William Winslade, Director of the LLM Program

ADMINISTRATIVE POSITIONS
University of Cincinnati College of Law, Cincinnati, Ohio, 2015-2017
Dean and Nippert Professor of Law

Texas Tech University, Lubbock, TX (2014-2015)
Associate Vice Provost for Academic Engagement (2015); Special Assistant to the Provost for Academic Engagement (2014-2015)
Chair, Executive Board, Teaching Academy (2013-2014).
Chair, The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) Quality Enhancement Plan Selection Committee (2015)
SACSCOC Reaffirmation Team 10: Substantive Change (2015)
Faculty Grievance Panel (2009)

Texas Tech University School of Law, Lubbock, TX (2005-2015)
Associate Dean for Faculty Research and Development (2011-2013)
Assistant Director for International Human Subject Testing, Center for Biodefense, Law and Public Policy (2006-2015)

ACADEMIC HONORS AND AWARDS
• University of Connecticut Public Health Program’s Chapter of the Delta Omega Public Health Honor Society, Beta Rho chapter (2014)
• Texas Tech University, selected for Presidential Leadership Academy (2013-2014)
• Fellow of the American Bar Foundation (2013)
• Chair, Executive Council, Texas Tech University Teaching Academy (2013-2014)
• Robert Wood Johnson, Scholars in Residence Fellowship (2013)
• President’s Excellence in Academic Achievement Award, Texas Tech University (2012)
• Provost’s Integrated Scholar, Texas Tech University (2012)
• American Law Institute (elected member since 2009)
• Texas Tech University Teaching Academy (top 15% of professors in the university) (2009)
• President’s Excellence in Teaching Award, Texas Tech University (2009)
• American College of Legal Medicine Board (2009)
• Outstanding First Year Teacher Award, Texas Tech University School of Law, Phi Alpha Delta Law School Honor’s Fraternity (2008)

PROFESSIONAL LEADERSHIP
• Chair, American Association of Law Schools Section on Mental Disability Law (2018-present)
• Elected Section Counselor (2017-present), Governing Counselor (2014-2017), American Public Health Association
• Audit Committee Advisor, Law School Admissions Council (2017-present)
• Deputy Chair, Southeastern Association of Law Schools, International Law Committee (2017-present)
• Deputy Editor, Journal of Legal Medicine, American College of Legal Medicine Board (2011-2014)
• Professionalism Committee, American Bar Association Section of Legal Education and Admissions to the Bar (2010-2012)
• Committee on Sections, Association of American Law Schools (2016-present)
• Chair, Section on Law, Medicine, and Healthcare (2013-2014), Executive Committee Member (2012-2015)
• Chair, Section on Mental Disability Law, (2007-2008), Executive Committee Member (2007-2011)
• Editor-in-Chief, Internet Journal of Law, Healthcare and Ethics (2005-2006)

GRANT SUPPORT & FUNDED RESEARCH
• Scholars in Residence Fellow, Robert Wood Johnson Foundation (2013)
• Assistant Director (2007-2015), Principal Investigator (2006-2007), The Law, Policy, and Ethics Core, Western Regional Center of Excellence for Biodefense and Emerging Infectious Diseases Research (5U54AI057156.) Funded by Public Health Services, Department of Health and Human Services

LEGAL EMPLOYMENT
Connecticut Attorney General’s Office, Hartford, CT, 1997-2001
Assistant Attorney General II, Health Care Fraud/Whistle Blower Department; Chief Whistle Blower Attorney
• Advised the Commissioner of the Department of Social Services in complex medical reimbursement cases
• Worked closely with Federal and State law enforcement agencies in joint operations pursuing health care fraud
• Investigated reports of government fraud and abuse, including state Medicaid program, the National Guard, the Department of Environmental Protection and the State University System

Health Policy Analyst
• Advised national organization representing 135 HIV/AIDS groups on developing policy and

Jennifer S. Bard, C.V.

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drafting legislation to provide effective health care for individuals with HIV/AIDS
• Drafted policy papers on issues involving the structuring of Medicaid and Medicare services
• Co-chaired Medicaid Subcommittee of the National Organizations Responding to AIDS (NORA)
• Lobbied Congress and drafted Congressional testimony Medicaid coverage for people with HIV/AIDS

Litigation Associate
• Represented Minorco in its effort to acquire Consolidated Goldfields in the first four billion dollar takeover (SDNY); Corning, Inc. in its defense of its patent for optical fiber (SDNY); The Wildenstein Gallery in its efforts to retrieve a painting confiscated by the Nazis from the Wildenstein family; Theodore Harris in successfully overturning his death sentence and obtaining at re-sentencing two consecutive life sentences
• Tried cases in New York state and federal courts

Special Assistant Corporation Counsel (six-month pro bono placement)
• Represented the City of New York in New York Supreme Court
• Carried full trial docket, selected juries, tried cases, negotiated settlements, and argued motions

Law Clerk

BAR ADMISSIONS
Connecticut, New York, Massachusetts (inactive), District of Columbia
• Admitted to practice before the U.S. Supreme Court, Ninth Circuit Court of Appeals, Court of Military Appeals, Southern District of New York, Eastern District of New York, and District of Connecticut
PUBLICATIONS


Jennifer S. Bard, What We In Law Can Learn From Our Colleagues in Medicine About Teaching Students How to Practice Their Chosen Profession, 36 J.L. Med. & Ethics 841 (2009).


**BOOK REVIEWS AND ESSAYS**


**COLUMNS AND OP-ED PIECES**


PEER REVIEWER (Articles, Fellowships & Prizes)

- American Journal of Bioethics
- Athens Institute for Education and Research
- MIT Press
- National Association of Women Lawyers
- Oxford University Press
- Journal of Insurance Law
- Internet Journal of Law, Bioethics and Medicine
- Robert Wood Johnson Foundation
- Wellcome Trust, External Grant Reviewer (Great Britain)
- University of California Press
- Université de Toulouse, IDEX Program, Attractivity Chairs
- Yale Journal of Health Policy, Law, and Ethics

TENURE & PROMOTION REVIEW

- University of Utah Law School
- University of California Davis, Law School
- University of Houston Law Center
- Southern Methodist University Law School
- University of Albany Law Center
- University of South Carolina Law School
- University of Tennessee College of Law

BLOG POSTS

- Guest Contributor, Best Practices in Legal Education (September 2017)
- Guest Contributor, Prawfs Blog (May 2014, September 2015, September 2017)
- Contributing Editor, Health Law Professor Blog
- Contributor, Harvard Bill of Health Blog

SELECTED ACADEMIC & PROFESSIONAL PRESENTATIONS

April 2018, Northeastern University Center for Health Policy and Law, Annual health Law Conference, Promises and Perils of Emerging Health Innovation, Boston, MA.

February 2018, University of South Carolina Law Review Symposium, The Opioid Crisis and Mass Incarceration and Recidivism, Columbia, SC.

January 2018, American Association of Law Schools, Annual Meeting, Legal Solutions to Incarcerating People with Mental Disabilities, New Orleans, LA.

August 2018, Southeastern Association of Law Schools, Fort Lauderdale, FL, Moderator, Deans Giving Advice to Newer Law Professor, Panel Member, Health Law in the Age of Trump.

Jennifer S. Bard, C.V.
June 2018, American Society for Law, Medicine and Ethics, Cleveland, OH, Gaps in Federal Regulation of Human Subject Research After the New Common Rule.

April 2018, European Law Faculties Association, Barcelona, Spain, Autonomous University Barcelona (UAB), Multi-disciplinary Research in Law and Medicine.


June 2017, American Society for Law, Medicine and Ethics, Atlanta, GA, The Affordable Care Act’s Role in Protecting Privacy in Wellness Programs.


Oct. 2013, American Association of Bioethics and the Humanities Annual Meeting, Atlanta, GA, Presumed Consent Laws Are Not the Answer to Increasing Organ Donation: How Can We Find Out What Is?

August 2013, Southeastern Association of Law Schools, West Palm Beach, FL, Employee Benefits and Disability Rights in a Post-Affordable Care World (Discussant); Research Deans Talk About What Works (and What Doesn’t) on Encouraging Faculty Research and Scholarship (Moderator and Discussant); Health Care Reform Reprised: What Progress Has Been Made Since Last Year? (Discussant).

February 2013, Lubbock County Women's Lawyer's Association, Lubbock, Tx. Affordable Care Act.

Jennifer S. Bard, C.V.


May 2012, Texas Tech University Health Sciences Center, Garrison Institute on Aging, Lubbock, TX, *Ethical Issues in Corporate Wellness Programs.*

January 2012, American Association of Law Schools, Section on Law, Medicine and Health Care, Washington, D.C., “*Reaching Out Beyond the Classroom: Health Law Professors Interacting with the Real World.*” (Panel organizer and moderator)

September 2011, Texas Tech University Health Sciences Center School of Medicine, Lubbock, TX, *The Constitutionality of Health Care Reform.*

September 2011, Southern Methodist University, Dallas, TX, Garner Honors Lecture, *HeLa Cells and the Law.*

September 2011, Texas Tech Ethics Center, Lubbock, TX, *Using Movies to Teach Ethics.* April 2011, Drake University, Des Moines, IA, *Legal and Ethical Issues in the Insanity Defense.*


August 2010, Southeastern Association of Law Schools, Palm Beach, FL, Moderator, *Academic Oversight of Moot Court Teams.*


January 2010, Texas Tech Faculty Colloquium, Lubbock, TX, *Resources Available for Law Faculty Scholarship and Funded Research*

January 2010, Texas Tech Hispanic Law Students’ Association, Lubbock, TX, *Second Semester First Year—Now that You Know, What Can You Do Differently?* (With handout)

October 2009, American Medical Writer’s Association, Dallas, TX, *Hot Topics in Medical Ethics: Nothing is Black and White—It’s All Shades of Gray* (with Wendy Wagner).

September 2009, Texas Tech University Medical School, Lubbock, TX, Fifth Annual Constitution Day Lecture, *Free Speech in Everyday Life—What the Constitution Does and Does Not Protect.*

June 2009, Bioethics Retreat, Rocky Gap, MD, *How Bioethics is Taught Differently in a Law, Medicine and Nursing School.* (With Elizabeth Pendo and Kelly Dineen)

September 2008, Texas Tech University Health Sciences Center School of Medicine, Lubbock, TX, *The Role of the Supreme Court in Interpreting the Constitution.* (Constitution Day Address)

August 2008, Texas Tech University School of Law Health Law Student Association Orientation Boot Camp, Lubbock, TX, *The Difference Between an A Student and a C Student.*


March & April 2008, Presentation to Neuropsychiatry Residents and Fellows at Texas Tech University Health Sciences Center, Lubbock, TX, *What Your Patients Need You to Know About U.S. Law.*

September 2007, Texas Tech University School of Medicine, Lubbock, TX, *Constitution Day Address*

October 2007, American Association of Bioethics and the Humanities, Paper Session, *Trans-disciplinary Approaches to Trans-institutionalization of People with Mental Illness.*

March 2007, Lubbock, Crosby, Garza County Medical Society, Lubbock, TX, Panel Discussion, *Ethical Issues Involved with the Gardasil Vaccine (moderator).*


June 2007, American Society of Law, Medicine, and Ethics, National Health Law Teachers Conference, Boston, MA, *How and Why to add Correctional Health Law to the Curriculum.*


March 2007, 16th Annual Ethics Symposium, sponsored by the TPMG Department of Medical Ethics at Northern California Kaiser Permanente, San Ramon, CA, *Bioethics at the Crossroads of Public and Private Health Care Decisions.*


September 2006, Texas Tech University School of Medicine, Lubbock, TX, *Constitution Day Address: Jennifer S. Bard, C.V.*
Medical Privacy and the Constitution.


June 2006, American Society of Law, Medicine, and Ethics, National Health Law Teachers Conference, Baltimore, MD, Teaching Difficult and Sensitive Topics in Health Law.

September 2005, Texas Tech University School of Medicine, Lubbock, TX, Constitution Day Address: Is There A Constitutional Right to Health Care?

June 2005, American Society of Law, Medicine, and Ethics, Health Law Teachers Conference, Houston, TX, Tort Reform as a Threat to the Public's Health.

February 2005, Presentation to the Internal Medicine Society, Texas Tech University Medical School, Lubbock, TX, The Truth About Malpractice Insurance Reform.


September 2004, Texas Tech University Health Sciences Center, Lubbock, TX, Ethical Issues Facing the Resident in Ob-Gyn.

September 2004, Annual Meeting of the Association for Politics and the Life Sciences, Chicago, IL, Protecting Human Subjects Against the Threat of Public Health Crisis.

June 2004, A poster presentation of a pilot study to survey law students about their level of awareness, American Society of Law, Medicine, and Ethics, National Health Law Teacher's Conference, Newark, NJ, What Do Law Students Know About the Recent History of Public Health?

April 2004, Presentation to Faculty Journal Club, Texas Tech University Health Sciences Center, Lubbock, TX, Is the Match Illegal?

December 2003, 2002 & 2003, General Clinical Research Center Course for New Investigators, Galveston, TX, Special Issues Related to Research with Prisoners.

November 2003, Texas Tech University Health Sciences Center, Lubbock, TX, Ethical Issues Facing the Resident in Psychiatry.


December 2003, Biology Department Faculty Seminar, Texas Tech University, Department of Biology, Lubbock, TX, *Ethical Issues in Genetic Testing.*


October 2003, American Correctional Health Association Annual Meeting, Austin, TX, *Legal and Ethical Issues in the Medical Care of Women Prisoners.*

October 2003, 4th Annual Meeting of the American Correctional Health Association, Austin, TX, *One More Try- A Case Analysis and Proposed Program for Teaching Ethics to OB/GYN Residents.* (With C.E. Vaiani)


April 2003, Association of Internal Medicine (AIM), Galveston, TX, Co-Speaker, *Just Because We Can, Should We? Tests and Procedures for Patients: An Open Discussion on Decision Making in Medical Care.*

April 2003, Surgery Conference, Ethics Section, University of Texas Medical Branch Galveston, TX, *Should Patient Life-Styles Be A Factor In Offering Surgery: The Case Of The IV Drug User With Endocarditis?*

January 2003, *Case Identification: Proactive vs. Reactive, Management of Hepatitis C in Prisons Conference.* , Discussion Leader, Breakout Session, San Antonio, TX, (Sponsored by the University of Minnesota, Centers for Disease Control and Prevention (CDC), National Institutes of Health (NIH), University of Texas Medical Branch at Galveston, and The Society for Correctional Physicians).


October 2002, American Society for Bioethics and Humanities Fifth Annual Meeting, Baltimore, MD, *Requests for Retrieval of Sperm from the Dead or Nearly Dead.*


September 2002 & August 2002, Grand Rounds, Department of Neurology, and Grand Rounds Department of Internal Medicine, Galveston, TX, *Legal and Ethical Issues in Brain Death.*


Jennifer S. Bard, C.V.

November 2001, First Year Class, UTMB, Galveston, TX, Ethical and Legal Issues at the Beginning of Life, Practice of Medicine.

September 1995, Leadership in Learning Conference (peer reviewed), Curry College, Milton, MA, Legal Issues for Professional Training Programs, Such as Law School and Medical Schools, in Accommodating Students with Disabilities, with a Special Focus on Learning Disabilities. (With B.T. Bard)