

VITAE: JUNE ROSE CARBONE

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Kansas City, MO 64113
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EMPLOYMENT

January 2007 - Edward A. Smith/Missouri Chair of Law, the Constitution and Society
University of Missouri-Kansas City

July 2001 - Presidential Professor of Ethics and the Common Good,
June 2003 Santa Clara University

July 2000 - Associate Dean for Faculty Development
Dec. 2006 Santa Clara University School of Law

2004-2005 Director, Sydney Summer Study Program

Aug. 1996- Professor of Law
Dec. 2006 Santa Clara University School of Law

1995-96 Visiting Scholar, Stanford University
Institute for Research on Women and Gender

Aug. 1987- Associate Professor, Santa Clara University
December 1995 Director, 1994 Hong Kong Summer Study Program

Aug. 1983 - Assistant Professor
June 1987 George Mason University School of Law

Sept. 1978 - Trial Attorney, Civil Division, Federal Programs Branch
July 1983 U. S. Department of Justice

EDUCATION

Professional Yale Law School, J.D. 1978

Undergraduate Princeton University, A.B. 1975
Major: Woodrow Wilson School for Public
and International Affairs
Magna cum laude; Phi Beta Kappa

PUBLICATIONS

BOOKS AND BOOK CHAPTERS

with Naomi Cahn, *Red Families v. Blue Families* (Oxford University Press, 2009)(forthcoming).

with Leslie J. Harris and Lee E. Teitelbaum, *Family Law*, 3rd ed. (Aspen, 2005).

with Leslie J. Harris, *Teacher's Manual, Family Law*, 3rd ed. (Aspen, 2005).

From Partners to Parents: The Second Revolution in Family Law (New York: Columbia University Press, 2000).

with Leslie Joan Harris, Family Law Armageddon: The Story of Morgan v. Foretich, in *Family Law Stories*, Carol Sanger, ed. (Foundation Press, 2008).

“Autonomy to Choose What Constitute Family: Oxymoron or Basic Right?” in *Autonomy in the Law*, Ius Gentium: Comparative Perspectives on Law and Justice 1 (Spring, 2007).

"Back To The Future: The Perils And Promise Of A Backward Looking Family Law Jurisprudence," in *Reconceiving the Family: Critique of the American Law Institute's Principles of the law of Family Dissolution*, Robin Wilson, ed. (Cambridge University Press, 2006)

“What Do Women Really Want? Feminism, Justice and the Market for Intimate Relationships,” in *Feminism Confronts Economic Man*, Martha Fineman and Terence Dougherty, eds. (Cornell University Press, 2005).

"Child Support Comes of Age: A New Ethic of Family Responsibility," in *Child Support: The Next Frontier*, J. Thomas Oldham and Marygold S. Melli, eds. (Ann Arbor: University of Michigan Press, 2000).

"Feminism, Gender and the Consequences of Divorce," in *Divorce -- Where Next?* Michael Freeman, ed. 181-226 (London: Dartmouth Publishing Company, 1996).

ARTICLES

with Naomi Cahn, “Deep Purple: Religious Shades of Family Law,” 110 W. Va. L. Rev. 459 (2007).

“Is Fertility the Unspoken Issue in the Debate Between Liberal and Conservative Family Values?” 3 *Law & Social Inquiry* 809–839 (Summer 2007)(review essay).

“The Role of Adoption in Winning Recognition for Adult Partnerships,” 35 Capital L. Rev. 341 (2007).

“Review of The Family Transformed: Religion, Values and Society in American Life,” Steven T. Tipton and John Witte, Jr., eds., 22 Journal of Law and Religion 101 (2007)

with Naomi Cahn, “Examining The Biological Bases Of Family Law: Lessons To Be Learned For The Evolutionary Analysis Of Law,” 2 International Journal of Law in Context 277 (2006).

The Legal Definition of Parenthood: Uncertainty at the Core of Family Identity, 65 La. L. Rev. 1295 (2005).

with Paige Gottheim, Markets, Subsidies, Regulation And Trust: Building Ethical Understandings Into The Market For Fertility Services, 9 Journal of Gender, Race and Justice 509 (2005).

"Law, Politics, Religion and the Creation of Norms for Market Transactions: A Review of *The Birth of Surrogacy in Israel* by D. Kelly Weisberg," 39 Fam. L. Q. 789 (2005).

with Naomi Cahn, “The Biological Basis of Commitment: Does One Size Fit All?” (keynote address), 25 Women’s Rights Law Reporter 223 (2004).

Introduction: Teaching Socio-Economics, Symposium, 41 San Diego L. Rev. 1 (2004).

Toward a More Communitarian Future? The Governance of Biotechnology, 4 STS NEXUS 21 (2004).

with Naomi Cahn, “Which Ties Bind: Redefining the Parent-Child Relationship in an Age of Genetic Certainty,” 11 William and Mary Bill of Rights L. Rev. 1011 (2003).

with Howard Fink, “Between Private Ordering and Public Fiat: A New Paradigm For Family Law Decision-Making,” 5 J. of Law and Family Studies 1 (2003).

Toward a More Communitarian Future? Fukuyama as the Fundamentalist Secular Humanist, 101 Mich. L. Rev. 1906 (2003).

“Ethics, Patents and the Sustainability of the Biotech Business Model,” 17 International Review of Law, Computers and Technology 203 (2003).

“Will Lawyers Become the High Priests of Biotechnology?” Et al. Magazine (Winter/Spring 2002-03).

“The Futility of Coherence: The ALI Principles for Family Dissolution, Compensatory Spousal Payments,” Symposium on the ALI, 4 J. of Law and Family Studies 43 (2002).

“Back to the Future: Intellectual Property and the Rediscovery of Property Rights – and Wrongs,” Symposium on Teaching Property, 46 St. Louis U. L. J. 629 (2002).

“Is the Gender Divide Unbridgeable? The Implications for Social Equality,” 5 Journal of Gender, Race and Justice 31 (2001).

with Margaret McLean, Access to Global Markets and The Creation of Trust: The Future of Genetically Modified Foods, 20 Business and Professional Ethics Journal 79 (2001).

“The Postdivorce Family: Children, Parenting and Society,” 46 Contemporary Psychology: APA Review of Books 17 (2001).

“Donne e science fiction: ‘Star Trek’ e le diverse generazioni di femminismo,” in Star Trek: Il Cielo E Il Limite Franco La Polla, ed. 165-72 (1998).

“Introduction: From Partners to Parents: Toward a Child-Centered Family Law Jurisprudence,” 39 Santa Clara Law Review 953 (1999).

“The Missing Piece of the Custody Puzzle: Creating a New Model of Parental Partnership,” 39 Santa Clara Law Review 1091 (1999).

“Justice and the Law School Tradition,” 3 Explore 5 (1999).

“The Tie That Binds: Fidelity to Children--Not to Spouses--May Be a New Way of Approaching Family Policy,” 8 Issues in Ethics 20 (1997).

"The Marriage Contract," in The Philosophy of Law: An Encyclopedia, Christopher B. Gray, ed. (1996).

Child Custody and the Best Interests of Children -- A Review of *From Father's Property to Children's Rights: The History of Child Custody in the United States*, by Mary Ann Mason, 30 Family Law Quarterly 721 (1996).

"Introduction: Morality, Public Policy and the Family: The Role of Marriage and the Public Private Divide," 36 Santa Clara Law Review 267 (1996).

Dukeminier and Krier as Narrative: The Stories We Tell in the First Year Property Course, 32 Houston Law Review 723 (1995).

Income Sharing: Redefining the Family in Terms of Community, 31 Houston Law Review 359 (1994) (lead article in symposium).

A Feminist Perspective on Divorce, The Future of Children: Children and Divorce, Vol. 4, No. 1, 183-209 (Spring 1994).

Equality and Difference: Reclaiming Motherhood as a Central Focus of Family Law (reviewing Martha Fineman, *The Illusion of Equality: The Rhetoric and Reality of Divorce Reform*), 17 *Journal of Law and Social Inquiry* 471 (1992).

with M. Brinig, Rethinking Marriage: Feminist Ideology, Economic Change and Divorce Reform, 65 *Tulane Law Review* 953 (1991). Reprinted in part in *Family Law: Cases and Materials*, 3rd & 4th ed., ed. by J. Areen, 102-116 (1992 & 1999) and *Community Property in California*, ed. by G. Blumberg (1993).

Economics, Feminism and the Reinvention of Alimony: A Reply to Ira Ellman, 43 *Vanderbilt Law Review* 1463 (1990).

The Role of Contract Principles in Determining the Validity of Surrogacy Contracts, 28 *Santa Clara Law Review* 581 (1988).

The Limits of Contract in Family Law: An Analysis of Surrogate Motherhood, *Logos*, 9:147, Fall, 1988.

with M. Brinig, The Reliance Interest in Marriage and Divorce, 62 *Tulane Law Review* 855 (1988). Reprinted in *An Invitation to Family Law: Principles, Process and Perspectives*, ed. by C. Schneider and M. Brinig (1996).

Liquidation of a Federally Funded Agency: Lessons to Be Learned from the Greater Los Angeles Community Action Agency, 32 *Catholic Law Review* 129 (1982).

WORK ACCEPTED FOR PUBLICATION

“Age Matters: Class, Family Formation and Inequality,” *Santa Clara L. Rev.* (2008).

“If I Say ‘Yes’ to Regulation Today, Will You Still Respect Me in the Morning,” *George Washington L. Rev.* (2008).

with Naomi Cahn, Behavioral Biology, the Rational Actor Model and the New Feminist Agenda, in *Law and Economics: Toward Social Justice*, Elsevier book series *Research in Law and Economics* (2008)

with Paige Gottheim, “Ethics within Markets or a Market for Ethics: Can Disclosure of Sperm Donor Identity Be Effectively Mandated?” In *Baby Markets* (2008).

“Assisted Reproduction,” in the *Chicago Companion to the Child* (2007).

“From Partners to Parents Revisited: How Will Ideas of Partnership Influence the Emerging Definition of California Parenthood?” *Whittier Journal of Child and Family Advocacy* (2008)

SELECTED PRESENTATIONS

Testimony before the California Assembly Committee on Finance and Insurance. Spring 1990.

Presentation at 1991 AALS Annual Meeting, "Rethinking Marriage: Economic Change, Gender Roles and Divorce Reform."

Presentation at 1993 AALS Annual Meeting, "Changing Notions of Property and the Family."

Santa Clara University Center for Applied Ethics, Ethics at Noon, "Gender, Justice and the Family," Spring 1993.

Presentation at 1993 Law and Society Association Annual Meeting, with M. Armstrong, "The Differing Notions of the Effect of Marriage on Property Entitlements in Community Property and Common Law Property Systems."

Faculty Forum, Santa Clara University Law Faculty, "The Role of Civil Obligation in Divorce Settlements," March 1994.

Presentation to the Stanford Law Faculty, "Is There a Structure to Civil Obligation that Defines Obligations Within the Family?" April 27, 1994.

"The Family, Non-marital Births and Welfare Reform," Center for Applied Ethics, Santa Clara University, March 1995.

"Dukeminier and Krier as Narrative: A Morality Tale in Three Acts," Critical Networks Conference, Washington, D. C., March 1995.

"The Family, Non-marital Births and Welfare Reform," Center for Applied Ethics, Santa Clara University, March 1995.

Moderator, Ethics and Images of the Family: A Crossdisciplinary Approach, Panel, Santa Clara University, April 1995.

"Incorporating Diversity into the First Year Property Course: Successes and Failures," Law and Society Annual Meeting, Toronto, Canada, June 1995.

"The Politics of Welfare Reform," The Yale Club of the Peninsula, Palo Alto, California, July 1995.

"The Incoherence of Parental Obligation," Scholars' Seminar, Institute For Research on Women and Gender, Stanford University, December 13, 1995.

"What Happens to Feminism When Women Win," Scholars' Seminar, Institute for

Research on Women and Gender, February 28, 1996, Stanford University.

Panel Moderator, "Changing Families and the Law's Response," Conference on Families and Law: Changing Values, Rights and Obligations, 12th Annual Conference of the American Bar Association, Commission on College and University Studies, April 19, 1996, Denver, Colorado.

"Child Support: Why is So Incontrovertible an Obligation So Radical a Departure from Centuries of Anglo-American Family Law?" International Society of Family Law Conference, June 14, 1996, Quebec, Canada.

"Gary Becker Meets Susan Moller Okin Or Why Economics Has Failed to Explain the Changing American Family," Feminism and Legal Theory Workshop, Columbia Law School, New York, NY, November 16, 1996.

"Choosing Between Children's Rights and Triage: Children, Families and the States," 9th International Conference on Socio-Economics, Montreal, Canada, July 5, 1997.

"Women and Science Fiction: Star Trek and the Different Generations of Feminism," Conference on Science Fiction and the Humanities, San Francisco State University, Spring, 1998.

"Race, Class and Civic Virtue," Civic Virtue Colloquium, Santa Clara University, May, 1998.

"Technological Shock, Inequality, and Family," Feminism and Legal Theory Workshop, New York, NY, November 6, 1998.

"Introduction: From Partners to Parents: Toward a Child-Centered Family Law Jurisprudence," Association of American Law Schools, Family and Juvenile Law Section Program, New Orleans, LA, January 6, 1999.

"The Missing Piece of the Custody Puzzle: A New Model of Parental Partnership," International Society of Family Law, Albuquerque, NM, June 1999.

"Children as Public Goods: A Philosophical Perspective on the Family," Feminism and Legal Theory Workshop, Ithaca, NY, November, 1999.

"Rewriting The Code of Moral Obligation in Family Law," Law and Humanities Conference, Washington, D.C., March, 2000.

"From Partners to Parents: The Second Revolution in Family Law," University of San Diego Law School Faculty Forum, San Diego, CA, May 11, 2000.

"Game Theory, Trust, and the Revitalization of Family Law, International Society of Family Law," International Society of Family Law, Brisbane, Australia, July 11, 2000.

“Is the Gender Divide Unbridgeable? The Implications for Social Equality,” Symposium on Gender, Race and Justice, University of Iowa, October 17, 2000.

“Socio-economics and the Future of Family Law,” Association of American Law Schools, Section on Socio-Economics, San Francisco, CA, January 3, 2001.

Discussant, “Transcending Boundaries: The Constitution, Families, Federalization, and Federalism,” Association of American Law Schools, San Francisco, CA, January 4, 2001.

“The Futility of Coherence: The ALI Principles, Compensatory Spousal Payments,” Brigham Young University, Provo, Utah, February 2, 2001.

with Margaret McLean, "Genetically Modified Foods: Trust and Access to Global Markets," At Our Best: Moral Lives in a Moral Community, Business Ethics Conference, Santa Clara University, February 23, 2001

“Combining Declaratory Judgments and Court-Sponsored Mediation in Family Law Decision-making: A New Model for Premarital Agreements and Pre-birth Declarations of Paternity,” International Society of Family Law, Kingston, Ontario, June 16, 2001

“How Biotech is Different from Infotech: The California Cloning Commission and the Governance of Biotechnology,” California Cloning: Responses to the Draft Report of the State Advisory Committee on Human Cloning, Markkula Center for Applied Ethics, Santa Clara University, October 12, 2001

“Families and Markets – Law and Feminist Economics,” Socio-Economics and Law Teaching, Association of American Law Teaching, New Orleans, LA, January 3, 2002

Concurrent Sessions: Family Law, Socio-Economics and Law Teaching, Association of American Law Schools, New Orleans, LA, January 3, 2002

“Has the Gender Divide Become Unbridgeable? The Implications for Social Equality,” The Markkula Center for Applied Ethics, Santa Clara University, February 12, 2002

“The Governance of Biotechnology: Toward a More Communitarian Future,” The Young President’s Organization, San Francisco, CA, March 12, 2002

with Naomi Cahn, “Which Ties Bind: Redefining the Parent-Child Relationship in an Age of Genetic Certainty,” Symposium on Children’s Rights, College of William and Mary, March 15, 2002

“Teaching Socio-Economics,” Panel, Association of American Law Schools, Washington, DC, January 3, 2003

“Cloning Dead Children,” Biotechnology in the 21st Century: A New Legal Landscape,

Symposium, Santa Clara University Computer and High Tech Law Journal, February 7, 2003, Santa Clara University.

“Guiding Parental Decision-making in a New Era of Reproductive Technology,” International Society of Family Law, University of Oregon, Eugene, Oregon, June, 2003.

“The Future of Socioeconomics,” Panel, Socioeconomics Section, Association of American Law Schools, Atlanta, GA, January 3, 2004.

“Unmarried Domestic Relationships: Property Policies and Their Implications,” Family and Juvenile Law, Property Law, and Sexual Orientation and Gender Identity Issues Sections, Association of American Law Schools, Atlanta, GA, January 6, 2004.

“The Biology of Commitment,” Working Paper Workshop, Center for Social Justice and Public Interest, Santa Clara University, March, 2004.

“The Biology of Commitment: Does One Size Fit All? Keynote: Women’s Rights Law Reporter Symposium on “From the Margins to the Mainstream: Examining the Impact of Non-traditional Families and Identities on the Law,” Newark, N.J. April 1, 2004.

“The Biological Basis of Commitment and the Implications for Family Law,” Stanford Law School, Law and Biosciences Program, September 27, 2004.

“Markets, Subsidies, Regulation And Trust: Building Ethical Understandings Into The Market For Fertility Services, Iowa Law School,” symposium presentation, October 8, 2004, Iowa Law School.

“Back To The Future: The Perils And Promise Of A Backward Looking Family Law Jurisprudence,” Conference on the ALI Principles of Family Law Dissolution, Harvard Law School, October 15, 2004.

“Creating a Market for Ethics,” Conference on Socioeconomics, University of California at Berkeley, Boalt Hall, January 4, 2005.

“Neuroscience and the Future of the Rational Actor Model,” Panel, Socioeconomics Section, Association of American Law Schools, San Francisco, CA, January 6, 2005.

“Assisted Reproduction, Parentage and Inheritance in the Twenty-first Century,” Section on Donative Transfers, Fiduciaries and Estate Planning, Association of American Law Schools, San Francisco, CA, January 6, 2005.

Roundtable: Family Law and Scientific Discourse, Law Culture and the Humanities, Austin, Tx., March 11, 2005.

“The Legal Definition Of Parenthood: Uncertainty At The Core Of Family Identity,”

Louisiana State Law Review Symposium, Baton Rouge, La., March 17, 2005

“Property, Intellectual Property and the Brain,” The Gruter Institute for Law and Behavioral Research, Stanford, CA, April 28, 2005.

“Race, Markets and the Future of Pharmaceutical Developments,” panel, Association of American Law Schools, Washington, D.C., January 5, 2006.

The FitzRandolph Memorial Lecture, “From Partners to Parents Revisited: How will ideas of partnership influence the emerging definition of parenthood?” Whittier Law School, February 28, 2006.

“Assisted Reproduction In An Era Of Polarization: An Institutional Examination Of Why Adoption May Be The New Battleground For The Recognition Of Partnership,” Second Annual Wells Conference on Adoption Law, Capital Law School, Columbus, Ohio, April 7, 2006.

“Autonomy to Choose What Constitutes Family: Oxymoron or Basic Right?” EACLE Symposium, American University, Washington, DC, May 26, 2006.

“Behavioral Biology, the Rational Actor Model and the New Feminist Agenda,” Symposium, Seattle University, Fall, 2006.

“Red States v. Blue States: Family Law in an Era Of Polarization,” Missouri Bar, Family Law Section, Lake of the Ozarks, August, 2007.

“Gender, Trust, and the Recreation of Community,” Society for Evolutionary Analysis of Law, University of Indiana, Bloomington, October 2007.

“If I Say Yes to Regulation Today, Will You Still Respect Me in the Morning,” Symposium, George Washington University, October, 2007.

“Class, Gender and the Creation of Inequality,” Workshop on Gender, Race and Class, Association of American Law Schools, New York, New York, January 4, 2008.

“Red Families v. Blue Families,” University of Chicago Workshop, Chicago, Il., January 24, 2008.

“Age Matters: Class, Family Formation and Inequality,” Symposium, Santa Clara University, February 15, 2008.

PROFESSIONAL ASSOCIATIONS AND AWARDS

Santa Clara University Award for Recent Achievement in Scholarship, 2002 (awarded to university faculty member for excellence in scholarship over the last five years)
SCU Law School Award for Distinguished Scholarship, 2002

Founding Editor, Legal Scholarship Network, Family and Children's Law Abstracts
Chair, Family and Juvenile Law Section, Association of American Law Schools, 1998-99
Advisor, Computer and High Tech Law Journal, 2004 - present
AALS Planning Committee: Professional Development Workshop, Section on Property,
2003-04
AALS Scholarly Paper Selection Committee, 2003-04
AALS Planning Committee: Defining the Family in the Millennium, Professional
Development Workshop of the Sections on Donative Transfers and Family and
Juvenile Law, 2000-2001
AALS Liaison to the Joint Editorial Board of the National Conference of Commissioners
on Uniform State Laws
Steering Committee, Markkula Center for Applied Ethics, Santa Clara University
Certificate of Achievement, Women & Law, Santa Clara University, 2001
Featured Campus Author, Santa Clara University Bookstore, 2001
Dean's Recognition Award for Teaching Excellence, 1999
National Endowment for the Humanities, Summer Stipend, 1998
National Endowment for the Humanities, Grant Review Committee, 1999 to present
Center for Science, Technology and Society, Summer Grant 2000, 2002, Santa Clara
University
Member, D. C. Bar