

Curriculum Vitae
DAVID JACKS ACHTENBERG

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University of Missouri-Kansas City School of Law
Kansas City, MO 64110-2499
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Professional Experience

1988 - Present	Professor & Law Foundation Scholar (previously Associate & Assistant Professor) UMKC Law School
1973-1988	Partner/Director (previously Associate) Achtenberg & Achtenberg, P.C. (and predecessor firms)

Representative Honors and Awards

Daniel L. Brenner Faculty Publishing Award (2005-06)
Daniel L. Brenner Faculty Publishing Award (1995)
Daniel L. Brenner Faculty Publishing Award (1993)
Elmer F. Pierson Teaching Award (2018)
Elmer F. Pierson Teaching Award (1998)
Outstanding Professor Award – 2016 (Selected by the Class of 2016)
Outstanding Professor Award – 1998 (Selected by the Class of 1999)
Outstanding Professor Award – 1994 (Selected by the Class of 1995)
Outstanding Faculty Award – 2012 (Selected by Association for Women Law Students)
Law School Nominee, Governor's Excellence in Teaching Award (2000)
Missouri Bar Spurgeon Smithson Award (2009)
The Best Lawyers in America (3rd ed. 1989-90) (Labor and Employment Law)
The Best Lawyers in America (6th ed. 1995-96) (First Amendment Law)
Kansas City Legal Leader Award – Outstanding Scholar (2009)
Martindale Hubbell Rating: a v
Missouri Supreme Court Civil Rules Advisory Committee (2006-Present)
Federal Practice Advisory Committee – USDC WD Mo (1998-1999)
Missouri Supreme Court Commission on Racial and Ethnic Fairness (2015-present)
Chair, United States Magistrate Reappointment Committee (2012)

Selected Significant Cases

Owen v. City of Independence, 445 U.S. 622 (1980)
(Principal Author of Briefs)

McDonald v. City of West Branch, 466 U.S. 284 (1984)
(Briefed and Argued)

Selected Publications

Immunity Under 42 U.S.C. §1983: Interpretive Approach and the Search for the Legislative Will, 86 Nw. U. L. Rev. 497 (1992) (Lead Article)

With Malice Toward Some: United States v. Kirby, Malicious Prosecution and the Fourteenth Amendment, 26 Rutg. L. J. 273 (1995) (Lead Article)

Windfall Analysis: A New Look at Uncharged Conduct Evidence, 27 Pacific L. J. 1077 (1996) (Lead Article)

A "Milder Measure of Villainy": The Unknown History of 42 U.S.C. § 1983 and the Meaning of "Under Color of" Law, 1999 Utah L. Rev. 1 (1999)(Lead Article)

UMKC School of Law American Bar Association/Association of American Law Schools Self Study (February 2000) (Principal Author)

Taking History Seriously: Municipal Liability Under 42 U.S.C. § 1983 and the Debate over Respondeat Superior, 73 Fordham L. Rev. 2183 (2005)

Venue in Missouri After Tort Reform, 75 UMKC L.Rev. 593 (2007)(Lead Article)

The Surety Protection Provisions Of Magna Carta Chapter Nine: Some Thoughts About Their Genesis, in *Proceedings of the Surety Claims Institute* (2007)

Symposium on Enforcing Constitutional Rights in the Twenty-First Century, 78 UMKC L.Rev. 869 (2010)

Frankfurter's Champion: Justice Powell, Monell, and the Meaning of "Color of Law," 80 Fordham L. Rev. 681 (2011)

Petition to Decision Website, www.PetitionToDecision.com (2010-present)

Monell v. Department of Social Services (2010) (rev. 2013)

<http://www1.law.umkc.edu/justicepapers/MonellDocs/MonellMainPage.htm>

Owen v. City of Independence (2010) (rev. 2012 & 2013)

<http://www1.law.umkc.edu/justicepapers/OwenDocs/OwenMainPage.htm>

City of Newport v. Fact Concerts (2010) (rev 2013)

<http://www1.law.umkc.edu/justicepapers/NewportDocs/NewportrMainPage.htm>

Justice Powell's Miscellaneous Files Relating to § 1983 (2011)

<http://www1.law.umkc.edu/justicepapers/NCSFDocs/NCSF-LFP-MainPage.htm>

Burrell v. McCray (Powell Papers Only) (2011)

<http://www1.law.umkc.edu/justicepapers/BurrellDocs/BurrellMainPage.htm>

Oklahoma City v. Tuttle (2010) (rev. 2012)

<http://www1.law.umkc.edu/justicepapers/NewportDocs/NewportrMainPage.htm>

Pembaur v. City of Cincinnati (2010) (rev. 2012)

<http://www1.law.umkc.edu/justicepapers/PembaurDocs/PembaurMainPage.htm>

City of St. Louis v. Praprotnik (2012)

<http://www1.law.umkc.edu/justicepapers/Praprotnik/PraprotnikMainPage.htm>

City of Canton v. Harris (2012)

<http://www1.law.umkc.edu/justicepapers/CantonDocs/CantonMainPage.htm>

Will v. Michigan Department of State Police (2012)

<http://www1.law.umkc.edu/justicepapers/WillDocs/WillMainPage.htm>

Jett v. Michigan State Department of Police (2013)

<http://www1.law.umkc.edu/justicepapers/JettDocs/JettMainPage.htm>

Collins v. City of Harker Heights (2013)

<http://www1.law.umkc.edu/justicepapers/CollinsDocs/CollinsMainPage.htm>

Allen v. McCurry (2014)

<http://www1.law.umkc.edu/justicepapers/AllenDocs/AllenMainPage.htm>

Migra v. Warren City School District (2015)

<http://www1.law.umkc.edu/justicepapers/MigraDocs/MigraMainPage.htm>

McDonald v. City of West Branch (2015)

<http://www1.law.umkc.edu/justicepapers/McDonaldDocs/McDonaldMainPage.htm>

Chapter, "*Suits Against Governments and Governmental Officials Under 42 U.S.C. § 1983*" in *Missouri Civil Actions* (1993) and Supplements (1998) and (2000)

Chapter, "*Civil Rights Actions Under 42 U.S.C. § 1983*" in *Missouri Civil Actions II* (1981) and Supplements (1983) and (1986)

Chapter "*Discrimination*" (with Sandra Schermerhorn), in *Missouri Tort Law* (1978)

Education

Harvard University, B.A. (Government) Cum Laude, 1970

University of Chicago, J.D. 1973

Moot Court:	Winner, Osgoode Hall Competition
Legal Aid:	Executive Board, Mandel Legal Aid
Law Review:	Declined invitation to join Law Review staff to participate in Legal Aid Clinic

Courses Currently Taught

Civil Procedure I (Pleadings, Parties, Class Actions, Discovery, Dispositive Motions, Trial, Post-Trial Motions)

Civil Procedure II (Personal Jurisdiction, Federal Jurisdiction, *Erie* Doctrine, Preclusion)

Civil Rights Litigation (Litigation Under § 1983 and Advanced Statutory Interpretation)

Supreme Court Seminar (Analysis of Selected Pending Cases)

Missouri Civil Procedure (Topics)

The Missouri Supreme Court and Constitution (Analysis of Selected Pending Cases)

Courses Previously Taught

Contracts I & II

Remedies

Constitutional Law I

Lawyering Skills

Evidence

Federal Court Internship, Missouri Court of Appeals Internship

Department of Labor Internship

Selected Law School and University Activities**University & Campus**

Cockefaire Lecturer (2018)
Dean Search Committee, Co-Chair (2018)
Dean Search Committee, Member (93/94-94/95, 03/04-04/05)
Campus Promotion and Tenure Committee, Chair (2013-2017)
Campus Promotion and Tenure Committee, Member (2010-present)
Campus Faculty Committee on Tenure (Removal for Cause Committee) (2014-Present)
Higher Education Division Site Visit and Evaluation Committee (2010)
Political Science Department Site Visit and Evaluation Committee, Chair (2009)
Dental Hygiene Division Site Visit and Evaluation Committee (2008)
Master of Public Administration Evaluation Committee (2008)
History Department Site Visit and Evaluation Committee
Provost Search (2007)
Chancellor Search (2004/05)
Program Evaluation (2004-2010)
Chancellor's Extended Cabinet (2004/05)
Grievance Hearing Panel (1993/94 - present)
Student Conduct Committee (1993/94 - present)
Mathematics Department Program Evaluation Committee (2002/03)
Numerous Chancellor's Ad Hoc Committees to Review and Propose Recommended Disposition of Individual Student Grievances and Appeals (1993/94 - present)

Law School

Policy & Planning Committee, Chair (98/99, 00/01, 03-05, 08/09, 13-15)
Policy & Planning Committee, Member (95-99, 00/01, 03-05, 08-09, 13-17)
Executive Committee (95-99, 00/01, 03-05, 08-09, 13-17)
Self-Study Committee, Chair (98/99-00/01)
Admissions Committee (05/06-10/11 present)
Douglas Stripp Professorship Search Committee, Chair (02/03, 07/08)
Edward A. Smith Chair Search Committee, Chair (05/06)
Council on Program Evaluation Committee, Chair (00/01)
811 Grand Evaluation Committee (03/04)
Ad Hoc Legal Writing Program Committee, Chair (97/98)
Appointments Committee, Chair (95/96-96/97, 11-12)
Appointments Committee, Member (94/95-96/97, 03/04)