

IRMA S. RUSSELL**University of Missouri-Kansas City School of Law****500 E. 52nd Street****KC, MO 64110****816.235.6486****ACADEMIC POSITIONS****University of Missouri-Kansas City School of Law**

August 2015- Present Professor of Law and Edward A. Smith/ Missouri Endowed Chair in Law, the Constitution, and Society

University of Montana School of Law, Missoula, Montana

June 2009 –July 2015 Professor of Law

June 2014 –July 2015 Associate Director of the Center for Integrated Research on the Environment

July 2009-June 2014 Dean and Professor

University of Kansas School of Law, Lawrence, Kansas

Spring 2022 Distinguished Visiting Professor (on leave from UMKC)

Spring 2009 Visiting Professor (on leave from U Tulsa)

1982-1984 Instructor and Co-Director Legal Writing

University of Tulsa College of Law

2006–2009 NELPI Professor of Law, University of Tulsa College of Law, and National Energy-Environment Law & Policy Institute

2006-2008 Director of National Energy-Environment Law & Policy Institute

Cecil C. Humphreys School of Law, University of Memphis

2000-2006 Professor of Law

1999-2001 Cecil C. Humphreys Professor of Law

1999-2000 Associate Professor

1993-1998 Assistant Professor

1992-93, 1986-89 Visiting Assistant Professor of Law

Pace University School of Law

2005-2006 Visiting Professor

University of Missouri-Kansas City School of Law

2001-2003 Visiting Professor (on leave from University of Memphis School of Law)

Other Teaching

2016 Scholar in Residence in Global Environmental Constitutionalism at Delaware Law School

2008 University of San Diego School of Law International Institute, Barcelona, Spain; and University of Tulsa College of Law Summer Program, Dublin, Ireland

2007 & 2005 St. Mary's Law School Innsbruck Institute, Innsbruck, Austria

2006 Lewis & Clark School of Law

2002 UMKC School of Law and University of Ulster, Derry and Dublin, Ireland

1993 University of San Diego School of Law International Institute, in Poland and Russia

SELECTED SERVICE and Recognition

- Testimony at ABA Hearing on Discussion Draft of Client Due Diligence, February 11, 2022.
- ABA Special Masters Committee, Subcommittee on Ethics. December 2021 to present.
- Annual Meeting Planning Committee, American College of Environmental Lawyers, 2021.
- Board of Regents of the American College of Environmental Lawyers, 2018-present.
- *Faculty Advisor to the Environmental Law Society, UMKC, 2016-present.
- *Member of Education Committee and Planning Committee for Annual Conference, American College of Environmental Lawyers (ACOEL), 2021.
- Voted UMKC Law Professor of the Year. 2017-18 by students.
- Symposium Advisor for *UMKC Law Review* (two issues 2017-18).
- Advisory Reviewer, ABA Dispute Resolution Section's Publications Board, 2017-present.
- Chair, ABA Section on Environment, Energy, and Natural Resources, 2011-2012
- Chair, AALS Section of Natural Resources & Energy, 2011-2012
- Member, American College of Environmental Lawyers, 2011-present
- Chair, AALS Section on Socioeconomics, 2010-2011
- Chair, AALS Section on Professional Responsibility, 2008-2009
- Chair, ABA Section of Environment, Energy and Resources (SEER) Special Committee on Ethics and Professionalism, 2014-2016.
- Chair, ABA Professionalism Committee, Legal Education Section, 2008-2010.
- Association of American Law Schools Scholarly Papers Committee 2015.
- Selection Committee for AALS 2017 Conference - Natural Resources & Energy Section Panel for January 2017 Conference.
- Judging Panel for 2015-18, and 2020 American College of Environmental Lawyers (ACOEL) Steven E. Herrmann Environmental Writing Award.

MAJOR PUBLICATIONS

Book and Chapters

BOOK: A LEADERSHIP GUIDE TO SUSTAINABILITY IN LAW PRACTICE (AMERICAN BAR ASSOCIATION PRESS FORTHCOMING 2021) (WITH JOHN DERNBACH AND MATTHEW BOGOSHIAN) (forthcoming 2021) (peer-reviewed publication).

Chapter: co-author (with Joan Macleod Heminway) Ethical Considerations: Corporate Social Responsibility and the 21st Century Lawyer, in "Corporate Social Responsibility – The Corporate Governance of the 21st Century," Wolters Kluwer (2020), edited by Roger Martella, GE, General Counsel-Environmental (peer-reviewed publication).

Chapter: Listening to the Silence: Implementing Constitutional Environmentalism in the United States, in J.R. May & Erin Daly, IMPLEMENTING ENVIRONMENTAL CONSTITUTIONALISM: CURRENT GLOBAL CHALLENGES (Cambridge Univ. Press 2018, Eds.). See <http://www.cambridge.org/gb/academic/subjects/law/environmental-law/implementing-environmental-constitutionalism-current-global-challenges?format=HB#V256sZAI37bQIOXR.97>

Book: Co-editor (with Vicki Wright), ETHICS AND ENVIRONMENTAL PRACTICE: A LAWYER'S GUIDE, (2017) (peer-reviewed publication).

Chapter Co-author (with Joan Heminway), *Representing the Organizational Client on Environmental Matters*, in ETHICS AND ENVIRONMENTAL PRACTICE: A LAWYER'S GUIDE (2017) (peer-reviewed publication) ABA Publishing.

BOOK: MASTERING CONTRACT LAW (with co-author Barbara Bucholtz, 2011).

BOOK: ISSUES OF LEGAL ETHICS IN THE PRACTICE OF ENVIRONMENTAL LAW (American Bar Association, 2003).

Chapter: ETHICS AND PROFESSIONALISM, IN ENVIRONMENT, ENERGY, AND RESOURCES LAW: THE YEAR IN REVIEW 2015 (A.B.A. SECTION OF ENVIRONMENT, ENERGY, AND RES. ED., 2016).

Chapter: *Legal Ethics Issues* in ENVIRONMENTAL JUSTICE (American Bar Ass'n 1999): *Issues of Legal Ethics in Environmental Justice Matters*, ENVIRONMENTAL JUSTICE (updated for second edition with co-author, Joanne Sum-Ping, 2007).

Chapter: *The Political and Administrative History of the U.S. Court of Appeals for the Tenth Circuit*, (with co-author Arthur J. Stanley Jr.) THE FEDERAL COURTS OF THE TENTH CIRCUIT: A HISTORY (1982) (republished at 60 Denv. L.J. 119 (1982) (expanded and updated for second edition of the book in 1994).

Chapter: *Federal Statutes and Regulations Governing the Use of Pesticides and an Annotation of Federal Pesticide Regulations*, in PEST CONTROL IN MUSEUMS, 1980 (updated in second edition, 1988).

Articles and Blogs

The Sense of an Ending: Shifting Paradigms in Search of Our Common Future, Toledo Law Review, Deans Symposium Edition, Spring 2022. (forthcoming 2022).

Protection of Lawyers Against Defamation Actions Does Not Apply to Press Releases, The American College of Environmental Lawyers (ACOEL) (September 07, 2021) (peer-reviewed publication). available at <https://acoel.org/protection-of-lawyers-against-defamation-actions-does-not-apply-to-press-releases/>

Co-author, with John Dernbach and Matthew Bogoshian, *Advocating for the Future* (lead feature article) THE ENVIRONMENTAL FORUM, (April 2021).

Co-author with Roger Martella, *Corporate Social Responsibility and Multinational Corporations: Emerging Vehicle for Doing Public Good*, Natural Resources & Environment (peer-reviewed publication) (Fall 2020).

Climate Change Litigation – A Way Forward, (co-authored with Katie Killen) Natural Resources & Environment (peer-reviewed publication) (Summer 2019).

Amicus Brief filed by Zero Hour on behalf of more than 30,000 young people to the Court of Appeals for the Ninth Judicial Circuit in the case of *Juliana v. United States*, filed March 1, 2019. (See OCT press release on this amicus brief and those of other organizations:

<https://static1.squarespace.com/static/571d109b04426270152febe0/t/5c79c034f9619a578fe6f518/1551482932619/2019.03.01+Juliana+Amicus+Filing+Press+Release.pdf>

Blog, *NAFTA 2.0*, The American College of Environmental Lawyers (ACOEL) available at <http://acoel.org> (February 2019) (peer-reviewed publication).

Blog, *Prizes for Progress with a Caveat: DOE Offers \$3 Million Incentive*, The American College of Environmental Lawyers (ACOEL) available at <http://acoel.org> (February 15, 2018) (peer-reviewed publication).

The Art and Science of the (Survival) Deal: The Role of Administrative Agencies in Protecting the Public against Unreasonable Risks, *UMKC Law Review*, Symposium Edition, Spring 2019.

Introduction, Symposium on Administrative Law, *UMKC Law Review*, Symposium Edition, Spring 2019.

The Green Economy: A Marketplace of Ideas about Our Common Future, Introduction, *UMKC Law Review*, Symposium Edition, Winter 2018.

The Green Economy: The Green Economy: Strategic Planning for A Future?, *UMKC Law Review*, Symposium Edition, Winter 2018.

The Use and Preservation of Grasslands: The Logic of Hard Lessons, 26 *KS J. Law & Public Policy* Symposium on Grassland Preservation 359 (2017).

Blog: *President Theodore Roosevelt: A Conservative for All Seasons*, The American College of Environmental Lawyers (ACOEL) available at <http://acoel.org/2017/03/default.aspx> (March 8, 2017) (peer-reviewed publication).

Evolving Water Law and Management in the U.S.: Montana, 20 *Univ. Denver Water Law Rev.* 3 (2016).

Emergency Lawyering in Environmental Law Today, *Nat. Resources & Env't*, Fall 2016, at 56 (peer reviewed journal that goes to a subscription list of nearly 10,000 lawyers in the environmental field).

New Enforcement Policy Targets Individuals, *Nat. Resources & Env't*, Spring 2016, at 53 (co-authored with two students, Isaac W. Straub, Traci Hayes in peer reviewed journal that goes to a subscription list of nearly 10,000 lawyers in the environmental field).

Regulations Propose Definitions of U.S. Waters, *Nat. Resources & Env't*, Spring 2015, at 60.

Ethical Considerations for Practitioners Advising on ESA Issues, 2015 NO. 6 *RMMLF-INST PAPER NO. 14* (a solicited piece for Rocky Mountain Mineral Law Foundation, a nationally respected educational foundation located in Denver, CO). (This edition focused on the Endangered Species Act.)

Taking Teaching and Learning Seriously: A Tribute to Professor Susan Martyn, 47 U. Tol. L. Rev. 31 (2015) (a solicited article on teaching in honor of a leading teacher and scholar in Professional Responsibility).

Restating Environmental Law, 40 COLUM. J. OF ENVTL L. (with co-authors Tracy Hester, Robert Percival, Victor Flatt, and Joel Mintz, 2015).

The Evolving Balance of Transparency and Privacy in Open Government, International Journal of Open Governments, [S.I.], 123 (2016).

Wait, Wait, Don't Tell Me: Accountability, Plausible Deniability, Model Rule 1.13, and the Role of Corporate Counsel in an Age of Enhanced Monitoring, 7 G.W. J. Energy & Env't'l. L. 67 (Winter 2016).

Restating Environmental Law, 40 COLUM. J. OF ENVTL L. (with co-authors Tracy Hester, Robert Percival, Victor Flatt, and Joel Mintz, 2015).

Streamlining NEPA to Combat Global Climate Change: Heresy or Necessity? 39 Env't'l. L. 1049 (2009) (presented at The Lewis & Clark Law School Symposium, Greening the Grid: Building a Legal Framework for Carbon Neutrality, 2009).

Introduction: The Sustainability Principle, 4 Environmental & Energy Law & Policy J. 166 (2009).

The Sustainability Principle in Energy, 44 TULSA L. REV. 891 (Symposium on Sustainability) (2008).

Measure for Measure: Cost Benefit Analysis and Environmental Policy, 43 TULSA L. REV. 891 (Symposium honoring the work of Cass Sunstein) (2008).

The Evolving Regulation of the Legal Profession: The Costs of Indeterminacy and Certainty, 2008 Prof. Law. 137 (2008) (Symposium, From Canons to Codes to Rules: 1908-2008 and Beyond, A Centennial Celebration of the ABA Legacy of Lawyer Ethics).

The Power Structure: Energy, Politics, and the Public Interest in the LNG Debate, 2 ENVIRONMENTAL & ENERGY L. & POL'Y J. 49 (symposium issue of University of Houston Law Center) (2007).

Got Wheels?: Article 2A, Standardized Rental Car Terms, and Unilateral Private Ordering, 42 LOYOLA L.A. L. REV. 137 (2007) (Symposium edition).

The Logic of Legal Remedies and the Relative Weight of Norms: Assessing the Public Interest in the Tort Reform Debate 39 AKRON L. REV. 1053 (2006) (reprinted in AMICUS Books and ICFAI Publications, wings of ICFAI University in India).

Keeping the Wheels on the Wagon: Observations on Issues of Legal Ethics for Lawyers Representing Business Organizations, 3 WYO L. REV. 513 (2003) (reprinted in THE DEFENSE LAW JOURNAL, Matthew Bender, 2006).

A Common Tragedy: Promises to Benefit the Public Interest and the Enforceability Problem, 10 TEX. WESLEYAN L. REV. (Spring 2005) (presented at The Common Law of Contracts as a World Force in Two Ages of Revolution, Gloucester, England, June 2004).

Reinventing the Deal: A Sequential Approach to Analyzing Claims for Enforcement of Modified Sales Contracts, 53 FLA. L. REV. 49 (2001).

Unreasonable Risk: Model Rule 1.6, Environmental Hazards, and Positive Law, 55 WASH. & LEE L. REV. 117 (1998).

Cries and Whispers: Environmental Hazards, Model Rule 1.6, and the Attorney's Conflicting Duties to Clients and Others, 72 WASH. L. REV. 409 (1997).

An Authentic Life in the Law: A Tribute to James K. Logan, 43 KAN. L. REV. 609 (1995).

The Role of Public Opinion, Public Interest Groups, and Political Parties in Creating and Implementing Environmental Policy, 23 Env. L. Reprt. 10665 (1993). (Work identified in William H. Rodgers, Jr., *The Most Creative Moments in the History of Environmental Law*, 2000 U. ILL. L. REV. 1, 26, example of "Paradigm Shifters and Domain Openers.")

Within the Best Interests of the Child: The Factor of Parental Status in Custody Disputes Arising from Surrogacy Contracts, 27 J. FAM. L. 585 (1989).

The Political and Administrative History of the U.S. Court of Appeals for the Tenth Circuit, 60 DENV. L.J. 119 (1983), with Judge Stanley (expanded, updated, and republished as a chapter in *THE FEDERAL COURTS OF THE TENTH CIRCUIT: A HISTORY* noted above.)

Co-authored with George C. Coggins, *Beyond Shooting Snaildarters in Porkbarrels: Endangered Species and Land Use in America*, 70 GEO L.J. 1433 (1982).

COLUMNS AND SHORT ARTICLES

Published comments on scholarship of others:

<http://www.dailyclimate.org/tdc-newsroom/2016/june/climate-change-green-law-exxon-legal-energy>

With Isaac W. Straub & Traci Hayes, *New Enforcement Policy Targets Individuals*, *Natural Resources & Environment* (Spring 2016).

Restating Environmental Law, 33 *The Env'tl Forum* issue 1 (Jan/Feb 2015) (with Professors Tracy Hester, Robert Percival, Victor Flatt, and Joel Mintz).

Regulations Propose Definitions of Waters, *NATURAL RESOURCES & ENVIRONMENT* (2015 issue).

Chapter, *Ethics and Professionalism*, ABA SEER YEAR IN REVIEW (2015).

Chapter, *Ethics and Professionalism*, ABA SEER YEAR IN REVIEW (2013).

Co-authored with Jeffery S. Dennis, *State and Local Governments Address the Twin Challenges of Climate Change and Energy Alternatives*, 23 *NATURAL RESOURCES & ENVIRONMENT* 9 (September 2008).

A Multiple-Strategy Approach to Solving the Energy Puzzle, 38 *TRENDS* 10 (March/April 2007).

Columnist, *Teaching Contracts*, AALS Contracts Newsletter, 2002-2005.

SLAPP Suits (Strategic Lawsuit against Public Participation), *The Encyclopedia of American Civil Liberties* (2006).

Introduction, Symposium edition on 21st Century Law, Technology and Ethics: The Lawyer's Role as a Public Citizen Serving the Public Good, 35 *U. Mem. L. Rev.* (2005).

The Lawyer as Public Citizen: Meeting the Pro Bono Challenge, 72 *UMKC L. REV.* 1 (2004).

Chapter, Contract Interpretation and Life Experiences, in *TEACHING THE LAW SCHOOL CURRICULUM* (ed. Steve Friedland & Gerry Hess eds., 2003).

The Evolution of MJP, *TRENDS* (March/April 2003).

Why I Use "Seinfeld" as Precedent, 10 *THE LAW TEACHER* 12 (Fall 2002).

Memorandum to Ethics 2000 Commission, (Feb. 9, 2001), available at http://www.abanet.org/cpr/e2k-witness_russell.html

Client Confidences and Public Confidence in the Legal Profession: Observations on the ABA House of Delegates Deliberations on the Duty of Confidentiality, *THE PROF. LAW* (Spring 2002).

The Ethics 2000 Process: Revisions to the ABA Model Rules Approved by the ABA House of Delegates, *TRENDS* (Newsletter of the ABA Section of Environment, Energy & Resources (Spring 2002).

Book Review on *TRADE AND THE ENVIRONMENT*, by Alan M. Rugman and John J. Kirton with Julie A. Soloway, *ASIA PAC. J. ENVT'L. L.* 301 (1998).

Environmental Ethics: The Potential for Conflicts in Representing Multiple PRPs, *NEWSL. ENVT'L. L. SEC. TENN. BAR ASSOCIATION* 3 (June 1996).

Modification of Custody: When May Pre-existing Evidence be Considered? 5 *TENN. FAM. L. LETTER* 10 (1991), with Dorothy Pounders.

Custody Disputes Involving a Lesbian Mother, 5 *TENN. FAM. L. LETTER* 8 (November 1990), with Dorothy Pounders. (Reprinted in 3 *MEMPHIS BAR ASSOCIATION MAG.* 16 (Winter 1993).)

Tennessee's Surrogacy Statute, 4 *TENN. FAM. L. LETTER* 12 (1989).

Note, Prisoners' Rights--Failure to Provide Law Libraries Denies Inmates' Right of Access to the Courts, *KAN. L. REV.* 636 (1978). (Reprinted in Robbins, *PRISONERS' RIGHTS SOURCEBOOK* 1980.)

Selected Presentations

* May 20, 2022, University of Kansas School of Law CLE, Ethics Developments and Client with Diminished Capacity, Lawrence, Kansas.

*April 8, 2022, Addressing Environmental Compliance and Investigation Issues – Looking at Ethics from the Outside Counsel, In-House Company, Government, and NGO Lawyer Perspective, ABA SEER 2022 Spring Conference Speaker Confirmation, Santa Fe, N.M.

*April 1, 2022, Presentation on Common Law and Climate Change, for Climate Change class, UMKC School of Law Interim Class. (Committed to present.)

*February 25, 2022, Virtual guest expert for capstone projects on environmental issues, two senior English classes at Lee's Summit High School, organized by Sally Sabata, Career Navigator - LSR7 School District, Lee's Summit High School. (Committed to present.)

*January 5, 2022, 2022 Works in Progress, Joint Environmental Law and Natural Resources & Energy Law Sections, via Zoom.

*November 18, 2021, Advocating for the Future, Widener Law School CLE (virtual presentation).

*October 26, 2021, Panelist, Climate Change Under the Biden Administration, Midwest Environmental Compliance Conference, 2021, Marriott Overland Park, Overland Park, Kansas.

*October 2, 2021, Panelist on Lawyer Duties, Leadership, and the Climate Crisis, American College of Environmental Lawyers (ACOEL) Annual Meeting, (virtual presentation)

*October 1, 2021, Virtual Presenter, ELS Panel Recording— Sustainability Law and Practice California Lawyers Association, 30th Annual Environmental Law Conference at Yosemite National Park.

*August 6, 2021, Panelist, Texas Superconference Ethics Panel, Ethical Implications of Attorney Publicity and Common-Law Developments in the Wake of Landry's, et al. v. Animal Legal Defense Fund, et al. Austin, Texas, (virtual presentation).

*July 2021, Panelist, Corporate Social Responsibility and Climate Change, Southeastern Association of Law Schools (SEALS) (virtual presentation).

* May 14, 2021, I presented with John Dernbach: "Lawyering as if Future Generations Matter," at Arizona State University College of Law, Phoenix, Arizona, 2021 Sustainability Conference of American Legal Educators (by zoom).

March 2021 Speaker in Mercer University Law School Virtual Environmental Law Guest Speaker Series (23rd year of the program). Climate Change, Corporate Social Responsibility, and Lawyers as Sustainability Leaders, Environmental Law Virtual Guest Speakers - Sponsored by Mercer Law School, April 19-23, 2021. <https://www.envirolawteachers.com/speaker.html>
<https://umkc.hosted.panopto.com/Panopto/Pages/Viewer.aspx?id=f26e1263-a407-4a6d-b8f7-ad0e00f15f38>

November 19, 2020, Speaker for UMKC OWLS Group on zoom, Work-Life Balance.

March 3, 2021, Environmental Justice: Law Policy & Regulation, presentation to Prof. Luppino's Interdisciplinary Entrepreneurial Urban Development course with Professor Davies.

July 16, 2020, moderator, ACOEL Webinar on "Human Dignity Rights: Overlooking Human Dignity in Environmental Outcomes" Zoom. (I organized this panel but had to step out at the last moment because of my husband's surgery.)

July 2, 2020, Zoom Presentation, The Quality of Justice: Lawyers and Inclusiveness, to Professor Rana Lehr-Leonard Professional Responsibility class, UMKC.

Climate Change, Corporate Social Responsibility, and Lawyers as Sustainability Leaders, Environmental Law Virtual Guest Speakers - Sponsored by Mercer Law School, April 19-23, 2021.

<https://www.envirolawteachers.com/speaker.html>

<https://umkc.hosted.panopto.com/Panopto/Pages/Viewer.aspx?id=f26e1263-a407-4a6d-b8f7-ad0e00f15f38>

October 2, 2021, Panelist on Environmental Ethics and Sustainability, ACOEL, Santa Fe

October 2021 speaker, Environmental Law Series, Widener University Commonwealth Law School, Harrisburg, PA.

March 2021 Speaker in Mercer University Law School Virtual Environmental Law Guest Speaker Series (23rd year of the program).

July 16, 2020, moderator, ACOEL Webinar on "Human Dignity Rights: Overlooking Human Dignity in Environmental Outcomes" Zoom.

July 2, 2020, Zoom Presentation, The Quality of Justice: Lawyers and Inclusiveness, to Professor Rana Lehr-Leonard Professional Responsibility class, UMKC.

June 26, 2020, Zoom Presentation, Ethical Considerations for Environmental Lawyers, 2020 Hot Topics, UMKC Law CLE.

May 29, 2020, Presentation on Contract Law to UMKC Bar Prep class.

May 5, 2020, Zoom Presentation, Ethical Considerations for Environmental Lawyers, ABA SEER Leadership Development Program.

April 22, 2020, Zoom Presentation for Prof. Jamila Jefferson Jones and Prof. Benjamin Woodson, UMKC Department of Political Science, Poli 408, "Administrative Law and the Coronavirus," with Peter Dawson, Chief Compliance Officer, Sho-Me Power.

April 10, 2020, ALI/CLE Ethics for Environmental and Energy Lawyers (Co-presented with Pamela Esterman) Live Audio Webcast, Telephone Seminar.

March 27, 2000 Presenter, The Constitutional Right to a Sustainable Environment: Julian v. United States, in UMKC Mini Term Spring 2020.

February 20, 2020, Judge for Pace National Environmental Moot Court Competition, Elisabeth Haub School of Law, Pace University, New York, New York.

February 19, 2020, Conference Co-Chair, Climate Disruption and Decarbonization Conference, Elisabeth Haub School of Law, Pace University, New York, New York

February 19, 2020, Conference Co-Chair, Climate Disruption and Decarbonization Conference, Elisabeth Haub School of Law, Pace University, New York, New York

February 7, 2020, American Law Institute Ethics Panel, Washington, D.C. Presenter, Ethics and Environmental Law, American Law Institute, Ethical Challenges for Environmental Practitioners, ALI CLE program, Environmental Law, in Washington D.C. with Pamela Esterman, Sive, Paget & Riesel, P.C., R. Juge Gregg, Amazon (in person presentation).

February 4, 2020, A Lawyer's Personal and Professional Responsibility and the Carbon Economy (with co-presenter Professor James R. May), UMKC CLE.

December 20, 2019, Day of Giving - Elimination of Bias and Cross Cultural Competency, with Dean Barbara Glesner Fines, Professor Jamila Jefferson-Jones, and Professor Micha Thompson (rebroadcast numerous times with one of the speakers present online for questions).

June 13, 2019, Ethical Considerations: Corporate Social Responsibility in the 21st Century Lawyer Hot Topics in Ethics presentation UMKC School of Law CLE.

January 25, 2019, Teleconference Presentation for the 2019 Leadership Development Program (LDP) for the ABA Section of Environment, Energy and Resources (SEER) Model Rules of Professional Conduct: Preamble & Scope, found on this page of the ABA website:
https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/model_rules_of_professional_conduct_preamble_scope/

February 7, 2019, Panel on Environmental Law and Public Trust with Professor John Nagle of Notre Dame Law School, Federalist Society at the University of Oregon School of Law, Eugene, OR.

February 7, 2019, Lecture on Public Trust Doctrine at University of Oregon School of Law, Eugene, OR.

February 1, 2019, Tennessee Bar Association Continuing Legal Education Environmental Law Forum, Nashville, Tennessee.

University of Texas School of Law 2019 Renewable Energy Law conference, Austin, TX. Moderator and Panelists, Ethics Panel.

June 6, 2018 – Panelist (with Dean Glesner Fines) on Legal Ethics, UMKC Law CLE, Screenland Theatre Armour.

April 20, 2018 – Speaker, SO, THERE'S BEEN A RELEASE: EXPLORING THE ETHICS OF ADVISING YOUR CLIENT IN EXIGENT CIRCUMSTANCES, 47th Spring Conference Hilton Bonnet Creek Resort, Orlando, FL

April 13, 2018 –Speaker for Florida State University Law Review, FSU, Rehearing on *Juliana vs. United States*, (volume 45 of the FSU Law Review).

February 2, 2018, Ethics Issues, The Practical Guide To Probate and Estate Administration, UMKC CLE on Probate and Estate Administration.

January 6, 2018 Panel Presentation “Energy and Sustainability in the Trump Administration,” at the 112th Annual Meeting of the American Association of Law Schools Annual Meeting, San Diego.

January 6, 2018 Panel Presentation “Teaching and Scholarship in a Polarized Society: A Roundtable on Pedagogy for New Law Teachers,” at the 112th Annual Meeting of the American Association of Law Schools Annual Meeting, San Diego.

October 5-6, 2017 – Speaker and moderator for the Green Symposium. See <https://law.umkc.edu/greeneconomysymposium/symposium-overview/>

June 25, 2017: team presentation with the Dean and other representatives on the UMKC Law Program Professional Identity Formation and presentation with the Dean and other representatives and Presentation on Teamwork as a Competency Skill of Professional Identity Formation, Thomas E. Holloran Center for Ethical Leadership, St. Thomas Law School Program, Chaska, Minnesota.

April 21, 2017, panel presentation Earth Day Texas 2017 Legal Symposium, Dallas, TX, April 21 at the Hall of State, Fair Park, Dallas, Texas; Sustainability (with focusing on corporate stewardship, including Susan Roberts of Walmart and Tamara Barker of UPS). EPA Administrator Scott Pruitt and General Wesley Clark were presenters for the Texas Environmental bar. The website for the event is <http://earthdaytx.org/>

April 8, 2017: speech on professional ethics as introduction of Marie Woodbury, recipient KU Law Distinguished Alumni Award (highest award KU Law bestows on alums).

April 7, 2017: panel presentation Evolving Water Law and Management in the U.S.: Montana, University of Denver 2017 Symposium (symposium including former Secretary of Agriculture Ken Salazar, available at: <http://duwaterlawreview.com/events/symposium-2017/>

January 6, 2017, moderator, the 111th Annual Meeting of AALS, San Francisco, Section of Socio-Economics.

November 3, 2016: Presentation on the Clean Water Act and Ethics Issues, National Association of Clean Water Agencies (held in Kansas City and allowed UMKC law students complimentary registration for the day of my presentation).

November 5, 2016, Issues of Legal Ethics in Water Law, National Association of Clean Water Agencies, Intercontinental Hotel, Kansas City, MO.

August 8, 2016, White Collar Crime (Corporate Clients and the Environment) Amelia Island, FL.

August 7, 2016: Southeast Association of American Law Schools (SEALS) Annual Meeting, Boca Resort Boca Raton, Florida, on the topic of white collar crime and representing corporate clients.

April 1, 2016: A.B.A. Section on Env. Energy, and Res. Conf.: Environmental Practice Today: Representing the Organizational Client.

June 23, 2016, Presentation to UMKC CLE, Lawyering Today: Issues of Legal Ethics in Environmental Law.

April 29, 2016, Lawyering in Health Law Today: Issues of Legal Ethics in Urgent or Emergency Situations, Kansas Bar Association Section of Health Law, with Professor Jamila Jefferson-Jones.

April 1, 2016, Keeping It Real - And Ethical - In Today's Law Practice, Environmental Practice Today: Representing the Organizational Client, American Bar Association Section of Environment, Energy, and Resources, Austin, TX

SELECTED SERVICE

Work with Committee of the ABA Section on Environment, Energy, and Natural Resources, on Recommendation to the ABA House of Delegates on Resolution on Climate Change (March 2019).

Selection Committee, Natural Resources & Energy Section for Panel AALS 2017 Conference (January 2017)

Committee Judging Panel for 2016 ACOEL Steven E. Herrmann Environmental Writing Award 2016.

External reviewer for Professor Ken Kristl's scholarship for Delaware Law School, promotion process.

Association of American Law Schools Scholarly Papers Committee 2015 (the committee that selects the papers to for awards across all substantive fields of law).

COURSES

Administrative Law, Federal Public Lands, Environmental Law International Environmental Law, Professional Responsibility, Contracts, Natural Resources Law, Professional Responsibility in the Environmental Context, Environmental Seminars, Environmental Justice Seminar.

BAR ADMISSIONS

Tennessee, 1985; Missouri, 1981; Kansas, 1980. (Inactive in all)

EDUCATION

Harvard Institute for Educational Management, July 22-August 3, 2012.

University of Kansas School of Law, J.D., 1979; B.S. (Education), 1974; M.A. (English Literature, with honors), 1972; B.A. (Liberal Arts) 1969.

LEGAL PRACTICE

- 1989-1993 Glankler Brown Gilliland Chase Robinson & Raines, Memphis, TN
Environmental, commercial transactions, and litigation.
- 1985-89 Burch Porter & Johnson, Memphis, Tennessee. *Of Counsel* –commercial litigation and appeals.
- 1981-82 Hillix, Brewer, Hoffhaus and Whittaker, Kansas City, Missouri.
Commercial litigation and commercial transaction.
- 1980-81 United States Court of Appeals for the 10th Judicial Circuit.
Judicial Law Clerk for the Honorable James K. Logan.

ACTIVITIES IN SCHOOL

- 1979-80 Legal researcher, Association of Systematics Collections, University of Kansas.
- 1978-79 Instructor, Environmental Law, Bio 332, (undergraduate environmental studies)
University of Kansas, 1978-79, Fall 1979.
- Summer 1979, Instructor, Clinic on Legal Education Opportunity (CLEO)
- *Kansas Law Review*: Note and Comment Editor, 1978-79; • Staff Member, 1977- 78.
 - Student member of Dean's Search Committee, 1979.
 - Samuel Mellinger Scholarship, Leadership, Service Award, 1980.
 - Schneider, Shamberg & May Writing Award for the Best Law Review Note, 1978-79.
 - First Place, Alan Y. Cole Writing Award, (Nationwide student writing contest of the ABA Criminal Justice Section). (Presented article at ABA Annual Meeting, August 1978.)
- Summer 1978, Law Clerk, Schneider, Shamberg & May, Kansas City, Kansas.
- Summer 1977, Supervisor for evaluation of Kansas Comprehensive Education and Training Act (CETA).
- Poetry Editor, *Cottonwood Review*
- Dean's List all semesters of BA, Honors English program. President of Sellards Scholarship Hall;
Poetry Editor, *Cottonwood Review*; Chair, KU Film Series for Children.

EARLY EXPERIENCE

- Teaching: English composition and literature at University of Kansas, 1977-78; 1970-74 teaching
freshman and sophomore composition and upper level literature courses).
Lawrence High School, 1974-76.
- Writing: Editor of Unified School District 497 publications, Lawrence, Kansas, 1975-76. Technical writer
for Golf Course Superintendents Association of America, Lawrence, Kansas,
1974-75; Associate Editor of Squire Publications, Prairie Village, Kansas, 1969;
Reporter, photographer for the *Pratt Tribune*, Pratt, Kansas, summers 1966-68.
- Awards: Scripps-Howard Journalism Award, 1968; *Minneapolis Tribune Award*, 1968-69; Phi Beta Phi
Education Foundation Award, 1968-69; KU Scholarship Hall Award, 1967-68,
1968-69; Kansas Press Association Award, 1966.

ADDITIONAL SELECTED PRESENTATIONS – 2004 to 2015

November 4-5, 2015, Ethical Considerations for Practitioners Advising on ESA Issues, Rocky Mountain
Mineral Law Foundation Special Institute on Endangered Species Act: Current and Emerging Issues
Affecting Resource Development, Westminster, Colorado.

May 14-15, 2015, Arkansas Bar Association Environmental Law Section CLE Presentation
Eureka Springs, Arkansas.

March 26, 2015, "The Lawyer's Duties in Advising Corporate Clients in an Age of Enhanced Monitoring," George Washington University Law Symposium on The Role of Advanced Monitoring, Remote Sensing and New Forms of Information Gathering, Analysis and Disclosure in Environmental Compliance and Enforcement.

November 4, 2014, "50 Years of Evolving Water Law and Management in the US – Montana Water Law," Annual Water Resources Conference "50 Years Of Water Resources Management: Where Have We Been, Where Are We Going?"

October 10, 2014, Ethics Panel with John Barkett and Ashley Hallene, "The Ethics of Getting Social with Bits and Bytes," American Bar Association Section of Environment, Energy, and Resources, 22nd Section Fall Meeting, Miami, Florida.

September 22-23, 2014, participant and facilitator, The Ethics of Communicating Scientific Uncertainty: Understanding How Scientists, Environmental Lawyers, and Journalists Treat Uncertainty, Carnegie Endowment for International Peace, National Science Foundation and the Environmental Law Institute.

February 20, 2014, Panel presentation "40 Years of the ESA: Our Nation's Pioneering Wildlife Law, Still under Siege" with Professors Zyg Platter and Victor Flatt, Law Professors' Workshop National Environmental Moot Court Competition at Pace Law School, White Plains, New York.

June 6, 2013, "Energy and Its Future: Are we Prepared to Meet Our Demand?" Billings Library Foundation, Billings, MT.

April 25, 2013, "Law Reform on Energy Policy," Law and the Environment 2013: 11th Annual Conference for Environmental Professionals, University College Cork, Cork, Ireland.

April 13, 2013, "Eco-Faith, Eco-Ethics—Religious Advocacy on Climate Change and the Environment," Environment Symposium, University of Utah S.J. Quinney College of Law Wallace Stegner Center for Land, Resources and the Environment, Salt Lake City, UT.

August 15, 2012, "Legal Ethics and the Perceptions of Clients and Litigants," (Facilitator) 2012 Ninth Circuit Judicial Conference, Maui, HI.

April 26, 2012, Roundtable discussion on how Canada and the U.S. will balance their energy portfolios, reduce carbon emissions, and promote domestic and cross-border energy security (Moderator) SEER Spring Council Meeting, Vancouver, Canada.

April 21, 2012, "The Environment and Constitutions," (Moderator) Humanities Montana We the People: Conversations on the Montana and U.S. Constitution, Helena, Montana.

February 23, 2012, "The Human Right to Water in the United States," ABA Section of Environment, Energy and Resources 30th Annual Water Law Conference, San Diego, California.

January 6, 2012, "Adaptation Strategies: Responding to Climate Changes as the New Normal," AALS Annual Meeting, Washington, D.C.

January 5, 2012, "Organizing and Financing Legal Education," AALS Annual Meeting, Washington, D.C.

October 13, 2011, "How to Keep the Lights On: Is NEPA Up to the Challenge?" (Moderator) American Bar Association SEER Fall Meeting, Indianapolis, Indiana.

April 8, 2011, "Ethical Issues Associated with Water Law," 2011 National Environment Energy and Resources Law Summit, Banff, Alberta, Canada.

April 6, 2011, "Ethical Limits on Client Information with the Client's Other Professionals," co-presenter with Mark L. Tuft, Practising Law Institute, San Francisco, CA.

January 21, 2011, The Future of Energy Law, University of Utah College of Law, Salt Lake City, UT.

September 17, 2010, "Ethics 20/20 and Social Media," Montana State Bar Association Annual Meeting, Great Falls, MT.

August 12, 2010, "The Third Branch: Integrity, Impartiality, and Independence," National Conference of Appellate Court Clerks, Whitefish, MT.

August 12, 2010, "A Question of Ethics," National Conference of Appellate Court Clerks, Whitefish, MT.

March 5, 2010, "NEPA and Energy Law," Montana State Bar Association Energy CLE, Great Falls MT

May 25, 2010, "Issues of Ethics and Civility," Advanced Trial Advocacy, Missoula, MT.

January 7, 2010, panelist on two panels: "Contract and the Theory of Efficient Breach and Dean's Panel, AALS, New Orleans, LA

December 3, 2009, "Energy and Legal Ethics," Energy Bar Association, Washington, D.C.

April 23, 2009, Building a Legal Framework for Carbon Neutrality Lewis & Clark College.

February 2009, Visiting Symposium Professor for University of Houston Law Center, Environmental & Energy Law & Policy Journal, Sustainability Symposium.

January 2009, topic of Sustainability Law and Natural Resources, AALS Section on Natural Resources, San Diego, CA

August 2, 2008, Panelist, Global Climate Challenge, Southeast Association of American Law Schools (SEALS) Annual Meeting, Palm Beach, FL.

April 24, 2008, Presenter, Environmental Law Institute, on the Topic of Ethics Issues in Hazardous Substances Law, for the Silver Anniversary Presentation of ALI-ABA's Annual Advanced Course of Study, Hazardous Substances, Site Remediation, and Enforcement in Washington, D.C.

May 18, 2008, Panelist, Ethics Panel for ALI Annual Meeting (with Geoff Hazard, Larry Fox and Bob Mundheim).

February 23, 2008, Panelist, CLE Panel on Ethics Issues in Environmental Law at the Pace National Environmental Moot Court Competition.

February 8, 2008, "The Broken Promise of Efficient Breach Theory," International Conference on Contracts, University of the Pacific, McGeorge School of Law, Sacramento, CA.

January 30, 2008, Presenter, Global Climate Change and Energy Incentives, 2% Solution, TU and Focus the Nation.

January 5, 2008, Panelist, AALS Section on Dispute Resolution Hard Bargaining and Distributive Bargaining, Ethical Issues, at AALS Annual Meeting, NY, NY.

November 29, 2007, Presenter, Energy Incentives, Oklahoma Corporation Commission Energy Summit, Oklahoma City, OK

October 11, 2007, Presenter, Global Climate Change Panel, Environmental Federation of Oklahoma Annual Conference, Midwest City, OK.

October 26, 2008, "Legal Ethics in Energy Practice: Baselines and Examples" at Oklahoma University Eugene Kuntz Conference on Natural Resources Law and Policy, Oklahoma City, OK

October 5, 2007, Presenter and host, National Conversation on Climate Action, Sponsored in conjunction with the Mayor's Office and the City of Tulsa, Yale School of Forestry and Environmental Studies, the Oklahoma Climatology Survey.

August 18, 2007, Speaker, Brazil-United States Conference on Biofuels: Biofuels & the Promise of Sustainable Energy, in Rio de Janeiro, Brazil, "Biofuels & Government Policies and Incentives."

August 2, 2007, moderator, Democracy and Environmental Law, Southeast Association of American Law Schools (SEALS), Amelia Island, FL.

June 9, 2007, "Ethics Issues in Environmental Practice," Oklahoma Bar Association Environmental Section.

May 31, 2007 "Environmental Regulations and the Future of Electric Utilities," 38th Annual Energy Information Dissemination Program in Stillwater, OK, May 31, 2007

October 27, 2006, "Ethics Issues in Hazardous Substances Law," (with John Pendergrass, Environmental Law Institute), ALI-ABA's Annual Advanced Course, Hazardous Substances, Site Remediation, and Enforcement in Washington, D.C.

October 18, 2006, Speaker, Annual Symposium of IUCN in conjunction with Pace Law School, on *Beyond the Private Attorney General: Delegation of Enforcement of Environmental Permits*.

July 22, 2006, "Viewing Environmental Policy and Law through the Lens of Sustainable Development: Clarification or a Muddle?" Southeast Association of American Law Schools (SEALS), Palm Beach, FL.

March 3, 2006, Liquefied Natural Gas, Environmental & Energy Law & Policy Journal's "Should We Site it Here?: LNG, the Environment, and Federalism," University of Houston.

February 23, 2006, Moderator, CLE Panel on Ethics Issues in Environmental Law at the Pace National Environmental Moot Court Competition.

February 2, 2006, Presenter, Live Audio Conference: Ethics and Professional Responsibility for Environmental Lawyers, National Constitution Center Conferences.

January 4 and 7, 2006, Moderator AALS Section on Professional Responsibility, Program, "Defense of Defendants Accused of Terrorism," and Professional Responsibility and Religious Traditions, Washington, DC.

February 25, 2005, CLE Panel on Ethics Issues, Pace National Environmental Moot Court.

December 1, 2004, Panelist: Ethics Year in Review, a national teleconference with Stephen Gillers and Susan Shapiro, provided by ABA-CLE, ABA-CPR, and ABA-SEER.

June 15, 2004, ABA-SEER, MJP and Environmental Practice Registration Information (with Lucian Pera, Commissioner, Ethics 2000 Commission).

April 2, 2004, Presentation on Environment and Public Health, University of Tennessee Health Sciences Center –State Forums Partnership funded by the Robert Wood Johnson Foundation.

April 1, 2004, Moderator, teleconference with Prof. Richard Lazarus, on Supreme Court Environmental Docket, ABA.

February 20, 2004, Virtual Guest Speaker, "Public Confidence and Client Confidentiality," Mercer Law School Environmental Law

ADDITIONAL SERVICE & RECOGNITION

- Co-Chair, ABA Section of Environment, Energy and Resources (SEER) Committee on Ethics and Professionalism, 2013-2014
- Member, ABA Special Committee on Bioethics and the Law, 2013-present
- Member, Dividing the Waters Board of Advisors, 2013-present
- Co-Chair, Montana Fellows of the American Bar Foundation, 2012-2014
- Member, Standing Committee, ABA Section of Legal Education and Admission to the Bar, 2010-2012.
- Visiting Symposium Professor, University of Houston Energy Law Symposium, 2009
- Chair, ABA Committee on Global Oil & Gas (SEER), 2006-08.
- Honored by Energy Advocates: "A Salute to Women in Energy," March 2007.
- ABA Standing Committee on Ethics and Professional Responsibility 2004-07 (committee that issues opinions interpreting Model Rules of Professional Conduct).
- Chair of the ABA Strategic Response Committee of SEER, 2005-08.
- Member of Ethics Committee of BEAC (Board of Environmental, Health & Safety Auditor Certifications), 2006-07.
- Coordinating the Pace Human Rights in Action Program, 2005-06.
- Tennessee Bar Standing Committee on Ethics and Professional Responsibility 2005-06.
- Reporter, Tennessee Bar Rules Revision Committee, 2005-06.
- Member of Consultative Group on Restatement of Law of Restitution, ALI (2001-05).
- Member, ABA Section of Legal Education and Professionalism, 2004-10.
- Member, Steering Committee, Walter Armstrong, Jr. Award for Leadership in Corporate Ethics 2004-05 (A national award for a corporation that provides a model of corporate ethics.)
- Representative of Environmental Section to the ABA Joint Committee on Ethics and Professionalism.
- Board Member, Memphis-Shelby County Air Quality Control Board, 1999-2001 (issues federal and local permits for dischargers of air pollutants in Shelby County.)
- Chair, Organizing Committee of the Tennessee Bar Association Environmental Law Section, 1990-91.
- Founder and First Chair, Memphis Bar Association Environmental Law Section, 1991.
- Education Officer of the ABA Section on Environment, Energy & Resources (2003-04; 2004-05). *See* <http://www.abanet.org/environ/leadership/leadership.html>.
- Member, Publications Committee, Center for Professional Responsibility (2006-07)

- Elected member of the Board of Directors of the Memphis Bar Association (2004-06).
- Member of the Executive Council, Board of Directors of the Memphis Bar Association (2004-05).
- ALI, Member, Consultative Group on the Restatement of Restitution (2002-present).
- President of the University of Memphis chapter of Phi Kappa Phi (2004-05).
- Columnist for AALS Contracts Section Newsletter, Teaching Contracts Column (2002-04).
- Member, compliance team reporting to accrediting institution (SAC) on the post baccalaureate professional degree programs at the University of Memphis (2002-03).
- Chair, Ethics Committee, ABA Section on Environment, Energy & Resources (1999-2000; 2000-01).
- Vice-Chair, Ethics Committee of the ABA Section on Environment, Energy & Resources (1998-99).
- Member of ABA Ad Hoc Committee on Judicial Education (1998-2001).
- Liaison to AALS, ABA Section on Environment, Energy & Resources (2000- 2008).
- Member and Board Member of Wolf River Conservancy. (Part of core team that raised \$4 million for purchase and preservation of natural area along Wolf River.)
- Institutional Review Board for the University of Memphis (reviewing protocols for experiments involving human subjects sponsored by the University).
- Legal Counsel for Committee to form Shelby Farms Conservancy.
- TBA Environmental Section, Vice-Chair 1991-92, Chair, 1992-93
- Legal Counsel for Medical Personnel, Triathlon Federation U.S.A., 1989.
- Commissioner, Memphis City Beautiful Commission.

[2/12/22]