

KATHLEEN CLARK
Professor of Law
Washington University in St. Louis
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ACADEMIC EXPERIENCE

Courses taught: *Secrecy & Whistleblowing, The Law of Whistleblowing in Comparative Perspective, The Legal Profession, Legal Ethics Seminar, Lawyer as Fiduciary, The Ethics of Lawyering in Government, National Security Law & Uniform Commercial Code: Sales*

Washington University School of Law		1993-present
John S. Lehmann Research Professor of Law (2012-13)		
Israel Treiman Faculty Fellow (2010-11)		
University of Economics & Law, Vietnam National University		2016
Utrecht University		2009, 2013
University of Michigan Law School	Visiting Professor	2000
Cornell Law School	Visiting Professor	1999

EDUCATION

Yale Law School, J.D.

Harlan Fiske Stone Prize for Best Oralist in Moot Court Competition

Senior Editor, Yale Law Journal

Conducted research for Supreme Court briefs in

- *Webster v. Reproductive Health Services*, 492 U.S. 490 (1989)
- *Board of Estimate of New York City v. Morris*, 489 U.S. 688 (1989)

Pushkin Russian Language Institute (Moscow, Russia, USSR)

Yale College, B.A. in Physics & Philosophy, *cum laude*

ARTICLES & BOOK CHAPTERS

The Lawyers Who Mistook the President for their Client, forthcoming in *INDIANA L. REV.*

Deliberation's Demise: The Rise of One-Party Rule in the Senate, 24 *ROGER WILLIAMS UNIVERSITY L. REV.* 46 (2019) (with Charles Tiefer)

Illusory Ethics: Trump's Ethics Executive Order, 2017 *U. ILL. L. REV. ONLINE: Trump 100 Days* (April 29, 2017)

Congressional and Presidential War Powers As a Dialogue: Analysis of the Syrian and ISIS Conflicts, 49 *CORNELL INTL. L. J.* 683 (2016) (with Charles Tiefer)

Restrictions on Giving Gifts to Executive Branch Employees, in *THE LOBBYING MANUAL* (5th ed. 2016) (with Cheryl Embree)

Financial Rewards for Whistleblowing Lawyers, 56 *BOSTON COLL. L. REV.* 1697 (2015) (with Nancy Moore)

Faux Transparency: Ethics, Privacy and the Demise of the STOCK Act's Massive Online Disclosure of Employees' Finances, in *RESEARCH HANDBOOK ON TRANSPARENCY* 312-34 (2014) (with Cheryl Embree)

- A draft of this book chapter was cited extensively in a Congressionally mandated study published by the NATIONAL ACADEMY OF PUBLIC ADMINISTRATION, *THE STOCK ACT: AN INDEPENDENT REVIEW OF THE IMPACT OF PROVIDING PERSONALLY IDENTIFIABLE FINANCIAL INFORMATION ONLINE* (2013)

ARTICLES & BOOK CHAPTERS (CONT'D)

- Lawyer Confidentiality, Open Government Laws & Whistleblowing*, 21 PUBLIC LAWYER 14 (Summer 2013)
- Conflicts, Confidentiality and the Client of the Government Lawyer*, 21 PUBLIC LAWYER 11 (Winter 2013)
- Direct and Indirect Access to Intelligence Information: Lessons in Legislative Oversight from the United States and Canada*, in *SECRECY, NATIONAL SECURITY AND THE VINDICATION OF CONSTITUTIONAL LAW* 75–94 (2013) (with Nino Lomjaria)
- Limited Oversight: Legislative Access to Intelligence Information in the United States and Canada*, 6 J. PARLIAMENTARY & POLITICAL L. 523 (2012) (with Nino Lomjaria)
- Ethics, Employees & Contractors: Financial Conflicts In & Out of Government*, 62 ALAB. L. REV. 961 (2011)
- Fiduciary Standards for Bailout Contractors: What Treasury Got Right and Wrong in TARP*, 95 MINN. L. REV. 1614 (2011)
- ETHICS FOR AN OUTSOURCED GOVERNMENT, Administrative Conference of the United States (ACUS) 2011
- resulting in an ACUS Recommendation, *Compliance Standards for Government Contractor Employees-Personal Conflicts of Interest and Use of Certain Non-Public Information*, 76 Fed. Reg. 48,792 (Aug. 9, 2011) and an American Bar Association Resolution on Government Contractor Ethics
- Congress's Right to Counsel in Intelligence Oversight*, 2011 U. ILL. L. REV. 915
- quoted in CONGRESSIONAL OVERSIGHT OF NATIONAL SECURITY REFORM AGENDA (2014)
- "A New Era of Openness?": Disclosing Intelligence to Congress under Obama*, 26 CONST. COMM. 313 (2010)
- The Architecture of Accountability: A Case Study of the Warrantless Surveillance Program*, 2010 B.Y.U. L. REV. 357
- Restrictions on Gifts and Outside Compensation for Executive Branch Employees*, in *THE LOBBYING MANUAL* 513-23 (4th ed. 2009) (with Beth Nolan)
- Confidentiality Norms and Government Lawyers*, 85 WASH. U.L. REV. 1033 (2007)
- excerpted in *PROBLEMS IN TAX ETHICS* (Donald B. Tobin, Richard Lavoie & Richard Trogolo, eds.) (West 2009)
- Ethical Issues Raised by the OLC Torture Memorandum*, 1 J.NAT'L SECT'Y. L. & POL. 455 (2005)
- reprinted in *PATOLOGIE W ADMINISTRACJI PUBLICZNEJ* ("Pathologies in Public Administration") (Patrycja J. Suwaj & Dariusz R. Kijowski, eds.) (Wolters Kluwer 2009)
 - featured in *ETHICAL PROBLEMS IN THE PRACTICE OF LAW* (2nd ed. 2008) & (4th ed. 2016) by Lisa G. Lerman & Philip G. Schrag
 - excerpted in *LEGAL ETHICS IN THE PRACTICE OF LAW* (3rd ed. 2007), (4th ed. 2014) & (5th ed. 2019) by Richard A. Zitrin et al.
- Restrictions on Gifts and Compensation for Executive Branch Employees*, in *THE LOBBYING MANUAL* 433-44 (3rd ed. 2005) (with Beth Nolan)
- Regulating the Conflict of Interest of Government Officials*, in *CONFLICT OF INTEREST IN THE PROFESSIONS* (Michael Davis & Andrew Stark, eds.) 49-60 (2001)
- The Legacy of Watergate for Legal Ethics Instruction*, 51 HASTINGS L.J. 673 (2000)
- The Lawful & the Just: Moral Implications of Unequal Access to Legal Services*, 2 J. INST. STUDY LEG. ETH. (1999)
- Be Careful What You Accept From Whom*, in *THE LOBBYING MANUAL* 242-51 (1998)
- The Ethics of Representing Elected Representatives*, 61 L. & CONT. PROB. 31 (Spring 1998)
- Toward More Ethical Government: An Inspector General for the White House*, 49 MERCER L. REV. 553 (1997)

ARTICLES & BOOK CHAPTERS (CONT'D)

Paying the Price for Heightened Ethics Scrutiny: Legal Defense Funds and Other Ways that Government Officials Pay Their Lawyers, 50 STANFORD L. REV. 65 (1997)

- excerpted in RONALD D. ROTUNDA & JOHN E. NOWAK, TREATISE ON CONSTITUTIONAL LAW (2007)

Do We Have Enough Ethics in Government Yet? An Answer from Fiduciary Theory, 1996 U. ILL.L.REV. 57

- excerpted in PROFESSIONAL AND PERSONAL RESPONSIBILITIES OF THE LAWYER (3rd ed. 2011) by John T. Noonan, Jr. & Richard W. Painter
- excerpted without attribution in John Alan Cohan, *A Fiduciary Model of Political Ethics and Protocol for Dealing with Constituent Requests*, 38 J. BUS. ETHICS 277 (2002)

Is Discipline Different? An Essay on Choice of Law and Lawyer Conduct, 36 S. TEX. L. REV. 1069 (1995)

Protracted Nuclear War Fighting and Rural America, 14 PEACE & CHANGE 404 (1989)

NEWSPAPER OP-EDS

The government wants to keep its employees from talking about impeachment. It can't do that., WASH. POST (Dec. 4, 2018)

Pruitt may be gone, but Trump administration's ethical void remains, THE HILL (July 9, 2018) (with Jessica Tillipman)

Analysis: The President's Hotel Donation Ruse, GOV. EXEC. (Mar. 9, 2018) (with Steven Schooner)

No, presidents should not ask FBI directors if they're under investigation, WASH. POST (May 12, 2017)

The worst job in Washington? Counsel to President Trump, THE HILL (Feb. 15, 2017) (with Steven Schooner)

Exploiting Public Office for Private Gain, GOVERNMENT EXECUTIVE (Jan. 29, 2017) (with Steven Schooner)

Congress Can and Must Restrict the President's Financial Conflicts of Interest, N.Y. TIMES ("Room for Debate") (Dec. 7, 2016)

Congress needs to restrict the president's financial conflicts, WASH. POST (Nov. 29, 2016)

Klokkenluidershuis wordt Tandeloos Instituut [The House for Whistleblowers is a Toothless Institution], NCR (July 26, 2013) (with Iris van Domselaar)

What the District Can Learn from the Graham Affair, WASH. POST (Dec. 14, 2012)

Whistleblowing Incentives for Lawyers?, NATL. L.J. (Sept. 3, 2012) p. 35

Already, a Conflict for the New D.C. Board of Ethics, WASH. POST (June 24, 2012) p. C4 (with Robert Wechsler)

The Revolving Door: Who Really Cares?, NATL. L.J. (May 28, 2012)

Torturing the Law: The Justice Department's Legal Contortions on Interrogation, WASH. POST, June 20, 2004, p. B03 (co-authored with Julie Mertus)

One Way to Avoid Scandal, CHRISTIAN SCIENCE MONITOR (Sept. 3, 1998)

OTHER PUBLICATIONS

White Paper on the Law of Whistleblowing (2013)

An Overview of Government Ethics Standards (2012)

Congressional Access to Intelligence Information: The Appearance of a Check on Executive Power (2012)

Information Security & Fear-Mongering about WikiLeaks, IntLawGrrls.com (2010)

TESTIMONY

Assessing Ethical Risk, D.C. Board of Ethics & Government Accountability (2013)

Ethics Problem at the D.C. Board of Ethics, D.C. Council (2012)

An Ethics Manual for D.C. Government Employees, D.C. Council (2011)

Analysis of Proposed Ethics Legislation, D.C. Council (2011)

Alleged Legal Ethics Violations by Justice Department Lawyers, U.S. Senate Judiciary Committee Subcommittee on Administrative Oversight (2009)

Over-Regulation of Government Ethics in the United States, Commission of Inquiry into Certain Allegations Respecting Business and Financial Dealings Between Karlheinz Schreiber and the Right Honourable Brian Mulroney (Oliphant Commission) (2009)

President Bush's Order on Military Trials of Non-Citizens, U.S. Senate Judiciary Committee (2001)

AMICUS BRIEFS

Center for Constitutional Rights v. Bush, 633 F. Supp.2d 949 (N.D. Ca. 2007)
on behalf of legal ethics experts regarding lawyers' confidentiality obligation

United States v. Moussaoui, 365 F.3d 292 (4th Cir. 2004)
on behalf of Center for National Security Studies regarding access to exculpatory information

Williams v. Taylor, 529 U.S. 420 (2000)
on behalf of legal ethics professors regarding prosecutors' disclosure obligations

OTHER PROFESSIONAL EXPERIENCE

Federal Deposit Insurance Corporation (FDIC)

Training Consultant: Created legal ethics training course for federal agency's lawyers.

Pennsylvania General Assembly

Conducted ethics training for members of the State Senate and House of Representatives

Chemonics

Sarajevo, Bosnia & Herzegovina (BiH)

Consultant: Drafted whistleblowing regulations for adoption by BiH government institutions; provided anti-corruption and whistleblowing training to staff of BiH Anti-Corruption Agency.

U.S. Transportation Command

Provided training for procurement officials regarding contractors' ethics.

Office of the Attorney General, District of Columbia

Special Counsel: Wrote ethics manual for the District of Columbia's 32,000 employees.

- Created live & web-based training about ethics standards and the Freedom of Information Act (FOIA).
- Provided legal advice about ethics & transparency requirements.

Administrative Conference of the United States (ACUS)

Consultant: Wrote report that became basis for ACUS recommendation and ABA resolution for applying government ethics standards to certain service contractor personnel.

U.S. Senate Judiciary Committee

Counsel: Drafted health care fraud legislation & prepared hearings on that legislation.

- Prepared Committee Chair for Attorney General & other DoJ confirmation hearings.

OTHER PROFESSIONAL EXPERIENCE (CONT'D)

U.S. District Court for the District of Columbia

Judicial Clerk to Judge Harold H. Greene

Kiev Radical Economic Reform Project

Met with legal advisors to Ukrainian parliament and established contacts for legal exchange program.

Yale Law School

Teaching Assistant to Prof. Akhil Amar

Research Assistant to Prof. Paul Kahn

During law school, I worked for these law firms in Washington, DC:

Davis, Polk & Wardwell

Paul, Weiss, Rifkind, Wharton & Garrison

Clinica Legal Latina - Ayuda

Jones, Day, Reavis & Pogue

Institute for Policy Studies

Conducted large FOIA declassification campaign about US military's preparations for nuclear war, and published article based on that research.

SAIC

Wrote and presented briefings about Soviet scientific efforts.

INTERNATIONAL LAW REFORM ACTIVITIES

INTERNATIONAL ANTI-CORRUPTION TRAINING

- Taught course on legal ethics for Vietnamese law students *Vietnam*
- Facilitated anti-corruption & legal ethics workshop for Indonesian law students *Indonesia*
- Provided ethics & whistleblowing training for anti-corruption agency *Bosnia*
- Created and taught comparative law course on whistleblowing for students from Europe, Asia, North and South America *Netherlands*
- Facilitated legal ethics seminar for Russian law students *Russia*
- Lectured on corporate compliance at Moscow State University *Russia*
- Lectured on government lawyer ethics at Bialystok School of Public Administration *Poland*
- Lectured on prosecutors' ethics at Doshisha Law School *Japan*
- Trained prosecutors and judges for ABA's CEELI *Kosovo*
- Led Transparency International anti-corruption workshops for NGOs *Nigeria*
- Led workshop on government ethics for graduate students from Poland & Ukraine *Poland*
- Consulted with University of Carabobo School of Law faculty on integrating ethics into law school curriculum *Venezuela*

EVALUATION OF GOVERNMENT ETHICS AND OTHER LAWS

- Evaluated draft whistleblower legislation *Bosnia*
- Presented assessment of US whistleblower laws to Russian Labor Ministry roundtable *Russia*
- Evaluated anti-corruption legislation in Zanzibar for UN Development Programme (UNDP)
- Testified before the Oliphant Commission of Inquiry on US ethics laws *Canada*
- Evaluated anti-corruption legislation in Vietnam for UNDP
- Advised CEELI on its Legal Profession Reform Index
- Evaluated Uzbekistan's proposed lawyer code of conduct
- Initiated contacts with government advisors regarding economic reforms *Ukraine*

CONFERENCE PRESENTATIONS

“Ethics:” An Obstacle to Innovation in Legal Services

- ANA Advertising Law & Public Policy Conference (DC 2019)

Ethical Restrictions on Federal Employees and Counsel

- ABA Federal Procurement Institute (Annapolis, MD 2019)

Ethical Issues in Qui Tam Cases

- Federal Bar Association Qui Tam Conference (DC 2019)

Presidential Ethics

- Texas Law Review Symposium on Reclaiming and Restoring Institutional Norms (2019)

The Lawyers Who Mistook The President for Their Client

- AALS (New Orleans 2019)

How Agencies Should React to the Erosion of Ethical Norms

- Council on Government Ethics Laws (Philadelphia 2018)

Ethics Issues for State Attorneys General

- National Attorneys General Training & Research Institute (NAGTRI) (Phoenix 2018)
- National Association of Attorneys General (NAAG) (Charleston, SC 2018)

Congressional Oversight: Tools and Topics

- Congressional Oversight in the 21st Century (Levin Center at Wayne Law 2018)

Amending the Federal Bribery Statute

- Public Corruption Prosecutions After *McDonnell* (Pace Law School 2018)

Lawyer-Whistleblowers & the *Bio-Rad* Verdict: Implications for Future Litigation

- Association of Professional Responsibility Lawyers (Toronto 2017)

Obama & Trump Ethics Executive Orders

- Council on Government Ethics Laws (Toronto 2017)

Federal Conflict of Interest Standards

- Council on Government Ethics Laws (Toronto 2017)

International Developments in Whistleblowing Laws

- International Forum on Business Ethical Conduct (IFBEC) 8th Annual Conference (DC 2017)

Whistleblowers, Leakers, and National Security

- Vermont Law Review Symposium on Media Law & Journalism (2017)

Disciplining Dishonesty or Chilling Lawyer Speech? Applying Model Rule 8.4(c) to Words Spoken by Lawyers but not as Lawyers

- Association of Professional Responsibility Lawyers (New York City 2017)

Who is My Client? And Other Thorny Issues Faced by Government Attorneys

- 43rd ABA National Conference on Professional Responsibility (St Louis 2017)

Federal Whistleblowing: When to do it, How to do it, and Protections under the Law

- 13th ABA Administrative Law & Regulatory Practice Institute (2017)

Ethics Overview of the Trump Administration’s Early Days

- Federal Circuit Bar Association Government Contracting Summit (2017)

Narrowing and Distorting Our Anticorruption Laws

- Penn State Law Review on Political Corruption and Government Ethics (2017)

An Assessment of Ethics in Trump’s First 100 Days

- University of Illinois Law Review Symposium (2017)

Conflicts of Interest: Advocates & Government Officials

- District of Arizona Annual Conference (Tucson 2017)

Principles of Government Ethics

- Council on Government Ethics Laws (New Orleans 2016)

Lawyer-Whistleblowers, the False Claims Act & Confidentiality

- 42nd Annual ABA National Conference on Professional Responsibility (Philadelphia 2016)

Ethical & Legal Limits on the Use of Privileged Information by Whistleblower Lawyers

- 9th Annual ABA Labor & Employment Law Conference (Philadelphia 2015)

CONFERENCE PRESENTATIONS (CONT'D)

Private Investigations of Public Wrongs: Comments on Papers by Engstrom & Baer

- NYU Conference on Corporate Crime & Financial Misdealing (New York 2015)

The Role of Whistleblowers in the Constitutional Conversation

- 23rd Annual Rothgerber Conference (University of Colorado 2015)

Ethical Standards in Employment Litigation

- American Law Institute Advanced Employment Law & Litigation - 2015 (DC 2015)

Financial Disclosure & Faux Transparency

- Council on Government Ethics Laws (Pittsburgh 2014)

Recent False Claims Act Cases Related to Legal Ethics & Attorney-Client Privilege

- ABA Annual Meeting - Public Contract Law Section (Boston 2014)

Federal Preemption under Dodd-Frank's Whistleblower Award Program

- 6th International Legal Ethics Conference (London 2014)

Ethics in Qui Tam Litigation

- 10th National Institute on the Civil False Claims Act and Qui Tam Enforcement (DC 2014)

Whistleblowing Lessons from the Snowden & Congressional Disclosures

- The Future of National Security Law (Pepperdine University 2014)

The Law of Whistleblowing

- Whistleblower Laws in the 21st Century (keynote address) (Pennsylvania State University 2014)
- American Society for Public Administration Ethics & Quality of Governance Workshop (New Orleans 2013)

Snowden as Whistleblower?

- Future of Privacy Forum Advisory Board (2014)
- Board of Contract Appeals Bar Association (DC 2013)

The Ethics of Acquiring Documents Before Litigation

- Taxpayers Against Fraud Education Fund Conference (DC 2013)

The House for Whistleblowers: A U.S. Perspective

- University of Amsterdam (2013)

Financial Incentives for Whistleblowing Lawyers? The False Claims Act & Dodd-Frank

- 39th Annual ABA National Conference on Professional Responsibility (San Antonio 2013)

Legal Ethics in the News

- American Law Institute Continuing Legal Education Program (DC 2013)

Ethics for an Outsourced Government

- Board of Contract Appeals Bar Association (DC 2013)
- 8th Annual ABA State & Local Procurement Symposium (Nashville 2013)
- Council of the ABA Administrative Law Section (Chicago 2012)
- Washington Metropolitan Area Corporate Counsel Association (2012)
- National Contract Management Association (Denver 2011)
- U.S. Office of Government Ethics Conference (Orlando 2011)
- Interagency Ethics Council (DC 2011)
- Administrative Conference of the United States (ACUS) Plenary Session (DC 2011)

Ethics, Privacy and the STOCK Act's Massive Online Disclosure of Employees' Finances

- Washington University Political Theory Workshop (2013)

Organizational Privilege & Organizational Insiders

- Association of American Law Schools (AALS) Annual Meeting (New Orleans 2013)

Interdisciplinary Approaches to Solving National Security Legal Problems

- ABA Standing Committee on Law & National Security Seminar on Teaching National Security Law (Syracuse, NY 2012)

Buying Silence: Confidentiality, Professional Role & Financial Incentives for Whistleblowing Lawyers

- 5th International Legal Ethics Conference (Banff 2012)
- 38th Annual ABA National Conference on Professional Responsibility (Boston 2012)
- Association of Professional Responsibility Lawyers (APRL) (Chicago 2012)
- Ninth National Institute on Civil False Claims Act and Qui Tam Enforcement (DC 2012)

CONFERENCE PRESENTATIONS (CONT'D)

Constitutional Challenge to the STOCK Act

- Council on Government Ethics Laws (Columbus 2012)

Texting, Personal Email & Open Government Laws

- Council on Government Ethics Laws (Columbus 2012)

Conflicts Between Government Lawyers and their Clients

- ABA National Conference on Professional Responsibility (Boston 2012)

Congress's Right to Counsel in Intelligence Oversight

- AALS Annual Meeting - Workshop on the Future of the Legal Profession and Legal Education (DC 2012)
- ABA Standing Committee on Law & National Security (SCOLANS) 22nd Annual Review of the Field of National Security Law (DC 2012)
- University of Texas National Security Law Workshop (2010)
- Fourth International Legal Ethics Conference (Stanford Law School 2010)
- Hofstra University Conference on The Legal Ethics of Lawyers in Government (2009)
- William Mitchell College of Law National Security Law Retreat (St. Paul 2009)

Whistleblowing Law: The U.S. Experience

- Russian Labor Ministry Roundtable on the Protection of Whistleblowers (Moscow 2012)

Challenges & Solutions in Government Ethics

- New York City Conflict of Interest Board Seminar (2012)

The Foreign Corrupt Practice Act and Dodd-Frank's Whistleblower Incentives

- Association of Professional Responsibility Lawyers (Istanbul 2012)

Legislative Oversight of Intelligence in the United States and Canada

- International Association of Constitutional Law Workshop on Secrecy, National Security, and the Vindication of Constitutional Law - Bocconi University (Milan 2011)

Ethics Lessons within National Security Law Courses

- ABA SCOLANS Seminar on Teaching National Security Law (DC 2011)

Who Should Prosecute Corruption?

- NYU Symposium on Policing, Regulating, & Prosecuting Corruption (2011)

Synthesizing the Field of Government Ethics: The American Law Institute Process

- Council on Government Ethics Laws Annual Conference (Nashville 2011)

Constitutional and Ethical Obligations to Disclose Exculpatory Information

- U.S. Department of Justice Professional Responsibility Officers' Conference (Columbia, SC 2011)
- Administrative Office of the U.S. Courts – Winning Strategies Seminar (Philadelphia & Minneapolis 2005)
- U.S. Attorney's Annual Law Seminar, Southern District of Ohio (2001)
- National Ethics Seminar for Federal and State Prosecutors (Columbia, SC 2001)
- American University Washington College of Law (2001)
- National Habeas Corpus Training (Nashville 2000)

Fiduciary Standards for TARP Bailout Contractors

- University of Minnesota Symposium on Government Ethics & Bailouts: The Past, Present & Future (2010)

A Primer on Government Ethics Standards

- National Association of Latino Elected Officials National Institute for Newly Elected Officials (DC 2010)

The Movement to Lift the Ban on the Military: Lessons for Human Rights Advocates

- American University Human Rights Summer Institute (2010)

Ethical Accountability in Congress

- AALS Annual Meeting (New York 2008)

Representing Unpopular Clients

- ABA National Conference on Professional Responsibility (Boston 2008)

The Architecture of Government Accountability

- AALS Constitutional Law Conference (Cleveland 2008)
- Washington University Political Theory Workshop (2008)
- Law & Society Association Annual Meeting (Berlin 2007)

CONFERENCE PRESENTATIONS (CONT'D)

Ethics Violations by the Justice Department Torture Lawyers

- Southern Methodist University Conference on National Security and Civil Liberties (2011)
- ABA SCOLANS Seminar on Teaching National Security Law (DC 2010)
- Bialystok School of Public Administration (Poland 2009)
- Pathologies in Public Administration - International Conference of the Polish Association for Public Administration Education (Bialowieza, Poland 2009)
- University of California, Berkeley National Lawyers Guild (2009)
- ABA SCOLANS 18th Annual Review of the Field of National Security Law (DC 2008)
- American Society of International Law (DC 2007)
- Wisconsin State Bar Association (Madison 2006)
- AALS Annual Meeting Joint Program on The Roles of Lawyers & the War on Terror (San Francisco 2005)
- American University Conference on Ethical Issues for Government Lawyers (2005)
- Doshisha University Law School (Kyoto 2005)
- Wisconsin Department of Justice (Madison 2005)

Ethical Standards for Government Lawyers Who Blow the Whistle

- United States Senate Office of Education and Training Legal and Government Ethics of the Congressional Staff Lawyer (2010)
- University of California, Hastings Conference on The Public Lawyer's Role In Ensuring the Integrity of Public Institutions (San Francisco 2009)
- Wisconsin Attorney General's Office (Madison 2008)
- Illinois Attorney General's Office (Chicago 2008)
- Washington University Conference on Political Theory (2007)
- ABA National Conference on Professional Responsibility (Vancouver 2006)

Political & Legal Efforts to Lift the Ban on Gays in the Military

- Midwest LGBT Law Conference (St. Louis 2010)
- Missouri History Museum Panel Discussion on "Don't Ask, Don't Tell" (St. Louis 2009)
- AALS Annual Meeting (DC 2007)
- Society of American Law Teachers (Boston 2006)
- American Association of Law Libraries Annual Meeting (St Louis 2006)
- Boston College Law School Conference on Rumsfeld v. Fair (2005)
- University of Virginia Law School (2003)
- Lawyers for Equality (St. Louis 2006)
- Bar Association of Metropolitan St. Louis Individual Rights & Responsibilities Committee (2005)

Impact of the Military's Gay Ban on Women

- AALS Annual Meeting (New York 2008)

Criminal Prosecution of National Security Leaks

- AALS Annual Meeting (DC 2007)

Due Process and the Role of Legal Counsel in the War on Terror

- Federalist Society Panel on Waging the War on Terror in the Supreme Court (DC 2004)

Comments on "Defining the Limits of Conflicts Regulation"

- International Conflicts of Interests Conference (Trento, Italy 2004)

Conflicts of Interest Facing Corporate Lawyers

- Washington University Conflict of Interest Conference (2002)

Empirical Data On Prosecutors' Failure to Disclose Exculpatory Information

- Innocence Projects Conference (San Diego 2002)
- University of Indiana International Conference on Whistleblowing (2002)
- University of Illinois Law Review Symposium (2002)
- U.S. Attorney's Annual Law Seminar (Columbus, Ohio 2002)
- National Habeas Corpus Training (Nashville 2001)

Reinvigorating Legal Ethics Teaching Through Curricular Options & Simulation Exercises

- AALS Annual Meeting (New Orleans 2002)

CONFERENCE PRESENTATIONS (CONT'D)

Multi-State Practice and Limits on the Unauthorized Practice of Law

- National Association of Attorneys General (Minneapolis 2001)

Lobbying, the Adversary System, and Lawyers' Ethics

- Widener Law School Conference on Legal Ethics for Government Lawyers (2000)

The End of Attorney-Client Privilege for the Government?

- University of California, Hastings Public Servant or Hired Gun Conference (2002)

Lawyers, Lying and the Legacy of Watergate for Legal Ethics

- Hastings College of Law Conference: From Watergate to Generation Next (2000)

Prosecutorial Discretion and Prosecutors' Prudence

- Georgetown University Symposium on Prosecutorial Misconduct (2000)

The Over-Criminalization of Government Ethics

- Conference on Ethics in Public Administration (Wigry, Poland 2000)

Comments on Economic Analyses of Corruption Prosecutions

- Western Economic Association International Conference (Vancouver - 2000)

Forgiveness in the Law: Lessons from South Africa

- Cornell University Peace Studies Program (1999)

The Licensing of Professionals as a Tool for Curbing Corruption

- Ninth International Anti-Corruption Conference (Durban, South Africa 1999)

From the Watergate Disbarments to Clinton's Impeachment: Lawyers, Government Officials & Honesty

- ABA National Conference on Professional Responsibility (San Diego 1999)

The U.S. Approach to Government Ethics and a Fiduciary-Based Alternative

- Ethics Practitioners' Association of Canada (Ottawa 1998)

Reforming Campaign Finance Law to Protect the Public Trust

- Sixth International Conference on Ethics in Public Service (Netherlands 1998)
- American Society for Public Administration (Philadelphia 1997)
- American Political Science Association Annual Meeting (Boston 1998)
- University of Paris Symposium on Money, Politics and Corruption (1998)
- Law & Society Association (Aspen 1998)

Legal Defense Funds for Government Officials

- Stanford Law Review Symposium on Law and the Political Process (1998)
- Fifth International Conference on Ethics in Public Service (Brisbane, Australia 1996)

Promoting Ethics by Promoting 'Voice': The Case for an Inspector General in the White House

- St. Louis University Law School Symposium on The Presidency: 25 Years After Watergate (1998)
- Mercer University Law School Symposium on the Independent Counsel Statute (1997)

Lawyering is Not a Morality-Free Zone: A Rebuttal to the Notion of Lawyers' Amoral Ethical Role

- Hofstra University Conference on Access to Justice (1998)

Conflicts and Confidences

- Catholic University Conference on Developments in Legal Externship Pedagogy (1998)

The Ethics of Mentoring and Group Identity

- Association for Practical and Professional Ethics (Dallas 1998)

Do We Promote More Ethical Behavior By Promulgating More Ethics Rules?

- American Society for Public Administration (Philadelphia 1997)

Applying Ethical Principles to Campaign Finance Law

- Association for Practical and Professional Ethics (Missoula 1997)
- National Conference of State Legislatures (St. Louis 1996)

Fiduciary Theory and its Implications for Campaign Finance Reform

- Pew Charitable Trust (DC 1996)

Reducing Complexity in Government Ethics Regulation

- South East Conference on Public Administration (Savannah 1995)

Ethics Restrictions on the Work of Former Federal Prosecutors

- ABA Annual Meeting, Government and Public Sector Lawyers Division (Chicago 1995)

FACULTY WORKSHOPS

Villanova (2018)
University of Alabama (2015)
UCLA (2013)
Indiana University (2013)
Chicago-Kent College of Law (2013)
Widener University (2013)
Pennsylvania State University (2012)
Duquesne University (2012)
University of Baltimore (2012)
University of Arizona (2011)
George Washington University (2011)
University of Maryland (2011)
Brooklyn Law School (2011)
University of Miami (2011)
Georgia State University (2011)
Hofstra University (2010)
Seattle University (2010)
Denver University (2010)
University of Colorado (2010)

Brooklyn Law School (2010)
University of Iowa (2009)
American University (2009)
University of Pittsburgh (2009)
University of Akron (2009)
Rutgers University (2006)
Temple University (2006)
UCLA (2004)
University of San Francisco (2003)
University of Missouri (2001)
University of Houston (2001)
University of Michigan (2000)
University of Toledo (2000)
Pennsylvania State University (2000)
Cornell University (1999)
Emory University (1997)
Sydney University (1996)
Indiana University (1996)
St. Johns University (1996)

OTHER PRESENTATIONS

Non-Disclosure Agreements and Investigative Journalism

- Media Freedom & Information Access Clinic (Yale Law School 2018)

Bill Henderson's Legal Market Landscape Report, Global Legal Practice Committee (DC 2018)
Oversight via Congress, NGOs and Whistleblowers, International Anti-corruption Academy (DC 2018)
Reforming Government Ethics in the Age of Trump, NYU Brennan Center for Justice (DC 2018)
Risk Management Practices for Small Firms and Solo Practitioners, Lawline (2017)
Graduation Address, Columbus School for Girls (Columbus, OH 2017)
Attorney-Client Privilege & Internal Investigations, ABA Public Contract Law Section –State & Local Procurement (2014) (with Brian Miller)
Financial & Representational Conflicts of Interest, American Law Institute (Philadelphia 2013)
Transparency in Congressional Travel, Lawyer2Lawyer Podcast (2012)
Are Prosecutors Irrelevant? The Criminal Law's Limited Role in Controlling Corruption, American Association of University Women – DC Branch (2012)
Professional Responsibility & Ethics in the Global Legal Market (Moscow 2012)
Representing Organizational Clients, Moscow State University (2012)
Principles of Government Ethics, American Law Institute (DC 2011)
Government Contractor Ethics, ALI/ABA Continuing Education Program on The Ethics of Doing Business with the Government (2010)
McGeorge School of Law Conference on Ethics in Government (Sacramento 2009)
ALI/ABA Red Flags, Client Troubles, and the Ethics of Representation (2005)
ALI/ABA Ethics Webcast (2004)
Columbus (Ohio) Bar Association (2002)
Hofstra University Legal Ethics Conference (2001)
Government Ethics Since Watergate, Ethical Society of Saint Louis (1997)
Being 'Out' on the Teaching Market, Yale Law School (1997)

SELECTED PROFESSIONAL, UNIVERSITY & COMMUNITY SERVICE

D.C. Bar Global Legal Practice Committee (2018-present)
American Oversight - Board Member (2017-present)
Association of Professional Responsibility Lawyers - Board Member (2015-present)

- Public Statements Committee (2012-present)

D.C. Bar Rules of Professional Conduct Review Committee (2012-present)
Government Accountability Project (GAP) - Board Member (2013-14)
American Society for Public Administration - Ethics Section Executive Committee (2013-14)
GAP Whistleblowing Curriculum Development Committee (2010-13)
Institutional Conflicts of Interest (ICOI) Review Committee (2009-11, 2013, 2014-15)

- *Evaluated potential conflicts of interest of research institution & its high-ranking officials.*

Pay Equity Study Committee (2008-10)
Center for the Study of Ethics & Human Values - Planning & Program Committee (2002-09)
JOURNAL OF NATIONAL SECURITY LAW & POLICY, Editorial Board (2005-08)
Workshop on Empirical Research in Law, Coordinator (2008-09)
Servicemembers Legal Defense Network (SLDN) Board Member (2003-07)

- *Advocated to lift the ban on gays in the military.*

Society of American Law Teachers - Committee on LGBT Issues in the Academy, Chair (2006-07)
Association of American Law Schools - Executive Committee for the Sections on:

- National Security Law (2004-06; Chair-2006)
- Legislation (1999-2000)
- Professional Responsibility (1996-98)

PUBLIC INTEGRITY, Reviewer (1998)
The Immigration Project, Board Member (1995-2003)

BAR ADMISSIONS

District of Columbia
U.S. Court of Appeals for the Fourth Circuit
U.S. Supreme Court