

January 9, 2005

CURRICULUM VITAE

Name: Neil W. Hamilton

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Employment Experience:

June, 2003 through the Present

Associate Dean for Academic Affairs, University of St. Thomas School of Law, Minneapolis, MN.

February 2002 through June, 2002

Interim Associate Dean for Academic Affairs, University of St. Thomas School of Law, Minneapolis, MN.

June, 2001 to July, 2002

Director of the Mentor Program, University of St. Thomas School of Law, Minneapolis, MN.

July 2001 to Present

Professor of Law and Faculty Adviser to the Mentor Program, University of St. Thomas School of Law, Minneapolis, MN. My course assignments are:

Civil Procedure	(2001-02 and 2002-03)
Professional Responsibility	(since 2003)
Ethical Leadership in Corp. Practice	(since 2003)

I received an Excellence in Professional Preparation Award for my teaching in April, 2003.

August 1980 to June 2001

Trustees Professor of Regulatory Policy, William Mitchell College of Law, St. Paul, MN. My course assignments were as follows:

Administrative Law	(1980-2001)
Professional Responsibility	(1990-2001)
Ethics Seminar (Work of the Lawyer)	(1988-2001)
Business Ethics	(1988-1991)
Antitrust	(1980-1991)
Business Organizations	(1986-1989)
Regulated Industries	(1980-1988)

July to December 1987

Fulbright Scholar, Institute for Southeast Asian Studies, University of Singapore.

May 1985 to May 1990

Founder and Executive Director, Midwest Corporate Counsel Center, St. Paul, Minnesota. This center organized continuing legal education programming for corporate counsel of 75 member companies.

July 1977 to July 1980

Assistant Professor of Law, Case Western Reserve Law School, Cleveland, OH. My courses were Financial Institutions, Regulated Industries, Contracts, Administrative Law, and Law and Accounting.

October 1972 to December 1974

Visiting Professor of Law and International Legal Center Fellow, Airlangga University, Surabaya, Indonesia.

February 1971 to September 1972

Instructor in Accounting, U.S. Army Finance School, Ft. Benjamin Harrison, Indiana.

June 1971 to September 1972

Associate Attorney, Krieg, Devault, Alexander and Capehart, Indianapolis, IN.

May 1970 to February 1971

Associate Attorney, Gray, Plant, Mooty, Mooty and Bennett, Minneapolis, MN.

Education:

<u>School</u>	<u>Dates</u>	<u>Degree</u>
Colorado College	1963-67	Bachelor of Arts (Economics)
University of Minnesota Law School	1967-70	Juris Doctor
University of Michigan Graduate School in Economics	1975-77 1979	Complete course requirements for Ph.D. Master of Arts (Economics)

Honors and Awards:

Law School:	J.D., Degree awarded Magna Cum Laude Order of the Coif Minnesota Law Review: 1968-69, General Editorial Staff 1969-70, Board of Editors-Research and Topics Development Editor
Collegiate:	B.A. awarded Cum Laude Phi Beta Kappa
Graduate School:	University Fellowship, 1975-76

Bar Admission:

Admitted to the Minnesota Bar in September 1970

Professional Awards:

Member, American Law Institute (since 1990).

Recipient, One of *Minnesota Lawyer's* Attorneys of the Year for 2002

Recipient, Hennepin County (Minneapolis) Bar Association's Professionalism Award for 2003 – given to the lawyer who most exemplifies the ideals of the profession.

Selection in 2004 as *Minnesota Law and Politics* SuperLawyer in administrative law (given by peers to top 5% of lawyers in a practice area).

Recipient, Minnesota State Bar Association Professional Excellence Award for 2004. This is the bar association's highest award given to recognize exceptional professionalism.

Scholarship:

Books Published:

Academic Ethics: Problems and Materials on Professional Conduct and Shared Governance (American Council on Education/Praeger Press, 2002). This book is part of the ACE Series on Higher Education.

Zealotry and Academic Freedom: A Legal and Historical Perspective (Transaction Publishers, 1995).

Governance of Public Enterprise: A Case Study of Urban Mass Transit (co-authored with Peter Hamilton) (D.C. Heath - Lexington Books, 1981). Lexington Books is now part of Rowman and Littlefield Publishing Group.

Books in Draft:

Practicing Administrative Law: Statutes, Cases, Problems and Outlines (coauthored with Marcia Gelpel). We used these materials for several years in our administrative law courses. They need another edit before submission to a publisher, but I have not been teaching the course since starting at the University of St. Thomas.

Scholarly Journal Articles and Chapters Published:

"Faculty Involvement in System-wide Governance," in *Competing Conceptions of Governance*, ed. William Tierney, 77-104 (2004, Johns Hopkins).

"Counseling the Post-Enron Corporation Using the Lawyer's Independent Judgment," 14 PROFESSIONAL LAWYER 24-28 (Winter, 2003).

"The Ethics of Peer Review," LIBERAL EDUCATION 42-49 (Fall, 2003).

Book Review, "Higher Education Law: The Faculty," ACADEME 76-78 (Nov. – Dec. 2002).

"Six Ethical Systems a Lawyer Must Navigate," 14 PROFESSIONAL LAWYER 18-20 (Fall, 2002).

"The Ethics of Peer Review in the Academic and Legal Professions," lead article in a Symposium on The

Ethics of Law Professors, 46 SOUTH TEXAS LAW REVIEW 227-300 (2001)

“Academic Tradition and the Principles of Professional Conduct.” in a Symposium on Academic Freedom and Responsibility, 27 JOURNAL OF COLLEGE AND UNIVERSITY LAW 609-69 (2001).

“Academic Freedom” in the *Oxford Companion to United States History* at 4-5 (2001).

“The Academic Profession’s Leadership Role in Shared Governance,” LIBERAL EDUCATION 12-19 (summer, 2000).

“Are We Speaking the Same Language?: Comparing AAUP and AGB,” LIBERAL EDUCATION 24-31 (Fall, 1999).

“The Iron Range Resource and Rehabilitation Board: An Unconstitutional and Confused Delegation of Executive Power to Legislators,” 26 WM MITCHELL L. REV. 1204-1243 (1999).

“Zealotry and the Fundamentalist Academic Left,” in *Mistaken Identities: The Second Wave of Controversy Over Political Correctness*, eds. C. Levitt, S. Davies, & N. McLaughlin, 54-83 (1999, Peter Lang Pub., N.Y.)

“New Mexico Highlands University: A Case of Tenure Denial,” (co-authored with Carol O’Dell) ACADEME 99-108 (March-April 1999).

Book Review. “Academic Freedom and Tenure: Ethical Issues,” ACADEME 64-65 (Jan.-Feb. 1999).

“The Future of Callings – An Interdisciplinary Summit on the Public Obligations of Professionals Into the Next Millennium,” 25 WM. MITCHELL L. REV. 45-59 (1999).

“Are We a Profession or Merely a Business?: The Erosion of the Conflicts Rules Through the Increased Use of Ethical Walls” (co-authored with Kevin Coan) 27 HOFSTRA L. REV. 57-108 (1998).

“Academic Freedom and Speech Codes,” published as an occasional paper by the Wisconsin Association of Scholars (Sept. 1998).

“Introduction” for the new edition of Roscoe Pound, *The Spirit of the Common Law*, 8-50 (Transaction Press 1998)(coauthored with Mathias Jaren).

“Peer Review: The Linchpin of Academic Freedom and Tenure,” ACADEME 14-19 (May-June 1997).

“Foreword: Symposium on Zealotry and Academic Freedom,” 22 WM. MITCHELL L. REV. 333-55 (1996).

“Contrasts and Comparisons Among McCarthyism, 1960s Student Activism, and 1990s Faculty Fundamentalism,” 22 WM. MITCHELL L. REV. 369-413 (1996).

“Buttressing the Neglected Traditions of Academic Freedom,” 22 WM. MITCHELL L. REV. 549-572 (1996).

“Are We a Profession or Merely a Business, the Erosion of Rule 5.6 and the Ban Against Restrictions on the Right to Practice,” 22 WM. MITCHELL L. REV. 1409-33 (1996).

“Mitigation of Antitrust Damages” (co-authored with Virginia Cone), 66 OR. L. REV. 339-72 (1987).

“The Governance of Publicly Owned Urban Mass Transit: A Model Act and Comments,” 32 WASH. U. J. URB. & CONTEMP. L. 3-65 (1987).

"Legislative Oversight of Regulatory Agencies in Minnesota" (co-authored with David Prince), 12 WM. MITCHELL L. REV. 601-67 (1986).

"Standard Contracts and Avoided Cost Rates for Small Power Producers," 11 WM. MITCHELL L. REV. 421-76 (1985).

"The Need for Standard Contracts and Prices for Small Power Producers" (co-authored with Carol Bros), PUBLIC UTILITIES FORTNIGHTLY 24-32 (May 30, 1985). This is a shorter version of the WILLIAM MITCHELL LAW REVIEW article.

"The Defense of Natural Monopoly in Section Two Monopolization Cases" (co-authored with Anne Caulfield), 33 DEPAUL L. REV. 465-93 (1984).

"Developing Technologies and Their Implications for the Economic Regulation of Cable Television," 10 WM. MITCHELL L. REV. 601-25 (1984).

"A Comparison of the Governance and Publicly Owned Urban Mass Transit in the United States and Canada" (co-authored with Professor Bruce Feldthusen of the Law School, University of Western Ontario, 6 CANADA-UNITED STATES L.J. 1-55 (1983).

"La Gestione delle Imprese Pubbliche di Trasporto negli statit Uniti e nel Canada," 12 ECONOMIC PUBBLICA 399-148 (1983) (an Italian translation of the Canada-U.S. article).

"Duopoly in the Distribution of Electricity: A Policy Failure" (co-authored with Peter Hamilton), 28 ANTITRUST BULLETIN 281-309 (1983).

"Developments in Minnesota Antitrust Law," 8 WM. MITCHELL L. REV. 650-662 (1982).

"Foreword" for public utilities symposium in 8 WM. MITCHELL L. REV. 297-302 (1982).

"Utility Regulation: Economic Efficiency as the Primary Objective of the State Utility Commission Pricing Policy" (co-authored with Irving Colacci), 8 WM. MITCHELL L. REV. 309-30 (1982).

"Judicial Review of Ratemaking: Minnesota Applies a New Analysis to Review of Rate of Return Determinations: (co-authored with Irving Colacci) 8 WM. MITCHELL L. REV. 543-571 (1982).

"Foreword: Symposium on Governance of Public Enterprise," 65 MINN. L. REV. 179-89 (1982).

"Mechanisms for Consumer Involvement in the Governance of Publicly Owned Enterprise" in PROCEEDINGS: THE CONSUMER MOVEMENT AS RELATED TO OTHER SOCIAL MOVEMENTS 59-75 (American Council of Consumer Interests, 1981).

"Foreword" for public utilities symposium in 30 CASE W. RES. L. REV. 215-227 (1980).

"The Regulation of Indonesian State Enterprises," in *LAW AND PUBLIC ENTERPRISES IN ASIA* 147-72 (Praeger, 1976), also in 16 MALAYA L. REV. 296 (1975).

"Section 911 Tax Reform," 54 MINN. L. REV. 823 (1970).

"Damage Contribution Test: The Relative Culpability of the Tortfeasors," 53 MINN. L. REV. 1078 (1969).

Shorter Bar Journal Articles

I have written over 50 monthly columns (approximately 1,800 words each) in MINNESOTA LAWYER on ethics and professionalism:

- "Firms Should Reduce Lawyer's Billable Hours" (March 15, 1999).
- "Incivility, Hardball Tactics, and Zealous Advocacy" (June 7, 1999).
- "How Important is Courage in the Practice of Law" (August 7, 1999).
- "On Counseling the Client Concerning Best Interests" (Sept. 13, 1999).
- "A Look at the Issue of Multidisciplinary Practice" (Oct. 11, 1999).
- "Contrary to Popular Belief, Attorneys are Happy" (Nov. 15, 1999) (with M. Zack and D. Sachau).
- "Recalling the Attorney's Oath (December 20, 1999) (with Sandra Francis).
- "A Second Look at Multidisciplinary Practice" (Jan. 24, 2000).
- "Does Spirituality Have Any Relevance in the Practice of Law?" (February 21, 2000).
- "Are Financial Success and Virtue Compatible?" (March 24, 2000).
- "Is Natural Law Relevant in the Practice of Law," (with Russ Pannier) (April 17, 2000).
- "What Does the Aging of the Boomers Mean for the Profession," (May 22, 2000).
- "The Importance of Firm Mission or Values Statements," (June 19, 2000).
- "Survey of Mission Statements of Local Firms," (August 21, 2000).
- "Why Professional Autonomy and Peer Review?," (October 2, 2000).
- "A Look at the Ethics of Professional Peer Review," (November 6, 2000).
- "The Ethics of Peer Review Within the Law Firm," (December 4, 2000).
- "Developing Cultures of High Professional Aspiration," (January 1, 2001).
- "Who Are the Ethical Leaders in Your Firm?," (January 29, 2001).
- "Attorneys Should Read the Professionalism Aspirations (March, 2001).
- "Is a New Age Dawning for the Legal Profession?" (April 9, 2001).
- "Finding a Path in the Law (May 7, 2001).
- "A Look at the Effects of Increasing the Hours That Associates Must Bill," (June 4, 2001).
- "The Critical Role of Mentors in the Legal Profession," (August 6, 2001).
- "Ethical Leadership in a Peer Collegium," (with Bill McNab) (September 3, 2001).
- "Reflecting on Renewal and Resilience in Law," (with Dennis Coyne) (October 8, 2001).
- "A Look at Collaborative Law and Professionalism," (with Nancy Zalusky Berg) (November 12, 2001).
- "Comparing the Ethics of the Academic and Legal Professions," (December 17, 2001).
- "Creative Problem Solving for your Client and the Ethics Rules," (January 14, 2002).
- "The Attorney as Coach," (with Ward Schendel) (February 11, 2002).
- "The Lessons Enron Teaches Us," (March 11, 2002).
- "A Few Reflections on the Attorney's Oath (reprinted from 12/20/99) (April 29, 2002)
- "Falling Public Perception and Rising Billable Hours," (May 13, 2002)
- "What Does Management Want From Corporate Counsel?," (June 10, 2002)
- "Counseling on Business Ethics After Enron and MCI," (August 12, 2002)
- "Part one: Business Ethics and the Practicing Lawyer," (September 9, 2002)
- "Part two: Business Ethics for the Practicing Lawyer," (October 14, 2002)
- "A New World view: Zealous Advocate and Ethical Leader," (Nov. 11, 2002)
- "Applying Business Ethics to the Law Firm," (Dec. 16, 2002).
- "Living from the Inside Out," (with Jerry Organ) (January 20, 2003).
- "The Status of Women in the Profession and Best Practices," (with Lisa Montpetit Brabbit) (February 17, 2003).
- "Building the Social Capital of the Profession," (March 17, 2003).
- "What is a 'Satisfactory Living?'" (April 14, 2003).
- "Is Law School Relevant to the Practice of Law?" (May 19, 2003)
- "Lessons from the Fall of Arthur Andersen," (June 16, 2003).

- "Legal Practice and Moral Psychology in Minnesota," (September 29, 2003).
- "Part II: Legal Practice and Moral Psychology in Minnesota," (October 27, 2003).
- "Moral Psychology and the Education of Lawyers," (December 15, 2003).
- "Pro Bono and Social Capital in the Profession," (January 26, 2004).
- "Authentic Leadership and Servant Leadership in the Practice of Law," (Feb. 23, 2004).
- "Understanding the Intersection of Business and Legal Ethics," (April 26, 2004).
- "The Ethics of Assessing Lawyers and Judges," (June 28, 2004).
- "The Ethics of Assessing Lawyers and Judges: Part II," (September 27, 2004).
- "Exploring Why Lawyers Should Do Pro Bono Work," (with Tom Mengler). (November 22, 2004)

Column in WISCONSIN OPINIONS on ethics and professionalism (I revised my MINNESOTA LAWYER column for the Wisconsin Bar.):

- "The Cynics are Wrong, The Profession's Independence Does Benefit the Public," (October 25, 2000).
- "It's Not Tattling, It's Professional Responsibility," (November 25, 2000).
- "Who's Watching the Partners in Your Firm," (December 13, 2000).
- "Legal Leadership: 'Tis a Gift," (January 10, 2001).
- "Who Are the Ethical Leaders in Your Firm?, (February 2001).

"Leap and the Net Will Appear," ST. THOMAS ALUMNI MAGAZINE (Spring 2001) at 56.

"Remembering Our Oath," IOWA LAWYER (summer, 2000) at 12-14.

"MDPs: View the Larger Picture," NATIONAL L. J. (April 24, 2000) at A23.

"Former Client Conflicts, Migrating Lawyers, and Ethical Walls" (co-authored with Kevin Coan) 55 BENCH AND BAR 24-30 (1998)(winner of Elmer Wiblishauser Author's Award for the best article for 1998-99)..

"Academic Freedom: A Flickering Flame Threatened by Strong Winds," WM. MITCHELL MAGAZINE 10-13 (Winter 1996).

Service to the Profession

- Since 1980, presenter at more than 125 professional education programs for lawyers in Minnesota, including more than 80 on professional ethics.
- 2003 – present – Chair, Minnesota State Bar Association (MSBA) Professionalism Committee.
- 1999 – present – Member, MSBA Professionalism Committee.
- 2002-2004 – Minnesota Supreme Court Ad Hoc Committee on Professionalism.
- 2001-present – Founding board member for Res Ipsa Loquitur. Res Ipsa is a grass-roots group of 150 lawyers and judges that organizes three programs a year on professional ideals for law students and lawyers.
- 1996-present – Member, American Association of University Professors Litigation Committee.
- 2000-03 – Vice Chair and then Co-Chair of the Hennepin County Bar Association Professionalism and Professional Conduct Committee.
- 2001-02 – Member of the Leadership Institute on Corporate Counseling of the Center for Ethical Business Cultures.
- 1999-2001 – Organizer of the Minnesota Ethics Professor Forum.
- 1998-2001 and 1982-1985 – MSBA Administrative Law Section
Editor, *Administrative Law News*
Executive Committee (ex officio)
- 1997-98 – Reporter and de facto chair for the MSBA Committee to organize an Interdisciplinary

- Summit on the Public Obligations of Professionals (held in April 1998).
- 1995-2001 – Founding member, member of the Executive Committee, and chair of the Statutes and Rules Committee for the MSBA Public Utilities Committee and then Section.
 - 1985-1990 – Founder and Executive Director, Midwest Corporate Counsel Center. The Center organized 10-12 CLE programs a year for corporate counsel of the 75 member companies.
 - 1982-85 – Editor, *Minnesota Regulation News* (2-3 issues a year on regulatory issues).
 - 1982-87 – Organizer of 2-3 public programs a year on regulation issues in Minnesota as Trustees Chair in Regulatory Policy at William Mitchell.
 - 1981-84 – Director of the Applied Research Center at William Mitchell. The Center undertook a variety of contracts to provide research for state agencies and private firms.