STEPHEN D. SUGARMAN

PROFESSIONAL APPOINTMENTS:

Roger J. Traynor Professor of Law, Boalt Hall, School of Law, University of California, Berkeley (since 1972)

Associate Dean, School of Law, University of California, Berkeley July 1980 - June 1982, July 2004 – June 2009

Visiting Professor, Columbia Law School, Columbia University, New York 1996-1997 and 2007

Visiting Professor, Tel Aviv University Buchmann Faculty of Law, Tel Aviv, Israel 2010

Guest Professor, Kyoto University Faculty of Law, Kyoto, Japan 1998

Visiting Fellow, Kobe University School of Law, Kobe, Japan 1998

Visiting Fellow, European University Institute, Florence, Italy 1993

Visiting Fellow, University College, Faculty of Law, University of London, London, England 1986 and 1988

Visiting Professor, University of Paris, France 1983

Academic Visitor, Law Faculty, London School of Economics and the Institute for United States Studies, University of London, London, England, 1978-1979

Director, New York State Commission on the Cost, Quality and Finance of Elementary and Secondary Education, 1970

Research Associate, Northwestern University School of Law (European Research) 1968

Attorney with Messrs. O'Melveny & Myers, Los Angeles, California, 1967-1972

EDUCATION:

J.D., Northwestern University School of Law, June 1967; summa cum laude

B.S. in Business Administration, Northwestern University, June 1964; with highest distinction

PUBLICATIONS:

I. TORTS, INSURANCE AND ALTERNATIVES

A. TORTS AND ALTERNATIVES

Books

Doing Away With Personal Injury Law Quorum Books, Greenwood Press, 1989 (Selections reprinted in R. Rabin ed., Perspectives on Tort Law, 4th ed., Little Brown, 1995)

Torts Stories (co-editor with Robert L. Rabin) Foundation Press, 2003

Articles in Peer Reviewed Journals

"Cases in Vaccine Court -- Legal Battles Over Vaccines and Autism" 357:13 New England Journal of Medicine 1275 (September 27, 2007)

"The Need to Reform Personal Injury Law Leaving Scientific Disputes to Scientists" 248 Science 823 (1990)

Book Chapters

"Tort Damages for Non-economic Losses (in cases of physical injury to the person)" A chapter from *Comparative Tort Law Research Handbooks in Comparative Law* M. Bussani and A. Sebok eds. Edward Elgar (forthcoming 2013)

"Torts in Law" International Encyclopedia of Behavioral and Social Sciences (forthcoming 2014)

Fleming's The Law of Torts, 10th edition (chapter 10 on the law of Damages, pp. 261-299) (2011)

"Ideological Flip-Flop: American Liberals Are Now the Primary Supporters of Tort Law" in Essays on Tort, Insurance, Law and Society in Honour of Bill W. Dufwa (Vol. II, 1105-22, 2006)

"Comparing Tobacco and Gun Litigation" in Suing the Gun Industry 196 (T. Lytton ed. 2005)

"Precise Justice and Rough Justice: Scientific Causation in Civil Litigation as Compared with Administrative Compensation Plans and Mass Tort Settlements" in Scienza e Diritto nel Prisma del Diritto Comparato (Comande and Ponzanelli eds) 139-148 (2004)

"Introduction" (with Robert L. Rabin) in Torts Stories (R. Rabin & S. Sugarman eds.) Foundation Press 1-10 (2003)

"Vincent v. Lake Erie Transportation Co.: Liability for Harm Caused by Necessity" in Torts Stories (R. Rabin & S. Sugarman eds.) Foundation Press 259-290 (2003)

"Personal Injury and Social Policy: Institutional and Ideological Alternatives" in Torts Tomorrow -- A Tribute to John Fleming, N.J. Mullany and A.M. Linden, eds., 290-304,The Law Book Company (1998) Chinese translation published in 3 Private Law Review 146-166 (2003)

"A Regulated Market in Unmatured Tort Claims: Tort Reform by Contract" (with Robert Cooter) in New Directions in Liability Law W. Olson ed., Academy of Political Science, 1988

"Perspectives on Compensating Accident Victims" (with John Fleming) in President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research, Compensating for Research Injuries, 1983, Volume 2 at 175

Law Review Articles

"Why No Duty?" 61 DePaul Law Review 669-696 (2012 Clifford Symposium)

"Compensation for Personal Injury: What Nations Might Learn From Each Other" 38 Pepperdine Law Review 597-622 (2011)

"Land Possessor Liability in the Restatement Third of Torts: Too Much and Too Little" 44 Wake Forest University Law Review 1079-1092 (2009)

"A Comparative Law Look at Pain and Suffering Awards" 55 DePaul Law Review (Clifford Symposium) 399-434 (2006)

"The "Necessity" Defense and the Failure of Tort Theory: The Case Against Strict Liability for Damages Caused While Exercising Self-Help in an Emergency" 2005 Issues in Legal Scholarship (Article 1) 1-153

"Tort Reform Through Damages Law Reform: An American Perspective" 27 Sydney L. Rev. 507-524 (2005)

"Rethinking Tort Doctrine: Visions of a Restatement (Fourth) of Torts" 50 UCLA L. Rev. 585-619 (2002) Chinese translation published in Comparative Study on Torts 797 (2006)

“A New Approach to Tort Doctrine: Taking the Best from the Civil Law and Common Law of Canada” 17 Supreme Court Review 375-90 (2002) reprinted in The Joy of Torts (Buttersworth 2002) Chinese translation published in 2005 International Business Law Review (I) 300-315

“United States Tort Reform Wars” 25 University of New South Wales Law Journal 849-53 (2002) reprinted in 8 University of New South Wales Law Forum 27-29 (2002)

“A Century of Change in Personal Injury Law” 88 California Law Review 2403-2436 (2000) Chinese translation published in Comparative Study on Torts 317 (2006)

“Judges as Tort Law Un-Makers: Recent California Experience with ‘New’ Torts 49 De Paul Law Review (Clifford Symposium) 455-487 (1999)

“Assumption of Risk” 31 Valparaiso U. Law Review (1997 Monsanto Lecture on Tort Reform) 833-878 (1997)

"Spousal Emotional Abuse as a Tort?" (with Ira Ellman) 55 Maryland Law Review 1269-1343 (1996) reprinted in 46 Defense Law Journal 459-538 (1997)

“Should Congress Engage in Tort Reform?" 1996 Michigan Law and Policy Review 121-140

"Proposals for Reform," "On Harmonizing Laws and Evaluating Claims Processes," plus other comments in "Beyond Compensation: Dealing With Accidents in the 21st Century" 15 University of Hawaii Law Review 523 (1993)

"Les Projets de Reforme de la Responsabilite Medicale aux Etats-Unis" 16 Risques 117 (France), 1993

"A Restatement of Torts" 44 Stanford Law Review 601 (1992)

"Nader's Failures?" (on auto safety) 80 California Law Review 289 (1992)

"Doctor No" (on medical malpractice) 58 University of Chicago Law Review 1499 (1991)

"La Revolution Californienne" 2 Risques (France) 30 (1990)

"Taking Advantage of the Torts Crisis" 48 Ohio State Law Journal 329 (1987)

"Serious Tort Law Reform" 24 University of San Diego Law Review 795 (1987)

"Right and Wrong Ways of Doing Away with Commercial Air Crash Litigation" 52 Journal of Air Law and Commerce 681 (1987)

"Personal Injury Law Reform" 16 Industrial Law Journal 30 (1987)

"Doing Away With Tort Law" 73 California Law Review 555-664 (1985)

Book Reviews

Review of Alternative Compensation Mechanism for Damages - the Nordic Countries 51 American Journal of Comparative Law 205 (2003)

Review of Jenkins The Litigators: Inside the Powerful World of America's High Stakes Trial Lawyers 75 American Bar Ass'n Journal 114 (September, 1989)

Review of Huber Liability: The Legal Revolution and Its Consequences 75 American Bar Ass'n Journal 130 (May, 1989)

Review of Liability: Perspectives and Policy (Litan and Winston eds.) 74 American Bar Ass'n Journal 128 (October, 1988)

Review of Neely The Product Liability Mess 74 American Bar Ass'n Journal 115 (September, 1988)

Reports

Personal Injury Law, A Report to the California Policy Seminar and the California Economic Development Corp. (1987)

Newspaper, Magazine and Other Brief Pieces

“Why We Need to Readjust the Tort System” The Atlantic, July 3, 2012.

“The Transformation of Tort Law” in Materials on Tort Reform (A. Popper ed.) 40 (2010)

“Presenting the Fleming Award to Justice Allen Linden at Pepperdine University School of Law” 33 Pepperdine Law Review 925-927 (2006)

"The Legal Sting of Pain and Suffering," Los Angeles Times June 5, 2005

“Liability Issues” in Proceedings of the Conference on the So-Called Global Tobacco Settlement: Its Implications for Public Health and Public Policy, Institute of Legal Studies, University of Wisconsin Law School, October 15-17, 1997 (1998)

"Eliminating the Personal Injury Law Lottery" San Jose Mercury, October 8, 1989

"Personal Injury Law Doesn't Work" Sacramento Bee, September 24, 1989

"Claims, Not Courts, for Injuries" Los Angeles Times, August 28, 1989

"Two Proposals on Tort Reform" National Law Journal (July 4, 1988)

B. AUTO INSURANCE

Books

‘Pay at the Pump’ Auto Insurance, Institute of Governmental Studies Press, Berkeley, 1993

Law Review Articles

“Quebec’s Comprehensive Auto No-Fault Scheme and the Failure of Any of the United States to Follow” 1998 Cahiers du Droit (special issue) 109-139

"California's Insurance Regulation Revolution: The First Two Years of Proposition 103" 28 San Diego Law Review 673 (1991)

"Choosing Among Systems of Auto Insurance for Personal Injury" 27 University of San Diego Law Review 977 (1989)

Other Journals

“The Uninsured Motorist Puzzle” Crossroads, University of Wisconsin-Milwaukee, Special Edition 1-12 (1998)

"Pay at the Pump Auto Insurance: The Vehicle Injury Plan (VIP) for Better Compensation, Fairer Funding and Greater Safety” 13 Journal of Policy Analysis and Management 363 (1994)

Newspaper, Magazine and Other Brief Pieces

"Put a Limit on Uninsured Motorists' Right to Sue" Sacramento Bee, April 26, 1995, reprinted in the Los Angeles Daily Journal and the San Diego Union

"Auto Insurance -- Pay at the Pump?" 5 Economic Times, No. 2, February, 1994

"Auto Insurance Reform: Should We `Pay at the Pump'?" The American Enterprise, January, 1994

"Coverage By the Gallon" The Recorder, December 17, 1993

"The Case for Pay at the Pump Car Insurance" Sacramento Bee (June 9, 1991)

"How to Slash Car Insurance Costs" Sacramento Bee, April 1, 1990

"Why Prop 103 Will Fail" San Diego Union, May 14, 1989

C. DISASTER LAW

Law Review Articles

"The Case for Specially Compensating the Victims of Terrorist Acts: An Assessment" 35 Hofstra L. Rev. 901 (2007) (with Robert Rabin) reprinted in Victim: A Juridical Approach (A. Sabitha ed., Hyderabad, India 2008)

"Roles of Government in Compensating Disaster Victims" 2007 Issues in Legal Scholarship (Article 1) 1-35

II. PUBLIC HEALTH

A. PERFORMANCE-BASED REGULATION

Articles in Peer Reviewed Journals

"Enticing Business to Create a Healthier American Diet: Performance-Based Regulation of Food and Beverage Retailers" (Law and Policy forthcoming 2013)

"Using Outcome Regulation to Contend with Lifestyle Risks in Europe: Tobacco, Unhealthy Diets, and Alcohol" A Chapter from Regulating Lifestyle Risks in Europe (Alberto Alemanno and Amadine Garde eds., Cambridge University Press forthcoming 2013)

"Performance-based Regulation: Enterprise Responsibility for Reducing Death, Injury and Disease Caused by Consumer Products" 34 Journal of Health Policy, Politics and Law 1035-1077 (2009)

"Salt, High Blood Pressure, and Performance-based Regulation" 3 Regulation and Governance 84-102 (2009)

"Innovative Legal Approaches to Address Obesity" (with Pomeranz, Teret, Rutkow and Brownell) 87 Milbank Quarterly 185-213 (2009)

"No more business as usual: enticing companies to sharply lower the public health costs of the products they sell" 123 Public Health 275 (2009)

"Using Performance-Based Regulation to Reduce Childhood Obesity" (with Nirit Sandman) 5 Australia and New Zealand Health Policy 26 (2008)

"Should we use regulation to demand improved public health outcomes from industry? Yes" BMJ 2008;337:a1750 (British Medical Journal Head to Head debate October 3, 2008)

Law Review Articles

"Fighting Childhood Obesity Through Performance-Based Regulation of the Food Industry" (with Nirit Sandman) 56 Duke L. J. 1403-1490 (2007)

Newspaper, Magazine and Other Brief Pieces

"The Sugar Fix - Regulation at Retail Level" San Francisco Chronicle June 27, 2012
"How Retailers Could Help Us Cut Salt Intake" SF Chronicle March 1, 2009

"How Gun Makers Can Help Us: make firearms manufacturers figure out how to reduce the 12,000 shooting deaths each year" (with Jeffrey Fagan) Los Angeles Times June 29, 2008

"Should Tobacco Companies Be Required to Reduce Their Number of Customers?" http://www.alternet.org/healthwellness/73783

"Let's Try Performance-Based Regulation to Attack Our Smoking and Obesity Problems," 38 Boalt Hall Transcript (#2) 30 (2005)

"A New Diet Plan," 27 Legal Times, January 10, 2005 (Reprinted as "Slimming Fat Albert," The Recorder January 28. 2005)

"Order Firms to Reduce Rate," National Law Journal (Feb 7, 2005) reprinted in Broward Daily Business Review February 14, 2005; New Jersey Law Journal February 14, 2005; Miami Daily Business Review February 14, 2005; Palm Beach Daily Business Review February 14. 2005

B. TOBACCO

Books

Regulating Tobacco (co-editor with Robert L. Rabin) Oxford University Press, 2001

Smoking Policy: Law, Politics & Culture (co-editor with Robert L. Rabin) Oxford University

Press, 1993

Articles in Peer Reviewed Journals

"A Balanced Tobacco Control Policy" 93 A.J. P.H. 416-18 (2003)

Book Chapters

"Perspectives on Policy" (with Robert Rabin) in Regulating Tobacco, R. Rabin & S. Sugarman eds., 3-10, Oxford University Press (2001)

"International Aspects of Tobacco Control and the Proposed WHO Treaty" in Regulating Tobacco, R. Rabin & S. Sugarman eds., 245-284, Oxford University Press (2001)

"International Aspects of Tobacco Control" in Sociolegal Studies of Tobacco Litigations: Hermeneutics of the Contemporary Law,T. Tanese, ed., 170-182, Sekai-shiso Sha (2000) (in Japanese)

"The Smoking War and the Role of Tort Law" Oxford University Press The Law of Obligations: Essays in Celebration of John Fleming, P. Cane and J. Stapleton, eds., 343-360, Oxford University Press (1998) reprinted in 1 Daito Bunka Comparative Law and Political Science Review 40-55 (2001)

"Overview" (with Robert L. Rabin) in Smoking Policy, R. Rabin and S. Sugarman, eds., 3-21, Oxford University Press 1993

"Disparate Treatment of Smokers in Employment and Insurance, in Smoking Policy, R. Rabin and S. Sugarman, eds., 161-183, Oxford University Press (1993)

Law Review Articles

"Mixed Results From Recent United States Tobacco Litigation" 10 The Tort Law Review 94-126 (2002)

"Tobacco Tort Litigation in California: A Better Understanding of Civil Code Section 1714.45" 38 San Diego Law Review 1051-1080 (2001)

"Tobacco Litigation and the Anti-Smoking Movement" 8 Daito Hogaku (No. 2) 205-216 (1999) (The Journal of Law and Politics, Daito Bunka University, Tokyo) (in Japanese)

"Suing the Tobacco Companies in U.S. and Japan" 15 Nihon University Comparative Law Institute 183-197 (1998)

Book Review Essays

“Book Review Essay” (reviewing 3 books on tobacco control) 22 Journal of Policy Analysis and Management 712-717 (2003)

Review of Kip Viscusi Smoke-Filled Rooms 13 Law & Politics Book Review (No. 1) 1-9 (2003)

"Smoking Guns" Review of Glantz The Cigarette Papers, Hilts, Smokescreen, and Kluger Ashes to Ashes 273 Science 744 (1996)

“The Decline of Abstinence" Review of Burnham Bad Habits Science, December 24, 1993

Newspaper, Magazine and Other Brief Pieces

“Hooking Children” Sacramento Bee, April 25,2001

III. EDUCATION

A. SCHOOL CHOICE

Books

School Choice and Social Controversy (co-editor with Frank Kemerer) Brookings Institution Press, 2000

Making School Choice Work for All Families (with John E. Coons) Pacific Research Institute, 1999

Scholarships for Children (with John E. Coons) Institute of Governmental Studies Press, Berkeley, 1992

School Sorting and Disclosure: Disclosure to Parents as a School Reform Strategy, National Institute of Education, 1982

Education by Choice: The Case for Family Control (with John E. Coons) University of California Press, 1978 (1999 new edition published by Educator’s International Press) Japanese version translated by Y. Shiraishi and published in 1998

The Family Choice in Education Act (with John E. Coons) Institute of Governmental Studies Press, Berkeley, 1971

Book Chapters

“Introduction” (with Frank Kemerer) in School Choice and Social Controversy, S. Sugarman and F. Kemerer, eds., 1-9, Brookings Institution Press (2000)

“The Nature and Extent of School Choice” (with Jeffrey R. Henig) in School Choice and Social Controversy, S. Sugarman and F. Kemerer, eds., 13-35, Brookings Institution Press (2000)

“School Choice and Public Funding” in School Choice and Social Controversy, S. Sugarman and F. Kemerer, eds., 111-139, Brookings Institution Press (2000)

"Educational Tax Credits versus School Vouchers" (with John E. Coons) in Family Choice in Schooling M. Manley-Casimir ed., Lexington Books, 1982

"Federal Scholarships for Private Elementary and Secondary Education" (with John E. Coons) in Private Schools and the Public Good, E. Gaffney ed., Notre Dame Press, 1981

"Amicus Brief Supporting Court-Ordered Voluntary Integration Plan in Crawford v. Los Angeles Unified School District" (with John E. Coons) in Parents Teachers and Children: Prospects for Choice in American Education, Institute for Contemporary Studies, 1977

"Choice and Integration: A Model Statute" (with John E. Coons) in Parents, Teachers and Children: Prospects for Choice in American Education Institute for Contemporary Studies, 1977

"A Case of Choice" (with John E. Coons) in Parents, Teachers and Children: Prospects for Choice in American Education Institute for Contemporary Studies, 1977

"New Perspectives on 'Aid' to Private School Users" in E.G. West, Non-Public School Aid, Lexington Books 1976 at 64

Recreating the Family's Role in Education" (with John E. Coons and William H. Clune, III) in New Models for American Education, J. Guthrie ed., Prentice-Hall, 1971

Law Review Articles

"Tax Credit School Scholarship Plans" May 7, 2013 Draft (Forthcoming Journal of Law and Education January 2014)

"The Promise of School Choice for Improving the Education of Low-Income Minority Children" 2004 California Law Review (special issue)

“School Choice for Low Income Families” Rutgers Journal of Law and Religion, 2000) www-camlaw.rutgers.edu/publications/law-religion/

“Two School-Finance Roles for the Federal Government: Promoting Equity and Choice” 17 Saint Louis University Public Law Review 79-108 (1997)

"The Scholarship Initiative: A Model State Law for Elementary and Secondary School Choice" (with John E. Coons) 21 Journal of Law & Education 529 (1992)

"Using Private Schools to Promote Public Values" 1991 University of Chicago Legal Forum 171

"Part of the Solution Rather than Part of the Problem: A Role for American Private Elementary and Secondary Schools in the 1990s" 31 Wm & Mary Law Review 681 (1990)

"School Sorting and Disclosure: Disclosure to Families as a School Reform Strategy -- Part II: Policy and Legal Analysis" (with Lee S. Friedman) 17 Journal of Law and Education 147 (1988)

"School Sorting and Disclosure: Disclosure to Families as a School Reform Strategy -- Part I: Existing Practices and the Social Interests in School Information Disclosure" (with Lee S. Friedman) 17 Journal of Law & Education 53 (1988)

"Family Choice: The Next Step in the Quest for Equal Educational Opportunity" 38 Law and Contemporary Problem 513 (1974)

Book Review Essays

Review of Salomone Visions of Schooling 10 The Law and Politics Book Review 584 (2000) (on line)

Review of Viteritti Choosing Equality: School Choice, the Constitution, and Civil Society 103 Teachers’ College Record 75 (2001)

Other Journal Articles

“Jack Coons: School Choice Champion” 4 (2) Journal of School Choice 191 (2010)

“Liberals and the School Choice Debate” 67 Congress Monthly 6 (No. 6 November/December, 2000)

“School Choice in the U.S.” 5 Education Administration Finance and Policy Review (March 1999, Kyoto University)

"The Private School Option in Systems of Educational Choice" (with John E. Coons) 48 Educational Leadership No. 4 at 54 (December, 1990)

"Family Choice in Education" 6 Oxford Review of Education 40 (1980)

"How to End the Public School Monopoly" (with John E. Coons) Business and Society Review, (Fall, 1980, No. 35)

"Putting Family Choice to the Vote" 149 Where 182 (June, 1979)

"How Parental Choice Could Enhance School Power" 153 Education No. 17 at 487 (April 27, 1979)

"Freedom and Choice for the Family: How to Reform the System Fairly?" 147 Where 102 (April, 1979)

"School Integration Through Carrots, Not Sticks" (with Carol Abrams and John E. Coons) Theory Into Practice, February, 1978 at 23

"Education Reform at the Margin: Two Ideas" Kappan, November, 1977 at 154 reprinted as "Purse-String Power for Parents and Teachers," in Educational Digest, January, 1978 at 9

"Vouchers for Public Schools" (with John E. Coons) 15 Inequality in Education 60 (1973)

Book Reviews

Review of Chubb and Moe "Politics, Markets and America's Schools" Momentum (February 1991)

Reports

Returning Education to Public Control, A Report to the California Policy Seminar and the California Economic Development Corp. (with John E. Coons) (1987)

Newspaper, Magazine and Other Brief Pieces

“Vouchers, Prop 38, and a Populist Hope Betrayed” (with John E. Coons) Sacramento Bee, September 24, 2000

“It’s Not a Good Choice for Our Poor Families: A California Initiative on School Vouchers would Benefit Students who Least Need the Help” (with John E. Coons) Los Angeles Times, July 27. 2000

“Florida’s Voucher Plan: Public Schools at Last?” (with John E. Coons) Knight-Ridder Syndicated Op-ed, carried May 13, 1999

"Use U.S. Education Vouchers to Give Poor Families a Choice" (with John E. Coons) Sacramento Bee, June 21, 1995 reprinted in the Orange County Register

"A Parent's Right to Decide" Saturday Review/World, November 6, 1973 at 55

B. SCHOOL FINANCE

Books

Private Wealth and Public Education (with John E. Coons and William H. Clune) Harvard University Press, 1970

Articles in Peer Reviewed Journals

"Charter School Funding Issues" 10 Education Policy Analysis Archives (#34, pp 1-15)(August 9, 2002) available at http://epaa.asu.edu/epaa/v10n34.html.

"Re-slicing the School Pie" (with John E. Coons and William H. Clune, III) 72 Columbia Teachers College Record 485 (1971)

Book Chapters

"Educational Adequacy and the Courts: The Promise and Problems of Moving to a New Paradigm" (with Paul A. Minorini) in Equity and Adequacy Issues in Education Finance: Issues and Perspectives, H. Ladd, R. Chalk, and J. Hansen, eds., 175-208 National Academy Press (1999)

"School Finance Litigation in the Name of Educational Equity: Its Evolution, Impact and Future" (with Paul A. Minorini) in Equity and Adequacy Issues in Education Finance: Issues and Perspectives, H. Ladd, R. Chalk, and J. Hansen, eds., 34-71, National Academy Press (1999)

Law Review Articles

"Principled Serrano Reform" 4 Hastings Constitutional Law Quarterly 511 (1977)

"San Antonio Independent School District v. Rodriguez: Issues for the Future" 2 J. Law & Education 472 (1973)

"A First Appraisal of Serrano" (with John E. Coons and William H. Clune, III) 2 Yale Review of Law and Social Action 111 (1971)

"Educational Opportunity: A Workable Constitutional Test for State Financial Structures" (with John E. Coons and William H. Clune, III) 57 California Law Review 305 (1969)

Articles in Other Journals

"A Judicial Prod to Legislative Reform of Educational Finance" 2 Planning and Changing 180 (1972)

"Serrano v. Priest" 3 Human Rights 37 (1973)

Newspaper, Magazine and Other Brief Pieces

"The Selling of Serrano" in 1972 National Tax Ass'n Annual Conference Proceedings, Washington, D.C. at 243.

"Dollars, Schools and Constitution" (with John E. Coons and William H. Clune, III) The Nation, October 16, 1972 at 338

C. EDUCATION, POLICYAND LAW GENERALLY

Law Review Articles

“Approving Charter Schools: The Gatekeeper Function” (with Emlei M. Kuboyama) 53 Administrative Law Review 869-942 (2001)

"Rethinking Collective Responsibility for Education" (with David Kirp) 39 Law and Contemporary Problems 144 (1975)

"Equal Protection for Non-English Speaking School Children" (with Ellen G. Widess) 62 California Law Review 157 (1974)

Other Journal Articles

"Accountability Through the Courts" 82 School Review, 233 (1974)

Newspaper, Magazine and Other Brief Pieces

“The United States Supreme Court and Education” Macmillan Encyclopedia of Education (Second Edition 2002)

"Educational Consumerism Through the Courts" Urban/Rural May, 1974 at 20

"If Johnny Can't Read Get Yourself a Lawyer" Learning, February, 1974 at 26

IV. CHILDREN, FAMILIES, WELFARE, AND SOCIAL INSURANCE

A. CHILDREN AND FAMILIES

Books

All Our Families: New Policies for a New Century (co-editor with Mary Ann Mason and Arlene Skolnick) Oxford University Press, 1998; revised and expanded Second Edition, 2002

Divorce Reform at the Crossroads (co-editor with Herma Hill Kay) Yale University Press, 1990

Book Chapters

"Framing Public Interventions With Respect to Children as Parent-Empowering" in Raising Children (N. Gilbert and J. Berrick, eds., Oxford University Press 2008)

"Who Counts as an American Family?" in Family and the Law in the 21st Century (Festschrift in honor of Koji Ono) 943-963 (Tokyo, 2007)

"Introduction" (with Mary Ann Mason and Arlene Skolnick) in All Our Families, M. Mason, A. Skolnick and S. Sugarman, eds., 1-12, Oxford University Press (1998)

"Single Parent Families" in All Our Families, M. Mason, A. Skolnick and S. Sugarman, eds., 13-38, Oxford University Press (1998) (reprinted in Shifting the Center (2nd ed), Susan J. Ferguson, ed., Mayfield Publishing Company 2001)

. "Current Controversies in American Family Law" in The Civil Law in the 21st Century (Festschrift in honor of Koji Ono) 844 (Hougakushoin, Tokyo, 1996)

"Dividing Financial Interests on Divorce" in Divorce Reform at the Crossroads, S. Sugarman and H. Kay, eds. Yale University Press 1990

"Forcing Welfare Mothers to Cooperate with State Officials in Obtaining Child Support for Their Illegitimate Children," an original case study published as four chapters in Mnookin et al, In the Interest of Children, W. H. Freeman & Co., 1985, reprinted by Harvard Law School Project on Negotiation, 1996

Law Review Articles

"What Is A 'Family'? Conflicting Messages from Our Public Programs" 42 Family Law Quarterly 231-261 (2008)

"Family Law for the Next Century" 27 Family Law Quarterly 175 (1993) (and editor of Special Conference Issue, Family Law Quarterly, Summer 1993)

"Deciding What's Best for Children" (with John E. Coons and Robert H. Mnookin) 7 Notre Dame Journal of Law, Ethics and Public Policy 465 (1993)

"Puzzling Over Children's Rights" (with John E. Coons and Robert H. Mnookin) 1991 Brigham Young University Law Review 307

B. WELFARE AND SOCIAL SECURITY

Books

Die Diskussion Um Die Reform Der Englischen Sozialhilfe (Social Security Reform in Great Britain) Universitat Bremen, 1982

Law Review Articles

"Welfare Reform and the Cooperative Federalism of America's Public Income Transfer Programs" 1996 Yale Law and Policy Review/Yale Journal on Regulation 123-147

"Welfare Reform Meets Ideological Impasse" 7 Hastings Women's Law Journal 363-368 (1996)

"Financial Support of Children and the End of Welfare as We Know It" 81 Virginia Law Review 2523-2573 (1995)

"Reforming Welfare Through Social Security" 26 University of Michigan Journal of Law Reform 817-851 (1993)

"Children's Benefits in Social Security" 65 Cornell Law Review 836 (1980)

V. EMPLOYEE BENEFITS AND EMPLOYMENT LAW

Books

Family Security Insurance – A new Foundation for Economic Security, (Ann O'Leary, Angela Clements, Gillian Lester, Stephen Sugarman) Berkeley Center on Health, Economic & Family Security (2010)

Law Review Articles

"Lifestyle Discrimination in Employment" 24 Berkeley Journal of Employment and Labor Law 377-438 (2003)

"Short Term Paid Leave: A New Approach to Social Insurance and Employee Benefits" 75 California Law Review 465 (1987)

Book Chapters

"Income Security When Temporarily Away from Work" in Shared Responsibility, Shared Risk, J. Hacker and A. O'Leary eds. (Oxford University Press) 102 (2012)

"Employer Discrimination Against Workers With `Unhealthy Lifestyle' Indicators" in The Challenge of Financial Incentives and Risk Rating, S. Muchnick ed., (Washington Business Group on Health 1992)

Newspaper, Magazine and Other Brief Pieces

"Let Employees Control Their Paid Time Off" Knight-Ridder Syndicated Op-ed, carried May 22, 1999

VI. OTHER

Law Review Articles

"Conflicts of Interest in the Roles of the University Professor," 6 Theoretical Inquiries in Law 255 (2005)

The Importance of Civil Procedure in the American Legal System, 1999-1 Amerika Ho (Japanese American Society for Legal Studies) 8-13 (in Japanese)

Review of Sowell "Civil Rights: Rhetoric or Reality?" 35 Journal of Legal Education 149 (1985)

"British Antitrust Response to the American Business Invasion" (with Arnold B. Kanter) 22 Stanford Law Review 433 (1970)

Op-ed

"Can Pro Baseball Save Itself?" SF Chronicle April 17, 2009 (with Jasper Rine)

COURSES TAUGHT:

Torts, Tort Theory and Policy, Torts Stories, Sports Law, Sports Stories, Law and Social Justice, Welfare and Social Security Law, Community Law Practice, Educational Policy and the Law, Education Law Stories, Children and The Law, The Family in Public Programs, Critical Reading of Faculty Scholarship, Food Law and Policy

MAJOR UNIVERSITY SERVICE:

Associate Dean (and sometime Acting Dean), School of Law, University of California, Berkeley 1980-82, 2004-2009

Faculty Director, Berkeley Law, International Executive and Legal Education (IELE) 2010-2013

Faculty Director, Berkeley Law, Center on Health, Economic and Family Security 2008-2011

Board of the University of California Retirement System 1994-2002

UC Berkeley Budget Committee 2000-2003

University Committee on Faculty Welfare, 1986-2001, chair 1988-89, vice chair 1987-88

UC System-wide Academic Council 1988-89

Faculty Welfare Committee, Berkeley Division 1986-99, chair 1993-95 and 1997-98

Director of the Family Law Program of the Earl Warren Legal Institute, UC Berkeley 1988-99

Chair, System-wide Health Sciences Committee to review the School of Optometry, Berkeley 1986-88

Chair of Law School Committees including Faculty Appointments, Admissions, LLM Program, Tenure Advisory Committee, Financial Aid, Curriculum Policy, and Budget

[Information compiled September 2013]