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academic appointments

BERKELEY LAW SCHOOL, UNIVERSITY OF CALIFORNIA
Edward C. Halbach Jr. Professor of Trust & Estates Law, 2001 - present.
Chancellor's Professor, 1998 - 2001.
Professor, since 1995.
Assistant Professor, 1990 - 1995.

Associate Dean, 1995 - 1996.

Director, Kadish Center for Morality, Law, and Public Affairs, 2000 - 2007.

HARVARD LAW SCHOOL
Visiting Professor, 1998 - 1999.

courses

Estates & Trusts; Individual, Corporate, and Partnership Taxation; Health Law; Workshop in Law & Philosophy; Biomedical Legal & Ethical Issues.

law practice

DAVIS POLK & WARDWELL WASHINGTON, D.C.
Associate, Financial and Corporate Tax Law, 1989 - 1990.

professional associations

Member, New York Bar Association.
Member, American Law Institute.

judicial clerkships 1987-1989

JUSTICE WILLIAM J. BRENNAN, JR. U.S. SUPREME COURT
JUDGE HARRY T. EDWARDS U.S. COURT OF APPEALS, D.C. CIRCUIT

education 1984-1987

HARVARD LAW SCHOOL CAMBRIDGE, MA
J.D., magna cum laude, 1987. Editor, Harvard Law Review. John M. Olin Fellow in Law and Economics. Law Tutor at Currier House, Harvard College.

1981-1984

UNIVERSITY OF OXFORD (Magdalen College) OXFORD, ENGLAND
D.Phil. (Philosophy), 1984. B.Phil. (Philosophy), 1983. Marshall Scholar.

1980-1981

UNIVERSITÄT HEIDELBERG HEIDELBERG, GERMANY
Rotary Scholar.

1976-1980

HARVARD COLLEGE CAMBRIDGE, MA
A.B. (Government), summa cum laude, 1980. Sophia Freund Prize (Highest Grade Point Average, class of 1980). The Palfrey Exhibition (for "Most Distinguished Scholar"). Carrier Prize (Best Dissertation in Political Philosophy). Phi Beta Kappa.

PROFESSIONAL SERVICE

Editor, Estate Planning & California Probate Reporter, Jan. 2012 - present.

For over two years I have edited this bimonthly publication, which is widely read throughout California by trusts and estates lawyers and tax lawyers who specialize in estate planning. The Reporter is published by Continuing Education of the Bar, an organization created by and operating under the auspices of the University of California. For 28 years, the Reporter was edited by Edward Halbach, former dean of Berkeley Law and the person in whose honor the Halbach Chair I hold was endowed. In view of Ed's age and health, I was asked to take over the time-consuming task of editing the Reporter. The job includes editing and sometimes drafting summaries of and commentaries on recent cases and legislative developments in California and nationally (in the case of estate planning), primarily for the benefit of practicing attorneys.

Mutual Fund Independent Trustee

I currently serve as an independent trustee of four mutual fund complexes: Managers & Managers-AMG Funds (since 1999), Third Avenue Funds (since 2002), Harding Loevner Funds (since 2008), and Aston Funds (since 2010). All together, these fund complexes manage over \$65 billion. The trusteeships carry with them important fiduciary duties. The knowledge I have acquired helps a great deal in my teaching of business tax courses and Estates & Trusts. I am also better able to advise students who are considering legal jobs in the investment industry, such as counsel to funds or fund boards and work as compliance officers.

Manuscript Reviewer

I regularly review submitted manuscripts for several professional journals when asked, including *Ethics*, *Utilitas*, and *Economics & Philosophy*.

UNIVERSITY SERVICE

Academic Senate Committee Service

Privilege & Tenure

Member, 2006-2007; Chair, 2007-2009

Serving on and then chairing the Committee on Privilege & Tenure is among the most demanding committee assignments on the Berkeley campus. We handled a large number of grievance cases brought by faculty members as well as disciplinary cases brought by the administration against faculty.

Prizes

Member, 2011-present

The Prizes Committee sets the Lili Fabilli & Eric Hoffer Prize essay topic each fall. More significantly, the Committee reads the 30-40 applications for the University Medal, the highest undergraduate award. The Committee interviews 5 finalists and picks the winner, who receives a cash prize and speaks at commencement.

Chancellor's Campus Ad Hoc Review Committees

I have always accepted appointments by the Vice Provost to ad hoc committees formed to review recommended personnel actions. I have served on an ad hoc committee in each of the last two years.

LAW SCHOOL SERVICE

Faculty Appointments Committee

Member, 2008-2009, 2010-2012; Co-Chair, 2012-2013; Chair, 2013-2014

Over the last half dozen years I have served on the Faculty Appointments Committee every year but one (when I was on parental leave), the last two years as chair or co-chair. This is a time-intensive assignment. Each fall we review over 700 applications filed with the Association of American Law Schools. We narrow that pool by reading candidates' work and conferring with colleagues and one another. We then interview 12-15 candidates in Washington, D.C., and usually invite 4-6 candidates (depending on FTE available) to Berkeley for job talks and faculty interviews. For lateral candidates, we generally task faculty subcommittees by specialty with preparing short lists of candidates for open positions. Committee members then read broadly, narrow the list of choices, and decide which finalists to bring to campus for job talks and full interviews. Over the last 3 years (2011-2014), we invited 17 entry-level candidates and 10 lateral candidates for job talks and interviews. We offered professorships to 2 entry-level candidates and 9 lateral candidates.

Building Committee

Member, 2007-2008, 2013-2014

This committee devises policies and attempts to resolve sometimes sensitive disputes over the allocation of office space at the Law School.

Student Grade Appeals Committee

Chair, 2011-2012

This committee was formed to adjudicate a grievance brought by a student against an instructor. After reading written submissions from both sides, the committee convened a hearing, discussed and decided the matter, and wrote a length report for the dean and the parties.

Disqualification Appeals Committee

Chair, 2009-2010

Students who are academically disqualified may appeal their dismissal. I convened a committee to read a student's appeal documents and conduct a hearing. After the committee reached its decision, I wrote a report for the dean setting forth our collective recommendation.

LL.M. Admissions Committee

Member, 2005-2013

I read applications to the LL.M. program from lawyers who received their law degrees from university in former Commonwealth countries, including the United Kingdom. I made admissions decisions on 40-80 applications each year.

Kadish Center for Morality, Law, and Public Affairs

Board Member, 2005 - present

The Center organizes an annual endowed lecture with commentators. It runs a work-in-progress lunch series for philosophers, political scientists, and legal academics that meets 2-3 times per term. It sponsors two seminar speaker series and ad hoc scholarly meetings (e.g., to discuss a new book by a Center affiliate).

PRESENTATIONS

2013-2014

Commentator, Professor Don Herzog's Kadish Lecture ("Defaming the Dead"), (UC Berkeley, October 15, 2013)

Discussant, Roundtable on Jay Wallace's *The View from Here* (UC Berkeley, Nov. 8, 2013)

2012-2013

Discussant, Northern California Tax Roundtable (UC Hastings, May 17, 2013)

2011-2012

Commentator on Sarah Lawsky, "How Tax Models Work" (UC Berkeley, June 1, 2012)

BOOK

I am currently editing a volume for Oxford University Press of Frances Kamm's Tanner Lectures at Berkeley in 2013. The volume will include Kamm's lectures and commentaries by Judith Jarvis Thomson, Shelly Kagan, and Thomas Hurka. I will contribute an introductory essay. The book should appear in 2015.

HONORS

Rutter Award for Teaching Distinction (2010)

WRITING REQUIREMENT SUPERVISION

2012-2013

Elnaz Manoucheri, *Comparative Survey of Thin Capitalization Regulations and a Proposal for §163(j)*

Tony Au, *In re Estate of Giralдин: When Can Beneficiaries Have Standing?*

2011-2012

Daniel Teitelbaum, *The Religion Clauses and Taxpayer Standing*

Justin Ho, *Scrivener's Error, Trust Law, and Section 409A*

Vibhooti Malhotra, *Discussing Offshore Transactions in an Indian Context: Money Laundering and Tax Evasion* (LL.M. Thesis)

2010-2011

Ronald Barbee, *A Comprehensive Analysis of Insurance Funded Buy-Sell Agreements* (LL.M. Thesis)