

# MARC L. MILLER

*Ralph W. Bilby Professor  
James E. Rogers College of Law  
University of Arizona*

*Cell: (520) 820-9902  
marc.miller@law.arizona.edu*

I served as dean at the University of Arizona James E. Rogers College of Law from November 2012 until January 2025. Under my leadership Arizona Law has been recognized as a leading innovator in legal education and the legal profession. Arizona Law has changed who we teach, how we teach, where we teach, and what we teach. The significant majority of College of Law tuition revenue now comes from degree and non-degree programs and modalities that did not exist before I became dean. Major innovations include the creation of the first BA in Law in the US (currently more than 1,900 majors); the creation of a Masters of Legal Studies (MLS) for non-lawyers (currently more than 400 majors, 95% online); the addition of the GRE as an option for JD admissions (an innovation followed by Harvard and approved by the ABA regulatory in November 2021 for all accredited US law schools); the creation of an entirely new JD admissions course and exam called JD-Next that substantially eliminates racial disparity in predicting law school success and that enhances law school success; improved national standing of the JD program, with more than 80% of US applicants and 65% of US matriculants from outside of Arizona; the globalization of the JD program (with 10-20% of JD students coming from outside the US); originating the idea of the Arizona “3L February Bar” option adopted by the Arizona Supreme Court; reducing nominal and actual JD tuition in response to market demand and to embrace our public roots; expansion of clinical and experiential learning opportunities; significantly increasing (doubling) the diversity of the JD student body, faculty and staff; professionalization of the Arizona Law legal writing program (US News top 8), the creation of unique global dual degree partnerships; the development of new programs in law and technology (TechLaw@ArizonaLaw), intellectual property, US and international business law, advocacy, legal writing, civil justice, access to legal services (Innovation for Justice), mining and natural resources, regulatory science, health law, aging law, cannabis law, empirical and experimental legal and policy studies (QuantLaw), participatory democracy, privacy, leadership, law librarianship and other areas, including innovative partnerships across UofA Colleges and Departments, and with private and public entities.

## EMPLOYMENT

**Ralph W. Bilby Professor of Law**, University of Arizona James E. Rogers College of Law, 2006-present

**Dean**, University of Arizona James E. Rogers College of Law, Nov. 2012 to Jan. 2025

**Vice Dean**, University of Arizona James E. Rogers College of Law, 2011 to 2012

**Associate Dean for Faculty and Scholarship, Emory Law School**, 2003-2005

**Professor, Emory Law School**, 1998-2006 (Assistant and Associate Professor, 1988-1998)

**Visiting Professor, Duke Law School**, Spring 1998

**Visiting Scholar, Stanford Law School**, 1995-1996

**Special Counsel, Vera Institute of Justice**, New York, 1987-1988

**Attorney-Advisor, Office of Legal Counsel**, United States Department of Justice. Washington, D.C. 1985-1987

**Law Clerk, Chief Judge John C. Godbold**, United States Court of Appeals for the Eleventh Circuit, Montgomery, Alabama. 1984-1985

## EDUCATION

**University of Chicago Law School. J.D. 1984. Honors.**

Managing & Book Review Editor, University of Chicago Law Review

**Pomona College. B.A. 1981. Honors. Phi Beta Kappa.**

Major: Politics, Philosophy & Economics

Special Programs Related to the History & Politics of India –

- Oxford University. 1980. Political philosophy & Indian history
- Lucknow, Uttar Pradesh, India. 1979. Research on urban housing

## PUBLICATIONS

My job for the past twelve years has been in academic administration. For most of my academic career I have been a law school teacher and legal scholar, though for many years I also carried administrative responsibilities at both Arizona and Emory. I began publishing professional articles as a law student at Chicago, and since that time I have written more than 70 articles and essays on a wide range of environmental, criminal justice and legal theory topics. I am a co-editor on several widely used casebooks on criminal procedure and sentencing, and co-founded the *Federal Sentencing Reporter*, the leading journal on sentencing law and policy. For many years I was ranked in the top 20 most cited criminal procedure scholars in the United States.

### Books

- CRIMINAL PROCEDURES: CASES, STATUTES & EXECUTIVE MATERIALS (Aspen, 7<sup>th</sup> Ed. 2023)  
 (& Teachers' Manual) (with Ronald Wright, Jenia I. Turner & Kay Levine) (full-spectrum criminal procedure casebook, covering police, adjudication, and survey courses) See <http://www.crimpros.com>)  
 \* Review: Robert Weisberg, *A New Legal Realism for Criminal Procedure*, 49 BUFF. L. REV. 909 (2001).  
 \* Review: Stephanos Bibas, *The Real World Shift in Criminal Procedure*, 93 J. CRIM. LAW AND CRIMINOLOGY 789 (2003) (see [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=345320](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=345320))
- CRIMINAL PROCEDURES—THE POLICE: CASES, STATUTES & EXECUTIVE MATERIALS  
 (7<sup>th</sup> Ed., 2023) (chapters 1-10 of CRIMINAL PROCEDURES)
- CRIMINAL PROCEDURES—PROSECUTION & ADJUDICATION: CASES, STATUTES & EXECUTIVE MATERIALS  
 (7<sup>th</sup> Ed., 2023) (chapters 11-21 of CRIMINAL PROCEDURES)
- SENTENCING LAW & POLICY: CASES, STATUTES AND GUIDELINES (Aspen Publishers 5<sup>th</sup> ed. 2022)  
 (& Teachers' Manual) (with Nora Demleitner, Doug Berman & Ronald Wright) (see <http://www.sentbook.com>)
- HARMFUL INVASIVE SPECIES: LEGAL RESPONSES (Environmental Law Institute 2004)  
 (editor, with Robert Fabian) (see [http://www.elistore.org/books\\_detail.asp?ID=10930](http://www.elistore.org/books_detail.asp?ID=10930))

### Articles & Book Chapters

- Addressing Structural Hurdles for Metadata Extraction from Environmental Impact Statements*, 74 JOURNAL OF THE ASSOCIATION FOR INFORMATION SCIENCE AND TECHNOLOGY 1124 (2023) (with Egoitz Laparra, Alex Binford-Walsh, Kirk Emerson, Laura Lopez-Hoffman, Faiz Currim & Steven Bethard)
- Toward NEPA Performance: A Framework for Assessing EIA's*, 97 ENVIRONMENTAL ASSESSMENT REVIEW 106879 (2022) (with Kirk Emerson, Elizabeth Baldwin, Tyler Scott, Justin Pidot, Aaron Lien, Faiz Currim, Steven Bethard, Sudha Ram & Laura Lopez-Hoffman)
- Trust is Essential to the Implementation of Adaptive Management on Public Lands*, 77 RANGELAND ECOLOGY & MANAGEMENT 46 (2021) (with Aaron Lien, Taylor Dew, George Ruyle, Natalya Robbins Sherman, Natalia Perozzo & Laura Lopez-Hoffman)
- Sharkfests and Databases: Crowdsourcing Plea Bargains*, 6 TEXAS A&M L. REV. 601 (2019) (with Kay Levine, Ronald Wright & Nancy King)
- There Ought to be a Law! The Peculiar Absence of Broad Federal Harmful Nonindigenous Species Legislation*, in INVASIVE SPECIES IN A GLOBALIZED WORLD: ECOLOGICAL, SOCIAL, AND LEGAL PERSPECTIVES ON POLICY 327 (Reuben P. Keller, Marc W. Cadotte, & Glenn Sandiford eds. 2015)
- A Review of Lawsuits Related to Point-of-Care Emergency Ultrasound Applications*. Lori Stolz, Kathleen M. O'Brien, Marc Miller, Nicole D. Winters-Brown, Michael Blaivas, & Srikar Adhikari, 16 WEST. J. EMERG. MED. Vol. I, p.1-4 (Jan. 2015)
- Missing in Action: A Framework Invasive Species Law*, in INVASIVE SPECIES IN A GLOBALIZED WORLD (Reuben Keller et al. Eds.) (Univ. Chicago Press, 2015)
- Adding Ecosystem Services to Environmental Impact Analyses: More Sequins On a 'Bloated Elvis' or Rockin' Idea?* ECOLOGICAL ECONOMICS (peer review) (with Carrie Presnall & Laura Lopez-Hoffman (2014) (<http://dx.doi.org/10.1016/j.ecolecon.2014.02.001>))
- Illegally Crossing Borders: The Limits of State Criminal Immigration Laws*, in STRANGE NEIGHBORS: THE ROLE OF STATES IN IMMIGRATION POLICY (NYU Press, Carissa Hessick & Jack Chin Eds.) (with Jack Chin) (2014)

- The Many Faces of Prosecution*, STANFORD JOURNAL OF CRIMINAL LAW & POLICY, Volume 1 (invited) (with Ron Wright & Kay Levine) (2014)
- Key Landscape Ecology Metrics for Assessing Climate Change Adaptation Options: Rate of Change and Patchiness of Impacts*, Vol. 4, No. 8. Ecosphere Article 101 (Aug. 2013) (with Laura Lopez-Hoffman, David Breshears & Craig Allen)
- The 3L February Bar Exam: An Experiment Under Way in Arizona*, 82 THE BAR EXAMINER 15 (Sept. 2013) (with Sally Rider)
- Arizona Prosecution: Problem-Solving & Local Innovation*, in PROSECUTORS & POLITICS IN COMPARATIVE PERSPECTIVE (Michael Tonry, Ed.) (Univ. Chicago Press 2012) (with Samantha Caplinger)
- The Unconstitutionality of State Regulation of Immigration Through Criminal Law*, 62 DUKE L. J. 251 (2011) (with Gabriel (Jack) Chin)
- Here Comes the Sun: Solar Power Parity With Fossil Fuels*, 36 WILLIAM & MARY ENV. L. & POL'Y REV. 119 (2011) (with Nathan Mee)
- Reporting for Duty: The Prosecutorial Accountability Puzzle and An Experimental Transparency Alternative*, in Erik Luna L& Marianne Wade, eds., TRANSNATIONAL PERSPECTIVES ON PROSECUTORIAL POWER (Oxford University Press 2012) (with Ronald Wright)
- Arizona Senate Bill 1070: Politics Through Immigration Law*, in ARIZONA FIRESTORM: A CHRONOLOGY OF EXCLUSION (Celeste Bustamante & Otto Santa Ana, Eds.) (Rowman & Littlefield 2012) (with Jack Chin & Carissa Hessick)
- Global Climate Change as a Local Phenomenon*, in STRATEGIES FOR ADAPTING TO CLIMATE CHANGE (Edella Schlager, Kirsten Engel & Sally Riders, Eds.) (University of Arizona Press) (Edge book series) (with Jonathan Overpeck & Diana Liverman) (2011)
- Biological Invasions: Federal and States Law*, IN ENCYCLOPEDIA OF BIOLOGICAL INVASIONS (Daniel Simberloff and Marcel Rejmánek, eds., University California Press) (2011) (see [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1701244](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1701244) )
- The Criminal Justice System in the USA*. This report is part of the Max Planck Institute project, Rethinking European Criminal Justice (EuroJustice) (2011, in press)
- A Legal Labyrinth: Issues Raised By Arizona Senate Bill 1070*, 25 GEORGETOWN IMMIGR. L.J. 47 (2010) (with Gabriel (Jack) Chin, Carissa Hessick & Toni Massaro) (see [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1617440](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1617440) )
- The Worldwide Accountability Deficit for Prosecutors*, 67 WASH. & LEE L. REV. 1587 (2010) (with Ron Wright) (see <http://law.wlu.edu/deptimages/Law%20Review/67-4WrightMiller.pdf> )
- Taking Climate Change into Account: A Guidance Document for Judges Adjudicating Water Disputes*, 40 ENV. L. RPTR 11215 (Dec. 2010) (in press) (with Jonathan Overpeck, Kirsten Engel, Kathy Jacobs, Dan Luecke, Julia Matter, Brad Udall & Carolyn Brickey) (see [www.eli.org/pdf/40.11215.pdf](http://www.eli.org/pdf/40.11215.pdf) or <http://www.judges.org/news/2010/news121010.html> )
- Can the Deepwater Horizon Trust Take Account of Ecosystem Services and Fund Restoration of the Gulf?* 40 Env. L. Rptr. 11129 (Nov. 2010) (Special Report jointly published with the *National Wetlands Newsletter* and *The Environmental Forum*) (with Carrie Presnall & Laura López-Hoffman) (See [www.eli.org/pdf/NA\\_40-11/40.11129.pdf](http://www.eli.org/pdf/NA_40-11/40.11129.pdf) )
- Climate Change and the Practice of Law*, 47 ARIZONA ATTORNEY MAGAZINE No. 2, 33 (Oct. 2010) (with Jonathan Overpeck) (distributed to all members of the Arizona bar, circ. >20,000) (see <http://www.azattorneymag-digital.com/azattorneymag/201010/#pg33> )
- Subjective and Objective Discretion of Prosecutors*, in CRIMINAL LAW CONVERSATIONS (Paul Robinson, Kimberly Ferzan, and Steven Garvey, eds., 2009) (with Ronald Wright).
- Shaping Modern Sentencing: Three Giants*, 21 FED. SENT. RPTR. 227 (2009) (with Steve Chanenson)

- State Governance: Leadership on Climate Change*, in John Dernbach, Ed., AGENDA FOR A SUSTAINABLE AMERICA (2009) (with Kirsten Engel)
- The Black Box: The Reasons Behind Prosecutors' Declination Choices*, 94 IOWA L. REV. 125 (2008) (with Ronald Wright) (see [www.law.uiowa.edu/documents/ilr/miller-wright.pdf](http://www.law.uiowa.edu/documents/ilr/miller-wright.pdf))
- Dead Wrong*, 2008 UTAH. L. REV. 89 (with Ronald Wright) (see <http://epubs.utah.edu/index.php/ulr/article/viewFile/408/306>)
- Leaky Floors: State Law Below Federal Constitutional Limits*, 50 ARIZ. L. REV. 227 (2008) (with Ronald Wright) (see [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1115515](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1115515))
- Applying Legal Sunshine to the Hidden Regulation of Biological Control*, 35 BIOLOGICAL CONTROL 358 (2005) (peer review science journal) (with Greg Aplet)
- Sentencing Lessons*, 58 STAN. L. REV. 1 (2005) (with Robert Weisberg)
- "*The Wisdom We Have Lost: Sentencing Information and Its Uses*", 58 STAN. L. REV. 361 (2005) (with Ronald Wright)
- A Map of Sentencing and A Compass for Judges: Sentencing Information Systems, Transparency, and the Next Generation of Reform*, 105 COLUM. L. REV. 1351 (2005)
- Sentencing Equality Pathology*, 53 EMORY L. REV. 271 (2005)
- Secret Police and The Mysterious Case of the Missing Tort Claims*, 52 BUFF. L. REV. 757 (2004) (invited for inaugural essay issue) (with Ronald Wright)
- Domination and Dissatisfaction: Prosecutors As Sentencers*, 56 STAN. L. REV. 1211 (2004)
- Sentencing "Reform Reform" Through Sentencing Information Systems*, in Michael Tonry ed., THE FUTURE OF IMPRISONMENT 121-153 (Oxford University Press 2004) (essays in honor of Norval Morris)
- Biological and Cultural Camouflage: The Challenges of Seeing The Harmful Invasive Species Problem and Doing Something About It* (with Lance Gunderson), in HARMFUL INVASIVE SPECIES: LEGAL RESPONSES (Marc Miller & Robert Fabian, Editors) (2004)
- The Paradox of United States Alien Species Law*, in HARMFUL INVASIVE SPECIES: LEGAL RESPONSES (Marc Miller & Robert Fabian, Editors) (2004)
- NIS, WTO, SPS, WIR: Does the WTO Substantially Limit the Ability of Countries to Regulate Harmful Non-Indigenous Species?*, 17 EMORY INT'L L.J. 1059 (2003)
- Honesty and Opacity in Charge Bargains*, 55 STAN. L. REV. 1409 (2003) (with Ronald Wright) (available at [http://lawreview.stanford.edu/content/vol55/4/Wright\\_Miller.pdf](http://lawreview.stanford.edu/content/vol55/4/Wright_Miller.pdf)) (response to Gerard E. Lynch, *Screening Versus Plea Bargaining: Exactly What Are We Trading Off?*, 55 STAN. L. REV. 1399 (2003) (critiquing *The Screening/Bargaining Tradeoff*) (available at <http://lawreview.stanford.edu/content/vol55/4/Lynch.pdf>)
- Public Lands for the Public's Health*, 33 ENV. L. RPT. 10217 (March 2003) (with Richard Goodman)
- The Screening/Bargaining Tradeoff*, 55 STAN. L. REV. 29 (2002) (with Ronald Wright) (available at [http://lawreview.stanford.edu/content/vol55/1/Wright\\_Miller.pdf](http://lawreview.stanford.edu/content/vol55/1/Wright_Miller.pdf))
- Norval Morris, in the ENCYCLOPEDIA OF PRISONS AND CORRECTIONAL FACILITIES (Sage, 2004) (with Steve Chanenson).
- Immigration Law: Assessing New Immigration Enforcement Strategies and the Criminalization of Migration*, 51 EMORY L. J. 963 (2002) (introduction to Thrower symposium)
- Pardon Us: Systematic Presidential Pardons*, 13 FED. SENT. R. 139 (2001) (with Charles Shanor)
- Cumberland Island: Constructing and Deconstructing Wilderness and History*, National Oceanic and Atmospheric Administration (NOAA), Coastal Services Center (2001) (with Julie Mayfield)

- Wise Masters*, 51 STAN. L. REV. 1751 (1999) (review of Malcolm Feeley & Edward Rubin, JUDICIAL POLICY MAKING AND THE MODERN STATE (1998))
- Your Cheatin' Heart(land): The Long Search for Administrative Sentencing Justice*, 2 BUFFALO CRIM. L. REV. 723 (1999) (with Ronald Wright)
- Empty Heart, Vibrant Corpus*, 12 FED. SENT. R. 86 (1999) (with Ronald Wright)
- Teaching Holistic Sentencing*, 10 FED. SENT. R. 338 (1998) (with Ronald Wright)
- Cells vs. Cops vs. Classrooms*, in Lawrence Friedman & George Fisher, Eds., THE CRIME CONUNDRUM 127 (1997)
- Rehabilitating the Federal Sentencing Guidelines*, 78 JUDICATURE 180 (1995)
- The Disproportionate Imprisonment of Low-Level Drug Offenders*, 7 FED. SENT. R. 3 (1994)
- Guiding the Discretion of U.S. Attorneys: Department of Justice Policies, 1980-1994*, 6 FED. SENT. R. 299 (1994)
- Virtues of Biological Control Regulation*, PROCEEDINGS OF THE 1994 U.S. DEPARTMENT OF AGRICULTURE GYPSY MOTH RESEARCH FORUM 55 (1994)
- Biological Control: A Little Knowledge is A Dangerous Thing*, 45 RUTGERS L. REV. 285 (1993) (with Greg Aplet)
- The Chasm Between The Judiciary and Congress Over Mandatory Minimum Sentences*, 6 FED. SENT. R. 59 (1993)
- The Unfulfilled Potential For Independent Federal Sentencing Research*, 6 FED. SENT. R. 3 (1993)
- Contrasting Approaches Toward Guidelines and Departures in Six Circuits*, 5 FED. SENT. R. 243 (1993)
- The Need for Change in Guideline Sentencing: Suggestions for the President and the 103rd Congress*, 5 FED. SENT. R. 123 (1993)
- Purposes At Sentencing*, 66 SO. CAL. L. REV. 413 (1992)
- True Grid: Revealing Sentencing Policy*, 25 U.C. DAVIS L. REV. 587 (1992)
- Departures Visible and Invisible: Perpetuating Variation in Federal Sentences*, 5 FED. SENT. R. 3 (1992)
- Amending the Guidelines*, 4 FED. SENT. R. 307 (1992)
- Perspectives on Disparity in Guideline Research*, 4 FED. SENT. R. 123 (1992)
- Developing Intermediate Sanctions*, 4 FED. SENT. R. 3 (1991)
- Taking 'Purposes' Seriously: The Neglected Requirement of Guideline Sentencing*, 3 FED. SENT. R. 295 (1991)
- Honoring Judicial Discretion Under the Sentencing Reform Act*, 3 FED. SENT. R. 235 (1991)
- Plea Bargained Sentences, Disparity and 'Guideline Justice,'* 3 FED. SENT. R. 175 (1991)
- Pretrial Detention and Punishment*, 75 MINN. L. REV. 335 (1990) (with Martin Guggenheim)
- Georgia's Historical Law Schools -- Emory: The Creation of a National Law School*, 27 GEORGIA STATE BAR JOURNAL 88 (1990). Expanded and republished as *Two Eras at Emory Law School: Building on the Past, Learning from the Future*, in EMORY REPORT (1997)
- Offender Characteristics and Victim Vulnerability: The Difference Between Policy Statements and Guidelines*, 3 FED. SENT. R. 3 (1990)
- The Emerging Proportionality Law for Measuring Departures*, 2 FED. SENT. R. 255 (1990)
- The Commission Under Fire: Constructive Advice or Destructive Attack*, 2 FED. SENT. R. 207 (1990)
- Guidelines Are Not Enough: The Need For Written Sentencing Opinions*, 7 BEHAV. SCI. & THE LAW 3 (1989)
- Handcuffing the Sentencing Judge: Are Offender Characteristics Becoming Irrelevant? Are Congressionally Mandated Sentences Replacing Judicial Discretion?* 2 FED. SENT. R. 189 (1989)
- The Relevant Conduct Controversy*, 2 FED. SENT. R. 150 (1989)
- Predictions of Dangerousness: An Argument for Limited Use*, 3 VIOL. & VICTIMS 263 (1988) (with Norval Morris)

DEPARTURE SENTENCES UNDER THE UNITED STATES SENTENCING COMMISSION GUIDELINES: INTERIM REPORT OF THE AD HOC SENTENCING STUDY GROUP. Vera Institute (Dec. 1987) (with Daniel Freed)

PREDICTIONS OF DANGEROUSNESS IN THE CRIMINAL LAW, National Institute of Justice Research in Brief (March 1987) (with Norval Morris)

*Predictions of Dangerousness: Ethical Concerns and Proposed Limits*, 2 NOTRE DAME JOURNAL OF LAW, ETHICS & PUBLIC POLICY 393 (1986) (with Norval Morris)

(1) *Changing Legal Paradigms in Juvenile Justice* and

(2) *Legal Constraints on Intervention Programs in Public Schools*, in INTERVENTION STRATEGIES FOR CHRONIC JUVENILE OFFENDERS: SOME NEW PERSPECTIVES (P. Greenwood, ed.) (1986) (earlier versions of these two chapters were published in JUVENILE REHABILITATION READER, N-2236-OJJDP, 1985)

*In Your Court: State Judicial Federalism in Capital Cases*, 18 URBAN LAWYER 659 (1986) (with Ronald Wright)

*Legal and Ethical Limits on the Use of Predictions of Dangerousness in the Criminal Law*, in THE PREDICTION OF CRIMINAL VIOLENCE (F. Dutile & C. Foust, eds.) (1986)

*Predictions of Dangerousness*, in 6 CRIME & JUSTICE: AN ANNUAL REVIEW OF RESEARCH 1 (1985) (with Norval Morris) (principles for criminal and mental health law suggested in this paper were adopted by the National Academy of Sciences panel on criminal behavior in 1986)

Comment, *Diversity Jurisdiction Over Alien Corporations*, 52 U. CHI. L. REV. 1458 (1984)

#### **Founding Editor, FEDERAL SENTENCING REPORTER**

Senior Advisor / Editor Emeritus (1996 – present)

FSR is the leading journal on sentencing law and reform. In 1988 I founded FSR with Professor Daniel Freed of Yale Law School to track the development of guideline sentencing, provide a forum for exploring sentencing theory and practice, and encourage the evolution of principled sentencing law. FSR was for many years published by the University of California Press and was sponsored by the Vera Institute of Justice (NYC). FSR received startup funding from the Edna McConnell Clark Foundation and soon thereafter a one year line item budget authorization from Congress to provide copies to all federal judges. FSR appears on Lexis and Westlaw, and is available through Heinonline. For two decades it was published by the University of California Press, and is now published by Duke University press. See [Federal Sentencing Reporter](#).

**Lead Series Editor, SUMMITS**—2008-2020. A book series on Environmental Science, Law & Policy and a joint project of The UA Institute of the Environment (IE), the James E. Rogers College of Law, the Biosphere 2 Institute, The Udall Center for Studies in Public Policy, published by the University of Chicago Press (2012-2020) (originally the Edge series, published by the University of Arizona Press (2008-2012)).

**Books in print:** (1) STITCHING THE WEST BACK TOGETHER: CONSERVATION OF SHARED LANDSCAPES, Susan Charnley, Thomas Sheridan & Gary Nabhan, Eds. (2014); (2) NAVIGATING CLIMATE CHANGE POLICY: THE ROLE OF THE STATES, Edella Schlager, Kirsten Engel & Sally Rider, Eds. (2011)  
(3) CONSERVATION OF SHARED ENVIRONMENTS: LEARNING FROM THE UNITED STATES AND MEXICO, Laura Lopez-Hoffman, Emily McGovern, Robert Varady & Karl Flessa, Eds. (2009)

## **REPORTS, EDITORIALS, TESTIMONY, BRIEFS, & WEB PUBLICATIONS**

“It’s Time to Repeal the ABA’s Law School Testing Mandate,” Bloomberg Law, Aug. 16, 2022 ([It’s Time to Repeal the ABA’s Law School Testing Mandate \(bloomberglaw.com\)](#)) (with Christopher T. Robertson, Robert A. Williams & John K. Pierre)

“Data Science and History Point Way to a More Sustainable Arizona,” Op-Ed, ARIZONA DAILY STAR (March 10, 2022) ([Arizona Daily Star - About NEPAcess](#)) (see <http://nepaccess.org>) (with Laura López-Hoffman, Marc L. Miller, Sudha Ram & Jonathan Derbridge)

“Protecting the Fabric of Our Democracy,” ARIZONA ATTORNEY 84 (May 2019), (<http://www.azattorneymag-digital.com/azattorneymag/201905/MobilePagedReplica.action?pm=2&folio=84#pg87>) (with Tara Jackson)

“Charging,” in CRIMINAL JUSTICE IN ARIZONA, ARIZONA TOWN HALL 29 (2018) (<http://www.aztownhall.org/resources/documents/111%20criminal%20justice%20in%20arizona%20background%20report%20web.pdf>)

THE CONSTITUTIONALITY OF SB 1070 AND OTHER STATE IMMIGRATION LAWS. American Constitution Society, Issues Brief (NOV. 2010) (see <http://www.acslaw.org/node/17714>)

TAKING CLIMATE CHANGE INTO ACCOUNT: A GUIDANCE DOCUMENT FOR JUDGES ADJUDICATING WATER DISPUTES (with Jonathan Overpeck, Kirsten Engel, Kathy Jacobs, Julia Jolley, Dan Luecke, Carolyn Brickey) (report from workshop with federal and state judges, Dividing the Waters & National Judicial College) (2010) [https://www.judges.org/pdf/dtw/Climate%20Change%20and%20Water%20Disputes%20\(Dec.%202010\).pdf](https://www.judges.org/pdf/dtw/Climate%20Change%20and%20Water%20Disputes%20(Dec.%202010).pdf)

“A Simple but Fundamental Step: Put All EISs & EAs On the Web.” Testimony for the President’s Council on Environmental Quality & The U.S. Institute for Conflict Resolution, April 15, 2010 (with Dan Farber) (see [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1703624](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1703624) ).

“The President and Congress on Crack,” Dallas Morning News, Monday, February 25, 2008

Letter to Secretary Ann Veneman, July 12, 2004 (as of Jan. 1, 2005 APHIS changed its public information and access policies with regard to biological controls in response to this letter)

THE OWNERSHIP OF HISTORY & NATURE: THE LEGAL BATTLES OVER CUMBERLAND ISLAND (manuscript) (editor with Julie Mayfield & Allison Adams) (2005)

“Go Slow: A Recommendation for Responding to *Blakely v. Washington* in the Federal System,” Written testimony submitted to the Senate Committee on the Judiciary, Tuesday, July 13, 2004

“Prosecutor Rex,” PHILADELPHIA INQUIRER, Op-Ed, Dec. 19, 2003 (with Ron Wright)

“The Right to Refuse Consent Is In Danger,” LOS ANGELES TIMES, Op-Ed, April 15, 2002 (with Ron Wright) (on criminal procedure after 9/11)

*NIS, WTO, SPS, WIR: Does the WTO Substantially Limit the Ability of Countries to Regulate Harmful Non-Indigenous Species?*, Halle Institute Paper Series (2002) (part of a multi-disciplinary series of papers on globalization aimed at undergraduates)

Lead Counsel, Amicus Brief to the Supreme Court of the United States for Law Professors and Former United States Attorneys, *Rita v. United States* (2007)

Lead Counsel, *United States v. Charlie Liteky* (11<sup>th</sup> Cir.) (2000-2001)

INTERIM REPORT, POLICY & REGULATION WORKING GROUP OF THE NATIONAL INVASIVE SPECIES ADVISORY COUNCIL (with Keith Pitts) (July 3, 2000)

“Saving the Galapagos,” NEW YORK TIMES, Op-Ed, A15, Oct. 12, 1995; “Galapagos Islands: Trouble in the Middle of Nowhere,” STANFORD REPORT, p. 3, Oct. 11, 1995 (both with Donald Kennedy)

“Proposed Delay in the Federal Sentencing Guidelines,” Written Testimony for the U.S. Senate Judiciary Committee, October 1987 (with Dan Freed)

\* In 1985 & 1986 I served as book review editor for the *Castine Patriot* – the local paper for Castine, Maine. In that role I wrote a series of book reviews and solicited reviews from other authors.

## GRANTS

2018-2022. \$1.25 million in grants from the AccessLex Foundation and the ETS Foundation to develop JD-Next.

2018-2021. National Science Foundation: RIDIR: Collaborative Research: Data Science Tools for Policy Analyses. \$1,500,000. PI: L López-Hoffman; Co-PIs: ML Miller, E Baldwin, S Ram, SJ Bethard, T Scott. Senior Personnel: K Emerson, R Merideth. [https://www.nsf.gov/awardsearch/showAward?AWD\\_ID=1831551](https://www.nsf.gov/awardsearch/showAward?AWD_ID=1831551)

2016-2020. USDA-NIFA. Bioenergy, Natural Resources and Environment (BNRE) program, Agroecosystem Management priority area. Does Adaptive Management Enhance Ecosystem Services and Provide Socio-economic Benefits on Southwestern Rangelands (\$439,080). PI: L López-Hoffman; Co-PIs: G Ruyle, M Miller & T Teegerstrom. Senior Personnel: A Lien, A Kerna, S Noelle & JL Neeley.

## BACKGROUND AND PROFESSIONAL PROJECTS

Bar Memberships: California (1984) (active); District of Columbia (1986).

### ***Law School Courses Taught:***

- Criminal Procedure I (police practices); Criminal Procedure II (prosecution & adjudication); Criminal Procedure III (sentencing & post-conviction review); Criminal Law; Crime in America; Sentencing Law & Policy (course and seminar);
- Seminars: Executive Discretion: Norms & Internal Regulation; Historical & Comparative Criminal Procedure; Policing After Ferguson (undergraduate honors seminar)
- Public Lands and Natural Resources; Sustainability in Environmental Policy (graduate workshop for ½ law and ½ doctoral students, co-taught with Carol Rose & Tom Swetnam); Legal Aspects of Biodiversity (interdisciplinary course co-taught at Emory with Lance Gunderson to law students and undergraduate environmental studies majors).
- Torts; Constitutional Law.

***Original Materials:*** All criminal procedure courses (published); Sentencing Law & Policy (published); Crime in America; Legal Aspects of Biodiversity; Public Lands & Natural Resources; Sustainability in Environmental Policy

***American Association of Law Schools (AALS) Service:*** (1) Deans Steering Committee (2014-2018) (original member); (2) AALS Presidential Selection Committee (2014-2015); (3) AALS Nominating Committee (2021-2022).

***University of Arizona: Joint Appointments & Administrative Positions:*** Member, Post-COVID University of Arizona Financial Sustainability, Student & Tuition Committee (2020-present); Member, Search for College of Medicine Dean (2018-2019); Member (only dean), University of Arizona Presidential Search Committee (2016-2017); Chair, Search Committee for Dean of Eller College of Management (2015-2016); University of Arizona Faculty Senate (2014-2017) (appointed by Provost); University of Arizona Strategic Planning and Budget Advisory Committee (2014-present) (SPBAC) (appointed as representative of deans by University of Arizona President Hart & then reappointed by University of Arizona President Robert Robbins). Co-Director, Program in Criminal Law & Policy (PCLP), University of Arizona James E. Rogers College of Law, 2007-present (including a certificate program for law students); Associated Faculty, University of Arizona Institute of the Environment, 2007-present; Joint Faculty, Environmental Health Sciences Program, University of Arizona Zuckerman School of Public Health (2009-present); Participating Faculty, Global Change PhD minor; University of Arizona Scientific Committee, Joint UA-French National Scientific Committee (CNRS) unit on water, environment and policy (2009-2010); Arizona Telemedicine Program, Associate Director For Interdisciplinary Education, 2010-present.

***University of Arizona James E. Rogers College of Law & University of Arizona Committees & Service:*** (As Vice Dean I served ex officio on a number of committees). Chair, Appointments, 2009-2010 (member 2010-2011); Chair, Promotion & Tenure, 2007-2009; Member, Faculty Advisory Committee (2009-2010); Member, University of Arizona Reconciliation Committee (2007-2009); Co-Chair, Faculty Development Committee, 2006-2007; Member, Retreat Committee (2006-2007); Member, University Earth Sciences & Environmental Program Initiative, 2006; Senior Advisor, University of Arizona Law Review, 2008-2010; Mentor, Arizona Assurance (undergraduate mentoring program for low income Arizona residents), 2010-2011.

***Emory Law School Committees & Service:*** Associate Dean for Faculty & Scholarship, 2003-2005 (I served ex officio on colloquium and scholarship, clerkship, appointments, long range planning and various ad hoc committees); Chair, Appointments Committee (2001), Member (2002); Co-Chair, Special Lateral Appointments Committee (1998); Chair, Law School Faculty Colloquium & Scholarship Committee (1988, 2002), Member, (1989-1992); Chair, Curriculum Committee (1994, 1996-1998); member (1999-2002); Chair & Member, Judicial Clerkship Committee (1988-1997, 2000-2001); Member, Rankings (U.S. News) Committee (2002-2004); Member, Academic Standings Committee (1992); Member, Law School Technology & Library Committees (1993, 1996, 1997, 1999-2002); President, Order of the Coif (1997-2002); Member, Woodruff Scholarship Selection Committee (1992; 2001).

***Emory University Committees:*** Co-Chair, "Courageous Leadership," Emory University Signature Themes Development, Spring 2005; Committee on the Future of Emory (2002-2004); Council on Information Resources & Technology (CIRT) (1999-2001); Faculty Council and University Senate (appointed by Emory University President and Provost) (1994); Faculty-Carter Center Relations Subcommittee (1994); Academic Computing Advisory Committee (1994); University Library Committee (1994); Virtual Library Committee (1993-1994).

### ***Board Memberships***

Board of Governors, State Bar of Arizona (2012-2025)

University of Arizona Law College Association (2013-2025) (governing board for the 501(c)(3) made up of all University of Arizona James E. Rogers College of Law alumni)

Arizona Prosecuting Attorneys' Advisory Council (2013-2014; 2015-2025)

University of Arizona Global Campus (December 2020-June 2023) (online university, then separate from, now merged with, the University of Arizona)

### ***Special Projects & Honors***

Member, American Law Institute (elected May 2002)

Advisor, Regulation of Prosecutors Project, Vera Institute of Justice (2010-present); Board member: Race & Prosecution Project, Vera Institute of Justice (2007-present)

Building Skills in Group Facilitation Workshop with Gary Forbes (May 6-7, 2010)

Member, Max Planck Institute, Concepts for a European Criminal Justice System Project, 2006-2008.

IUCN Representative, CABI Conference on Developing Invasive Species Policy in China. Hosted by Chinese Academy of Agricultural Sciences (CAAS). Beijing. Oct. 30-Nov. 7, 2004.

Division Chair (Sentencing), American Society of Criminology, Atlanta, Georgia, Nov. 7-10, 2001.

Advisory Board, *Ohio State Journal of Criminal Law*.

Editorial Board, LYONIA (peer-review journal of the Lyon Arboretum, tropical montane forest ecology and use) (2003-2006)

Co-Director, Cross-Disciplinary Workshop on "Greening the University: Environmental Perspectives Across the Curriculum" (May 15-17, 2002) (readings: *Green Notions: Green Curriculum, Green Campus, Green City*).

Co-Chair (non-federal), Policy & Regulation Working Group, National Invasive Species Council, 2000 (with Keith Pitts, U.S.D.A.). See Executive Order (see Executive Order 13112, 64 Fed. Reg. 6183 (Feb. 3 1999) (Clinton) (invasive species); <http://www.invasivespecies.gov>

Board member, Turner Environmental Law Clinic, 1998-present. Advisor, Cumberland Island project

Clinton-Gore Transition Team, Justice & Civil Rights Cluster, Sentencing and Punishment Policy Group, Principal Drafter (December 1992)

Fellow, World Association of International Studies (California Institute of International Studies) (elected 1996)

Co-Founder, Galapagos Coalition (1995-present) (with Dr. Gregory Aplet & Dr. Matthew James)  
[See <http://www.galapagoscoalition.org>]

Advisor, Nature and Culture International [See <http://www.natureandculture.org>]; Advisor, Estacion Cientifica San Francisco (biological research station near Loja, Ecuador)

Director, Atlanta Municipal Court Project, 1988-1990

Member, Central Atlanta Progress Municipal Court Review Committee (1989);  
Chair, Subcommittee on Research, Data Collection and Data Analysis.

Secretary, Committee on Education and Prevention, NYC Substance Abuse Task Force. 1987-1988

Secretary, Council on Criminal Justice, Association of the Bar of the City of New York. 1987-1988

Juvenile Justice Project, Rand Corporation, 1984-1985

### ***Speeches and Presentations***

I have presented papers at many law schools and in professional legal and non-legal workshops. When a full-time scholar/teacher, I frequently gave professional presentations at judicial conferences, law firms, and in various association meetings. As dean, I frequently speak on reform of legal education and the legal profession, and on issues of academic leadership and institutional management.