

BRENT T. WHITE

Professor of Law
Associate Dean for Programs and Global Initiatives
Affiliated Professor of East Asian Studies
James E. Rogers College of Law, University of Arizona
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ACADEMIC APPOINTMENTS AND POSITIONS

University of Arizona, James E. Rogers College of Law, Tucson, AZ

Professor of Law. June 2011-Present
Associate Dean for Programs and Global Initiatives, Nov. 2012-Present
Director, Global Law Partnerships, 2011-Present
Director, Advanced J.D. Program for Non-U.S. Lawyers, 2011-Present
Co-Director, Exchanges and International Programs, 2012-Present
Affiliated Professor of East Asian Studies. 2008-Present
Associate Professor of Law. June 2006-June 2011

Courses Taught: Property, Civil Procedure, Mediation, and Law and Development
Research Interests: Law and Behavioral Economics, Law and Social Psychology, Law and Development.

New York University School of Law, New York, New York

Acting Assistant Professor. Lawyering Program. June 2004- June 2006

EDUCATION

New York University School of Law, New York, NY, J.D., *Order of the Coif*, May 1998

Duke University, Durham, NC, A.B., *magna cum laude*, Public Policy, May 1993

SCHOLARLY PUBLICATIONS

Failing Cities: Urban Decay and the Negative Rule of Law (in progress)(with Simone M. Sepe). Draft available at: <http://ssrn.com/abstract=2230652>.

Preventing Strategic Default: Lessons from Japan, 29 ARIZ. J. INT'L & COMP. L. 235 (2012).

Walking Away Scot-Free: Trust, Expert Advice, and Realtor Responsibility, 40 REAL ESTATE L.J. 312 (2011).

Gridlocked: The Road to Rule-of-Law Reform in Mongolia, EAST ASIAN FORUM QUARTERLY (2011).

Take this House and Shove it: The Emotional Drivers of Strategic Default, 63 SMU L. REV. 1279 (2010).

Underwater and Not Walking Away: Shame, Fear and the Social Management of the Housing Crisis, 43 WAKE FOREST L. REV. 971 (2010).

Putting Aside the Rule of Law Myth: Corruption and the Case for Juries in Emerging Democracies, 43 CORNELL INT'L L.J. 307 (2010).

Rotten to the Core: Project Capture and the Failure of Judicial Reform in Mongolia, 4 E. ASIA L. REV. 209 (2009).

Saving Face: The Benefits of Not Saying You're Sorry, 72 LAW & CONTEMP. PROBS. 261 (2009).

Say You're Sorry: Court-Ordered Apologies as a Civil Rights Remedy, 91 CORNELL L. REV. 1261 (2006).

Reexamining Separation: The Construction of Separation of Religion and State in Post-War Japan, 22 UCLA PAC. BASIN. L.J. 29 (2005).

OTHER PUBLICATIONS

UNDERWATER HOME: WHAT SHOULD YOU DO IF YOU OWE MORE ON YOUR HOME THAN IT'S WORTH? (2010)

It's OK to Walk Away, Costco Connection, December 2010.

Is Strategic Default a Menace?, with Luigi Zingales, City Journal, Forums, Volume 20, No. 3, April 27, 2010.

Buyers Have No Moral Duty to Lenders, The Arizona Republic, Viewpoints, April 25, 2010.

Live Talk [on Mortgage Default], The Arizona Republic, December 6, 2010.

REPRESENTATIVE SCHOLARLY PRESENTATIONS

The New City Beautiful: Social Infrastructure, Social Efficacy and the Rule of Law, 3rd Annual East Asian Law & Society Conference, KoGuan Law School, Shanghai Jiao Tong University, Shanghai, People's Republic of China, scheduled for March 22, 2013.

The New City Beautiful: Urban Infrastructure and the Rule of Law, Toulouse University School of Economics, January 14, 2013.

Social Infrastructure First, Good Governance Later, Jindal Global Law School, Haryana, Delhi, India, December 5, 2012.

Preventing Strategic Default: Lessons from Japan, University of New Mexico School of Law, Faculty Colloquium, October 10, 2012.

The New City Beautiful: Social Infrastructure, Social Efficacy and the Rule of Law, Mongolia in Anthropological Research: Recent Decades, Mongolian Academy of Sciences, July 19, 2012.

What's Shame Got to Do With It? Homeowner Behavior in the Japanese Housing Market Collapse, International Conference on Law and Society, Honolulu, Hawaii, June 6, 2012.

The City Chaotic: Urban Physical Disorder and the Negative Rule of Law, Faculty Workshop, Department of Economics, National University of Mongolia, May 22, 2012.

Disorder, Decay, and the Failure of Rule of Law Reform in Mongolia, Faculty Workshop on the Comparative Study of Legal reform in transitional period of Mongolia and Uzbekistan, Nagoya University, School of Law, March 13, 2012.

The Failure of Rule of Law Reform in Mongolia, School of Regulation, Justice and Diplomacy, College of Asia Pacific, Australian National University, March 22, 2011.

Keynote, *Lender's Moral Obligations to Underwater Homeowners*, Eller College Inaugural Executive Ethics Symposium for Regional Leaders, August 20, 2010.

Underwater and Not Walking Away, Furman Center for Real Estate and Urban Policy, New York University School of Law, Nov. 3, 2009.

Underwater and Not Walking Away, Faculty Colloquium, Univ. New Mexico School of Law, Oct. 28, 2009.

Chair, *Institutional Capacity Building and Democracy*, Central Asian Studies Society Tenth Annual Conf., Toronto, Oct. 9, 2009.

Putting Aside the Rule of Law Myth, Rocky Mountain Junior Scholars Forum, BYU Law School, Sept. 24, 2009.

Patriotic Education and Freedom of Conscience: A Comparative Perspective, Topics in Constitutional Law Seminar, Univ. Ryukyus School of Law, Okinawa, Japan, Apr. 28, 2009.

The Negative Rule of Law Myth and Judicial Reform in Post-Transition Mongolia, Rogers Global Society & Justice Workshop, Tucson, Ariz., Apr. 7, 2009.

Ritual, Emotion, and Patriotic Education, Mind, Brain, & Society Workshop, University Of Arizona, Oct. 13, 2007.

"Face" and Resistance to Apology, Vanderbilt Univ. Law School Conf., Symposium on Group Conflict Resolution: Sources of Resistance to Apology, Forgiveness and Reconciliation, Mar. 2007.

OTHER PRESENTATIONS

Panelist, Aspiring Law Professors Conference, Arizona State University, Sandra Day O'Connor College of Law, October 2009, 2010 and 2012.

INTERNATIONAL ACADEMIC EXPERIENCE

Chiang Mai University, Department of Law, Chiang Mai, Thailand, Visiting Professor, Fall 2003

Konan University, Department of Law, Kobe, Japan, Visiting Researcher, 1996 - 1997

Hokkaido University, Department of Linguistics and Cultural Studies, Sapporo, Japan, Rotary Scholar, Fall 1993

PROFESSIONAL LEGAL EXPERIENCE

Open Society Forum of Mongolia, Ulaanbaatar, Mongolia

Senior Research Fellow. Summer 2008. Conducted an assessment of judicial reform in Mongolia, including designing an assessment methodology, implementing the assessment, and preparing a report with recommendations for addressing deficiencies in the judicial system.

American Civil Liberties Union of Hawaii (ACLU), Honolulu, Hawaii

Legal Director. December 1999-October 2003. Oversaw all ACLU litigation in the State of Hawaii and served as lead counsel on a number of high profile cases; including defending the rights of protestors during the Asian Development Bank meeting in Honolulu; challenging an ordinance seeking to ban street musicians from Waikiki; and settling a million-dollar class action involving the over-detention of inmates. Supervised volunteer attorneys and law students; testified regularly regarding proposed legislation affecting civil liberties in Hawaii; and spoke frequently on matters of constitutional law and civil rights.

Crowell & Moring LLP, Washington, District of Columbia

Associate Attorney. April - November 1999. General corporate litigation and white-collar criminal defense. Assisted in the defense of Webster Hubbell against the Office of Independent Counsel, conducted an investigation of an alleged False Claims Act violation involving foreign military sales by a major defense contractor, and assisted in the representation of a Japanese national charged with international price fixing.

Metropolitan Public Defender, Nashville, Tennessee

Assistant Public Defender. October 1998- April 1999. Represented indigent adult and juvenile criminal defendants in a wide range of proceedings, including misdemeanor arraignments, preliminary hearings, and bench trials.

JUDICIAL CLERKSHIP

Law Clerk for The Late Honorable Lee P. Gagliardi, Senior United States District Judge, Southern District New York. August - October 1998.

OTHER LEGAL EXPERIENCE

Morgan, Lewis, & Bockius LLP, Washington, District of Columbia

Summer Associate. Summer 1998.

Morgan, Lewis, & Bockius LLP, New York, New York and Jakarta, Indonesia

Summer Associate. Summer 1997. Project finance.

County of San Diego Public Defenders, San Diego, California

Law Clerk. Summer 1996. Misdemeanor criminal defense.

Cambodian Defenders Project, Phnom Penh, Cambodia

Law Clerk. Summer 1995. Trained new defense attorneys in criminal investigation.

UNIVERSITY SERVICE

UNIVERSITY COMMITTEES

International Affairs College Advisory Committee (Fall 2008 – Present)

LAW SCHOOL COMMITTEES AND SERVICE

Chair, *Faculty Appointments Committee* (2012-2013)

Chair, *Admissions Committee* (2011-2012)

Chair, *JDAS Admissions Committee* (2011-2012, 2012-2013)

Chair, *JDAS Coordinating Committee* (2011-2012, 2012-2013)

Curriculum Committee (2006-2007, 2007-2008, 2011-2012, 2012-2013)

Dean's Advisory Committee (2009-2010, 2011-2012)

Peer Review Committee (2011-2012)

Curriculum Committee (2011-2012)

Academic Affairs Committee (Fall 2010)

Appointments Committee (2009-2010)

Ad Hoc Budget Committee (Spring 2009)

Faculty Advisor, *Arizona Journal of International and Comparative Law* (Fall 2008 – Present)

Enrichment Committee (2008-2009)

EXTERNAL SERVICE

Member, American Civil Liberties Union of Arizona Foundation, Board of Directors

BAR ADMISSIONS

State of Hawaii

U.S. District Court for the State of Hawaii

MEDIA OUTREACH

SELECT LIST OF MEDIA APPEARANCES RELATED TO SCHOLARLY WORK

Strategic Default: Walking Away from Mortgages (60 Minutes, Television Broadcast, May 9, 2010).

Is It Wrong To Walk Away From A Mortgage Deep Underwater? (Good Morning America, Television Broadcast, Feb. 11, 2010).

Some Homeowners Hope for Foreclosure (NPR Morning Edition, Radio Broadcast, Feb. 5, 2010).

Homeowner Wants To Walk, Despite New Loan Terms (NPR Morning Edition, Radio Broadcast, Jan. 26, 2010).

Walking Away from Your Mortgage (NPR Talk of the Nation, Radio Broadcast, Jan. 14, 2010).

Professor: Some Homeowners Better Off Walking Away (NPR All Things Considered, Radio Broadcast, Dec. 25, 2009).

Bailing Out on Your Mortgage (CNN, Television Broadcast, Nov. 30, 2009).

SELECT LIST OF PRINT MEDIA COVERAGE OF SCHOLARLY WORK

Kenneth R. Harney, *Anger at the Root of Mortgage Default Problem, Study Finds*, Washington Post, May 22, 2010.

James R. Hagerty, *Emotion Drives Many Defaults*, Wall Street Journal, May 11, 2010.

Jennifer Saranow Schultz, *Proposals to Reduce Mortgage Principal*, N.Y. Times, Feb. 2, 2010.

Jennifer Saranow Schultz, *Should You Walk Away From Your Mortgage?*, N.Y. Times, Jan.27, 2010.

Richard H. Thaler, *Underwater, But Will They Leave the Pool?*, N.Y. Times, Jan. 23, 2010.

Kevin Huffman, *Pushing Down Mortgage Principals*, Washington Post, Jan. 9, 2010.

Roger Lowenstein, *Walk Away from Your Mortgage!*, N.Y. Times Magazine, Jan. 7, 2010.

Kenneth R. Harney, *The Nation's Housing: Walking Away from a Mortgage*, Washington Post, Nov. 28, 2009.

Paul Waldie, *Underwater Mortgages Dog U.S. Housing*, Globe & Mail (Toronto), November 24, 2009.

James R. Hagerty, *It's OK to Walk Away, A Law Professor Argues*, Wall Street Journal Blogs: Developments, October 30, 2009.