

BROOKS HOLLAND
Professor of Law
J. Donald and Va Lena Scarpelli Curran
Faculty Chair in Legal Ethics and Professionalism
GONZAGA UNIVERSITY SCHOOL OF LAW

EDUCATION

Boston University School of Law, Boston, MA May 1994

Juris Doctor, *magna cum laude*

- G. Joseph Tauro Distinguished Scholar, 1991-92
- Paul J. Liacos Scholar, 1992-93
- Edward F. Hennessy Scholar, 1993-94

San Francisco State University, San Francisco, CA July 1991

B.A. Political Science, *cum laude*

PUBLICATIONS

Scholarship cited in over 200 sources, including opinions by the U.S. Court of Appeals for the Sixth Circuit and the supreme courts of Massachusetts, Vermont, and Kansas, numerous lower court opinions, books, academic and professional articles, and briefs

BOOKS

- LEARNING PROFESSIONAL RESPONSIBILITY: FROM THE CLASSROOM TO THE PRACTICE OF LAW (2nd ed. West 2018) (with Leah Christensen)

BOOK CHAPTERS

- WASHINGTON LEGAL ETHICS DESKBOOK, *The Ethics of Criminal Practice* (2nd ed. WBA 2019) (forthcoming)

ACADEMIC JOURNALS

- *The Clarke Prize in Legal Ethics: An Introduction*, 53 GONZAGA L. REV. 335 (2018); 52 GONZAGA L. REV. 603 (2017).
- *Anticipatory Self-Defense Claims as a Lens for Re-Examining Zealous Advocacy and Anti-Bias Disciplinary Norms*, 49 TEXAS TECH. L. REV. 89 (2016)
- *Teaching Miranda at Its 50th Anniversary*, 80 J. SOCIAL ED. 20 (2016)
- *The Two-Sided Speedy Trial Problem*, 90 WASH. L. REV. ONLINE 31 (2015)
- *The Call for Lawyers Committed to Social Justice to Champion Accessible Legal Services through Innovative Legal Education*, 16 NEV. L.J. 251 (2015) (with Olympia Duhart & George Critchlow)

- *Miranda v. Arizona: 50 Years of Judicial Regulation of Police Interrogation*, 16 INSIGHTS ON LAW & SOCIETY 4 (2015)
- *Washington State's Legal Technician Limited License Practice Rule: A National First in Access to Justice*, 82 MISS. L.J. SUPRA 75 (2013)
- *Crawford and Beyond: How Far Have We Traveled from Roberts after All?*, 20 J.L. & POL'Y 517 (2012)
- *Imagining the Open Road*, 1 FLA. L. REV. F. 1 (2012)
- *Race and Ambivalent Criminal Procedure Remedies*, 47 GONZ. L. REV. 341 (2012)
- *Racial Profiling and a Punitive Exclusionary Rule*, 20 TEMP. POL. & CIV. RTS. L. REV. 29 (2010)
- *The Exclusionary Rule as Punishment*, 36 RUTGERS L. REC. 38 (2009)
- *A Relational Sixth Amendment during Interrogation*, 99 J. CRIM. L. & CRIMINOLOGY 381 (2009)
- *Confidentiality & Candor under the 2006 Washington Rules of Professional Conduct*, 43 GONZAGA L. REV. 327 (2008)
- *The Road 'Round Edmond: Steering through Primary Purposes and Crime Control Agendas*, 111 PENN. ST. L. REV. 293 (2006)
- *Holistic Advocacy: An Important but Limited Institutional Role*, 30 N.Y.U. REV. L. & SOC. CHANGE 637 (2006)
- *Testimonial Statements under Crawford: What Makes Testimony ... Testimonial?*, 71 BROOK. L. REV. 281 (2005)
- *Using Excited Utterances to Prosecute Domestic Violence in New York: The Door Opens Wide, or Just a Crack?*, 8 CARDOZO WOMEN'S L.J. 171 (2002)
- *Safeguarding Equal Protection Rights: The Search for an Exclusionary Rule under the Equal Protection Clause*, 37 AM. CRIM. L. REV. 1107 (2000)
- *Section 60.41 of the N.Y. Criminal Procedure Law: The Sexual Assault Reform Act of 1999 Challenges Molineux and Due Process*, 27 FORDHAM URB. L.J. 435 (1999)

PROFESSIONAL JOURNALS

- *Federalism and Criminal Procedure Symmetry: May States Accept Non-Unanimous Criminal Jury Verdicts When Federal Courts Cannot?*, __ A.B.A. PREVIEW __ (2019)
- *When a Vehicle is a Home: Does a Burglary Qualify as a Violent Felony under the Armed Career Criminal Act if the Definition Includes Burglary of a Vehicle That Is Designed or Used for Overnight Accommodation?*, 46 A.B.A. PREVIEW 30 (2018)
- *Does the Federal Drug Forfeiture Statute Impose Joint-and-Several Liability Among Drug Conspiracy Members?*, 44 A.B.A. PREVIEW 202 (2017)
- *What Are the Double Jeopardy Consequences of an Acquittal on a Related Conviction That Is Vacated?*, 44 A.B.A. PREVIEW 24 (2016)
- *When Is an Extortion Victim also a Partner in Crime? Defining the Scope of Hobbs Act Conspiratorial Liability*, 43 A.B.A. PREVIEW 27 (2015)
- *One Fish, Two Fish ... 72 Red Grouper Fish: Is a Fish Just a Fish or Is It also a "Tangible Object" under the Sarbanes-Oxley Act?*, 42 A.B.A. PREVIEW 70 (2014)
- *Criminal Procedure in the October 2013 Term: Cell Phones and Some Other Stuff*, 41 A.B.A. PREVIEW 321 (2014)
- *The Fourth Amendment in the October 2012 Term*, 40 A.B.A. PREVIEW 336 (2013)

- *Does a Judge's Participation in Plead Discussions Automatically Invalidate a Guilty Plea?*, 40 A.B.A. PREVIEW 316 (2013)
- *Who Bears the Burden of Proof When a Defendant Charged with Conspiracy Produces Evidence that He or She Withdrew Outside the Statute of Limitations?*, 40 A.B.A. PREVIEW 90 (2012)
- *Does the Fourth Amendment Permit a Jail to Strip Search All Inmates, Including Inmates Arrested for Minor Offenses?*, 39 A.B.A. PREVIEW 19 (2011) (co-author)
- *The Armed Career Criminal Act & Revised State Drug Sentencing: It Depends on What "Is" Means*, 38 A.B.A. PREVIEW 288 (2011)
- *Does the Federal Witness-Protection Murder Statute Require Proof That the Victim Would Have Communicated with a Federal Officer or Judge?*, 38 A.B.A. PREVIEW 261 (2011) (cross-posted on SCOTUSblog)
- *Does the Speedy Trial Act Exclude from Its Trial Deadline the Time During Which a District Court Resolves Any Pretrial Motions, Even When the Motions Do not Delay Trial?*, 38 A.B.A. PREVIEW 220 (2010) (cross-posted on SCOTUSblog)
- *When Are Defendants Exempt from a Minimum Consecutive Sentence under 18 U.S.C. § 924(c)?*, 38 A.B.A. PREVIEW 24 (2010) (cross-posted on SCOTUSblog)
- *How the Court Retooled Miranda*, NAT'L L.J. (July 14th, 2010)
- *May the State Require the Defense to Produce a Prosecution Witness for Cross-Examination?*, 37 A.B.A. PREVIEW 165 (2010)
- *Do Prisoners Have a Constitutional Right to the State's Biological Evidence?*, 36 A.B.A. PREVIEW 302 (2009)
- *Review of the U.S. Supreme Court's 2007 Criminal Term*, NAT'L L.J. (Aug. 2008)
- *Review of the U.S. Supreme Court's 2006 Criminal Term*, NAT'L L.J. (Aug. 2007)
- *Review of the U.S. Supreme Court's 2005 Criminal Term*, NAT'L L.J. (Aug. 2006)
- *Thorton Recasts Vehicle Searches under Belton*, N.Y. L.J. (Aug. 5th 2004)
- *Renewed Questions about Pretext Stops and Racial Profiling*, N.Y. L.J. (Sept. 15th, 2003)
- *Using Medical Hearsay Evidence to Prosecute Child Abuse*, N.Y. L.J. (March 26th, 2003)
- *Grounds May Exist to Challenge Orders Suspending Speedy Trials in Aftermath of September Attack*, 74 N.Y. ST. B.J. 34 (2002) (with Hon. Paul G. Feinman)
- *Pretext Stops and Racial Targeting Claims after People v. Robinson*, N.Y. DEF. ASSOC., DEF. PRACTICE REPT., at 11 (Sept.-Oct. 2002)
- *Has the High Court Bought Repeat Felons a Ticket to "Apprendi-Land?"*, N.Y. L.J. (Sept. 16th, 2002)
- *Reviewing Issues of Domestic Violence Victims' Privilege*, N.Y. L.J. (May 20th, 2002)
- *Juror Investigations by the Prosecution in New York*, N.Y. L.J. (Dec. 14th, 2000)
- *"Buy and Bust" Rulings Threaten Judicial Independence*, N.Y. L.J. (June 12th, 2000)
- *Supreme Court Raises Strategic Issues for Defense*, N.Y. L.J. (March 30th, 2000)
- *Defendants in Possession Cases Face a Standing Dilemma*, N.Y. L.J. (June 30th, 1999)
- *High Court Improves Standing of Social Guests*, N.Y. L.J. (Jan. 12th, 1999)

EDITORIAL POSITIONS

- WASHINGTON LEGAL ETHICS DESKBOOK (2nd ed. WSBA 2019) (forthcoming). Editorial board member, and lead editor on chapter addressing ethical issues involving Limited License Legal Technicians.
- *Reviewer*, NEW CRIMINAL LAW REVIEW (U.C. Press). A peer-reviewed, interdisciplinary journal examining criminal law topics in domestic, transnational, and international contexts.

OTHER WRITINGS

- Contributor, LEGAL ETHICS FORUM, 2012-2015
- *The LLLT Program in Washington State Progresses with a Comprehensive RPC Proposal*, AALS PROFESSIONAL RESPONSIBILITY NEWSLETTER (Fall 2014)
- Commentary, *Florence v. Board of Chosen Freeholders*, SCOTUSBlog (Oct. 11th, 2011)
- *The Court Debates Intent Versus Reasonable Possibilities*, SCOTUSblog (April 1st, 2011)
- *The Speedy Trial Act, Motion Time, and “Un-Cert-Worthy Questions”*, SCOTUSblog (Feb 23rd, 2011)
- *The Supreme Court Narrows an Exception to Mandatory Firearm Sentences*, SCOTUSblog (Nov. 17th, 2010)
- *Briscoe v. Virginia: A Post-Decision Interview*, A.B.A. PREVIEW ONLINE (Feb. 2010)
- Commentary, *Davis v. WA & Hammon v. IN*, SCOTUSblog (June 19th, 2006)
- Guest contributor, PRAWFSBLAWG, Aug.-Sept. 2005; Jan., June & Oct. 2006; June 2007; Aug. 2008; March 2009; June 2010; July 2012
- Contributing editor, CRIMPROF BLOG, 2008 to 2009

WORKS IN PROGRESS

- *Confronting the Bias Dichotomy in Jury Selection*
- *Sepultura as a Thrash Metal Guide to Social Justice Lawyering*

LAW TEACHING EXPERIENCE

Gonzaga University School of Law, Spokane, WA 2005-present

J. Donald and Va Lena Scarpelli Curran Faculty

Chair in Legal Ethics and Professionalism (2015-present)

Professor (2018)

Tenure granted (2013)

Associate Professor (2012)

Gonzaga Law Foundation Scholar (2009-2012)

Assistant Professor (2006)

Visiting Assistant Professor (2005)

Courses Taught:

Professional Responsibility

Criminal Law

Criminal Procedure

Advanced Criminal Procedure

Comparative Criminal Law

Constitutional Law I

Perspectives on the Law

Trial Advocacy

Administrative Appointments:

Associate Dean for Academic Affairs (2017-2018)

Director, Gonzaga Law in Florence (2016-2019)

Committee Assignments:

University Faculty Senate (2019-2020) (elected by faculty)

University Provost Search Committee (Fall 2018) (Presidential appointment)

University International Education Council (2017-19) (Provost appointment)

Recruitment Committee (2019)

Assessments Committee (2019)

Bar Support Committee (2019)

Academic Affairs Committee (*ex officio*) (Fall 2018)

Academic Affairs Committee (*ex officio*) (2017-18)

Center for Civil and Human Rights Steering Committee (2017-19)

Budget Committee (2017-18)

Ad Hoc Externship Program Committee (2017)

Promotion, Retention, and Tenure Committee (2016-18) (elected by faculty)

Budget Committee (2016-17) (chair)

All-Purpose Summer Committee (2015)

Diversity (2014-15) (chair)

University Grievance Committee (2014-15) (Presidential appointment)

Ad Hoc Recruitment (2015)

Strategic Planning (2013-14)

Academic Affairs (2013-14)

Ad Hoc International Program Committee (2013-14)
 Academic Affairs (2012-13) (chair)
 Dean's Advisory (2012-13) (elected by faculty)
 Strategic Planning (2012-13)
 Strategic Planning (2011-12)
 Dean's Advisory (2011-12) (elected by faculty)
 Academic Affairs (2011-12)
 University Committee on Graduate Programs (2009-2012)
 Dean's Advisory (2010-11) (elected by faculty)
 Faculty Recruitment (2010-11)
 Dean's Advisory (chair) (2009-10) (elected by faculty)
 Faculty Recruitment (2009-10)
 Faculty Development & Scholarship (2008-09)
 Diversity (2008-09)
 Ad Hoc Committee on Student Evaluation Instrument (2008-09)
 Dean's Advisory (2007-08) (elected by faculty)
 Diversity (2007-08)
 Admissions (2006-07)
 Diversity (2006-07)
 Ad Hoc Committee on School Size and Format (2006-07)
 Admissions (2005-06)
 Faculty Strategic Planning (2005-06)
 Student Affairs (2005-06)

Faculty Advisor: Hispanic Law Caucus; Criminal Law Society; Armed Forces Club

Brooklyn Law School, Brooklyn, N.Y. 2000-2002
Adjunct Legal Research & Writing Instructor

LEGAL PRACTICE EXPERIENCE

Federal Appellate Practice, Spokane, WA 2007-present
Criminal Justice Act Panel Attorney
 Representing indigent criminal defendants in the United States Court of Appeals for the Ninth Circuit.

Amicus Curiae Counsel

Reported Decisions:

United States v. Rose, 71 M.J. 138 (C.A.A.F. 2012)

New York County Defender Services, New York, N.Y. 2003-2005
Attorney in Charge of Legal Development
 Responsible for advising staff of approximately 30 attorneys on developments in criminal law, criminal procedure, and evidence. Researched and prepared the New York County Defender Services Law Bulletin. Designed and delivered CLE programs.

Staff Attorney 1998-2005

Represented indigent criminal defendants in all classes of felony and misdemeanor cases, from pre-arrest procedures to trial and post-conviction proceedings.

Legal Aid Society, Crim. Defense Div., Bronx, N.Y.

1994-1998

Staff Attorney

Represented indigent criminal defendants in all classes of felony and misdemeanor cases, from pre-arrest procedures to trial and post-conviction proceedings.

OTHER LEGAL WORK EXPERIENCE

Professor Pnina Lahav, Boston, MA

1993-1994

Boston University School of Law

Research Assistant

Hon. J. Anthony Kline, San Francisco, CA

Summer 1993

Presiding Justice, California Court of Appeal

Law Clerk

S.F. Public Defender Office, San Francisco, CA

Summer 1992

Law Intern

ACADEMIC PRESENTATIONS

SEALs Annual Conference, Boca Raton, FL

Aug. 2019

Keep It Simple: Giving Feedback in Large Classes

New Law Teachers Workshop

Clarke Prize Legal Ethics Conference, Spokane, WA

April 2019

The Ethical Implications of Artificial Intelligence Technologies

Program chair and presenter.

AALS Annual Conference, New Orleans, LA

Jan. 2019

Panel: *Bias in the Courtroom*

Presented paper, *Confronting the Bias Dichotomy in Jury Selection*.

SALT Teaching Conference, University Park, PA

Oct. 2018

Access to Justice in the Classroom

Panel presenter.

Providing Study Abroad Opportunities to First-Generation Students

Panel presenter.

The Pursuit of Justice, Spokane, WA

Sept. 2018

Bias in the Criminal Justice System

Panel at inaugural conference of the Center for Civil and Human Rights at Gonzaga Law.

Presented paper, *Confronting the Bias Dichotomy in Jury Selection*.

SEALs Annual Conference, Fort Lauderdale, FL Aug. 2018
Complying with the New A.B.A. Standards on Assessment and Feedback
Presented on assessing students in an asynchronous, online doctrinal course.

Clarke Prize Legal Ethics Conference, Spokane, WA April 2018
Access to Justice as an Ethics Question
Program chair and presenter.

Gonzaga Journal of International Law Symposium, Spokane, WA April 2018
American Leadership in International Economic Law in the 21st Century
Moderator to panel on the current U.S. administration's leadership in international economic law in the 21st century.

35th International Congress on Law & Mental Health, Prague, CZ July 2017
Therapeutic Jurisprudence: Perspectives and Practices in Criminal Sentences
Panel discussant and moderator.

Clarke Prize Legal Ethics Conference, Spokane, WA April 2017
Ethics & Technology: Emerging and Evolving Issues
Program chair and moderator.

Gonzaga Journal of International Law Symposium, Spokane, WA April 2017
Global Gender Equality: Bridging the Gap
Education and leadership panel moderator.

SALT Teaching Conference, Chicago, IL Oct. 2016
Important and Different Ways to Promote Diversity in the Classroom
Panel presenter.
Access to Justice and Curriculum Reform
Panel presenter.

Clarke Prize Legal Ethics Conference, Spokane, WA April 2016
The Three Hardest Questions
Program chair, moderator, and presenter.

Gonzaga University School of Law Faculty Colloquia, Spokane, WA March 2016
A Critical Look at Lawyer Advocacy and Gender in Anticipatory Self-Defense Cases
Presenter.

Seattle University Poverty Law Conference, Seattle, WA Feb. 2016
Why Ordinary People Frequently Cannot Obtain Legal Assistance and What Legal Educators Can Do About It
Panel participant.

Gonzaga University School of Law Faculty Colloquia, Spokane, WA Feb. 2016
Why Ordinary People Frequently Cannot Obtain Legal Assistance and What Legal Educators Can Do About It
Panel participant.

AALS Annual Conference, New York, NY Jan. 2016
A Critical Look at Lawyer Advocacy, Gender, and Anticipatory Self-Defense Claims
Presented on ethical issues involving gender and anticipatory self-defense claims as part of a Texas Tech University Law Review symposium, *Punishing Violence Against Women: Seeking the Right Balance*

Lewis & Clark Law School Faculty Colloquia, Portland, OR Oct. 2015
Three Perspectives on Limited License Legal Technicians
Presenter.

Gonzaga University School of Law Faculty Colloquia, Spokane, WA Oct. 2015
Three Perspectives on Limited License Legal Technicians
Presenter.

Clarke Prize Legal Ethics Conference, Spokane, WA April 2015
Social Media and Legal Ethics
Program chair and moderator.

Society of American Law Teachers, Chicago, IL March 2015
Limited License Legal Technicians and Legal Education
Roundtable presenter.

Gonzaga Faculty Roundtable, Spokane, WA Oct. 2014
Should Law Teachers Committed to Social Justice Champion the De-Structuring of the Legal Profession?
Co-presenter.

SALT Teaching Conference, Las Vegas, NV Oct. 2014
Should Law Teachers Committed to Social Justice Champion the De-Structuring of the Legal Profession?
Panel participant.

Law & Society Annual Conference, Boston, MA May 2013
Criminal Justice Panel: Adjudication
Panel moderator and discussant.

Pursuit of Justice Conference, Spokane, WA April 2013
Hate Crimes Law & Intervention
Panel moderator.

Gonzaga Federalist Society, Spokane, WA March 2013

Discussant for presentation by Robert Alt on gun control and public safety.

University of Mississippi School of Law, Oxford, MS Feb. 2013

Mississippi Law Journal Symposium: Poverty & Access to Justice

Presenter, *Washington State's Legal Technician Limited License Practice Rule: A National First in Access to Justice.*

Gonzaga Federalist Society, Spokane, WA Nov. 2012

Discussant for presentation by Professor Richard Duncan, *Originalism and the Living Constitution: What if They Both Are Right?*

SALT Teaching Conference, Baltimore, MD Oct. 2012

Race & The Criminal Justice System:

Harmonizing Clinical & Doctrinal Teaching to Advance Social Justice

Panelist, presenter, and roundtable participant.

Gonzaga Law School, Spokane, WA Feb. 2012

How Far Did Crawford Take Us from Roberts After All?

Presented to faculty, students, and federal bar.

Brooklyn Law School, Brooklyn, NY Nov. 2011

Crawford & Beyond III

Presenter at symposium, co-sponsored by the Journal of Law & Policy, exploring perspectives on Confrontation Clause jurisprudence.

Gonzaga Federalist Society, Spokane, WA Nov. 2011

Discussant for presentation by Professor John Radsan, *The Irrelevance of Al Qaeda as a Legal Category.*

Gonzaga Law School, Spokane, WA Sept. 2011

Race & Criminal Justice in the West

Panel member, "Law Enforcement: From Police to Prosecutors," and presented paper, *Racial Bias and Criminal Justice Remedies.*

Gonzaga Federalist Society, Spokane, WA Sept. 2011

Discussant for presentation by Dr. Roger Pilon from the Cato Institute, *The Tea Party and the Constitution: The Roots of Deficits and the Debt Crisis.*

Gonzaga Federalist Society, Spokane, WA April. 2011

Libertarianism: Is It Right for America?

Moderated panel that included Manny Klausner, Esq.

Gonzaga Federalist Society, Spokane, WA March 2011

Guns Rights & the Second Amendment

Moderated panel that included Illya Shapiro from the Cato Institute.

- Gonzaga International Law Journal**, Spokane, WA March 2011
International Environmental Law in a Changing World
 Presented on ethics in environmental law, and participated in panel discussion.
- Gonzaga Law School**, Spokane, WA Jan. 2011
 Presented work-in-progress, *Kick-Ass Lawyering*.
- Texas Wesleyan Law School**, Fort Worth, TX Sept. 2010
 Presenter, *Kickin' Ass & Takin' Names: Zealous Advocacy and the Virtuous Lawyer*.
- Junior CrimProf Conference**, Chicago, IL July 2010
 Discussant for paper presented by John Bronsteen, Christopher Buccafusco & Jonathan Masur, *Retribution and the Experience of Punishment*, 98 CA. L. REV. 1463 (2010).
- ACLU-WA**, Seattle, WA July 2010
 Co-presented to ACLU-WA Board of Directors and Executive Staff on "Civil Liberties and the Right to Bear Arms."
- Law & Society Conference**, Chicago, IL May 2010
 Chaired panel, "Race and the Criminal Law," and presented paper, *Racial Profiling and a Punitive Exclusionary Rule*.
- Gonzaga Journal of International Law**, Spokane, WA March 2010
The War on Terror: From Guantanamo Bay to the Shores of Australia
 Presenter, *Teaching Virtuous Lawyering in a Post-9/11 World*, and participated on panel.
- Gonzaga Law School**, Spokane, WA March 2010
Faculty Roundtable
 Presented paper, *Zealous Advocacy and Virtuous Lawyering*.
- Gonzaga Law School**, Spokane, WA Feb. 2010
Atticus Finch & Legal Ethics
 Panelist exploring lessons from Atticus Finch's character in *To Kill a Mockingbird*, as part of the Spokane Public Library's "Big Read" program.
- Gonzaga Federalist Society**, Spokane, WA Feb. 2010
 Discussant for presentation by Professor John Rasdan, *Obama's Repackaging of Cheney's National Security Policies*.
- Gonzaga Law School**, Spokane, WA Oct. 2009
Referendum 71—Approve or Reject?
 Debated another faculty member on the policy and constitutional implications of Washington State's Referendum 71, addressing Washington State's same-sex domestic partnership law.
- ACLU-WA**, Seattle, WA July 2009

Civil Liberties and the Supreme Court's 2008 Term

Presented to the ACLU-WA Board of Directors and executive staff.

ACLU-WA, Seattle, WA June 2009

Executive Detention Law & Policy from President Bush to President Obama

Co-presented to the ACLU-WA Board of Directors and executive staff.

Gonzaga University Constitution Day, Spokane, WA

Oct. 2008

Voting Rights in the 21st Century

Presented overview of voting rights in the United States, from the Founding to the 2006 extension of the Voting Rights Act.

Junior CrimProf Conference, Washington, D.C.

Aug. 2008

Discussant for paper presented by Sonja Starr, *Sentence Reduction as a Remedy for Prosecutorial Misconduct*, 97 GEO. L.J. 1509 (2009).

Law & Society Conference, Montreal, Canada

June 2008

Presenter, *Can't Let Go: Obsession and the Criminal Law*, on panel dedicated to criminal law and emotions.

Gonzaga William O. Douglas Society, Spokane WA

April 2008

Faculty Debate: Student Free Speech

Moderated debate between faculty members on student free speech jurisprudence

Gonzaga Journal of International Law, Spokane, WA

Feb. 2008

International Trade: Law or Politics?

Panelist for presentation on "The World Trade Organization and the U.S."

Gonzaga William O. Douglas Society, Spokane, WA

April 2007

Faculty Debate: COPA and ACLU v. Gonzales

Debated faculty member on the constitutionality of the Child Online Protection Act and the U.S. District Court's decision in *ACLU v. Gonzales* (E.D. Pa. 2007).

Gonzaga Multicultural Law Caucus, Spokane, WA

Oct. 2006

Perceptions of Islam in Our Community

Panel member

N.Y.U. Journal of Law & Liberty, New York, N.Y.

Feb. 2006

Online Symposium: Anticipatory Search Warrants

Online panel exploring anticipatory search warrants under the Fourth Amendment, focusing on *United States v. Grubbs*, 126 S. Ct. 1494 (2006).

Gonzaga Multicultural Law Caucus, Spokane, WA

Feb. 2006

"Crash," the Movie: An Ethics Discussion

New York State Judicial Institute, White Plains, N.Y.

May 2005

Partners in Justice: A Colloquium on Developing Collaborations among Courts, Law School Clinical Programs, and the Practicing Bar

Submitted paper and participated in working groups seeking to generate ideas for improving the quality of legal representation. Paper addressed the “holistic advocacy” model of lawyering.

Brooklyn Law School, Brooklyn, N.Y.

Feb. 2005

Crawford & Beyond: exploring the Future of Confrontation in Light of Its Past

Symposium exploring the Supreme Court’s decision in *Crawford v. Washington*, 541 U.S. 36 (2004). Participated on panel addressing meaning of “testimonial” statements.

New York City Bar Association, New York, N.Y.

Sept. 2004

Crawford v. Washington and Its Effect

Symposium addressing *Crawford v. Washington*, 541 U.S. 36 (2004), and its impact on criminal practice. Presented paper outlining important recent decisions analyzing and applying *Crawford*, focusing on the continued viability of the excited utterance exception following *Crawford*.

New York State Judicial Institute, White Plains, N.Y.

April 2004

Annual New York City Criminal Court Judge’s Seminar

Panel member at judicial seminar examining issues in domestic violence prosecutions, including the impact of *Crawford v. Washington*, 541 U.S. 36 (2004), on “evidence-based” prosecutions.

PROFESSIONAL & CLE PRESENTATIONS

Representing Individuals with Mental Disabilities CLE, Spokane, WA April. 2019
Panel Participant

10th Annual SCBA Indian Law Conference, Spokane, WA
Ethics Co-Presenter

March. 2019

WSBA Ethical Dilemmas Seminar, Seattle, WA
Ethics Panel Participant

Nov. 2018

Annual Montana Federal Defender & MACDL Conference, Pray, MT March 2018
Ineffective Assistance and You: Understanding, Preventing, and Addressing IAC Claims
Keynote Ethics Presenter

Washington Defender Association, Seattle, WA

Dec. 2017

How Much Should You Prioritize Therapeutic Jurisprudence in Your Practice? Balancing Zealous Conscientious and Ardent Advocacy with Collaborative and Holistic Practice Models

Keynote Ethics Presenter

WSBA Ethical Dilemmas Seminar, Seattle, WA

Nov. 2017

Ethics Panel Participant

NACOLE 2017 Annual Conference, Spokane, WA Sept. 2017
Perspectives on the Law of Police Accountability
Presenter at annual conference of the National Association for Civilian Oversight of Law Enforcement

11th Annual Federal Civil Trial Practice Seminar, Richland, WA May 2017
Ethics & Technology 2.0: Emerging and Evolving Issues from the 2016 RPC Amendments
Keynote Ethics Presenter

Annual WSBA Trusts & Estate Section Conference, Seattle, WA April 2017
Co-Presenter on Legal Ethics and Technology

WSBA Ethical Dilemmas Seminar, Seattle, WA Nov. 2016
Ethics Panel Participant

Washington Defender Association Conference, Spokane, WA Nov. 2016
The Ethics of Social Media Investigations

Annual Montana Public Defense Conference, Bozeman, MT Oct. 2016
The Ethics of Social Media Investigations

10th Annual WSBA Solo and Small-Firm Conference, Seattle, WA July 2016
Ethics in the 21st Century Practice

New York County Defender Services, New York, NY Jan. 2016
The Ethics of Mobile Computing and Social Media in a Criminal Practice

WSBA Small Firm CLE, Spokane, WA Dec. 2015
Ethics and Technology Webinar for the Solo Practitioner

WSBA Ethical Dilemmas Seminar, Seattle, WA Nov. 2015
Ethics Panel Participant

Gonzaga Intellectual Property Merit Scholarship CLE, Spokane, WA Sept. 2015
Ethical Issues Relating to Prospective IP Clients

WSBA Elder Law Conference, Seattle, WA Sept. 2015
The Ethics of Working with Trusts and Trustees

10th Annual WSBA Solo and Small-Firm Conference, Spokane, WA July 2015
Ethics and Technology for the Solo Practitioner

Law Day Program, Spokane, WA May 2015
Magna Carte: Symbol of Liberty under the Rule of Law

Federal Defender of Eastern Washington and Idaho, <i>Ethics and Ineffective Assistance of Counsel Waivers</i>	Dec. 2014
WSBA Ethical Dilemmas Seminar, Seattle, WA Ethics Panel Participant	Nov. 2014
Hands Up! Don't Shoot!, Spokane, WA Moderated student-led panel discussion on issues of police accountability and race.	Oct. 2014
WA State Office of Public Defense, Spokane, WA <i>Criminal Defense CLE</i> Co-presented on preserving records for appeal.	Sept. 2014
WA State Office of Public Defense, Vancouver, WA <i>Capital Defense Training Conference</i> Co-presented on "Confidentiality and Capital Case Mitigation." Also participated in panel discussion on preserving issues for appellate review.	Aug. 2014
Clark Family Ethics CLE, Spokane, WA Presenter and panelist addressing the ethical implications for lawyers of practicing with limited license legal technicians.	April 2014
PB & J Lunch Presentation, Spokane, WA <i>The Ethics of Journalism Advocacy</i> Panelist focusing on ethical consideration for lawyers when collaborating with or retaining non-lawyer professionals such as journalists.	March 2014
PB & J Lunch Presentation, Spokane, WA <i>Peremptory Challenges and Jury Selection</i> Co-Moderator to presentation by Washington Supreme Court Justice Steven González.	March 2014
Washington Defender Association, Seattle, WA <i>Ethics 2013: Celebrating Gideon & the Right to Competent Counsel</i> Presented, <i>Preparing a Case for the Next Stage: Competence When Closing a Case.</i>	Dec. 2013
WSBA Ethical Dilemmas Seminar, Spokane, WA Ethics Panel Participant	Oct. 2013
WA State Office of Public Defense, Spokane, WA <i>Capital Defense Training Conference</i> Lectured on ethical requirements and considerations before accepting a capital case.	Aug. 2013
WSBA Ethical Dilemmas Seminar, Spokane, WA Ethics Panel Participant.	Nov. 2012

Washington Defender Association, Spokane, WA Lectured on current issues concerning effective assistance of counsel.	Nov. 2012
5th Annual WSBA Intellectual Property Institute, Spokane, WA Lectured on ABA Model Rules 2012 technology amendments.	Oct. 2012
Prosecutor & Defender Panel, Spokane, WA Moderated panel of prosecutors and defense lawyers addressing careers in criminal law.	Oct. 2012
Washington State Office of Public Defense, Yakima, WA <i>Panel Participant</i> Addressed the Washington Supreme Court's new indigent defense standards.	Aug. 2012
WSBA Ethical Dilemmas Seminar, Spokane, WA Ethics Panel Participant	Nov. 2011
Prosecutor & Defender Panel, Spokane, WA Moderated panel of prosecutors and defense lawyers addressing careers in criminal law.	Oct. 2011
Seattle Public Defender Office, Seattle, WA The Ethics of Padilla v. Kentucky & Adverse Consequences to Criminal Conviction	Aug. 2011
WSBA Law of Lawyering Seminar, Seattle, WA <i>Ethics of Criminal Defense</i> Panel chair and participant, appearing with Tom Hillier, Esq., Federal Defender for the Western District of Washington, Annette Hayes, Esq., First Assistant U.S. Attorney for the Western District of Washington, and Carl Oreskovich, Esq.	Nov. 2010
WSBA Moderate Means Program, Seattle, WA Online Ethics Video	Oct. 2010
Tri-Cities Legal Aid CLE, Tri-Cities, WA <i>Preview of U.S. Supreme Court's 2010 Term</i>	Oct. 2010
Gonzaga Law School Ethics Program, Spokane, WA <i>Ethics and the 1st Amendment</i>	July 2010
Federal Defender of Eastern Washington, Spokane, WA <i>Confidentiality, Candor & Zeal in the Eastern District</i>	June 2010
Seattle Public Defender Office, Seattle, WA <i>Confidentiality, Candor & Zeal under the Washington RPC</i>	March 2010
Washington State Association for Justice, Spokane, WA <i>The Scent of Ethics: A Potpourri—New Rules and More</i>	Dec. 2009

Spokane City Prosecutor's Office, Spokane, WA <i>The Brady Rule as an Intersection of Constitutional Law, Ethics, and Strategy</i>	April 2009
Idaho Assoc. of Criminal Defense Lawyers, Sun Valley, ID Ethics seminar at annual retreat	March 2009
Gonzaga Law School Ethics Program, Spokane, WA Mission Possible Fundraising CLE	Jan. 2009
WA State Criminal Defense Lawyers Assoc., Winthrop, WA Ethics seminar at annual retreat	April 2008
Gonzaga Law School Ethics Program, Spokane, WA Thomas More Society CLE seminar	Jan. 2008
Idaho Assoc. of Criminal Defense Lawyers, Coeur d'Alene, ID <i>Mental Health and Criminal Defense Ethics</i>	Sept. 2007
Gonzaga Law School Ethics Program, Spokane, WA Reunion ethics seminar	Aug. 2007
WA State Office of Public Defense, Spokane, WA <i>The 2006 Washington RPC and Criminal Practice</i>	July 2007
Washington State Office of Public Defense, Vancouver, WA <i>The 2006 Washington RPC and Criminal Practice</i>	June 2007
ACLU-WA, Spokane, WA Police Accountability Seminar	Dec. 2006
Washington State Trial Lawyer's Assoc., Spokane, WA <i>Confidentiality & Candor under the New Washington RPC</i>	Dec. 2006
Washington State Office of Public Defense, Ocean Shores, WA <i>The 2006 Washington RPC and Criminal Practice</i>	Nov. 2006
Washington State Office of Public Defense, Wenatchee, WA <i>The 2006 Washington RPC and Criminal Practice</i>	Nov. 2006
Gonzaga Law School Ethics Program, Spokane, WA <i>Taking Law Seriously</i>	Aug. 2006
Gonzaga Phi Delta Phi, Spokane, WA <i>Legal Ethics in the 21st Century</i>	March 2006
Misc. CLE Presentations, New York, N.Y.	

- Presentation on New York grand jury practice (March 2005).
- Presentation on recent Fourth Amendment developments (Feb. 2004).
- Presentation on speedy-trial issues following the 9/11 terrorist attack, co-taught with Hon. Paul G. Feinman, Justice of the New York State Supreme Court, Appellate Division (June 2002).

MEDIA APPEARANCES

- Ryan Gabrielson, *Sustained Objections*, PRO PUBLICA 10/28/2016
- Mitch Ryals, *There's No Defense*, THE INLANDER 04/28/2016.
- Matt Shafer Powell, *Justice for All: The Sum and Its Parts*, WUOT RADIO (NPR Tennessee) 08/29/13.
- Jacob Jones, *Freedom Lovers*, THE INLANDER 02/19/2013.
- Joe O'Sullivan, *Homeland Droneland*, THE INLANDER 07/03/2012.
- Robert Barnes, *As Stevens Retires from Court, One Final Duel with Scalia*, WASHINGTON POST 07/26/10.
- Marcia Coyle, *Justices to Review Speedy Trial Quagmire*, NAT'L L.J. 01/12/09.
- KPBX SPOKANE (NPR), All Things Considered segment on police surveillance (2009).
- Editorial, *Our View: Remove the Limits*, SPOKESMAN REVIEW 08/29/07.
- Corey Stephensen, *It's the First Monday in October, and They're Baaack ...*, MINN. LAWYER 10/02/2006.
- Corey Stephenson, *U.S. Supreme Court Begins Its New Term*, ST. LOUIS DAILY REC. AND ST. CHARLES CO. BUS. REC. 10/01/06.
- Reni Gertner, *Court Rules on Admissibility of 911 Calls, Statements to Police*, ST. LOUIS DAILY REC. AND ST. CHARLES CO. BUS. REC. 07/06/06.
- Dan Mitchell, *What's Online: Doing Executive Time*, N.Y. TIMES 9/24/05.

PROFESSIONAL SERVICE

- **Society of American Law Teachers**
 - Board of Governors 2013-present
 - Executive Committee 2016-present
 - Co-Chair, Access to Justice Committee 2016-present
- **WSBA Committee on Professional Ethics** 2017-present
 - Committee Member*
- **Center for Civil and Human Rights at Gonzaga Law** 2018-present
 - Board of Advisors*
- **WSBA Council on Public Defense**
 - Chair 2010-2017
 - Vice-Chair 2014-2016
 - 2012-2014
 - Emeritus Member* 2017-2018
- **American Bar Association** 2015-present
 - Screening Committee, Silver Gavel Awards for Media and the Arts*
- **ACLU-WA**

<i>Board of Directors</i>	2007-2013
<i>Legal Committee</i>	2011-2018
• New York City Bar Association <i>Criminal Law Committee</i>	2012-2015
• WSBA Limited License Legal Technician Board <i>LLLT RPC Committee</i> <i>Lawyer RPC Concordance Committee</i>	2013-2014
• Washington State Office of Public Defense <i>Chair, Capital Defense Training Program</i>	2013-2014
• National Organization of Bar Counsel <i>Alternative Licensure Committee</i>	2015
• Washington State Office of Public Defense <i>RFP Evaluator</i>	2012
• Washington State Criminal Justice Summit <i>Summit Participant</i>	2009-2010
• Spokane County Bar Association <i>Judicial Candidate Evaluation Panel Member</i>	2007-2011

BAR ADMISSIONS & MEMBERSHIPS

- U.S. Court of Appeals for the Armed Forces (2012)
- U.S. Court of Appeals for the Ninth Circuit (2007)
- New York State (1995)
- Association of American Law Schools
- American Bar Association