

# MICHELE H. BERGER, ESQ.

ASSISTANT DIRECTOR OF ACADEMIC SUCCESS AND BAR PROGRAMMING

ADJUNCT PROFESSOR

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## EDUCATION

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### **Thomas Jefferson School of Law, San Diego, CA**

J.D., Cum Laude

*Certificate:* Global Legal Studies

*Law Review:* Thomas Jefferson Law Review, Editor

*Study Abroad:* DePaul University, International Human Rights Law Institute, Costa Rica

*Awards:* Pro Bono Honors Distinctions

### **Salem State University, Salem, MA**

B.A., English, Cum Laude

*Certificate:* MA Department of Elementary and Secondary Education, Teacher English 8-12

*Study Abroad:* Universidad de Oviedo, Oviedo, Spain

*Double Minor:* Spanish and Secondary Education

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## COURSES TAUGHT

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### **Gonzaga University School of Law, Spokane, WA**

- Pre-Bar Exam Seminar
- Mastering the Multistate Performance Test
- Professional Foundations

### **Thomas Jefferson School of Law, San Diego, CA**

- Advanced Legal Analysis
- Lawyering Skills II
- Mastering the Performance Test
- Legal Foundations

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## PROFESSIONAL LICENSES & AFFILIATIONS

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- State Bar of California, Dec. 2009 (266798) – currently inactive
- New York State Unified Court System, July 2010
- CA Bar Association
- NY State Bar Association
- MA Teacher Certification, English 8-12
- Association of Corporate Counsel
- Law School Affiliations:
  - La Raza
  - International Law Society
  - Phi Alpha Delta
  - Tax Law Society
  - San Diego County Bar Association

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## LAW SCHOOL EXPERIENCE

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### **Gonzaga University School of Law, Spokane, WA**

*Assistant Director of Academic Success & Bar Programming; Adjunct Professor*

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Work with the Dean of Student Success and Director of Academic Success and Bar Programming to further develop the academic success and bar programs. Working to maintain compliance with ABA standards, increase the overall bar passage rate, and ensure student success.

This position aides in providing social/emotional support to law students and connecting students in crisis with resources on campus and in the community. The Assistant Director of Academic Support and Bar Programming helps the Director of Academic Support and Bar Programming with law school efforts on academic support and bar exam support programming. This includes support to first-year law students, particularly those at academic risk.

The Assistant Director of Academic Support and Bar Programming assists with interviewing, hiring, training, supervising, and coordinating the Smitty Teaching Fellows, which is a peer-mentoring program. The Assistant Director of Academic Support and Bar Programs works closely with students who are at risk of academic dismissal or probation.

Additionally, this position works with students who are at risk for not passing the bar exam. In the role of Adjunct Professor, this position is responsible for creating, coordinating, and teaching academic success and bar exam preparation courses. The Assistant Director of Academic Support and Bar Programming continues to work with graduates as they engage in full time bar study, supporting and supplementing the graduates' work with their commercial bar preparation company.

### *Professional Service*

Diversity, Equity, and Inclusion Committee – member

### **Thomas Jefferson School of Law, San Diego, CA**

#### *Professor and Associate Director of Academic Success & Bar Preparation*

Hired as an educator to assist the Academic Success and Bar Preparation departments with the ultimate goal of bringing the school into compliance with ABA standards as well as increasing the overall bar passage rate. Taught courses to students in all levels of their law school careers.

For first year students, taught a course designed for students facing academic dismissal due to low overall GPA. Developed weekly goals for students, designed class activities, and generated assignments focusing on improving issue spotting, analysis, time management, and multiple-choice questions. Historically, less than 20% of the students enrolled in this required course remained at in law school after their first year. As a Professor for that course, nearly 85% of enrolled students increased their GPA and remain enrolled.

For second year students, taught a course designed to help students refine their writing skills and applying deeper analysis on law school essays. This position required creating and drafting exam hypotheticals, sample answers, and rubrics for contracts and negligence, providing detailed feedback to the students so they could improve their writing.

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## ADJUNCT PROFESSOR

For students in their final year of law school, taught a course designed for students in their penultimate semester, which focused on MBE skills, using the subjects of Torts, Contracts, and Civil Procedure. Additionally, taught a writing intensive course designed to give students the skills needed to receive a passing score on the performance test portion of the bar exam. The writing intensive course required the professor to adjust and develop curriculum and lesson plans to meet the needs of students enrolled full time, individually and through department meetings.

The Associate Director of Academic Success & Bar Preparation created workshops for students to prepare for the state bar exam; held individual student meetings to ensure success in law school as well as on the bar exam; held required 3L meetings to ensure students had met all requirements for graduation and had a study plan for the bar exam. Additionally, this position assisted with the continuing bar candidate program, helping those repeating a bar exam administration.

Served as a recruiter for the Admissions department; travelled to graduate school and law school fairs throughout the country to recruit students to Thomas Jefferson School of Law.

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## LEGAL EXPERIENCE

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### **Lincoln Credit Center & USA Credit Solutions, San Diego, CA**

#### *Managing Attorney*

Secured as legal counsel to assist with establishing a legal department for a company focused on marketing debt resolution services. Assisted in the development of processes to manage volume business, which allows the company to continually serve all clients and is responsible for recruiting and managing over two dozen outside counsel who work on client matters.

Conducted legal research to ensure compliance with federal and state regulations with regards to both employment matters and customer products offered by the company. Drafted consumer, marketing, independent contractor, non-disclosure and non-interference, and employment contracts. Managed company legal issues with government administrative agencies while maintaining knowledge of current issues affecting the industry.

### **Cleinman Performance Partners, Oneonta, NY**

#### *Corporate Counsel*

Secured as counsel to establish and manage the legal department for the largest consulting firm for large optometry practices in the United States. Handled all aspects of in-house legal work, including Intellectual Property, Human Resources, and client research and transaction work which aides both clients and company to make effective business decisions. Drafted transaction documents for real estate transactions; mergers and acquisitions; employment and succession agreements resulting in increased production for the business in a shorter amount of time.

Collaborated with and manage outside legal counsel on litigation matters to ensure a resolution in the company's favor. Established best practices and performed in-house legal audit. Assisted in developing business relationships with foreign companies.

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## **The Law Offices of Michele H. Berger, Esq., California & New York**

### ***Contract Attorney***

Engaged in contract work for private law firms and individual clients in a wide array of legal fields. Interpreted and applied laws, court decisions and other legal authority for use in preparation of cases, opinions, briefs, and advisory letters. Advised individual clients on education matters, successfully generated results for a defense firm with regards to unprecedented issues; engaged in legal research to understand education law, tort law, business law, and matrimonial law.

This position dealt with real property transfers: residential (multi-family), agricultural, individuals to trusts; marital dissolutions in New York; contract drafting; Special Education advising regarding autistic student placement; debt resolution services; represented title insurance companies as a contract attorney with Miltner & Menck, APC in San Diego, CA; personal injury law as a law clerk, then contract attorney for The Law Offices of Michael L. Trestick, San Diego, CA - personal injury law.

## **US District Court for the Southern District of CA, San Diego, CA**

### ***Legal Extern, Magistrate Judge Leo S. Papas***

Drafted Orders and Reports and Recommendations which were adopted by the Judge after thorough research and reviewing motions.

## **San Diego Volunteer Lawyer Program, Education Division, San Diego, CA**

### ***Legal Extern***

Wrote legal memoranda and communications to pro bono attorneys regarding cases; prepared client intakes.

## **Thomas Jefferson School of Law, San Diego, CA**

### ***Summit Mentor***

Designed small group sessions to assist first year students achieve success in their classes; counseled individuals on test taking skills.

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## **PUBLICATIONS**

Berger, Michele H., *Negligence or State-Created Danger: Two Avenues for Injured Student Informants Pursuing School Liability*, 30 U. LA VERNE L. REV. 94 (2008)

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## **OTHER SCHOOL TEACHING EXPERIENCE**

### **Substitute/Home School Teacher & Tutor, New York**

#### ***Elementary, Middle, and High School***

Implemented lesson plans; maintained attendance records; went to students' homes to carry out lesson plans as an accommodation for students with disabilities.

### **English Teacher/Senior Coordinator/Softball Coach, Phoenix, Arizona**

#### ***High School***

Created curriculum for English classes for a new school, grades 9-12. Performed credit audits for all students transferring into the school to ensure all necessary class requirements were met. Scheduled classes for all senior and junior students. Coordinated senior fundraisers, trips, and

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graduation. Coached students in softball in a charter and home-school league; coordinated team fundraisers.

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## PROFESSIONAL SKILLS

✦ Dedicated and Passionate Educator ✦ Student Counseling and Relationship Building ✦ Designing and Developing, Adjusting and Implementing Curriculum ✦ Public Speaking ✦ Providing detailed feedback on student writing ✦ Collaboration with Colleagues ✦ Student, Team, & Project Management ✦ Fluency in Spanish ✦ Corporate Transactions ✦ Contract Drafting & Negotiation ✦ Real Estate Transactions ✦ Litigation Management & Trial Experience ✦ Intellectual Property ✦ Regulatory Compliance ✦ Research Case Law, Statutes, Local Regulations ✦ Legal Synthesis and Analysis ✦ Employment Liability ✦ Human Resources ✦ Recruiter ✦

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## VOLUNTEER WORK

- Pacific Beach United Methodist Church “Wednesday Night Ministry”
- Overnight Walk with American Foundation for Suicide Prevention
- San Diego Youth Services Mentor
- Warrior Dash
- Conservation Alliance New York (CANY) Donation Program of Otsego and Delaware Counties
  - Golf Tournament
  - Dinner Banquet
- Dirty Girl Mud Run
- Good Year Lake Polar Bear Jump - sponsor
- City Recreational League Softball Team Manager
- Walk for Autism
- VITA Clinic
- PAD Vice Justice