

*ALAN W. CLARKE*  
*PROFESSOR OF INTEGRATED STUDIES*  
*Utah Valley University*  
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**Permanent Resident of Canada**

**EDUCATION**

Osgoode Hall Law School, York University	Ph.D. 2010
Queen's University	LL.M. 1994
College of William and Mary	J.D. 1975
College of William and Mary	B.A. 1972 - Philosophy
Western Michigan University	Ph.D. work - in Sociology (methods, punishment, etc.)

**ACADEMIC APPOINTMENTS**

Utah Valley University Professor of Integrated Studies Associate Professor of Integrated Studies	Integrated Studies 2009 - Present 2003 - 2009
York University Fellow – Nathanson Centre for Transnational Human Rights, Crime and Security	Osgoode Hall Law School September 2014 - April 2015
University of St. Thomas Endowed Chair, Criminology & Criminal Justice	January 1, 2012 to April 30, 2012
University of Manitoba Visiting Research Associate	Faculty of Law Winter 2011
University of Wisconsin - Parkside Assistant Professor of Criminal justice	Criminal Justice Department 2001 - 2003
Ferris State University Assistant Professor of Criminal Justice	School of Criminal Justice 1997 - 2001

Michigan Technological University  
Visiting Scholar

Humanities Department  
Summer 1998 & 2000

### RESEARCH INTERESTS

Comparative, international and transnational criminal law and human rights; criminology and criminal justice policy; habeas corpus, civil rights, legal history, law and society

### FELLOW

George Romney Institute for Law and Public Policy Fellow, Adrian College, April 4, 2013

### BOOK CONTRACT

Laurie Whitt and I have a book contract to write *North American Genocides: Settler Colonialism and International Criminal Law* for Cambridge University Press

### PUBLICATIONS

#### BOOKS

Alan W. Clarke, *Rendition to Torture*, Rutgers University Press (2012)

Alan W. Clarke & Laurelyn Whitt, *The Bitter Fruit of American Justice: International and Domestic Resistance to the Death Penalty*, Northeastern University Press (2007)

#### LAW REVIEWS

Laurelyn Whitt and Alan W. Clarke, *Bringing it Home: North American Genocides*, 20 THE JOURNAL OF GENDER, RACE AND JUSTICE 263 (2017)

Alan W. Clarke and David Gespass, *Successes and Failures: Assessing the ICTY After Prosecutor v. Radovan Karadžić*, 73 NATIONAL LAWYERS GUILD REVIEW 232 (2017)

Alan W. Clarke and Laurelyn Whitt, *State Execution: A Morally Indefensible Proposition*, 70 NATIONAL LAWYER'S GUILD REVIEW 248 (2013)

Alan W. Clarke, *U.S. War Crimes: Torture as Official Bush Administration Policy*, 66 NATIONAL LAWYER'S GUILD REVIEW 95 (2009)

Alan W. Clarke, *Rendition to Torture: A Critical Legal History*, 62 RUTGERS LAW REVIEW 1 (2009)

Alan W. Clarke, *De-cloaking Torture: Boumediene and the Military Commissions Act*, 11 SAN DIEGO INTERNATIONAL LAW JOURNAL 59 (2009)

Alan W. Clarke, *Creating a Torture Culture*, 32 SUFFOLK TRANSNATIONAL LAW REVIEW 1 (2008)

Alan W. Clarke and Laurelyn Whitt, *Problem Without Borders: A Comment on Garrett's Judging Innocence*, 33 QUEEN'S LAW JOURNAL 619 (2008)

Morris Jenkins, Bradene Moore, Alan W. Clarke, and Eric Lambert, *DUI Treatment Programs and Religious Freedom: Does Cutter v. Wilkinson Change the Analysis?* 5 MARYLAND LAW JOURNAL OF RACE, RELIGION, GENDER AND CLASS 351 (2005)

Alan W. Clarke, *The Ku Klux Klan Act and the Civil Rights Revolution*, 7 THE SCHOLAR: THE ST. MARY'S LAW REVIEW ON MINORITY ISSUES 151 (2005)

Alan W. Clarke, Laurie Anne Whitt, Eric Lambert & Oko Elechi, *Does the Rest of the World Matter? Sovereignty, International Human Rights Law and the American Death Penalty*, 30 QUEEN'S LAW JOURNAL 261 (2004)

Alan W. Clarke, *Issue Editor's Note*, 61 (2) GUILD PRACTITIONER (Spring 2004)

Alan Clarke, *The Death Penalty in International Law*, 60 (2) GUILD PRACTITIONER 86 (Spring 2003)

Alan W. Clarke, *Terrorism, Extradition and the Death Penalty*, 29 WILLIAM MITCHELL LAW REVIEW 783 (2003)

Laurie Anne Whitt, Alan W. Clarke & Eric Lambert: *Innocence Matters: How Innocence Recasts the Death Penalty Debate*, 38 CRIMINAL LAW BULLETIN 670 (2002)

Alan W. Clarke, Eric Lambert, Laurie Anne Whitt, *Debating the Death Penalty: The Impact of Innocence*, 59(2) GUILD PRACTITIONER 116 (Spring 2002)

Alan W. Clarke, Eric Lambert, and Laurie Anne Whitt, *Executing the Innocent: The Next Step in the Marshall Hypothesis*, 26 NEW YORK UNIVERSITY REVIEW OF LAW & SOCIAL CHANGE 309 (2000-2001)

Alan W. Clarke, *Habeas Corpus: The Historical Debate*, 14 NEW YORK LAW SCHOOL JOURNAL OF HUMAN RIGHTS 375 (1998)

Alan W. Clarke, *Procedural Labyrinths and the Injustice of Death: A Critique of Death Penalty Habeas Corpus, (Part Two)*, 30 UNIVERSITY OF RICHMOND LAW REVIEW 303 (1996)

Alan W. Clarke, *Procedural Labyrinths and the Injustice of Death: A Critique of Death Penalty Habeas Corpus, (Part One)*, 29 UNIVERSITY OF RICHMOND LAW REVIEW 1327 (1995)

Alan W. Clarke & Steven Pershing, *Back to the future: Local redistricting for minority votes in Virginia*, 3 VIRGINIA TRIAL LAWYERS ASSOCIATION LAW JOURNAL 19 (1991)

Alan W. Clarke, *Virginia's Capital Murder Sentencing Proceeding: A Defense Perspective*, 18 UNIVERSITY OF RICHMOND LAW REVIEW 341 (1984)

#### SOCIAL SCIENCE JOURNALS

Eric G. Lambert, Scott D. Camp, Alan Clarke, Shanhe Jiang, *The Impact on Death Penalty Support, Revisited*, CRIME AND DELINQUENCY (2011)

Eric Lambert, Alan Clarke and Nancy Hogan, *Multivariate Analysis of Reasons for Death Penalty Support Between Male and Female College Students: Empirical Support for Gilligan's 'Ethics of Care'*, CRIMINAL JUSTICE STUDIES (2009)

Eric Lambert, Nancy Hogan, Bradene Moore, Morris Jenkins, Shanhe Jiang, and Alan Clarke. (2008). *The Death Penalty Attitudes of Criminal Justice Students: Are They Different From Other Students?* 21 (2) REVIEW OF CRIMINAL JUSTICE STUDIES: A CRITICAL JOURNAL OF CRIME, LAW AND SOCIETY (2008)

Eric Lambert, Nancy Hogan, Eugene Paoline, and Alan Clarke, *The Impact of Role Stressors on Job Stress, Job Satisfaction, and Organizational Commitment Among Private Prison Staff*, 18 SECURITY JOURNAL 33 (2005)

Eric Lambert, Daniel Hall, Alan Clarke, Lois A. Ventura, O. Oko Elechi, *The War on Terrorism: The Views of Criminal Justice and Non-Criminal Justice Majors on Terrorism and the Punishment of Terrorists*, ELECTRONIC JOURNAL OF SOCIOLOGY (2005)

Eric Lambert, Alan Clarke, and Janet Lambert, *Reasons for Supporting and Opposing Capital Punishment: A Preliminary Study*, THE INTERNET JOURNAL OF CRIMINOLOGY (2004)

Eric Lambert, Alan W. Clarke & Janet Lambert, *Crime, Capital Punishment, and Knowledge: Are Criminal Justice Majors Better Informed Than Other Majors About Crime and Punishment?* 41 SOCIAL SCIENCE JOURNAL 53 (2004)

Eric G. Lambert, Lois A. Ventura, Daniel E. Hall, Alan Clarke, O. Oko Elechi, David N. Baker, Morris Jenkins, *United We Stand? Differences Between White and Nonwhite College Students in Their Views on Terrorism and Punishment of Terrorists*, 1 JOURNAL OF ETHNICITY IN CRIMINAL JUSTICE 91 (2003)

Eric Lambert, Terry Nerbonne, Phillip Watson, Jack Buss, Alan Clarke, Nancy Hogan, Shannon Barton, and Janet Lambert, *The Forensic Science Needs of Law Enforcement Applicants and Recruits: A Survey of Michigan Law Enforcement Agencies*. 14 JOURNAL OF CRIMINAL JUSTICE EDUCATION 67 (Spring 2003)

Eric Lambert, Nancy Hogan, Shannon Barton & Alan Clarke, *The Impact of Instrumental Communication and Integration on Correctional Staff*. 15(2) THE JUSTICE PROFESSIONAL (2002)

Eric Lambert, Alan W. Clarke, Daniel Hall & Oko Elechi, *Views of College Students on Terrorism, the Death Penalty, and Civil Rights and Why Some Foreign Governments Are Concerned With the U.S. War Against Terrorism*. 5(2) THE SOCIAL SCIENCE PAPER PUBLISHER (2002)

Eric Lambert and Alan Clarke, *The Impact of Information on an Individual's Support for the Death Penalty: A Partial Test of the Marshall Hypothesis Among College Students*, 12 CRIMINAL JUSTICE POLICY REVIEW 215 (2001)

Alan W. Clarke and Laurie Anne Whitt, *University Senates and the Law: A Case Study* 15 THOUGHT AND ACTION: THE NEA HIGHER EDUCATION JOURNAL, No. 2, 119 (Fall 1999)

### **BOOK REVIEWS AND LONGER REVIEW ESSAYS**

Alan W. Clarke, review essay of JUST MERCY: A STORY OF JUSTICE AND REDEMPTION, BRYAN STEVENSON, New York, Spiegel & Grau, an imprint of Random House, 73 NATIONAL LAWYERS GUILD REVIEW 60 (2016)

Alan W. Clarke, invited review of *Pirates, Prisoners and Lepers: Lessons From Outside the Law*, by P. Robinson and S. Robinson, CRIMINAL JUSTICE REVIEW (2016)

Alan Clarke, review essay of HARD MEASURES, JOSE RODRIQUEZ, 71 NATIONAL LAWYERS GUILD REVIEW 60 (2014)

Alan Clarke, review essay of THE TERROR COURTS: ROUGH JUSTICE AT GUANTANAMO BAY, JESS BRAVIN (Yale, 2013) 70.2 NATIONAL LAWYERS GUILD REVIEW 113 (2013).

Alan W. Clarke, invited review of *Most Deserving of Death? An Analysis of the Supreme Court's Death Penalty Jurisprudence*, by Kenneth Williams, CRIMINAL JUSTICE REVIEW (2012)

Alan Clarke, review essay of THE UNITED STATES AND TORTURE: INTERROGATION, INCARCERATION AND ABUSE, MARJORIE COHN, ed., 67 NATIONAL LAWYERS GUILD REVIEW 186 (2011)

Alan W. Clarke, review essay of THE TORTURE MEMOS: RATIONALIZING THE UNTHINKABLE, DAVID COLE, ed., 2009, 66 GUILD PRACTITIONER 60 (2010)

Alan W. Clarke, review of: *In the Shadow of the Gallows: Criminal Law and Capital Punishment in Prince Edward Island, 1769-1941*, by Jim Hornby, 24 QUEEN'S LAW JOURNAL 327 (1998)

## **PROCEEDINGS:**

Alan Clarke, *U.S. War Crimes: Torture as Official Bush Administration Policy*, THE NEW GLOBALISM: WHAT ROLE FOR THE UNITED STATES, Proceedings of the 10<sup>th</sup> Annual Utah Valley University Conference by the Faculty, Jill O. Jasperson and Aaron Bartholomew, eds., 158, (2009)

## **AWARDS & HONORS**

York Graduate Scholarship – Fall 2007 through Summer 2009

UVU – College of Humanities and Social Sciences Summer Research Fellowship - 2009

UVU – Integrated Studies Summer Research Fellowship - 2009

Community Service Award, Lancaster County, Virginia, Chapter NAACP, November 15, 2008

2008 - Dean's Award for outstanding scholarship

Recognized for Pro Bono work in Michigan by the Michigan State Bar in 1997

Queen's University, Graduate Student Scholarship (1993-94)

Certificate of Recognition for Public Service from the College of William and Mary in connection with the Tercentenary Celebration, October 20-24, 1993

Certificate of appreciation from the SAIF Water Committee of Interfaith Service Council, August 27, 1993

Special recognition for excellence in "Legal Redress" from The Lancaster County Branch NAACP, July 9, 1993

Certificate of Appreciation from the Special Committee on Access to Legal Services of the Virginia State Bar for "exceptional pro bono service" May 5, 1993

Award of Gratitude from the Reedville Fishermen's Association for devoted service (the RFA was the first successful fishermen's union south of the Mason-Dixon line which later merged with the United Food & Commercial Workers Union Local 400), 1989

*Who's Who In American Law*

*Who's Who in America*

*2000 Outstanding Scholars of the 20<sup>th</sup> Century*

*Second Edition of Outstanding People of the 20<sup>th</sup> Century*

## PRESENTATIONS

*International Resistance to the Death Penalty*, 8<sup>th</sup> Annual Symposium on Restorative Justice and the Death Penalty, Utah Valley University, October 25, 2012.

*How Canada Aids and Abets the U.S. Torture Culture* at St. Thomas University, conference on “Canada’s Complicity with Torture” March 22, 2012.

Panel discussion on practicing international law at the University of New Brunswick, International Law Society, 2012 Annual International Humanitarian Law Conference, February 3, 2012

Winnipeg Men's Lecture and Discussion Series, *The History of Rendition* March 2011.

University of Manitoba Faculty of Law, Faculty Research Presentation Series, *The History of Rendition*, March 2011.

*Rendition to Torture*, 11th Annual Conference by the Faculty, Utah Valley University (September 22, 2009)

*Creating a Torture Culture*, 10<sup>th</sup> Annual Conference by the Faculty, Utah Valley University, (January 22, 2008)

*Creating a Torture Culture*, Legal Research Conference 2008, University College Dublin (December 6, 2008)

*Sites of Resistance to the Death Penalty, Torture, and the Uses of Activism*, Invited Book Launch Lecture with Osgoode Professor Margaret Beare, to the Graduate Law Students Association Conference, Osgoode Professional Development Centre (May 9, 2008)

*Legal Cover for Torture: The Military Commissions Act of 2006*, The Human Condition Series, 2d Annual International Multidisciplinary Conference, Laurentian University @ Georgian College, Barrie, ON, May 2-3, 2008)

*The Bitter Fruit of American Justice: International and Domestic Resistance to the Death Penalty*, to the Nathanson Centre on Transnational Human Rights, Crime and Security Seminar, at Osgoode Hall Law School of York University, Toronto, Ontario (March 13, 2008)

*International Pressure and Death Penalty Activism*, to the Anti-Death Penalty Alternative Spring Break held at the University of Texas, at Austin (March 10, 2008)

*International and Canadian Pressure to End the U.S. Death Penalty*, to the Canadian United States Justice Issues Conference, University of Central Missouri (February 21, 2006)

*Comparative International Death Penalty Law*, to the Seventh Annual UVU Conference by the Faculty: Spheres of Globalization (January 19, 2006)

*Beyond the Marshall Hypothesis: International Human Rights and the American Death Penalty* to the Annual Meeting of the Law and Society Association, In Chicago, Illinois, with Laurie Anne Whitt (May 29, 2004)

*International Resistance to the American Death Penalty and Implications for U.S. Sovereignty* to the Annual Meeting of the American Society of Criminology, in Denver, Colorado (November 13, 2003)

*War on Terrorism: The Views of Criminal Justice and Non-Criminal Justice Majors on Terrorism and Punishment of Terrorists*, to the Annual Meeting of the American Society of Criminology, in Denver, Colorado, with Eric Lambert (November 13, 2002)

*International and Domestic Resistance to the Death Penalty*, to the Annual Meeting of the National Lawyers Guild in Pasadena, California, with Laurie Anne Whitt (October 18, 2002)

*College Students Attitudes Toward the Death Penalty*, to the Annual Meeting of the Midwestern Criminal Justice Association, Chicago, Illinois, with Eric Lambert (October 11, 2002)

*Terrorism, Extradition and the Death Penalty*, to the Academy of Criminal Justice Sciences annual meeting in Anaheim, California, March 6, 2002, with Eric Lambert.

*I Want To Know And I Want To Be Part Of It: The Impact Of Instrumental Communication And Integration On Correctional Staff*, to the Academy of Criminal Justice Sciences annual meeting in Anaheim, California, March 6, 2002, with Eric Lambert, Shannon Barton, and Nancy Lynn Hogan.

*Innocence Matters, How Innocence Recasts the Death Penalty Debate*, to the Midwestern Criminal Justice Association's annual conference in Chicago, on October 5, 2001, with Eric Lambert.

*An Evaluation of a Diversity Workshop for Juvenile Detainees*, to the Midwest Criminal Justice Association's annual conference in Chicago, on October 3, 2001, with Shannon Barton, Eric Lambert, and Nancy Hogan.

*Comparison of Criminal Justice and Other Student's Attitudes About Capital Punishment*, to the American Society of Criminology's annual conference in San Francisco on November 16, 2000, with Eric Lambert.

*The Impact of Empirical Data on the Shaping of Death Penalty Views of Undergraduate Students at a Michigan University* to the American Society of Criminology's annual conference in Toronto on November 18, 1999, with Eric Lambert



## PROFESSIONAL ACTIVITIES

Co-sponsored a two day symposium “Human Rights, Social Justice and Canadian Complicity with Torture Criminology and Human Rights” Symposium March 21 and 22, 2012 at St. Thomas University, Fredericton, New Brunswick, Canada

Organized an annual Death Penalty Symposium at Utah Valley University 2005 to present. This symposium is an annual event.

Commentator at the Intermountain Philosophy Conference, November 7, 2008

Provided testimony as an expert witness on consular relations and on systemic problems with the U.S. death penalty in *Smith v. Attorney General of Canada* before the Federal Court of Canada.

Editorial Board of *National Lawyers Guild Review*  
Issue Editor, 61 (2) *Guild Practitioner* (Fall 2004).

Peer reviews for:

- American Journal of Criminal Justice*
- Crime and Delinquency*
- Queen’s Law Journal*
- International Criminal Justice Review*
- Punishment and Society*
- The Sociological Quarterly*
- Sage Publishing, Inc.

External P&T Reviewer: Department of Criminal Justice, University of Toledo

Chair, Death Penalty Panel at Midwestern Criminal Justice Association, October 5, 2001.

Generalist Track Coordinator - Criminal Justice Department, Ferris State University. Duties included development of the program, organizing and presenting orientation programs and advising students within this track.

Cambridge University Press: prepublication book review of *Capital Punishment: Strategies for Abolition*, edited by Peter Hodgkinson and William Schabas

Wadsworth Publishing Company: prepublication book review of *Ferdico’s Criminal Procedure for the Criminal Justice Professional 7<sup>th</sup> Ed.*

Jones and Bartlett Publishers: prepublication review of *Criminal Procedure: A Contemporary Perspective 2d Ed.*

Lectured on “Finding and presenting mitigating evidence in capital cases” to death penalty lawyers at the University of Richmond School of Law in the Fall of 1986

## PROFESSIONAL ORGANIZATIONS

Virginia State Bar  
Michigan State Bar  
Amnesty International  
National Lawyers Guild  
American Civil Liberties Union  
Amnesty International

## TEACHING

### Graduate

Communications Law  
Legal Issues - Liability for Police and Corrections Officer's Misconduct  
Personnel Legal Issues

Supervision of graduate theses:

- death penalty research regarding the Marshall hypothesis
- history of capital punishment
- attitudes towards the death penalty
- external reviewer for LL.M. thesis *Assessing Terrorist Finance Regulation: Do the Means Meet the Ends?* Karla Neudert-Holguin, University of Manitoba Faculty of Law

### Undergraduate

Criminal Law	Criminal Procedure
Corrections Law	The Criminal Court System
White Collar Crime	Business Law
Michigan Criminal Law	Michigan Criminal Procedure
Corrections Report Writing	Generalist Assessment Course
Supervision and Management	Organization, Behavior and Administration
Forensic Evidence	Ethics & Values (Philosophy)
Death Penalty Seminar	Senior Thesis (Integrated Studies Capstone)
Law & Social Change	Law and Literature
Law and Cinema	Native American Genocide
Nuremberg's Legacy	
Philosophy, International Human Rights, and the Law	
The Phenomenon of Torture, Law and Philosophy	
International Human Rights Law: The Death Penalty, Torture and Genocide	

## UNIVERSITY SERVICE

Faculty Senate – Utah Valley University (2005 – 2011, 2013 - present)  
Departmental RPT committee (2012-present)  
Grievance and Appeals Policy Committee (2009)

Curriculum Committee – Utah Valley University (2005 – present)  
Policy Revision Committee – Utah Valley University (2007)  
Forensic Science Committee – Utah Valley University (2004)  
Honors Committee – Utah Valley University (2004)  
Peace and Justice Committee – Utah Valley University (2004)  
Library Liaison - University of Wisconsin-Parkside (2001 - 2003)  
Faculty Senate (Ferris State University, 2000 - 2001)  
Library Committee (Ferris, 1998 - 2001)  
Human Subjects Review Board (Ferris, 1999 - 2001)  
Chair of the Committee on Forensics Certification (Ferris, 1999 - 2001)  
Criminal Justice liaison to the library (Ferris, 1998 - 2001)  
Ad Hoc Committee on Web-Based Instruction Policy (Ferris, 2000 - 2001)

### **INVITED LECTURES**

“International Resistance to the Death Penalty,” Eighth Annual Symposium on Restorative Justice and the Death Penalty, Utah Valley University, October 25, 2012.

“Cultivating a Torture Culture,” in Human Rights Education: Classroom and Community, St. Thomas University, February 23, 2012

Utah Valley University Radical Students Association, “The Illegality of the Iraq War Under International Law,” November 16, 2010.

Lectured to the Osgoode Hall Law School LLM class in “International Criminal Law and Regulations,” June 2008

“Philosophical Issues and the Death Penalty,” presented to the Philosophical Forum at Utah Valley University, October 22, 2003

“Does the Rest of the World Matter? International Human Rights Law and the American Death Penalty,” presented to the Integrated Studies Forum For Faculty Research at Utah Valley University on October 9, 2003

“International and Domestic Resistance to the Death Penalty” presented to the faculty of the Criminal Justice Department at Grand Valley State University (2003)

“International Perspectives on the Death Penalty” presented to students and faculty of the Criminal Justice Administration Department at Sonoma State University (2002)

“The Strange Fruit of American Justice: International and Domestic Resistance to the Death Penalty,” with Dr. Laurie A. Whitt, at weeklong ethics week program at Utah Valley University (2002)

“Criminal Justice as a Part of a Liberal Education” to Criminal Justice and Political Science Departments at the University of Tampa, Florida (1999)

Presented formal lectures to various classes and faculty groups and librarians on “Computer assisted research methods” at MTU, FSU and UVU.

Presented invited lectures to faculty and students at MTU, FSU and UVU on the following subjects:

Freedom of Speech and Academic Freedom

Against the Death Penalty

International and Domestic Resistance to the Death Penalty

Ethical Problems at the Intersection of Law and Science

Innocence, Racial Discrimination and the Death Penalty

The Court System: History and Structure

Corporate Crime and the Critical Legal Studies Perspective

Junk Science and Science and the Law

Corporate Crime and the Critical Legal Studies Perspective

Junk Science and Science and the Law

Story-telling, censorship and the media

Capital punishment: issues in the American Society

The Coercive Force of Law

Junk Science and Science and the Law

Ethical and Jurisprudential problems presented by *Daubert v. Merrill Dow*

Engineering and the law: Employee rights, liability and expert witnesses

Issues in academe: scientific misconduct, sexual harassment and employee/employer relationships

Labor Law and University Staff

Scientific Evidence and the Legal System

## LEGAL EXPERIENCE

### Significant Briefs

Brief Amici Curiae Virginia Trial Lawyers Association and Virginia Affiliate of American Civil Liberties Union, *Badwin v. United States* (speedy trial, constitutional issues on a petition for certiorari in the United States Supreme Court)

Brief Amicus Curiae of Association of Trial Lawyers of America in *DiAntonio v. Northhampton-Accomack Memorial Hospital* (constitutionality of medical malpractice caps on appeal to the United States Court of Appeals for the Fourth Circuit)

### Admitted to Practice:

United States Supreme Court

Michigan Supreme Court

Virginia Supreme Court (associate status since 2003)

United States Circuit Court of Appeals for the Fourth Circuit

United States Circuit Court of Appeals for the Sixth Circuit

United States District Court for the Eastern District of Virginia  
United States Bankruptcy Court for the Eastern District of Virginia  
United States District Court for the Western District of Michigan.

### **Non-Academic Work History**

Solo legal practice in Chassell, Michigan, 1994 - 1997  
Partner - Clarke & Clarke, 1981-1993  
Associate - Clarke & Johnston, P.C. 1975-1981

### **Trial Experience**

Indian law, capital murder, habeas corpus, including death row representation, civil rights law, including police misconduct, environmental litigation, including toxic tort, land use, water rights and forestry litigation, including Michigan forest policy litigation (*Sierra Club v. DNR*), mine siting, oyster ground litigation and administrative remedies, torts, including accidents, maritime personal injury litigation, malpractice, labor law (union organizing and contract negotiations), voting rights, representation of lawyers and dissidents, ACLU cooperating attorney

### **Poverty Law**

Board of Directors of Rappahannock Legal Services, Inc. 1980-1993, President 1989-1992, Vice President 1988

Counsel for the SAIF Water Committee, Lancaster/Northumberland Interfaith Service Council 1991 – 2000

### **Human Rights**

Lead counsel *Jones v. Murray*, post-conviction capital murder case through entire habeas corpus process including all appeals and successor petitions

Voting rights litigation for the Virginia ACLU

Labor organizing - first successful fishermen's union south of Mason-Dixon line in 1988 - Reedville Fishermen's Association, and merger with United Food & Commercial Workers Union Local 400, local counsel to UFCW Local 400 to 1993

Counsel for "Fight For Justice," a group of dissident Anishinabe at Keweenaw Bay Indian Community in a struggle to regain voting rights arbitrarily stripped by the Tribal Council

Assisted lawyers in Mexico in representation of a transportation workers union, SUTAU, which was illegally declared bankrupt and its leaders and lawyers jailed after the union expressed its support for the EZLN uprising in Chiapas; argued on behalf of the union and the Democratic National Convention before the Secretaria De Gobierno, Direccion General Regional Norte, in Mexico City.

## **Bar Activities**

President Northern Neck Bar Association 1993; Chairperson, Board of Trustees of Regional Law Library 1978-1993; Liaison to Virginia Public Defender Commission

Virginia Bar Association 1975-1993; Boyd Graves Committee 1978-1992 (conference by invitation with goal of improving system of justice in procedural matters) Virginia Trial Lawyers Association 1976-1993; Amicus Curiae Committee 1977-1979

United States Magistrates Nominating Commission, E.D. Va., Richmond Div.

Commissioner in Chancery, acting as Special Commissioner at the direction of the Circuit Court Judge; Special Justice, Lancaster County, Virginia

## **REFERENCES**

Craig Scott  
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