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EDUCATION:

J.D. Boalt Hall School of Law, University of California, Berkeley (June, 1973).
Head Article Editor, *California Law Review*.
Order of the Coif.

M.A. Psychology, University of Illinois, Urbana, Illinois (October, 1969).
National Institute of Mental Health Fellowship.

B.A. Psychology, Reed College, Portland, Oregon (May, 1967).
Nominated, Woodrow Wilson Fellowship.

JUDICIAL CLERKSHIPS:

Associate Justice William O. Douglas
United States Supreme Court, 1973-74.

Associate Justice Mathew Tobriner,
California Supreme Court, 1/31/72 through 6/5/72.

PERMANENT AND VISITING AFFILIATIONS:

5/81 to Present: Professor of Law and (since 2001) Willard H. Pedrick Distinguished
Research Scholar, Arizona State University.

10/95 to 5/2001 Chief Reporter, American Law Institute, for *Principles of the Law of Family
Dissolution*. Justice R. Ammi Cutter Reporter, from June, 1998. (Reporter,
10/92-10/95; Associate Reporter, 2/91 to 10/92).

8/2000 to 5/2002 Visiting Professor, Hastings College of The Law, University of California.

7/99 to 5/2002 Visiting Professor, Earl Warren Legal Institute and (Spring, 2000)
Jurisprudence and Social Policy Program, Boalt Hall School of Law,
University of California, Berkeley

8/88 to 12/88: Visiting Professor Hastings College of the Law, University of California,.

- 1/81 to 5/81: Visiting Scholar, Institute for Social and Policy Studies, Yale University.
- 1/78 to 1/81: Associate Professor of Law, Arizona State University.
- 7/76 to 12/78: Consultant, Assembly Select Committee on Revision of the Nonprofit Corporation Code, California Legislature. (In this capacity I produced the major part of the basic working draft of California's first Nonprofit Corporation Code.)
- 1975-1976: Associate Attorney, McCutchen, Doyle, Brown & Enersen, San Francisco, California.
- 1974-1975: Legislative Assistant, Hon. Adlai Stevenson, U.S. Senate, Washington, D.C.
- 1968-1970: Faculty, Department of Psychology, Roger Williams College, Providence, Rhode Island.

PUBLICATIONS

Books

- AMERICAN LAW INSTITUTE, PRINCIPLES OF THE LAW OF FAMILY DISSOLUTION (2002) (with Katharine Bartlett and Grace Blumberg). *Earlier Drafts (for which I was primary author):*

Tentative Draft No. 4 (2000) (primary author of portion on Premarital Agreements, joint author of chapter on Domestic Partners)

Proposed Final Draft, Part I (1997) (Revisions of Tentative Drafts 1 and 2)

Tentative Draft No. 2, (1996) Compensatory Payments, (460 pages, sole author)

Tentative Draft No. 1, (1995) Marital Property (330 pages, sole author)

- FAMILY LAW: CASES, TEXT, PROBLEMS (Lead author and general editor)

Third Edition (1998) (1600 pages) (with Paul Kurtz and Elizabeth Scott).
With Teachers Manual (365 pages) and 2002 supplement (200 pages).

Second Edition (1991), (1400 pages) (with Paul Kurtz and Katherine Bartlett).
With Teachers Manual.

Textual supplements:

1994 (220 pages, with Kurtz)

1996 (54 pages) (with Kurtz and Scott).

First Edition, (1986), (1400 pages) (with Paul Kurtz and Ann Stanton)
With Teachers Manual.

Textual supplements

1987, 1988, 1989 (150 pages, with Kurtz and Stanton).

- HEALTH CARE LAW AND ETHICS IN A NUTSHELL. (I am the author of approximately one-third.) (Japanese translation currently in preparation.)

Second Edition (1998, 450 pages) (with Mark Hall and Dan Strouse)

First Edition (1990) (with Mark Hall)

Articles and Book Chapters

Should Visitation Denial Affect The Obligation to Pay Support?, in William Comanor, editor, THE LAW AND ECONOMICS OF CHILD SUPPORT PAYMENTS (forthcoming, 2003).

Relocation of Children after Divorce and Children's Best Interests: New Evidence and Legal Considerations (forthcoming 2003, JOURNAL OF FAMILY PSYCHOLOGY) (with Sanford Braver and William Fabricius) (on SSRN under alternative title, *Some New Data Suggesting That Current Legal Rules May Not Serve the Interests of Children Whose Parents Relocate After Divorce* (http://papers.ssrn.com/sol3/papers.cfm?abstract_id=313759)).

Ambiguous-Father Families, in Mary Ann Mason, Arlene Skolnick, and Stephen D. Sugarman, editors, ALL OUR FAMILIES (Revised and Enlarged Edition, Oxford University Press, 2002) (Reprinted in a slightly different form as *Thinking About Custody and Support in Ambiguous-Father Families*, 36 Fam.L.Q. 49 (2002))

Strengths-Building Public Policy for Children of Divorce, to appear in Maton, K., Schellenbach, C., Leadbeater, B., & Solarz, A (Eds.), INVESTING IN CHILDREN, YOUTH, FAMILIES, AND COMMUNITIES: STRENGTHS-BASED RESEARCH AND POLICY (forthcoming, 2001, American Psychological Association Press) (with Sanford L. Braver, Kathleen Nelson Hipke, and Irwin N. Sandler, all of the Department of Psychology, Arizona State University)

Contract Thinking Was Marvin's Fatal Flaw, 76 Notre Dame L. Rev. 1365 (2001).
See http://papers.ssrn.com/sol3/papers.cfm?abstract_id=265067.

Divorce Law, chapter in John Eekelaar, Mavis Maclean, and Sanford Katz, *CROSS-CURRENTS: FAMILY LAW IN ENGLAND AND THE UNITED STATES SINCE WORLD WAR 2*, Oxford University Press, 2001).

Family Law, chapter in Arthur Miller and Robert Stein, *COMMON LAW, COMMON VALUES* West Publishing Company, 2000

Divorce Rates, Marriage Rates and the Problematic Persistence of Traditional Marital Roles, 34 *Family Law Quarterly* 1 (2000). See also http://papers.ssrn.com/toptens/tt_jml_157489.html

The Maturing Law of Divorce Finances: Toward Rules and Guidelines, 33 *Family L.Q.* 801 (1999).

Inventing Family Law, 32 *U.C. Davis L.Rev.* 855 (1999) (1998 Brigitte Bodenheimer Memorial Lecture on the Family)

Dissolving the Relationship Between Divorce Law and Divorce Rates, (with Sharon Lohr, Dept. of Mathematics) 18 *International Review of Law and Economics* (Berkeley) 341 (1998).

The Misguided Movement to Revive Fault Divorce, 11 *International Journal of Law, Policy and The Family* (Oxford) 216 (1997). Reprinted as Chapter 14 in Martin Whyte, editor, *MARRIAGE IN AMERICA: A COMMUNITARIAN PERSPECTIVE* (2000)

Marriage As Contract, Opportunistic Violence, And Other Bad Arguments for Fault Divorce (with S. Lohr, Department of Mathematics) 1997 *University of Illinois Law Review* 719.

Spousal Emotional Abuse as a Tort? 55 *Maryland L. Rev.* 1268 (1996) (With Steve Sugarman) (Reprinted in 46 *Defense Law Journal* 459 (1997))

The Role of Fault in A Modern Divorce Law, 28 *Ariz. St. L.J.* 773 (1996)

Redefining the Terms of Health Insurance to Accommodate Varying Consumer Risk Preferences, 20 *American J. of L. & Medicine* 187 (1994) (with Mark Hall).

American Law Institute: *Various Council Drafts and Preliminary Drafts*. The Proposed Final and Tentative Drafts listed above built upon earlier drafts. These efforts, which monopolized most of my writing time between 1991 and 1994, included:

1994: *Compensatory Spousal Payments*, in Council Draft No. 2 (160 pages).
Division of Property Upon Dissolution, in Council Draft No. 2 (160

pages).

1993: *Compensatory Spousal Payments*, in Council Draft No. 1 (172 pages).
Division of Property Upon Dissolution, in Council Draft No. 1 (150
pages).

(And also prior versions of each of the above in Preliminary Draft No. 4).

1992: *Compensatory Spousal Payments*, in Preliminary Draft No. 3.

1991: *Division of Property Upon Divorce*, in Preliminary Draft No. 2.

Should Nonfinancial Losses and Motivations Be Included in the Theory of Alimony?,
1991 B.Y.U. L. Rev. 259 (Symposium Issue).

Can Others Exercise an Incapacitated Patient's Right to Die?, Hastings Center
Report, Jan/Feb 1990, at p. 47.

*Cruzan v. Harmon and the Dangerous Claim That Others Can Exercise an
Incapacitated Patient's Right to Die*, 29 Jurimetrics Journal of Law, Science and Technology
389 (1989).

The Theory of Alimony, 77 Calif. L. Rev. 1 (1989). (Reprinted as the lead article for
Volume 5 of the Canadian Family Law Quarterly, 1989.)

Another Theory of Nonprofit Corporations, 80 Mich. L. Rev. 999 (1982).

Driven From the Tribunal: Judicial Resolution of Internal Church Disputes, 69
Calif. L. Rev. 1131 (1979).

Probabilities and Proof: Can HLA and Blood Group Testing Prove Paternity?, 54
N.Y.U. L. Rev. 1131 (1979) (with David Kaye).

Essays

The Pitfalls of Empirical Research: Studying Faculty Publication Studies, 36 J.
Legal Educ. 24 (1986) (with David Kaye).

A Comparison of Law Faculty Production in Leading Law Reviews, 33 J. Legal Educ.
681 (1983).

Introduction: Survey of Abortion Law, 1980 Ariz. St. L.J. 70.

On Developing a Law of Nonprofit Corporations, 1979 Ariz. State L.J. 153.

Student Works

Comment, *And Now A Word Against our Sponsor: Extending the FCC's Fairness Doctrine to Advertising*, 60 Calif. L. Rev. 1416 (1972).

Note, *Effect of Attorney's Discharge on Duty to Pay Fee*, 61 Calif. L. Rev. 289 (1973).

SELECTED SPEECHES AND PRESENTATIONS

Why Family Law Is Hard, Investiture Lecture, for appointment as the Willard Pedrick Distinguished Research Scholar, March 25, 2003.

Child Support and Visitation, Paper Presented to the Conference on Child Support sponsored by the Economics Department of the University of California at Santa Barbara, September 20th, 2002.

The ALI's Recommendations with Respect to Alimony Guidelines, Presentation to the Ohio Judicial Conference, June 18th, 2002.

Presenter, AALS Workshop on Defining the Family in the Millennium, Palm Springs, March 29-31, 2001.

Marriage Rates and Marital Roles, presented to
Department of Sociology, Arizona State University, September 8, 2000
Hastings College of Law Colloquium Series, September 22, 2000

The ALI Project and Reforms in Family Law, Utah Supreme Court and Selected Appellate Judges, March 8, 2000.

Inventing Family Law, updated, Seminar presentation at
Center for the Law and Society, Boalt Hall School of Law, November, 1999
Hastings College of Law Faculty Works in Progress, April 2001
University of Minnesota Faculty Workshop, April 2001.

The Future of Divorce Law, presented March 26, 1999 at Pembroke College, Oxford, as part of a workshop sponsored by New York University School of Law--Oxford University Institute of Law in a Global Society.

Inventing Family Law, The Seventeenth Annual Brigitte M. Bodenheimer Memorial Lecture on the Family, University of California at Davis Law School, November 12, 1998.

Presenter, Seminar on Family Law (for policy-making officials of the Lord Chancellor's Office), sponsored by the Family Policy Studies Centre of London, September, 1998 (sole American representative)

Speaker, National Association of Women Judges Annual Meeting, September, 1997

Speaker, ABA Section on Taxation, Winter Meeting, January 1997.

Speaker, Communitarian Network Conference on Marriage and Divorce Policies, George Washington University, November 1996.

Speaker, Family Law Section, Arizona State Bar Convention, June 1995.

Speaker, Family Law Symposium, Brigham Young University Law School, October, 1990.

Invited Participant, *Family Law for the Next Century*, The Earl Warren Legal Institute, University of California, Berkeley, December 4-6, 1992.

Invited Participant, American Law Institute Conference on the Law and Public Policy of Family Dissolution, January 24 and 25, 1990.

Invited Participant, *Divorce Reform in Retrospect*, The Earl Warren Legal Institute, University of California, Berkeley, and the Institute for Research on Women and Gender, Stanford University, November 4 and 5, 1988.

COURSES

In recent years I have regularly taught Family Law, a Seminar on Parent and Child, and first year Property. I am currently offering seminars in Gender and Family Policy and (with Michael Saks), Social Science and Legal Policymaking. I have experimented with a course entitled Philosophical and Scientific Perspectives on Gender Policy Issues, which looks at scientific literature on biologically-based gender differences, as well as feminist writings. I often teach a seminar on Bioethics and Law.

SELECTED PROFESSIONAL ACTIVITIES

Family Law

Member, State of Arizona Child Support Guidelines Workgroup, October 2002 to present.

Member, Domestic Relations Reform Study Committee, 1997-1999 (appointed by the Arizona legislature).

Member, Family Court Committee, 1998 (appointed by Chief Justice, Arizona Supreme Court)

Member, Committee on Spousal Maintenance Guidelines, Maricopa County Domestic Relations Court, 1 1997-98 (Appointed by Presiding Justice, Domestic Relations Court).

Overseas Editorial Advisor, International Journal of Law, Policy and the Family, Oxford.

Bioethics and Health Law

Advisor to Senator Ann Day, Chair, Arizona Senate Health Committee (drafted portions of S.B. 1103, enacted, May, 1998).

Reporter, Group on Privacy Issues, NIH Conference on the *Legal and Ethical Issues of the Human Genome Initiative*, Center for the Study of Law, Science and Technology, Arizona State University Law School, March and May, 1991.

Director, Legislative Workshop on Depriving Newborns of Life Sustaining Treatment (January 1984) (See "Baby Doe: Problems and Legislative Proposals - Legislative Workshop," 1984 Ariz. State L.J. 601).

Founding Member, Ethics Committee, Good Samaritan Medical Center, Phoenix, Arizona (1984 to 1999).

Member, Committee on Ethical Issues in Fetal and Maternal Care, Good Samaritan Medical Center, Member 1986 to 1999.

Chair, Subcommittee on DNR Orders for AIDS Patients, Good Samaritan Medical Center Ethics Committee, 1989-90.

Board of Directors, Donor Network of Arizona, 1993-95. (This is the regional organ procurement organization, for organ transplants.)

General

Editor-in-Chief, *Jurimetrics Journal of Law, Science, and Technology* (A quarterly journal copublished by Arizona State University Law School and the A.B.A. Section on Law, Science, and Technology) (1986-1987).

Secretary, A.B.A. Committee to Draft a Model Nonprofit Corporation Act (1980 to 1987).

Referee for various journals including *Family Relations*, *Law and Philosophy*, *Jurimetrics*, *International Review of Law and Economics*, *Journal of Policy History*, and *Expert Evidence*.

Administrative

In recent years I have served on the College of Law Dean Search Committee (elected by faculty), as Chair of Law School's Tenure and Promotion Committee, and of the Faculty Appointments Committee. I served twice on the Dean's Advisory Committee (elected by faculty).

9/20/02