

(October 2004)

CURRICULUM VITAE

MICHAEL A. BERCH

Professor of Law

Arizona State University College of Law

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EDUCATION:

Columbia Law School

J.D., 1959

Honors: Editor, Columbia Law Review  
Moot Court Honor Argument

Columbia College

B.A., 1956

LAW SCHOOL POSITIONS:

1969-present

Professor of Law, Arizona State University  
College of Law

1988-89

Associate Dean for Academic Affairs, Arizona State University  
College of Law

COURSES:

Continuing Interest:

Civil Procedure  
Civil Rights  
Federal Courts  
Professional Responsibility

Other Courses Taught:

Appellate Advocacy  
Business Associations  
Civil Clinic  
Complex Litigation  
Conflict of Laws  
Law of Presidential Powers  
Legal Method and Process  
Practice Court

*Remedies*

*VISITING POSITIONS:*

- Fall, 2001*                      *Visiting Professor of Law, Fordham University School of Law*
- Fall, 1996 - Fall, 2000*      *Part-time Visiting Professor, McGeorge School of Law*  
*Fall 2002*
- Fall, 1995 and*                *Visiting Professor, University of California-Davis School of*  
*Spring 1996*                      *Law*
- Spring, 1992*                 *Visiting Professor, Southern Methodist University School of*  
*Law*
- Fall, 1988 and*                *Visiting Professor, Southern Methodist University School of*  
*Spring, 1989*                      *Law*
- Fall, 1982*                      *Visiting Professor, University of San Diego School of Law*
- Summers, 1990-93;*         *Visiting Professor, McGeorge School of Law*  
*1995-97*
- Summers, 1978-89; 2000*    *Visiting Professor, University of San Diego School of Law*
- Summer 1977 and*            *Visiting Professor, University of Tennessee School of Law*  
*Spring, 1978*
- 1965-68*                        *Adjunct Professor, New York University School of Law*

*HONORS AND AWARDS:*

*Maricopa County Bar Association Outstanding Teacher of the Year Award, 1992-93, 2001-02*

*Arizona State University Alumni Association Distinguished Teacher Award, 1990 (Selected from among 1500 faculty members.)*

*Appointed by Chief Judge Robert Browning of the Court of Appeals for the Ninth Circuit to seven-member national task force: Appellate Courts in the Twenty-First*

*Century, 1987-89.*

*Arizona State University Outstanding Service Award to the College of Law, 1986.*

*Arizona State University College of Law Alumni Association Outstanding Faculty Award, 1986.*

*Coach of Arizona State University National Moot Court teams 1970 - present.*

*Highest student Evaluations, Arizona State University College of Law, and at all visiting institutions.*

*Faculty Achievement Teaching Award Nominee, Burlington-Northern Foundation, 1985, 1986 (finalist).*

*College of Law nominee, Regential Distinguished Professor Award (Teaching) 1987.*

#### NON-TEACHING POSITIONS:

*1991-94 Meyer, Hendricks, Victor, Osborn & Maledon, Phoenix, Arizona, of Counsel.*

*1966-69 Private Practice, New York City.*

*1963-66 Townsend & Lewis, Esqs., Wall Street, New York City.*

*1959-63 Attorney, United States Department of Justice, Criminal Division, Organized Crime and Appeals Sections*

*Assistant United States Attorney for the Southern District of New York, Civil Division.*

#### OTHER POSITIONS:

*Judge Pro Tempore, Maricopa County Superior Court.*

*Scholar in Residence, Meyer, Hendricks, Victor, Osborn & Maledon, P.A., December, 1990 - June, 1991.*

*PROFESSIONAL AFFILIATIONS:*

*American Bar Association*

*Bar of the United States Supreme Court*

*Bar of the United States Courts of Appeals for the Second and Ninth Circuits*

*Bar of the United States District Courts for the Southern District of New York, Eastern District of New York, and District of Arizona.*

*Member of New York State Bar (admitted, 1959) and Arizona State Bar (admitted, 1972).*

*Inn of Court, Lorna Lockwood Chapter*

*Reporter, Jury Instructions, State Bar of Arizona.*

#### BOOKS:

*The Bankruptcy Appellate Panel and Its Implications for Adoption of Specialist Panels in the Courts of Appeals, chapter in a book, Restructuring Justice, Arthur Hellman, ed. (Cornell Press 1990).*

*Berch, Berch and Spritzer, INTRODUCTION TO LEGAL METHOD AND PROCESS (3d ed. 2002) (West Publishing Co.); Teacher's Manual (2002).*

*Handling Complex Litigation in Arizona (CES, Inc. 1986).*

#### RECENT ARTICLES AND ESSAYS:

*We've Only Just Begun: The Impact of Remand & Orders from Higher to Lower Courts on American Jurisprudence, 36 Ariz. St. L.V. 493 (2004)*

*Crime and Punishment (Essay accepted for publication in an anthology 2002).*

*Analysis of Arizona's Depublication Rule and Practice, 32 Ariz. St. L.J. 175 (2000).*

*An Essay Regarding Gasperini v. Center for Humanities, Inc. and the Demise of the Uniform Application of the Federal Rules of Civil Procedure, 69 Miss. L.J. 715 (1999) (with R. Berch).*

*Proposals to Amend the Civil Rights Act, 42 U.S.C. § 1983, 29 McGeorge Law Review 825 (1998) (with R. Berch).*

*The Power of the Judiciary to Dismiss Criminal Charges After Several Hung Juries: A Proposed Rule to*

*Control Judicial Discretion, 30 Loyola L.A. L. Rev. 535 (1997) (with R. Berch).*

OTHER SERVICE TO THE COLLEGE OF LAW AND UNIVERSITY AT  
LARGE (EXCLUSIVE OF COMMITTEE ASSIGNMENTS):

*Director of Admissions, College of Law, 2003-present.*

*Academic Associate Dean, College of Law, 1987-88.*

*Originated and directed summer law school programs at Northern Arizona  
University, 1987, 1988.*

*Founded the Pre-law preparation course for students interested in law school, 1985-  
1993.*

OTHER LEGAL WRITINGS:

*Numerous briefs to the Courts of Appeals, District Courts and state courts;  
prepared and submitted petitions in opposition to certiorari to the United  
States Supreme Court.*