

ALAN C. MICHAELS

The Michael E. Moritz College of Law
The Ohio State University
55 West 12th Avenue
Columbus, Ohio 43209

Phone: (614) 292-0574
Fax: (614) 292-1383
E-mail: michael.s.23@osu.edu

PRESENT EMPLOYMENT:

Dean and Edwin M. Cooperman Professor of Law, The Moritz College of Law at The Ohio State University. August 1995 to present (Dean since 11/08, Interim Dean 6/08-10/08, Associate Dean for Faculty 8/01-8/03, Cooperman Designated Professor 9/02-3/08, Professor since 8/02, Associate Professor 8/99-8/02). Research focus on criminal law, especially the mens rea of crimes and defenses, and criminal procedure, particularly issues in adjudication. Co-Faculty Managing Editor of *The Ohio State Journal of Criminal Law*.

Visiting Professor of Law, University of Michigan Law School. Fall Semester, 2003.

COURSES & SEMINARS:

Criminal Law, Criminal Procedure (Adjudication), White Collar Crime, Sports Law, Advanced Criminal Law (seminar), Comparative Criminal Procedure, Legal Writing and Analysis.

AWARDS

Outstanding Scholarly Paper Award, Association of American Law Schools (1998-99). (One winner selected – through blind competition – by committee chaired by immediate past president of AALS. Tenure track faculty with less than seven years of law teaching eligible).

Alumni Award for Distinguished Teaching, The Ohio State University (2007). (Up to 10 winners selected annually by university committee from over 3,000 university faculty).

Outstanding Professor Award, The Moritz College of Law at The Ohio State University (2000). (Voted by graduating class).

Outstanding Professor Award, The Moritz College of Law at The Ohio State University College of Law (1999). (Voted by graduating class).

PUBLICATIONS:

Books

UNDERSTANDING CRIMINAL PROCEDURE: INVESTIGATION (Lexis 4th ed. 2006) (w/Joshua Dressler)

UNDERSTANDING CRIMINAL PROCEDURE: ADJUDICATION (Lexis 4th ed. 2006) (w/Joshua Dressler)

Academic Articles and Book Chapters:

Rights Knowledge: Values and Tradeoffs, 39 Texas Tech. L. Rev. 1355 (2007) (symposium).

Imposing Constitutional Limits on Strict Liability: Lessons from the American Experience, in A. P. Simester ed., APPRAISING STRICT LIABILITY (Oxford Univ. Press 2005).

Fastow and Arthur Andersen: Some Reflections on Corporate Criminality, Victim Status and Retribution, 1 OHIO ST. J. OF CRIM. L. 551 (2004).

Trial Rights at Sentencing, 81 N.C. L. REV. 1771 (2003).

Truth in Convicting: Understanding and Evaluating Apprendi, 12 FEDERAL SENTENCING REPORTER 320 (2000).

"Rationales" of Criminal Law Then and Now: For A Judgmental Descriptivism, 100 COLUMBIA LAW REVIEW 54 (2000).

Constitutional Innocence, 112 HARVARD LAW REVIEW 828 (1999). This paper won the 1998-99 Association of American Law Schools Scholarly Papers competition.

Acceptance: The Missing Mental State, 71 SOUTHERN CALIFORNIA REVIEW 953 (1998).

Note, Defining Unintended Murder, 85 COLUMBIA LAW REVIEW 786 (1985).

Encyclopedia Entries:

Vicarious Liability, in ENCYCLOPEDIA OF CRIME & JUSTICE (2d ed. 2002).

Book Supplements:

2008 Supplement to UNDERSTANDING CRIMINAL PROCEDURE 4TH ED.(co-author Joshua Dressler).

2007 Supplement to UNDERSTANDING CRIMINAL PROCEDURE 4TH ED.(co-author Joshua Dressler).

2005 Supplement to UNDERSTANDING CRIMINAL PROCEDURE 3RD ED.(co-author Joshua Dressler).

2004 Supplement to UNDERSTANDING CRIMINAL PROCEDURE 3RD ED. (co-author Joshua Dressler).

2003 Supplement to UNDERSTANDING CRIMINAL PROCEDURE 3RD ED. (co-author Joshua Dressler).

Academic Abstracts:

Abstract of Truth in Convicting: Understanding and Evaluating Apprendi, CRIMINAL LAW & PROCEDURE ABSTRACTS, No. 117 (2001)

Abstract of Constitutional Innocence, CONSTITUTIONAL LAW ABSTRACTS, No. 37 (1999).

Abstract of Constitutional Innocence, CRIMINAL LAW & PROCEDURE ABSTRACTS, No. 57 (1999).

Abstract of Acceptance: The Missing Mental State, CRIMINAL LAW & PROCEDURE ABSTRACTS, No. 38 (1998).

Other:

The "Nanny Murder Case": What Would Happen in Ohio, appeared in syndicated column of many Ohio newspapers, Feb. 1998.

Baseball's Charade, THE NEW YORK TIMES, Sep. 16, 1992, at A25 (op-ed piece published in other newspapers as well).

PAST EMPLOYMENT:

New York County District Attorney's Office, *Assistant District Attorney*, Career Criminal Bureau. Trial and investigative work in street crime and white collar crime prosecutions. 1991-1995.

McGuire & Tiernan, New York, New York. *Of Counsel*. Outside counsel to Major League Baseball Players Association. Litigation of collusion cases -- complex intra-baseball arbitration -- and other baseball matters. 1989-1991.

Supreme Court of the United States, *Law Clerk*. Clerk to Associate Justice Harry A. Blackmun. 1987-1988.

United States Court of Appeals for the Second Circuit, *Law Clerk*. Clerk to Chief Judge Wilfred Feinberg. 1986-1987.

Previous Summer Employment:

Paul, Weiss, Rifkind, Wharton & Garrison, New York, New York. Summer Associate. 1986.

Debevoise & Plimpton, New York, New York. Summer Associate. 1985.

New York County District Attorney's Office. Legal Intern. 1984.

IBM Corporation, Valhalla, New York. Chief Assistant to IBM trademark attorney. 1982.

EDUCATION:

Columbia University School of Law. J.D. 1986.

James Kent Scholar 1984, 1986; Harlan Fiske Stone Scholar, 1985; Notes & Comments Editor, *Columbia Law Review*; Teaching Fellow, Civil Procedure.

Harvard College. A.B., *magna cum laude*, in Social Studies, 1983.

Senior honors thesis: "The Supreme Court through Rights." John Harvard Scholarship for Academic Achievement; Harvard College Scholarship for Academic Achievement; Harvard College Dean's List.

PRESENTATIONS AND PANELS

Presenter and Panelist, "Citizen Ignorance, Police Deception, and the Constitution: A Symposium," Texas Tech University School of Law (April 2007).

"Rights Knowledge: Values and Tradeoffs," presented at the Moritz College of Law at The Ohio State University Faculty Workshop (March 2007).

Panelist, "The Demise of the Sentencing Guidelines: Is Ohio's Sentencing Structure Next?," Columbus Lawyer's Chapter of the Federalist Society for Law and Public Policy Studies (February 2005).

"Imposing Constitutional Limits on Strict Liability: Lessons from the American Experience," presented at the Centre for Penal Theory and Penal Ethics of The Institute for Criminology, University of Cambridge, Cambridge, England (May 2003).

Moderator, Panel Discussion, "Legal Issues in the Aftermath of September 11," Moritz College of Law at The Ohio State University (September 2002).

"Making Doctrine Count," presented at Demonstrating and Deconstructing our Teaching, 2002 Summer Conference of the Institute for Law School Teaching, Concord, New Hampshire (June 2002).

Presenter and Participant, Strict Liability Roundtable, at the Centre for Penal Theory and Penal Ethics, The Institute of Criminology, University of Cambridge, Cambridge, England. (May 2002).

Moderator, Panel Discussion on "The Enron Scandal" at the Moritz College of Law at The Ohio State University (February 2002).

“The 2000 Terms of the United States and Ohio Supreme Courts – Criminal Cases,” sponsored by the Columbus Bar Association (2001).

“Trial Rights at Sentencing,” presented at The Ohio State University College of Law Faculty Workshop (April 2001).

“Trial Rights at Sentencing,” presented at the University of Virginia Faculty Workshop (April 2001).

Moderator, Panel Discussion on “The Need and Means to Reform how Death Sentences are Ascribed, Reviewed and Carried Out” at Symposium Addressing Capital Punishment through Statutory Reform, The Ohio State University College of Law (March 2001).

“The Myth of a Competitive Balance Crisis in Baseball,” presented to the Sports and Entertainment Law Association at The Ohio State University College of Law (March 2001).

Panelist and Presenter, “Teaching Magic in the Classroom,” presented at the Association of American Law Schools 2001 Annual Meeting, section on Teaching Methods, in San Francisco, California (January 2001).

Moderator and Organizer, Panel Discussion on “The 2000 Presidential Election,” The Ohio State University College of Law (November 2000).

Discussion Leader, 2000 Conference on the Scientific Study of Judicial Politics, held at Ohio State University (October 2000).

Panelist, Panel Discussion on “The Wen Ho Lee Case,” The Ohio State University College of Law (October 2000).

“‘Rationales’ of a Criminal Law Then and Now: For a Judgmental Descriptivism,” presented at the Columbia Legal Theory Workshop (February 2000).

“Constitutional Innocence,” presented at the Association of American Law Schools 1999 Annual Meeting in New Orleans, Louisiana. (January 1999).

Panelist, Panel Discussion on “The Starr Impeachment Report,” The Ohio State University College of Law (September 1998).

“Acceptance: The Missing Mental State,” presented at The Ohio State University College of Law Faculty Workshop (September 1997).

Testimony to the Judiciary and Criminal Justice Committee of the Ohio House of Representatives, concerning proposed amendments to the statute of limitations provision of the Ohio Criminal Code (April 1996).

"The Collusion Cases and the Major League Baseball Players Association," Ohio State University College of Law Sports and Entertainment Law Association (February 1996).

Panelist, Panel Discussion on "The O.J. Simpson Verdict," Ohio State University College of Law (October 1995).

Panelist, Columbus Teen Forum (public affairs television program), discussing the O.J. Simpson trial. (October 1995).

SERVICE AND PROFESSIONAL ACTIVITIES

Co-Faculty Managing Editor, OHIO STATE JOURNAL OF CRIMINAL LAW (since Jan. 2005).

Co-Guest Editor, OHIO STATE JOURNAL OF CRIMINAL LAW, Vol. I, Issue 2.

Member, Sixth Circuit Committee on Pattern Jury Instructions, 2002-present.

Member, Bexley Public Library Board of Trustees, 2009-present.

Director, Oxford University-Ohio State Summer Law Program, 2000-01.

Author, Subject Matter Outline (Criminal Law and Criminal Procedure), Ohio State Board of Bar Examiners.

Member, Association of American Law Schools Section on Criminal Justice, 1995-present. Executive Board, 1996-1999, 2003-present.

Member, Association of American Law Schools Section on Law and Sports, 1995-present.

Association of American Law Schools Committees: Scholarly Paper Competition Review, 1999-2000.

Law School Committees: Appointments, 1997-2003, 2004-05 (Chair '99-'00, '04-'05); Academic Affairs, 1996-1997, 2001-03; Admissions, 2006-07 (Chair); Long Range Planning, 2001-03, '05-'06; Faculty Workshops, 1996-1999 (Chair '98-'99); Clerkship/Placement, 1995-1997 (Chair '96-'97); Affirmative Action/Minority Affairs, 1995-1996; Computers, 1995-1996.

University Committees: Athletic Counsel, 2005-08 (Secretary '06-'07; Vice-Chair '07-'08); Academic Progress and Eligibility Committee 2005-08 (Chair 2006-08); Competitive Compensation Oversight Group, 2001-02; College of Law Dean Search Committee, 2001; University Senate Fiscal Committee, 1999-2001 (Chair, 2000-01); Budget Advisory Committee, 2000-01; Faculty Cabinet 2000-01, Women's Volleyball Coach Search Committee, 2007, Wrestling Coach Search Committee, 2006.

Faculty Advisor: Ohio State College of Law Criminal Law Society, 1999-present; Ohio State College of Law Sports and Entertainment Law Association, 1997-present; Ohio State College of Law Criminal Procedure Moot Court Team (Fall 1998).

Commentator, local newspapers, television and radio stations. Commenting on a variety of criminal-law and sports-law related issues. (1995-present).

Member, American Bar Association, 1995-present.

Member, Franklin County Inns of Court (1998-2002).

BAR ADMISSIONS

New York, First Department (March 1995).