

GRACE M. GIESEL
Bernard Flexner Professor
&
Distinguished Teaching Professor

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Education

EMORY UNIVERSITY SCHOOL OF LAW, Atlanta, Georgia
J.D., 1985, with distinction
Order of the Coif
Managing Editor, *Emory Law Journal*

YALE UNIVERSITY, New Haven, Connecticut
B.A., 1982, in Economics

Awards and Honors

Professorships

2012-present **Bernard Flexner Professor**

1999-2012 James R. Merritt Professorship (formerly Fellowship)

Lifetime Awards

1999 University Distinguished Teaching Professor Award (Lifetime)

2014 Women Lawyers Association Achievement in Excellence Award (Lifetime Achievement)

Other Awards/Recognition

Spring 2021 Law School Nominee for the University Distinguished Service to the Profession Award

2020 Trustees Award Nominee

2020 Law School Nominee for the University Distinguished Service to the Profession Award

University Student Champion
2020-2022

University Faculty Favorite Nominee
2020-21
2019-20
2008
2006

2011 Jonathan N. Helfat Award for Legal Scholarship

2004 University Distinguished Service Award

1997 Law School Nominee for the President's Award for Outstanding Scholarship, Research and Creative Activity

1996-98 Wyatt Tarrant and Combs Fellow

1993-94 Law School Teaching Excellence Award

Administrative Position

Associate Dean for Academic Affairs, Louis D. Brandeis School of Law,
University of Louisville 2015-2016 Academic Year

Teaching

Professor, Louis D. Brandeis School of Law, University of Louisville
July 1995-Present

Associate Professor, Louis D. Brandeis School of Law, University of Louisville
July 1992-95

Assistant Professor of Law, Louis D. Brandeis School of Law, University of
Louisville
August 1988-92

Current Courses

Contracts I & II; Professional Responsibility; Secured Transactions

Other Courses

Drafting, Criminal Law, Property Law; Corporations; Insurance Law;
Criminal Procedure; Independent Studies on a variety of topics

Special Programs

Summer Enrichment Program 1993 & 1994

Judicial Clerkship

United States Court of Appeals for the Sixth Circuit
Law Clerk to the Honorable Boyce F. Martin, Jr.
1985-86

Legal Practice

Woodward, Hobson & Fulton, Louisville, Kentucky
1986-88

Scholarly Publications

Books

G. Giesel, *Mastering Secured Transactions*, 3d Edition, Carolina Academic Press (December 2020) (approximately 350 pages)

G. Giesel & N. Crystal, *Professional Responsibility Problems of Practice and the Profession*, 7th Edition, Wolters Kluwer (Aspen Casebook Series) (2019) (720 pages).

G. Giesel & N. Crystal, *Teacher's Manual for Professional Responsibility Problems of Practice and the Profession*, 7th Edition, Wolters Kluwer (Aspen Casebook Series) (2019)

G. Giesel, *Mastering Professional Responsibility*, 2d Edition, Carolina Academic Press (2015) (419 pages).

G. Giesel, *Mastering Professional Responsibility*, Carolina Academic Press (2009) (415 pages).

G. Giesel, *Contracts Contrary to Public Policy*, Vol.15 of **Corbin on Contracts** (2003) (714 pages).

Law Review Articles

G. Giesel, *The Entity Attorney-Client Privilege Meets the Twenty-First Century: Rethinking Functional Equivalence Analysis in the Time of a Nonemployee Workforce*, 126 **Penn. State L. Rev.** 465 (2022)

(<https://ssrn.com/abstract=4051988>)

G. Giesel, *A New Look at Contract Mistake Doctrine and Personal Releases*, 19 **Nevada L.J.** 535 (Winter 2018) (48 pages) (<https://ssrn.com/abstract=3405662>).

G. Giesel, *Control of the Attorney-Client Privilege after Mergers and Other Transformational Transactions: Should Control of the Privilege Be Alienable by Contract?*, 48 **Seton Hall L. Rev.** 309 (2018)(45 pages)

(<https://ssrn.com/abstract=3136096>).

G. Giesel, *Alternative Litigation Finance and the Attorney-Client Privilege*, 92 **Denver U. L. Rev.** 95 (2014) (48 pages) (<https://ssrn.com/abstract=2441237>).

G. Giesel, *The Attorney-Client Relationship and the Age of Technology*, 32 **Miss. C. L. Rev.** 319 (2013) (33 pages) (<https://ssrn.com/abstract=2412951>).

G. Giesel, *Alternative Litigation Finance and the Work-Product Doctrine*, 47 **Wake Forest L. Rev.** 1083 (2012)(57 pages)

(<https://ssrn.com/abstract=2220983>).

G. Giesel, *End the Experiment: The Attorney-Client Privilege Should Not Protect Communications in the Allied Lawyer Setting*, 95 **Marquette L. Rev.** 475 (Winter 2011-2012) (86 pages) (<https://ssrn.com/abstract=2008789>).

G. Giesel, M. Albert, L Espenschied, *Exercise Showcase*, 12 **Transactions: The Tennessee Journal of Business Law** 335 (2011) (presentation at Emory University School of Law's Conference, Transactional Education: What's Next?) (23 pages).

G. Giesel, *Upjohn Warnings, the Attorney-Client Privilege, and Principles of Lawyer Ethics: Achieving Harmony*, 65 **U. Miami L. Rev.** 109 (2010) (59 pages)

(<https://ssrn.com/abstract=1717975>).

G. Giesel, *Client Responsibility for Lawyer Conduct: Examining the Agency Nature of the Lawyer-Client Relationship*, 86 **Neb. L. Rev.** 346 (2007) (49 pages)(<https://ssrn.com/abstract=964012>).

Republished in **Agency and Partnership Law**, The International Library of Commercial Law (Mark J. Loewenstein & Robert W. Hillman, eds.)

(Elgar 2018)

G. Giesel, *A Realistic Proposal for the Contract Duress Doctrine*, 107 **W. Va. L. Rev.** 443 (2005) (55 pages) (<https://ssrn.com/abstract=9640128>).

G. Giesel, *Corporations Practicing Law Through Lawyers: Why the Unauthorized Practice of Law Doctrine Should Not Apply*, 65 **Mo. L. Rev.** 151-207 (2000) (56 pages).

G. Giesel, *Enforcement of Settlement Contracts: The Problem of the Attorney Agent*, 12 **Geo. J. Legal Ethics** 543-591 (Spring 1999) (48 pages).

G. Giesel, *The Kentucky Ban on Insurers: In-House Attorneys Representing Insureds*, 25 **N. Ky. L. Rev.** 365-405 (1998) (40 pages).

G. Giesel, *The Legal Advice Requirement of the Attorney-Client Privilege: A Special Problem for In-House Counsel and Outside Attorneys Representing Corporations*, 48 **Mercer L. Rev.** 1169-1218 (1997) (49 pages).

republished in 48 **Defense Counsel Journal 103 (1999).

G. Giesel, *The Expanded Discretion of Lower Courts To Regulate Access to the Federal Courts After Wilton v. Seven Falls Company: Declaratory Judgment Actions and Implications Far Beyond*, 33 **Hous. L. Rev.** 393-446 (1996) (53 pages).

G. Giesel, *Defamation Liability for Attorney Speech: A Policy-Based and Civility-Oriented Reconsideration of the Absolute Privilege for Attorneys*, 10 **Ga. State L. Rev.** 431-485 (1994) (54 pages).

G. Giesel, *The Business Client is a Woman: The Effect of Women as In-House Counsel on Women in Law Firms and the Legal Profession*, 72 **Neb. L. Rev.** 760-802 (1993) (42 pages).

** An excerpt of this article under the same title was published in **Equal Access**, Vol. II, Issue 1, p.8-9 (1996) (publication of the American Bar Association Section of Litigation, Committee on Equal Opportunity and the Law).

G. Giesel, *The Ethics or Employment Dilemma of In-House Counsel*, 5 **Geo. J. Legal Ethics** 535-596 (1992) (61 pages).

G. Giesel, *A Proposal for a Tort Remedy for Insureds of Insolvent Insurers Against Brokers, Excess Insurers, Reinsurers, and the State*, 52 **Ohio St. L.J.**

1075-1130 (1991) (55 pages).

G. Giesel, *The Knowledge of Insurers and the Posture of the Parties in the Determination of the Insurability of Punitive Damages*, 39 **Kan. L. Rev.** 355-414 (1991) (59 pages).

Other Publications

G. Giesel, *The Difference Between Confidentiality and the Attorney-Client Privilege*, **lawyerist.com**, March 19, 2015 (<https://lawyerist.com/81438/difference-confidentiality-attorney-client-privilege/>).

G. Giesel, *The Duty of Confidentiality and the Attorney-Client Privilege: Sorting Out the Concepts*, **Kentucky Bar Association Bench & Bar**, January 2015 (4 pages).

G. Giesel, *Ethics of Outsourcing Legal Services*, **Louisville Bar Briefs**, August, 2008 (Vol. 8, No. 8)

G. Giesel, *Client Responsibility for the Torts of the Client's Lawyer*, **Louisville Bar Briefs**, June, 2008 (Vol. 8, No. 6)

G. Giesel, *When the Criminal Client Intends to Commit Perjury*, **Louisville Bar Briefs**, February, 2008 (Vol. 8, No. 2) Available at SSRN: <https://ssrn.com/abstract=1113469>

G. Giesel, *Required to Report the Misconduct*, **Louisville Bar Briefs**, November, 2007 (Vol. 7, No. 11) Available at SSRN: <https://ssrn.com/abstract=1028513>

G. Giesel, *The Saga of the Selective Waiver Doctrine*, **Louisville Bar Briefs**, August, 2007 (Vol. 7, No. 8) Available at SSRN: <https://ssrn.com/abstract=1024507>

G. Giesel, *Nonrefundable Fees: The Substance, Not the Label, Matters*, **Louisville Bar Briefs**, May, 2007 (Vol. 7, No. 5) Available at SSRN: <https://ssrn.com/abstract=1024784>

G. Giesel, *Agreements that Restrict an Attorney's Practice*, **Louisville Bar Briefs**, February, 2007 (Vol. 7, No. 2) Available at SSRN: <https://ssrn.com/abstract=1025988>

G. Giesel, *Restrictions on an Attorney's Right to Practice*, **Louisville Bar Briefs**, November, 2006 (Vol. 6, No. 11) Available at SSRN: <https://ssrn.com/abstract=1025990>

G. Giesel, *Multijurisdictional Practice: A Changing Landscape*, **Louisville Bar Briefs**, August, 2006 (Vol. 6, No. 8) Available at SSRN: <https://ssrn.com/abstract=1026905>

G. Giesel, *Business Transactions with Clients*, **Louisville Bar Briefs**, May, 2006 (Vol. 6, No. 5) Available at SSRN: <https://ssrn.com/abstract=1026912>

G. Giesel, *Ethics and Hourly Billing*, **Louisville Bar Briefs**, February, 2006 (Vol. 6, No. 2) Available at SSRN: <https://ssrn.com/abstract=1026913>

G. Giesel, *Ethical Issues and the Nonlawyer Employee*, **Louisville Bar Briefs**, November, 2005 (Vol. 5, No. 11) Available at SSRN: <https://ssrn.com/abstract=1026916>

G. Giesel, *Abuse of Process and Wrongful Use of Civil Process*, **Louisville Bar Briefs**, August, 2005 (Vol. 5, No. 8) Available at SSRN: <https://ssrn.com/abstract=1026919>

G. Giesel, *The Lawyer-Witness Rule*, **Louisville Bar Briefs**, May, 2005 (Vol. 5, No. 5) Available at SSRN: <https://ssrn.com/abstract=1026922>

G. Giesel, *Truth or Consequences*, **Louisville Bar Briefs**, February, 2005 (Vol. 5, No. 2) Available at SSRN: <https://ssrn.com/abstract=1026927>

G. Giesel, *Inadvertent Disclosure: A Cautionary Tale of a Speakerphone and a Voicemail Message*, November, 2004 (Vol. 2, No. 11)

G. Giesel, *Judges Profile: The Honorable Boyce F. Martin, Jr.*, **The Federal Lawyer**, p.18 (Jan. 1998) (2 PAGES); http://www.fedbar.org/PDFs/Past-Judicial-Profiles/Sixth-Circuit_1/Martin-Hon-Boyce-F.aspx

Presentations at Conferences

Recent Developments in Attorney-Client Privilege and Work Product Immunity Law, **AON Law Firm Symposium**, Chicago, IL, October 17, 2019 (Panelist)

The Attorney-Client Privilege and the Common Interest Doctrine, part of 2017 Association of Professional Responsibility Lawyers Conference, Miami Beach, FL, February 3, 2017 (Panelist)

The Attorney-Client Relationship and the Age of Technology. I presented this work at the Mississippi College School of Law in March, 2013, as part of a symposium, Ethics 20/20: The Future of Professional Responsibility.

Teaching Ethics in a Drafting Course, part of conference, Transactional Education: What's Next?, June 4-5, 2010, Emory University School of Law, Atlanta, GA.

Courts and Duress: The "Conflict and Confusion," International Contracts Conference, February 24-25, 2006, Fort Worth, TX.

Amicus Brief Participation

Hannstar Display Corporation v. Sony Electronics, Inc., No. 16-1457 (July 6, 2017) (in support of petition for certiorari)

Other Presentations

*Presenter, MPRE Review, **University of Louisville Louis D. Brandeis School of Law**, March 4, 2022.*

*Panelist, Ethics of Interpreting in a Legal Setting, Latinx Law Student Ass'n, **University of Louisville Louis D. Brandeis School of Law**, October 13, 2021.*

*Moderator, When There Are Nine, a panel discussion by three judges, sponsored by the Brandeis ACLU and the Brandeis Women's Law Caucus, **University of Louisville Louis D. Brandeis School of Law**, March 3, 2020.*

*Flexner Forum: Alternative Litigation Finance: "The single most important development in civil justice"?, **University of Louisville Louis D. Brandeis School of Law**, September 3, 2019.*

*Flexner Forum: A Lawyer's Role in Criminal Defense Representation: Some thoughts about the Supreme Court's Recent McCoy v. Louisiana Opinion, **University of Louisville Louis D. Brandeis School of Law**, August 29, 2018.*

*Flexner Forum: A Cutting Edge of the Attorney-Client Privilege: Common Interest in Transactional Practice, **University of Louisville Louis D. Brandeis School of Law**, September 26, 2017.*

*Flexner Forum: Williams v. Pennsylvania: The Supreme Court's Most Recent Statement about Judicial Recusal, **University of Louisville Louis D. Brandeis School of Law**, September 13, 2016.*

*Third Annual Flexner Forum: Lawyer Promises of Secrecy in Settlements and Lawyer Ethics, **University of Louisville Louis D. Brandeis School of Law**, September 29, 2015.*

Second Annual Flexner Forum: The Ethics of Arbitration Clauses in Lawyer Engagement Contracts, **University of Louisville Louis D. Brandeis School of Law**, September 18, 2014.

Flexner Forum: The Story of Kentucky Bar Association Ethics Opinion 435: The Ethics of Plea Bargains that Waive Claims of Ineffective Assistance of Counsel, **University of Louisville Louis D. Brandeis School of Law**, September 18, 2013.

Law Schools: A Story of Supply and Demand, **The Law Club**, February 26, 2014.

Mock Contracts Class, **U of L Ultra L.E.A.D. Program**, November 20, 2009; November 18, 2011; November 2, 2012; November 8, 2013; November 7, 2014.

Mock Law School Class, **Big Brothers Big Sisters of Kentuckiana & the University of Louisville Louis D. Brandeis School of Law**, September 24, 2011.

Integrity and the Media, **Quest Leadership Program**, July 28, 2010; July 27, 2011.

Teaching Professional Responsibility, Meeting with a **Delegation of Mexican Lawyers and Judges**, April 28, 2008.

The Importance of Law School Rankings, **The Law Club** (local group of lawyers and judges), April 23, 2008.

Continuing Legal Education Presentations

Recent Developments in Professional Responsibility, **24th Annual Estate Planning Institute**, June 28, 2022 (Presenter—2 hours)

Recent Developments in Professional Responsibility, **Jefferson County Women Lawyers Association**, May 12, 2021 (Presenter--2 hours)

Recent Developments in Professional Responsibility, **LBA**, May 4, 2022 (Presenter—2 hours)

Confidentiality, the Attorney-Client Privilege, and Client Identity Confusion, **Louisville Association of Paralegals**, February 25, 2022 (online) (Presenter-1 hour)

Recent Developments in Professional Responsibility, **23d Annual Estate Planning Institute**, June 25, 2021 (Presenter—2 hours; online)

A Story in Legal Ethics: The Penn State Sandusky Matter, **Community Foundation of Southern Indiana**, June 15, 2021 (Presenter-1 hour)

The 4 Cs: Confidentiality, Candor, Conflicts, and Communication, **LBA Family Law Section Annual Nuts and Bolts of Family Law**, May 21, 2021 (Presenter--1 hour)

Recent Developments in Professional Responsibility, **Jefferson County Women Lawyers Association**, May 20, 2021 (Presenter--2 hours) (online)

Recent Developments in Professional Responsibility, **LBA**, May 6, 2021 (Presenter—2 hours) (online)

Handling the Challenges of Trial Practice Ethically, Professionally and Civilly, **KBA Annual Convention** (Asynchronous), May, 2021 (moderator—1 hour)

An Attorney-Client Privilege Primer, **Texas Roadhouse In-House Legal Department**, November 2, 2020 (Presenter—1 hour) (online)

The Penn State Story: The Duty of Confidentiality, the Attorney-Client Privilege, and Who, By the Way, Is Your Client? **2020 Annual Professional Education Seminar, Sponsored by Stock Yards Bank & Trust Company, Cincinnati, October 28, 2020** (Presenter—1 hour) (online)

The Penn State Story: The Duty of Confidentiality, the Attorney-Client Privilege, and Who, By the Way, Is Your Client? **2020 Annual Professional Education Seminar, Sponsored by Stock Yards Bank & Trust Company, Louisville, October 30, 2020** (Presenter—1 hour) (online)

Recent Developments in Professional Responsibility, **Jefferson County Women Lawyers Association**, May 14, 2020 (Presenter--2 hours) (online)

Recent Developments in Professional Responsibility, **LBA**, May 9, 2020 (Presenter—2 hours) (online)

Ethical Considerations: Attorney-Client Privilege and the Duty of Confidentiality, **Kentucky Access to Justice Commission**, April 2020 (Presenter—1 hour) (asynchronous online)

Attorney Client Privilege: Not Running Afoul of Ethical Guidelines, **ABA Webinar**, December 11, 2019 (Panelist)

Recent Developments in Attorney-Client Privilege and Work Product Immunity Law, **AON Law Firm Symposium**, Chicago, IL, October 17, 2019 (Panelist)

Handling the Challenges of Pre-Trial and Trial Practice Ethically and Professionally,

KBA Convention, June 12, 2019 (moderator).

Recent Developments in Professional Responsibility, **Jefferson County Women Lawyers Association**, May 9, 2019.

Recent Developments in Professional Responsibility, **LBA**, May 1, 2019.

Recent Developments in Professional Responsibility, **22nd Annual Estate Planning Institute**, April 19, 2019.

Legal Ethics for the Business Lawyer, **17th Biennial Business Associations Law Institute**, April 11, 2019.

Confidentiality, Attorney-Client Privilege, Conflict of Interest, and Limited Scope Representation, **Legal Aid Society of Louisville**, September 28, 2018.

Recent Developments in Professional Responsibility, **Jefferson County Women Lawyers Association**, May 10, 2018.

Recent Developments in Professional Responsibility, **LBA**, May 8, 2018.

Recent Developments in Professional Responsibility, **Jefferson County Women Lawyers Association**, May 11, 2017.

Recent Developments in Professional Responsibility, **LBA**, May 3, 2017.

Recent Developments in Professional Responsibility, **20th Annual Estate Planning Institute**, April 21, 2017.

Confidential: Protecting Attorney-Client Privilege and Corporate Documents, **ABA Live Webinar**, August 16, 2016(with two other attorneys)

Ethics Primer: Prospective Clients, the Duty of Confidentiality, and the Attorney-Client Privilege, **33rd Annual Carl A. Warns, Jr. and Edwin Render Labor and Employment Law Institute**, June 10, 2016

Ethics Primer: Prospective Clients, the Duty of Confidentiality, and the Attorney-Client Privilege, **Old Republic National Title Insurance Company 2016 Agency Seminar**, June 7, 2016

Recent Developments in Professional Responsibility, **19th Annual Estate Planning Institute**, May 27, 2016.

Recent Developments in Professional Responsibility, **Jefferson County Women Lawyers Association**, May 18, 2016.

The KBA Ethics Committee: A Panel Discussion, **KBA Annual Convention**, Louisville, KY, May 11, 2016 (one of seven panelists).

Recent Developments in Professional Responsibility, **LBA**, May 3, 2016.

Prospective Clients, Clients with Diminished Capacity, Confidentiality, and the Attorney-Client Privilege, **Estate and Tax Seminar, sponsored by Stock Yards Bank and Trust Company**, November 5, 2015.

Test Your Ethics IQ!, **KBA Annual Convention**, Lexington, KY, June 18, 2015.

Recent Developments in Professional Responsibility, **Jefferson County Women Lawyers Association**, May 7, 2015.

Recent Developments in Professional Responsibility, **LBA**, May 5, 2015.

Money Matters and the Termination of the Attorney-Client Relationship, **Ethics and Professional Enhancement Program**, Frankfort, KY, April 17, 2015.

Moot Court College Night, panelist, **American College of Trial Lawyers**, to benefit U of L Moot Court Board, November 7, 2014.

Real Estate Law Ethics, 4th Annual Kentucky Real Estate Conference, **LBA**, October 16, 2014.

Confidentiality, Attorney-Client Privilege, Clients with Diminished Capacity, and Prospective Clients, Associates for Justice: Pro Bono 101, **Legal Aid Society of Louisville**, September 26, 2014.

Test Your Ethics IQ, **KBA Annual Convention**, June 18, 2014.

Developments in Professional Responsibility, **17th Annual Estate Planning Institute**, May 30, 2014.

2014 Developments in Professional Responsibility, **LBA**, May 7, 2014.

Developments in Professional Responsibility, **Jefferson County Women Lawyers Association**, May 8, 2014.

Ethics, **American Academy of Matrimonial Lawyers/ LBA Family Law Seminar**, April 25, 2014.

Money Matters & Termination of Attorney-Client Relationship, part of Ethics and Professionalism Enhancement Program, **KBA**, Frankfort, April 25, 2014.

Conflicts, Prospective Clients, and Confidentiality, First Annual Bankruptcy Law Institute, **LBA**, October 4, 2013.

Evolution of KBA Ethics Opinion E-435, part of *The Ethics of Plea Bargains that Waive the Right To Challenge the Conviction on the Grounds of Ineffective Assistance of Counsel*, **LBA Criminal Law Section**, September 27, 2013.

Conflicts, Prospective Clients, and Confidentiality, In-House CLE, **Legal Aid**, September 6, 2013.

Test Your Ethics IQ, **KBA Annual Convention**, June 21, 2013.

Developments in Professional Responsibility, **16th Annual Estate Planning Institute**, May 24, 2013.

2013 Developments in Professional Responsibility, **LBA**, May 8, 2013.

Developments in Professional Responsibility, **Jefferson County Women Lawyers Association**, May 9, 2013.

Money Matters & Termination of Attorney-Client Relationship, part of *Ethics and Professionalism Enhancement Program*, **KBA**, Frankfort, April 19, 2013.

Developments in Professional Responsibility, **Jefferson County Women Lawyers Association**, May 10, 2012.

Developments in Professional Responsibility, **LBA**, May 1, 2012.

Developments in Professional Responsibility, **15th Annual Estate Planning Institute**, April 27, 2012.

Ethics Quiz: Test Your Knowledge of the Rules of Professional Conduct, **KBA Convention**, June 17, 2011.

Professional Responsibility Issues: Supervision of Lawyers and Nonlawyers, Dealing with the Property of Others, and Conflicts of Interest, **Old Republic National Title Ins. Co. 2011 Kentucky Agency Seminar**, June 7, 2011.

Recent Developments in Professional Responsibility, **LBA**, May 17, 2011.

Recent Developments in Professional Responsibility, **Jefferson County Women Lawyers Association**, May 12, 2011.

Developments in Professional Responsibility, **14th Annual Estate Planning Institute**,

April 22, 2011.

Ethics: Representing Public Entities and Individual Public Officials/Employees, Kentucky Council of School Board Attorneys Winter Meeting, February 4, 2011.

Developments in Professional Responsibility, 13th Annual Estate Planning Institute, May 28, 2010.

Recent Developments in Professional Responsibility, LBA, May 12, 2010.

Recent Developments in Professional Responsibility, Jefferson County Women Lawyers Association, May 13, 2010.

Legal Ethics in Family Law, 13th Annual Academy of Matrimonial Lawyers LBA Family Law Seminar, April 22, 2010.

What's New in Professional Responsibility, LBA & Litigation Section, September 11, 2009.

Recent Developments in Professional Responsibility, LBA, May 19, 2009.

Recent Developments in Professional Responsibility, Jefferson County Women Lawyers Association, May 14, 2009.

Developments in Professional Responsibility, Twelfth Annual Estate Planning Institute, April 24, 2009.

Ethics Issues Relating to Employee Lawyers, Temporary Lawyers, and Outsourcing of Legal Services, U of L CLE: Should Lawyers Use Independent Contractors to Handle Client Affairs?, April 10, 2009

Ethics Update: Recent ABA Opinions on Outsourcing and Representing Multiple Clients, Estate and Tax Seminar sponsored by Stockyards Bank, October 30, 2008

Overview of the Pro Bono Ethics Rules, LBA Pro Bono CLE, October 24, 2008

Ethics Update: The ABA's New Formal Opinion on Outsourcing of Legal Services and Nonlegal Support Services, LBA IP Section Brown Bag, September 23, 2008

The Ethics of Rule 3.3, Video Presentation for the Office of the Public Defender, May 20, 2008.

Recent Developments in Legal Ethics: Mass Tort Settlements, Metadata, and Other Topics, LBA Annual Spring Ethics CLE, May 16, 2008.

Recent Developments in Legal Ethics: Mass Tort Settlements, Metadata, and Other Topics, **Jefferson County Women Lawyers Association**, May 8, 2008.

Recent Developments in Legal Ethics: Mass Tort Settlements, Metadata, and Other Topics, **Eleventh Annual Estate Planning Institute**, April 25, 2008.

Recent Developments in Legal Ethics: Mass Tort Settlements, Metadata, and Other Topics, **KBA 18th Annual Issues for Corporate House Counsel CLE**, April 16, 2008.

Professional Responsibility Issues for Small Firm Practice, **LBA Solo/Small Firm Section**, September 11, 2007.

High Profile Professional Responsibility: Hewlett-Packard Pretexting and the Duke Lacrosse Fiasco, **LBA**, May 11, 2007.

Recent Developments in Professional Responsibility: Hewlett-Packard Pretexting and the Duke Lacrosse Fiasco, **Jefferson County Women Lawyers Association**, May 10, 2007.

Recent Developments in Professional Responsibility: Hewlett-Packard Pretexting and So Long Nifong, **Tenth Annual Estate Planning Institute**, April 27, 2007.

Hewlett-Packard, Duke Lacrosse, and Other Ethics-Packed Current Events, **KBA 17th Annual Issues for Corporate House Counsel CLE**, April 18, 2007.

The Hewlett-Packard Affair: Lawyer Ethics and Deception, **GE Legal Post Leadership Conference**, March 5, 2007.

Recent Issues in Professional Responsibility, **Kentucky Defense Counsel Annual Seminar**, October 20, 2006.

Recent Developments in Professional Responsibility, **LBA**, May 26, 2006.

The Multijurisdictional Practice of Law, **Legal Netlink Alliance**, May 12, 2006.

Issues in Professional Responsibility, **Jefferson County Women Lawyers Association**, May 11, 2006.

Developments in Professional Responsibility, **Ninth Annual Estate Planning Institute**, April 28, 2006.

General Ethics Update with Professor Grace Giesel, **LBA and In-House Counsel Section**, November 22, 2005.

Annual Ethics Seminar, **Jefferson County Women Lawyers Association**, May 12,

2005.

Developments in Professional Responsibility, **Eighth Annual Estate Planning Institute**, April 29, 2005.

Ethical Issues for In-House Attorneys, **The 15th Annual Issues for Corporate House Counsel Seminar**, **KBA Corporate House Counsel Section**, April 15, 2005.

Attorney Ethics: Issues of Confidentiality and Unauthorized Practice, **Kentucky Paralegal Association**, October 29, 2004.

Recent Developments in Professional Responsibility, **LBA Appellate Law Section**, May 24, 2004.

Annual Ethics Seminar, **Jefferson County Women Lawyers Association**, May 13, 2004.

Recent Developments in Professional Responsibility: Issues of Interest to In-House Counsel, **Aegon USA Lawyers Conference**, May 4, 2004.

Developments in Professional Responsibility, **Seventh Annual Estate Planning Institute**, April 23, 2004.

Recent Developments in Professional Responsibility: Issues of Interest to In-House Counsel, **LBA In-House Counsel Section**, June 5, 2003.

Recent Developments in Professional Responsibility, **Jefferson County Women Lawyers Association**, May 8, 2003.

Developments in Professional Responsibility, **Sixth Annual Estate Planning Institute**, April 25, 2003.

Ethics: A Review of Ethics Rules Applicable to the Practice of Investing in Clients, **LBA: Back to Law School—What You Thought You Learned and What's New**, November 22, 2002.

Ethics, **Brandeis Inns of Court**, November 19, 2002 (MODERATOR ONLY).

Ethics, Taking an Equity Interest in Your Start-Up Client and What Can Attorneys Do When the Client Fails, **UK CLE: Computer and Technology Law Institute**, November 1, 2002.

Recent Developments in Professional Responsibility, **Jefferson County Women Lawyers Association**, May 16, 2002.

Recent Developments in Professional Responsibility: Issues of Interest to In-House Counsel, **LBA In-House Counsel Section**, May 10, 2002.

Recent Developments in Professional Responsibility, **Fifth Annual Estate Planning Institute**, April 26, 2002.

Sexual Misconduct, Multiple Client Conflicts and Issues in Negotiations, **Louisville Bar Association**, June 5, 2001.

Sexual Misconduct, Multiple Client Conflicts and Issues in Negotiations, **Jefferson County Women Lawyers Association**, May 10, 2001.

Ethics Issues in Appellate Practice, **How to Avoid the Pitfalls of Appellate Practice: Appellate Ethics CLE**, May 1, 2001.

Professional Responsibility in an Estate Planning Practice, **Fourth Annual Estate Planning Institute**, April 20, 2001.

Ethics-Conflict of Interest, **Annual Winter Meeting, Council of School Board Attorneys**, February 23, 2001.

Ethics: Selected Professional Responsibility Issues for the Poverty Lawyer, **Poverty Law in Kentucky: Landlord/Tenant Tax and Probate Issues**, June 7, 2000.

Ethics, **Carl A. Warns, Jr. Labor and Employment Law Institute**, May 26, 2000 (MODERATOR).

Issues in Professional Responsibility, **Jefferson County Women Lawyers Association**, May 11, 2000.

Amanda Kumar's Case-- Professional Responsibility Issues, **Louis D. Brandeis School of Law Homecoming**, October 2, 1999.

Amanda Kumar's Case Professional Responsibility Issues, **Women Lawyers Association of Jefferson County**, May 13, 1999.

Contemporary Problems in Professional Responsibility, **Louis D. Brandeis School of Law Homecoming**, October 24, 1998.

Confidentiality in a Technological Age, part of **Professionalism in Administrative Law**, **National Association of Hearing Officials**, October 19, 1998.

Legal Ethics, the Internet and Electronic Communication, **Intellectual Property Section of the Louisville Bar Association**, May 22, 1998.

Current Events in Professional Responsibility, **Women Lawyers Association of Jefferson County**, May 14, 1998.

Legal Ethics, the Internet and Electronic Communication, **Technology Section of the Louisville Bar Association**, April 21, 1998.

In-House Counsel vs. Outside Bank Counsel: Professional Responsibility and the Unauthorized Practice of Law Considerations in Determining What Inside Bank Counsel Can Do, part of **Legal Issues for Financial Institutions, UK/CLE**, April 3, 1998.

Professional Responsibility, the Attorney-Client Privilege and the Rendering of Business Advice, part of **Business Law CLE, Louisville Bar Association**, June 10, 1997.

Professional Responsibility, the Attorney-Client Privilege and Business Advice, part of **Recent Developments in Professional Responsibility, Women Lawyers Association of Jefferson County**, May 8, 1997.

Professional Responsibility and Multi-state Practice, part of **Recent Developments in Professional Responsibility, Women Lawyers' Association of Jefferson County**, May, 1996.

Ethical Issues Regarding Lawyers' Use of Technology, part of **Managing in the Era of Corporate Reorganization and Other Changes: Effective Use of Technology, In-house and Outside Counsel, KBA Corporate House Counsel Section Annual Seminar**, April 17, 1996.

Ethics and Technology--Threats to Confidentiality, part of **Back to Law School Ethics and Technology Seminar, University of Louisville School of Law**, October 27, 1995.

Furniture May Have Ears--Inadvertent Disclosure, part of **Ethical Issues Faced by the Business Lawyer, Louisville Bar Association**, May 31, 1995.

The Squeal Rule Debate, part of **Recent Developments in Professional Responsibility, Women Lawyers Association of Jefferson County**, May 11, 1995.

Discharge of In-House Counsel, part of **Issues for Corporate Counsel, Kentucky Bar Association**, March 10, 1995 (I prepared the materials but did not present it.).

Developments in Substantive Criminal Law, part of **Criminal Law and Procedure Update, Louisville Bar Association**, October 28, 1994.

Ethical Implications of Kaye, Scholer, part of **Back to Law School Seminar, University of Louisville School of Law**, October 7, 1994.

Kaye, Scholer--Ethical Implications, part of **Recent Developments in Professional Responsibility, Women Lawyers' Association of Jefferson County**, May 12, 1994.

Insurance Law Update, part of **Tort and Insurance Law Update, Louisville Bar Association**, April 20, 1994.

Discharging House Counsel: Ethics and Employment Termination Issues for Lawyers as Employees and Employers, **1993 Labor and Employment Law Institute**, May 20, 1993.

Attorney Speech and The Organization as Client, parts of **Selected Problems in Professional Responsibility, Women Lawyers Association of Jefferson County**, May 13, 1993.

1993 Sixth Circuit Judicial Conference, April 1993

--Session Leader for Workshop on Long Range Goals of the Federal Judiciary

Discharge of In-House Counsel and Related Attorneys, parts of **Selected Problems in Professional Responsibility, Women Lawyers Association of Jefferson County**, May 14, 1992.

Moderator, **Ethics Section, 1991 Labor Law Institute**. June 1991.

Ethics in the Nineties: Selected Changes in the Rules of Professional Conduct, **Louisville Bar Association**, November 29, 1989.

Formal Ethics Opinions Authored

As Chair of the Kentucky Bar Association Ethics Committee, I research the issues and draft Kentucky Bar Association (KBA) Ethics Opinions. I served as Chair 1998-2000 and 2012-2015.

Professional Service

Member of Merit Selection Panel for Reappointment of U.S. Magistrate Judge—Judge Colin Lindsay (June-August 2022)

Member of Merit Selection Panel for U.S. Bankruptcy Judge—Western District of Kentucky (Spring 2020; Spring 2011; Spring 2002; 1998-1999).

Advisor and Recorder, Kentucky Supreme Court Business Court Docket Advisory Committee (April 2019 – present)

Kentucky Bar Association Ethics Committee (Chair & Hotline Administrator July 2012 –June 2015; Vice Chair 2011-June 2012 & June 2000-June 2004)

Kentucky Bar Association 2013 Convention Planning Committee (August 2012-June 2013)

Kentucky Supreme Court Mass Tort and Class Action Committee (appointed by the Kentucky Supreme Court to develop suggestions for rules changes) (2007-2010)

Delegate and Life Member of the Sixth Circuit Judicial Conference (1990-2010)

Planning Committee Member for the 1993 Sixth Circuit Judicial Conference

Member of the Joint Steering Committee for the Sixth Circuit Task Forces on Gender and Racial/Ethnic Fairness--Task Force Inactive due to Funding Reductions (early 1990s)

American Bar Association

Kentucky Bar Association (Admitted to practice 1985)

1991 Kentucky Bar Association Convention CLE Committee

Louisville Bar Association

Dean's Representative to Louisville Bar Association Board of Directors Meetings (1996-2000)

Louisville Bar Foundation Fellow

Law School Service

2022-2023

Dean's Advisory/Economic Welfare Committee
Curriculum/Strategic Committee
Personnel Committee
Business Law Society Advisor

2021-2022

Dean's Advisory Committee
Personnel Committee
University Awards Committee
Business Law Society Advisor

2020-2021

Dean's Advisory Committee
Library
Economic Welfare Committee
Personnel Committee

2019-2020

Hiring Committee
Dean's Advisory Committee
Personnel Committee

2018-19

Hiring Committee Chair—Two Searches (1 doctrinal; 1 Lawyering Skills)
Curriculum Committee
Personnel Committee

2017-18(*Sabbatical Spring 2018*)

Probation & Reinstatement Committee
Personnel Committee

2016-17

Admissions Committee Chair
Dean Search Committee
Student Welfare Committee
Personnel Committee

2015-16

Associate Dean for Academic Affairs
Personnel Committee, Chair
Curriculum Committee, Chair
Reinstatement and Probation
Compassion Ad Hoc Committee

2014-15

Admissions Committee
Probation and Reinstatement Committee
KBA Ethics Committee (Chair) & Hotline Administrator
Personnel Committee

2013-14

Admissions Committee
Probation and Reinstatement Committee
Alumni Relations Liaison
KBA Ethics Committee (Chair) & Hotline Administrator
Personnel Committee

2012-13

Admissions Committee
Strategic Planning Committee
Alumni Relations Liaison
KBA Ethics Committee (Chair) & Hotline Administrator
Mentor to Junior Faculty Member & SEP student
Personnel Committee

2011-12

Dean's Advisory Committee
Faculty Excellence Committee (Chair)
Strategic Planning Committee
Alumni Relations Liaison
KBA Ethics Committee (Vice Chair)
Personnel Committee

2010-11

Sabbatical Fall 2010
Dean's Advisory Committee
Alumni Relations Liaison
KBA Ethics Committee
Faculty Excellence Committee
Career Services/Public Service Committee
Personnel Committee

2009-10

Dean's Advisory Committee
Faculty Recruitment Committee (Chair)
Self-Study Committee
Alumni Relations Liaison
Grievance Committee (Special Appointment)
CLE Committee
Personnel Committee

2008-09

Dean's Advisory Committee
Faculty Recruitment Committee (Chair)
Alumni Relations Liaison
Faculty Excellence Committee
CLE Committee
Personnel Committee

2007-08

Dean's Advisory Committee

Community Relations Committee (Chair)
Alumni Relations Liaison
Faculty Excellence Committee
Economic Welfare Committee
Search Committee for Career Services Assistant Dean
CLE Committee
Personnel Committee

2006-07

Community Relations Committee (Chair)
Decanal Search Committee
Alumni Relations Liaison
Curriculum Committee (part of Fall 2006)
Faculty Excellence Committee (Spring 2007)
Faculty Enterprise Committee (Chair)
Personnel Committee

2005-06

Decanal Search Committee
Alumni Relations Liaison
Economic Welfare Committee (Chair)
Professionalism & Public Service Committee
Faculty Enterprise Committee
Governance and Personnel Policies Committee
Personnel

2004-05

University Awards (Chair) (Fall 2004)
Curriculum Committee
Economic Welfare
Faculty Enrichment
Alumni Relations Liaison
Personnel
Decanal Review Committee (Fall 2004)
Probation and Reinstatement (Spring & Summer 2004 only)

2003-04

Sabbatical, Fall 2003
Curriculum Committee (Spring 2004)
Alumni Liaison
Personnel Committee
KBA Ethics Committee (Vice Chair)
Reinstatement (alt) (Spring 2004)

2002-03

Curriculum Committee (Chair)
Recruitment Committee for Chair in Entrepreneurship
Alumni Relations Committee (Chair)
Personnel Committee (Presenter of Candidate)
KBA Ethics Committee (Vice Chair)

2001-02

Curriculum Committee (Chair)
Alumni Relations (Liaison)
KBA Ethics Committee
Personnel Committee

2000-01

Extramural Review Committee (Chair)
Awards Committee
Alumni Relations Committee (Chair)
Personnel Committee
KBA Ethics Committee Chair until June 30, 2000 and Committee Member
Career Resources Committee

1999-2000

KBA Ethics Committee Chair
Law School Representative to Louisville Bar Association Board of Directors
Continuing Legal Education Committee
Personnel Committee
Faculty Recruitment (entrepreneurship position)

1998-1999

Law School Representative to Louisville Bar Association Board of Directors
Continuing Legal Education Committee
Personnel Committee
Student Grievance Committee

1997-1998

Admissions Committee
Student Grievance Committee
Faculty Sponsor: Pirtle Washer Advocacy Competition
Law School Representative to Louisville Bar Association Board of Directors
Curriculum Committee, Spring 1998
Ad Hoc Committee on Teaching Evaluations (Chair)
Continuing Legal Education Committee
Personnel Committee

1996-1997

Sabbatical, Fall 1996
Admissions Committee, Spring 1997
Law School Representative to Louisville Bar Association Board of Directors, Spring 1997
Ad Hoc Committee on Teaching Evaluations (Chair), Spring 1997
Summer Substitute Member for Probation and Reinstatement Committee
Continuing Legal Education Committee, Spring 1997
Personnel Committee

1995-1996

Admissions Committee
Continuing Legal Education Committee
Faculty Recruitment Committee
National Moot Court Team Advisor
Personnel Committee

1994-1995

Admissions Committee
Decanal Review Committee
Faculty Recruitment Committee

1993-1994

Admissions Committee
Curriculum Committee
Probation and Reinstatement Committee
Faculty Recruitment Committee
Professionalism and Public Service Committee

1992-1993

Curriculum Committee
Economic Welfare Committee
Probation and Reinstatement Committee

1991-1992

National Moot Court Team Advisor
Committee on Professionalism and Public Service
Faculty Recruitment Committee
Advocacy Center Committee
Faculty Development Committee
Committee to Select Associate Law Librarian
Ad Hoc Committee on Curricular Reform

1990-1991

Faculty Recruitment Committee
Advocacy Center Committee, Chair
Student Grievance Committee

1989-1990

Self Study Committee
Continuing Legal Education Committee
Curriculum Committee
Committee on Professionalism and Public Service
Ad Hoc Committee on Orientation
Ad Hoc Committee on Trial Practice

1988-1989

Student Grievance Committee

General

Informal Advisor to all students but especially first-year students
Informal Advisor to students interested in judicial clerkships
Attendance at miscellaneous law school activities and functions

University Service

University Name Image Likeness Advisory Board (June 2021—June 2022)

Distinguished Faculty Award University Committee (Spring 2022)

University Selection Committee for Award for Outstanding Scholarship,
Research & Creative Activity Award (Spring 2007, 2011 & 2012)

University Selection Committee for Award for Distinguished Service
(Spring 2009, 2010, 2011, 2012, & 2014)

University Selection Committee for Award for Distinguished Teaching
Faculty (2000-01; Spring 2006, 2007)

Fringe Benefits Committee (1991-2004)

Provost Search Committee for Mitch McConnell Chair in Leadership
(Spring 1999)

Provost Search Committee for Associate Provost for Institutional
Accreditation (Spring 1998)

Commission on the Status of Women--Faculty Pay Equity Study (1997-

1999)

Faculty Senate (1994-1998)

University Redbook Committee (1994-1998)

Chair, 1997-98

Co-Chair, 1995-96

Executive Committee of Faculty Senate (1994-95, 1995-96)

Ad Hoc Group to Evaluate University Unit Documents (1995-96)

Student Appeals Board (1989-97)

Community Service and Involvement

Law Club (2006-present; President 2011-2012; Vice President 2010-11;
Secretary 2009-2010)

Yale Alumni Schools Committee (1985- 2008)

Member of the Board of Directors and Recording Secretary of the Cabbage
Patch Settlement House, Inc. (1988-92)

January 12, 2023