

FACULTY CURRICULUM VITA

(last updated 05/30/07)

1. NAME Roger M. Baron
2. DEPARTMENT Law School
3. RANK AND/OR TITLE Professor of Law
4. YEARS AT USD 1990-present
5. EDUCATION
INSTITUTION, AREA OF SPECIALIZATION, DEGREE, YEAR EARNED
 - a. University of Missouri at Columbia, B.S. Cum Laude, College of Education, certification in Mathematics, 1973.
 - b. University of Missouri at Columbia, J.D., Order of Coif, 1976.
6. PREVIOUS PROFESSIONAL EXPERIENCE

FIRM/INSTITUTION	POSITION/TITLE	DATES
a. University of South Dakota School of Law,	Associate Professor,	1990-93.
b. South Texas College of Law (Houston, TX),	Associate Professor,	1988-89.
c. South Texas College of Law (Houston, TX),	Assistant Professor,	1985-88.
d. Grantham & Baron, Tuscumbia, Missouri 65082,	Partner in law firm,	1978-85.
e. Von Erdmannsdorff and Zimmerman, Kansas City,	Associate attorney,	1977-78.
f. Missouri Public Service Commission,	Staff attorney,	1976-77.
7. COMPLETE LIST OF PUBLICATIONS (Please give complete citations. Include comparable work such as art exhibits and recitals. Please list most recent work first.

Books:
 - a. Cases and Materials on Family Law for the South Dakota Lawyer, 6th edition (2005); 5th edition (2001); 4th edition (1999); 3d edition (1994); (2d edition 1991); (1st edition, 1990).
 - b. Baron's Cases on Family Law for the Texas Law Student, 4th edition (1988). (Previous editions--1st edition (1985); 2d edition (1986), 3d edition (1986).

Legal Articles:

Published after coming to South Dakota

- a. Eight Ways to Defeat or Minimize ERISA Reimbursement Claims, an article written in early 2007 especially for trial lawyers. This article has been published by (or is in the process of being published by) the journals put out by the Trial Lawyer Associations for the states of Nevada, Ohio, South Dakota, Georgia, Texas, New Mexico, Arizona, Nebraska, Florida, South Carolina, and Wisconsin.
- b. Supplement to 6th Edition, Cases and Materials on Family Law for the South Dakota Lawyer (August, 2006).
- c. "Supreme Court Agrees to Re-Examine ERISA Reimbursement," Barrister Magazine (South Dakota Trial Lawyers Association), Jan./Feb., 2006, starting on page 5.
- d. "Public Policy Considerations Warranting Denial of Reimbursement to ERISA Plans: It's Time to Recognize the Elephant in the Courtroom," 55 Mercer Law Review 595 (2004).
- e. "In Hot Pursuit of the Reimbursement Cases," Barrister Magazine (South Dakota Trial Lawyers Association), May/June issue, 2004, page 5.
- f. Supplement to 5th Edition, Cases and Materials on Family Law for the South Dakota Lawyer (August, 2002, August, 2003, and August, 2004).
- g. When Insurance Companies Do Bad Things: The Evolution of the "Bad Faith" Causes of Action, 44 S.D. L.Rev. 471 (1999).
- h. "Custody Relocation Restrictions: A Valuable Tool for Preventing Future Conflicts," published by Fairshare: The Matrimonial Law Monthly April 1997.
- i. Subrogation: A Pandora's Box Awaiting Closure, 41 South Dakota Law Review 237 (1996).
- j. Child Custody Determinations in South Dakota: How South Dakota Courts Decide Child Custody Cases, 40 South Dakota Law Review 411 (1995).
- k. Child Custody Suits: Litigating Heartbreak, 123 USA Today Magazine, No. 2596, page 72, (January 1995).
- l. Refining Relocation Laws--The Next Step in Attacking the Problem of Parental Kidnaping, 25 Texas Tech Law Review 119 (1993).
- m. Child Custody Jurisdiction, 38 South Dakota Law Review 479 (1993).

- n. Federal Preemption in the Resolution of Child Custody Jurisdiction Disputes, 45 Arkansas Law Review 885 (1993).
- o. Subrogation on Medical Expense Claims: The "Double Recovery" Myth and the Feasibility of Anti-Subrogation Laws, 96 Dickinson Law Review 581 (1992).
- p. The Staying Power of the Soldiers' and Sailors' Civil Relief Act, 32 Santa Clara Law Review 137 (1992).
- q. Insurance Overpayment: Retain or Return?, 88 Texas Medicine 30 (Feb. 1992) (Co-Authored with C. Lee Parmley, MD, JD).
- r. The Resurgence of the "Tribal Interest" in Indian Child Custody Proceedings, 26 Tulsa Law Review 315 (1991).
- s. Pleading Unliquidated Damages: An Unnecessary Requirement, South Dakota Barrister, p. 6, July-August, 1991.

Published before coming to South Dakota

- t. Learning . . . Talking To . . . and Using . . . The Opponent's Consulting Expert Under the Federal Rules, 31 S. Tex. L. Rev. 539 (1990).
- u. Withdrawal Based upon Non-Payment of Fees, The Houston Lawyer, March-April 1990, Vol. 27, No. 5, p. 14.
- v. Cashing in on Contingent Fees, The Houston Lawyer, January-February 1990, Vol. 27, No. 4, p. 14.
- w. The Chinese Wall Topples in the Private Sector, The Houston Lawyer, November-December 1989, Vol. 27, No. 3, p. 12.
- x. Enforcing Forwarding Fees, The Houston Lawyer, September-October 1989, Vol. 27, No. 2, p. 65.
- y. Lawyers Who Gossip, The Houston Lawyer, July-August 1989, Vol. 27, No. 1, p. 39.
- z. Legal Malpractice Claims and the Discovery Rule, The Houston Lawyer, May-June 1989, vol. 26, No. 6, p. 42.
- aa. The Application of Judicial Estoppel in Texas, 41 Baylor L. Rev. 447 (1989) (with Melissa M. Martin). Reprinted in 52 Tex. Bar J. 1250 (1989).

- bb. The Retention of Insurance Overpayments by Health Care Providers, 30 S. Tex. L. Rev. 387 (1989).
- cc. The General Denial--A Trap for the Unwary, The Houston Lawyer, January-February 1989, Vol. 26, No. 4, p. 55.
- dd. The Appeal of a New Trial in Federal Court, 62 St. John's L. Rev. 617 (1988).
- ee. The Good, The Bad, and The Ugly--A Supreme Look at the PKPA, 8 Prob. L.J. 339 (1988).
- ff. The "Amount in Controversy" Controversy: Using Interest, Costs and Attorney's Fees in Computing Its Value, 41 Okla. L. Rev. 257 (1988).
- gg. Remarriage: The "I do, I don't, I do" Syndrome, The Houston Lawyer, September-October 1988, Vol. 26, No. 2, p. 26.
- hh. A Proposal for the Use of a Judicial Peremptory Challenge System in Texas, 40 Baylor L. Rev. 49 (1988). Reprinted in The Houston Lawyer, January-February 1988, Vol. 25, No. 4, p. 26, and the Texas Bar Journal, April 1989.
- ii. A Women's Exemption from Jury Service in a Civil Case, 44 J. Mo. Bar 119 (March 1988).
- jj. Asserting Jurisdiction Over the Providers of Human Donor Organs, 92 Dick. L. Rev. 393 (1988). Reprinted in The Houston lawyer, November-December 1987, Vol. 15, No. 3, p. 10; TRIAL Magazine, December 1987, Vol. 23, No. 12, p. 82; and 51 Tex. Bar J. 1023 (November 1988).
- kk. The Expansion of Legal Malpractice Liability in Texas, 29 S. Tex. L. Rev. 355 (1987).
- ll. Stepping on Board the Rule 11 Bandwagon, 35 Clev. St. L. Rev. 249 (1987).
- mm. Knee Deep in the Hoopla: A Decade of Litigation Under the 1977 Texas Statute of Limitations on Medical Malpractice Claims, 51 Tex. Bar J. 258 (March 1988).
- nn. A Parent's Constitutional Right to Possession of His Children, 7 Prob. L.J. 251 (1987).
- oo. Alimony in Texas, The Houston Lawyer, November-December 1986, Vol. 24, No. 3, p. 30.
- pp. Joinder of Interspousal Claims in Dissolution Proceedings, J. Mo. Bar, January-February 1987, Vol. 43, No. 1, p. 19.

- qq. Modification of Divorce Decrees by Virtue of the 1984 Tax Amendment Relating to Dependency Exemptions, 8 U.A.L.R. L.J. 683 (1985-86). Reprinted in TAXES (tax magazine published by Commerce Clearing House), January 1987 at p. 47.
- rr. Hello Eighth Circuit, Goodbye Seventh Amendment: An Epilogue to Christine Craft v. Metromedia, 55 UMKC L. Rev. 33 (1986).
- ss. Joint Managing Conservatorship: Why Texas Courts Should Not Permit It, 28 S. Tex. L. Rev. 379 (1986). Reprinted in Tex. Bar J., February 1987, Vol. 50, No. 2, p. 140.
- tt. Retrieving Possession of Children in Texas Through Habeas Corpus, Boston University School of Law, National College of Probate Judges, 7 Prob. L.J. 145 (1986). Reprinted in The Houston Lawyer, July-August 1986, Vol. 24, No. 1, p. 11; and Tex. Bar J., July 1987, Vol. 50, No. 7, p. 716.
- uu. The Pennzoil-Texaco Dispute: An Independent Analysis, 38 Baylor L. Rev. 253 (1986), with Ronald J. Baron.
- vv. The Evolution of Domestic Relations Cases in Our Federal Courts, 1985 SIU L.J. 353.
- ww. The Texas Statutory Right to Jury Trial in Child Custody Cases: Its Constitutionality Remains Unresolved, 17 Tex. Tech L. Rev. 1399 (1986).
- xx. The "Prosecutor's Inquiry:" A Valuable Tool in Securing Compliance with City Ordinances, 50 Mo. Mun. Rev. 4 (March 1985).
- yy. Jurisdiction of the Missouri Public Service Commission, 34 J. Mo. Bar 27 (1978).
- zz. Taxation—Accumulated Earnings Tax Not Applicable to a Publicly Held Corporation, 41 Mo. L. Rev. 139 (1976).

8. UNPUBLISHED RESEARCH COMPLETED OR IN PROGRESS.

2007 Supplement to Cases and Materials on Family Law for the South Dakota Lawyer, 6th edition.

2007 Legislative update on South Dakota Family Law.

9. PROFESSIONAL ACTIVITIES (Please list professional memberships, offices held, papers read, program participation, and attendance at state, district, regional, or national meetings. List in chronological order.)

- a. Currently two presentations are scheduled for the *future*, as follows:

Missouri Association of Trial Lawyers Seminar
Lodge of the Four Seasons, Lake Ozark, Missouri, June 24, 2007
“Maximizing Recoveries for Clients Confronting ERISA Reimbursement Claims”

Oregon Trial Lawyers Association Seminar
The Couer D’Alene Resort, Couer D’Alene, Idaho, August 16, 2007
“Maximizing Recoveries for Clients Confronting ERISA Reimbursement Claims”

- b. Presenter for 2007 Georgia Trial Lawyers Annual Seminar, April 27, 2007, Ritz-Carlton Buckhead, Atlanta, Georgia: Paper and Presentation on topic, “Maximizing Recoveries for Clients Confronting ERISA Reimbursement Claims.”
- c. Presenter for Nevada Trial Lawyers Association 40th Anniversary Convention Seminar. Paper and presentation made on topic, “Coping with *Sereboff v. MAMSI*: A Discussion of Strategies for ERISA Beneficiaries in Light of the Supreme Court’s Recognition of an Equitable Remedy for the Enforcement of a Contractual Right of Reimbursement” on October 20, 2006, Seattle, Washington.
- d. Presenter for South Dakota Trial Lawyers Association Fall Seminar, “The Times, They are a Changin’.” Paper and presentation made on topic, “*Sereboff v. MAMSI*: Have We Reached Endgame? A Potpourri Discussion,” September 8, 2006, Deadwood, South Dakota.
- e. Presenter for national tele-seminar on “ERISA Subrogation: *Sereboff v. Mid Atlantic Medical Services, Inc.*” sponsored by the Association of Trial Lawyers of America (ATLA) on June 20, 2006. Speaker paper written and presentation made on topic, “Critical Issues That Remain Viable in the Wake of the *Sereboff* Decision: The Commercial Insurance Connection, *FMC v. Holliday*, and Other Ways to Protect Your Client’s Recovery.” [Seminar conducted with only one other presenter, Jeff White, the ATLA attorney who authored the ATLA amicus brief filed in the *Sereboff* case.]
- f. Guest Speaker on Prof. Mike Myers’ weekly radio show. (Discussion topic of automobile liability insurance.) Show taped May 17, 2006.
- g. Guest Speaker on Prof. Mike Myers’ weekly radio show. (Discussion topic of uninsured motorist coverage.) Show taped May 17, 2006.
- h. Guest Speaker on Prof. Mike Myers’ weekly radio show. (Discussion topic of life insurance.) Show taped May 10, 2006.
- i. Organizer and Promoter of “Voluntary Faculty Scholarship Fund for Indian Country Service” – USD School of Law – August 20, 2006.

- j. Pro bono assistance to petitioners in *Sereboff v. MAMSI*, preparation of briefs and oral argument in U.S. Supreme Court. Oral argument scheduled in Washington, D.C. on March 28, 2006.
- k. Assistance in promotion application of Professor Stephen D. Easton at University of Missouri at Columbia – I “reviewed” one of his published articles and submitted a report to Professor Dale A. Whitman, Chair of Promotion and Tenure Subcommittee at UMC School of Law, Columbia, Missouri. October 18, 2005.
- l. Assistance to members of Congress, ATLA (Association of Trial Lawyers of America) and other interested groups in responding to Congressional action in amending ERISA statutes. Extensive information provided to 27 Senators and Representatives who served on Conference Committee appointed to reconcile differences between the Senate version and House version of Pension Reform Act of 2006.
- m. Continuing assistance to attorneys working for South Dakota Division of Insurance, responding to e-mail inquiries on various insurance topics.
- n. Nominating Petition circulated on behalf of Judge Glen Eng to facilitate placement of his name on ballot for re-election in 2006 election. 1/16/06.
- o. Guest Speaker on Prof. Mike Myers’ weekly radio show. (Discussion topic of antenuptial agreements.) Show taped June 27, 2005.
- p. Assistance in promotion application of Professor Michael Flannery at University of Arkansas at Little Rock - published article in area of family law reviewed at request of Professor Kenneth S. Gallant, Chair of Promotion and Tenure Committee at UALR School of Law. November 1, 2004.
- q. Service as Member of Board of Directors, Springhill Insurance Company; requested to serve as member of the Board who is required to be a South Dakota resident, service as board member started at the inception of this newly-formed Captive Company, to be South Dakota’s first captive insurer organized under SDCL 58-46. November 1, 2001 - ongoing.
- r. Presentation of topic (and supporting outline), “To Pay or Not to Pay? Denial of Reimbursement to ERISA Plans (The Legal Landscape Created by the U.S. Supreme Court in *Great West Life v. Knudson*)” at the 2003 Fall Seminar sponsored by the South Dakota Trial Lawyers Association in Deadwood on September 11, 2003.
- s. Support provided to Tom Barnett, State Bar of South Dakota, during the 2003 and 2004 legislative sessions in connection with proposed Family Law legislation.

- t. Guest Lecturer for new South Dakota Law Review writers on “How to pick a topic and write the article.” April 15, 2003.
- u. Assistance in Tenure Application of Professor Daniel Levin at Minnesota State University, Mankato, MN. (letter in support of application submitted to Promotion and Tenure committee) 2002-2003.
- v. Service as “Outside Review Professor” to review scholarship and to render an opinion as to Quality of Scholarship for Applicant for Promotion to Full Professorship at University of Nebraska School of Law at Lincoln, December, 2001 - January, 2002. Requested by Dean Steven Willbur, UNL School of Law.
- w. Featured Speaker for Annual Banquet of Sioux Falls Chapter of CPCU (Chartered Property Casualty Underwriters) and NAIW (National Association of Insurance Women), March 19, 2002, presenting after-dinner speech entitled, “Counting Backwards, a very Brief History of the Bad Faith Causes of Action.”
- x. Consultant on Subrogation Issues to U.S. Senators Robert Torricelli and Thomas Daschle in Connection With Patient’s Bill of Rights, 2000-2001.
- y. Consultant on Subrogation Issues to Lawyers Weekly for article entitled “Subrogation Statute is Unconstitutional,” published July 23, 2001.
- z. Consultant on Subrogation Issues to USA Today Newspaper for article entitled “HMOs Exercising Right to Sue Patients,” July 19, 2001.
- aa. Consulting Expert (pro bono basis) to Los Angeles Law Firm of Girardi F. Keese in connection with ERISA/Subrogation issues on *Reynolds v. Ellis* case, for which U.S. Supreme Court granted certiorari, 11/00 - 1/01.
- bb. Consultant on Subrogation Issues to Smart Money Magazine for article titled “Adding Insult to Injury,” published July, 2000 (Quoted frequently throughout article.)
- cc. Legal Consultant, on pro bono basis, to newly created not-for-profit South Dakota organization entitled the “South Dakota Coalition for Shared Parenting”; 1999-ongoing (this organization was put together by Steve Mathis of Yankton, SD and he now serves as its President.) Web site may be viewed at: <http://members.tripod.com/SDSharedParent/index.htm>
- dd. Co-presenter (with Prof. Charles Thatcher) of topic “Exam Writing” to law faculty, 2/7/00.
- ee. Master of Ceremonies, Law Review Banquet, 4/15/00

- ff. Delegate to AALS House of Representatives Convention, Washington, D.C., annual meeting, January, 2000.
- gg. Representative of USD School of Law to ABA Conference on “Lawyers as Creative Problem Solvers, San Diego, February 24-26, 2000.
- hh. Editor, South Dakota Defense Lawyers Newsletter, 1998-2000.
- ii. Co-teaching “Children and the Law” Seminar through USD School of Medicine to Residents in Child Psychiatry, July 1998-July 2000.
- jj. Faculty Advisor, South Dakota Law Review, May 1998-September 2000.
- kk. Master of Ceremonies, Law Review Banquet, 4/17/99.
- ll. Creator of USDLAW, an unmoderated listserv – a forum utilized lawyers, judges and law students for the discussion of legal issues of interest in South Dakota. USDLAW was created on 2/25/97 and continues to operate. I continue to serve as list manager.
- mm. Creator of e-mail discussion lists with open invitations to members of State Bar of South Dakota. Extension of invitations to members of State Bar in March, 1997 newsletter.
- nn. “Creating and Using Listservs in Conjunction with Classroom Teaching” – Friday, 1/24/97 – Room 110, Law School – presentation to “law school” audience.
- oo. “Creating and Using Listservs in Conjunction with Classroom Teaching” – Friday, 2/19/97 – Room 110, Law School – presentation to “law school” audience.
- pp. “Creating and Using Listservs in Conjunction with Classroom Teaching” – Monday, 4/28/97 Statewide RDTN presentation -- live interact with persons in audience in studios at Vermillion, Aberdeen, Spearfish, Brookings (presentation recorded at School of Mines site).
- qq. Demonstration of Technology, 1/22/98, CIDD “Grand Opening and Ribbon Cutting Ceremony” – Faculty demonstrator of the “Use of Technology in the Classroom.
- rr. Banner Bearer, USD Law School Banner, Inauguration Ceremonies for President James W. Abbott, 10/4/97.
- ss. Source of Authority for Reporter Corrine Olson, ARGUS LEADER, for Article entitled "Alimony Cases Rise in S.D., Experts Say" 8/6/96.

- tt. "Review of South Dakota Family Law," Family Law CLE presentation, Nov. 9, 1995, Rapid City, South Dakota.
- uu. "Update on Subrogation," South Dakota Trial Lawyers' Symposium on Damages, Sept. 22, 1995, Sioux Falls, South Dakota.
- vv. "Mediating Child Custody Cases," South Dakota Mediation Association, April 7, 1995, Sioux Falls, South Dakota.
- ww. "South Dakota Law on Subrogation and Anti-Subrogation Laws," Insurance CLE presentation, November 17, 1994, Rapid City, South Dakota.
- xx. "South Dakota Law on Interpretation of Insurance Policies," Insurance CLE presentation, November 17, 1994, Rapid City, South Dakota.
- yy. Special Consultant on Family Law Matters to Honorable Steve Cutler, Speaker of the House of Representatives for South Dakota, September 1993-present.
- zz. Licensed Member, South Dakota Bar, licensed 5/3/93.
- aaa. Member, Family Law Committee, State Bar of South Dakota, 9/17/93-present.
- bbb. Faculty Advisor, Moot Court Board, 1992-93.
- ccc. State Reporter for South Dakota for ABA's project "Family Law in the Fifty States" annually published in Family Law Quarterly, June, 1991 - present.
- ddd. Licensed member, Texas Bar, licensed 7-10-87.
- eee. Licensed member, Missouri Bar, licensed 9-4-76.
- fff. Testimony given (at request of numerous state court judges) before Texas State Senate Jurisprudence Committee on Joint Custody Legislation, April 21, 1987.
- ggg. Seminar speaker at South Texas College of Law faculty on "How to Write and Publish," November 17-18, 1986.
- hhh. Guest speaker, Gulf Coast Family Law Forum, February 12, 1987. State Bar-approved CLE Program. Topic: "Representing the Custody Litigant Zealously Within the Bounds of the Law: Determining the Boundary Line as Set by the U.S. Constitution (In Particular the 5th and 14th Amendments)."
- iii. Guest speaker, South Texas College of Law Alumni Program, April 22, 1987. MCLE approved by State Bar. Topic: "Back to the Basics."

- jjj. Guest speaker, Montgomery County (TX) Bar Association, May 20, 1987. MCLE approved by State Bar. Topic: "Back to Basics."
 - kkk. Guest speaker, Brazoria County (TX) Bar Association, CLE approved presentation. March 11, 1988. Topic: "Recent Developments in Family Law."
 - lll. Associate Editor, The Houston Lawyer, appointed April 18, 1988, served through May 1990.
 - mmm. Master of Ceremonies, Spring Banquet-Dinner, Dance and Awards Ceremony, South Texas College of Law, March 11, 1989.
 - nnn. Author of "Lawyer to Lawyer" Column for The Houston Lawyer, May 1989 through May 1990.
10. HONORS AND RECOGNITION (List all awards, honors, honorary degrees, and special recognition received.)
- a. John Wesley Jackson, Faculty Award, USD School of Law, April 18, 1995.
 - b. "Friend of Youth" Award given by Vermillion Optimist Club, 10/2/93, for organization and continuing support of Vermillion Youth Soccer League.
 - c. Modern Woodmen of America "Community Service Award." 10/17/92.
 - d. Nominated for Vinson and Elkins Faculty Award, Spring 1987; also nominated in 1988, 1989, and 1990.
 - e. Excellence Award in Teaching, Student Bar Association Award, South Texas College of Law, March 19, 1988.
 - f. Service Award, South Texas College of Law Alumni, April 22, 1987.
11. GRANTS SINCE 1974 (Please list all grants whether from within the university or from outside agencies. Cite title, funding agency and amount of funding. List chronologically from 1974 forward.)
- a. Research Grant, Summer 2006.
 - b. Research Grant, Summer 2005.
 - c. Research Grant, Summer 2004.
 - d. Research Grant, Summer 2003.
 - e. Research Grant, Summer 2002.

- f. Lauren Lewis Grant, \$3,000, Summer 2001.
 - g. Lauren Lewis Grant, \$3,000, Summer 2000.
 - h. Lauren Lewis Grant, \$3,000, Summer 1999.
 - i. Lauren Lewis Grant, \$3,000, Summer 1998.
 - j. Lauren Lewis Grant, \$3,000, Summer 1997.
 - k. Lauren Lewis Grant, \$3,000, Summer 1996.
 - l. Lauren Lewis Grant, \$3,000, Summer 1995.
 - m. Lauren Lewis Grant, \$3,000, Summer 1994.
 - n. Lauren Lewis Grant, \$2,000, Summer 1993.
12. CONSULTING ACTIVITIES SINCE 1974 (Please give complete details as to location and type consultation. List from 1974 forward.)
- a. Consulting expert for attorneys Rico Johnson and Greg Brewers on Family Law Matter, 9/06-ongoing.
 - b. Consulting expert for attorney, Craig Thompson on Insurance matters, 6/06-8/06.
 - c. Consulting expert for attorney, Brian Donahoe on Insurance matters, 12/04-ongoing.
 - d. Consulting expert for attorney, Craig Thompson on Family Law matters, 6/03-ongoing.
 - e. Consulting expert on Insurance (Bad Faith) matters for attorney, Mark Connot, 8/02-5/03
 - f. Consulting expert on Insurance (Bad Faith) matters for attorney George Boos, 12/01-ongoing.
 - g. Consulting expert for attorney Craig Thompson on Family Law matters, 9/01-2/02.
 - h. Consulting expert on Family Law Matters for attorney Craig Thompson, 7/01-5/02.
 - i. Consulting expert on Insurance Matters for attorney, Tim Shattuck, 4/01-12/01.

- j. Consulting Expert on Insurance Matters for attorneys Ken White and James Matters, 9/00-4/01.
- k. Consulting Expert on Insurance Matters for attorney Don Kresen, 9/00-12/00.
- l. Consulting Expert on Insurance Matters for attorney John Blackburn, 8/00 - 8/02.
- m. Consulting Expert on Insurance Matters for attorney Gary Thimsen, 6/00-12/00.
- n. Advisor to Professor Dennis Cichon on his book relating to family law issues in South Dakota, 1999-2000.
- o. Consulting Expert on Family Law Matters for attorney George Hirshbach, 9/25/98-1/1/02.
- p. Consulting Expert on Insurance Matters in Iowa for attorney Charles Trullinger, 8/1/97-10/97.
- q. Consulting Expert on Insurance Matters for attorney Anne Hajek, 7/11/97-12/97.
- r. Consulting Expert on Insurance Matters for attorney Steve Johnson, 12/12/96 - 5/27/96.
- s. Consulting Expert on Insurance Matters for attorney E. Steeves Smith, 11/16/95 - 1997.
- t. Consulting Expert on Alimony for attorney Lee Burd, 1/18/96-3/11/96.
- u. Consulting Expert on Insurance Matters for attorney David Palmer, 10/4/95.
- v. Consulting Expert on Insurance Matters for Attorney Tim Gebhart, 3/29/95.
- w. Consulting Expert on Antenuptial Agreements under South Dakota law for attorney Lee McCahren, May 1994.
- x. Special Consultant on Family Law Matters to Honorable Steve Cutler, Speaker of the House of Representatives for South Dakota, September 1993-May 1994.
- y. Consulting Expert on Insurance Matters for attorney Marten Trotzig (1/4/94).
- z. Consulting Expert on family law matter for attorney Dick Ericsson of Madison, South Dakota (9/10/91).
- aa. Consulting Expert on attorney fee dispute for Thomas Sartwelle of Houston, Texas (2/14/91).

- bb. Consulting Expert on attorney's fiduciary duties to client for attorney John Eikenberg of Houston, Texas (12/31/90).
 - cc. Family Law Consultant to "Leslie Thacker, Texas Licensed Child Placing Agency" 1989-1990 (Houston, Texas).
 - dd. Consulting Expert for attorney Henry H. McCreight, Jr. on Forwarding Fee Dispute (Houston, Texas); 1/31/90-3/6/90.
 - ee. Consulting Expert to United Sonics, Inc. on Contractual Obligations in Patent Dispute (1990).
 - ff. Associate Editor, The Houston Lawyer, appointed April 18, 1988, served through May 1990.
13. UNIVERSITY COMMITTEE ASSIGNMENTS SINCE 1974 (List in chronological order the university-wide committees on which you have served or are serving.)
- a. Faculty Advisor, USD Hockey Club – University-wide organization which consisted mostly of non-law students. (I was requested by Vince Jones to serve as Faculty advisor for this organization and I agreed to do so.) 2004-05.
 - b. Member, University Scheduling and Calendar Committee, 2000-2003.
 - c. Member, Technology Fellows Selection Committee, 6/00-6/01.
 - d. Member, CIDD Advisory Committee, 1997-2001.
 - e. Chair, Efficiency Committee for Non-Academic Matters, 8/95 - 5/96.
 - f. Member, Special Investigative Committee to the President on Steroid Matters, Drafter of Final Report, May 1995.
 - g. University Judicial Board (Appointment by University President) September 1994 - present.
 - h. Non-unit Investigator for Grievances (Ad hoc appointment by University President).
 - i. Curriculum and Instruction Committee, January 1991-1993.
14. COLLEGE COMMITTEE ASSIGNMENTS SINCE 1974 (List in chronological order the college-level committees on which you have served or are serving now.)
- a. Chair, Faculty Recruiting Committee, 2006-07.

- b. Member and EEO Representative, Faculty Recruiting Committee, 2005-06, Fall 2004.
- c. Vice-Chair, Faculty Recruiting Committee, 2004-05 (in charge of interfacing with scheduling interviews with all tenure track candidates selected for interview in preliminary rounds and in on-campus interviews).
- d. Member, Awards and Scholarship Committee, 2005-06, 2004-05, 2003-04.
- e. Member and EEO Representative, Search Committee for Assistant Dean of Law School, Spring and Summer, 2004.
- f. Chair, Faculty Recruiting Committee, Spring 2004.
- g. Member and EEO Representative, Faculty Recruiting Committee, Fall 2003.
- h. Member and EEO Representative, Faculty Recruiting Committee for the Joint Appointment to the Law School and the Department of Contemporary Media and Journalism, 2003-04.
- i. Member and EEO Representative, Search Committee to replace Carmen Howard, Fall 2003.
- j. Chair, Academic Affairs and Curriculum Committee, 2001-03
- k. Member and EEO Representative, Search Committee to replace Carleen Muenster, Summer 2003.
- l. Member, Financial Aid/Awards Committee, 2001-03.
- m. Member, Faculty Recruiting Committee, 2000-01.
- n. Member, Faculty Performance Committee, 1999-00.
- o. Chair, Faculty Recruiting Committee, 1997-98.
- p. Chair, Financial Aid/Awards Committee, 1996-97.
- q. Chair, Faculty Recruiting Committee, 1995-96.
- r. Chair, Assistant Dean Search Committee, Summer 1995.
- s. Law School Curriculum Committee, August 1990-1993.
- t. Law School Academic Affairs Committee, August 1993-94.

- u. Law School Tenure Committee, August 1993-98.
 - v. Law School Disciplinary Committee, August 1994-95.
15. DEPARTMENTAL COMMITTEE ASSIGNMENTS SINCE 1974 (List in chronological order all departmental committees on which you have served or are serving now.)
16. THESIS COMMITTEE ASSIGNMENTS SINCE 1974 (Indicate the number of thesis committees on which you have served and the number that you have chaired.)
- a. Service as “outside committee member” together with Prof. Mike Card and Prof. Elizabeth Smith for Oral Comprehensive Examination for Robert Joachim’s pursuit of masters in Public Administration. Exam conducted in law school on April 18, 2005.
 - b. Service as Law School Advisor to Eric Strawn in his Masters Thesis Project as a History Graduate Student at USD, in connection with his effort to develop the “history” of Family Law Lobby Organizations in South Dakota. (Thesis to be presented/defended in Spring 2004).
17. I. ACADEMIC RESPONSIBILITIES--COURSES TAUGHT REGULARLY (Please list the title and course number of those courses which you teach regularly.)
- a. At South Texas College of Law in Houston, my most common teaching assignment was Civil Procedure and Family Law. I also taught Professional Responsibility, Legal Research and Writing I, and Legal Research and Writing II.
- Here at the University of South Dakota School of Law, I have been assigned to teach Civil Procedure (LAW 706/756), Family Law (LAW 853), and Insurance (LAW 851).
- II. ADMINISTRATIVE/TECHNICAL RESPONSIBILITIES (Describe)
- a. Service as Law School Advisor to Robert Joachim in his Masters in Public Administration Thesis; Member of Panel Entertaining Oral Exam on Masters Comprehensive Exam, April 18, 2005.
 - b. Faculty Advisor, USD Hockey Club organized for university-wide participation, Spring 2003.
 - c. Work site supervisor for minority students in Upward Bound/TRIO program. Summer, 2004; Summer, 2003; Summer, 2002; Summer, 2001.

- d. Service as Law School Advisor to Eric Strawn in his Masters Thesis Project as a History Graduate Student at USD, in connection with his effort to develop the “history” of Family Law Lobby Organizations in South Dakota.
- e. Faculty Advisor to South Dakota Law Review, May 1998-September, 2000.
- f. Faculty Adviser to Moot Court Board, 1992-93.

III. PUBLIC SERVICE (Describe)

- a. Organizer and promoter of “Voluntary Faculty Scholarship Fund for Indian Country Service” – USD School of Law – August 20, 2006 – ongoing.
- b. Organizer and promoter of showing of all eight episodes of “The Law Firm” on Thursday evenings as non-alcoholic alternative for students. Fall 2005.
- c. Dakota Days Law School Golf Scramble, organized with Dean Vickrey, October 2, 2004 and October 8, 2005.
- d. Organized Law School Dodgeball Intramurals as non-alcoholic alternative for students in evenings - 4 Law School teams formed and competed in USD Intramural League, April 2005.
- e. Dakota Days Impromptu Law School Golf Scramble organized, October 2, 2004, which, with the encouragement of Dean Vickrey, will be the “1st Annual Dakota Days Law School Golf Scramble.”
- f. Reporter to ABA on Developments in South Dakota Family Law, for the Family Law in the Fifty States Project.
- g. Claudia and I sponsored and hosted Team Dinner for USD Swim Team, just prior to the NCC Conference Meet, served at the Newman Center on Tuesday evening, February 17, 2004.
- h. Hosted the movie, “The Paper Chase” on February 5, 2004, as non-alcoholic alternative for students on Thursday evening.
- i. I sat in the “Dunk Tank” for the 3rd year class fundraiser on September 5, 2003. (Reportedly, I was dunked more than any other professor who agreed to participate - clearly a sign of my naïve ignorance as to the matter of “making myself available to students!”).

- j. Claudia and I have sponsored and hosted Team Dinner for USD Swim Team, just prior to the NCC Conference Meet, served in law school lounge on Sunday evening, February 16, 2003.
- k. Claudia and I have established 3 awards to be given to law students. The “effort” award is given to the 2L and 3L student who is next in line for the Sterling Honor Society or the Dean’s List. The 1L award is based on hardship. These awards were first given at the Spring 2001 awards banquet and have been ongoing. [Funding for these awards is separate from the unrestricted 5 year commitment we made to donate \$8,000, 80% to the Law School Foundation and 20% to USD Foundation.]
- l. Pro bono assistance made available through Vermillion High School Counselor’s Office (responding to request received by Dean Sorensen).
- m. “After Dinner” entertainer (lip sync and speaking), Law School Graduating Class of 2002, Eagles Club, May 9, 2002.
- n. “After Dinner” speaker, Law School Graduating Class, May, 2001.
- o. “After Dinner” speaker, Law School Graduating Class of 1999, Eagles Club, May 8, 1999.
- p. Speaker on "Careers in Law" to Vermillion Middle School, 12/10/96.
- q. Continued availability to South Dakota legislators for review of proposed legislation.
- r. Commissioner and Founder, Vermillion Youth Soccer League, 1990-1992.
- s. Volunteer Coach and Referee, Girls' Soccer and Softball teams, 1990-present.
- t. Head Coach, B-team, Vermillion girl's softball league. 1990-1991.

18. TIME ALLOCATION (Give the estimated percentage of your professional time spent in each of the following categories: teaching, research, administration, public service, and other. Include committee assignments as administration.)

Teaching	78% - 98%
Research	0% - 15%
Administration	0% - 15%
Public Service	0% - 15%

19. NAMES AND ADDRESSES OF THREE PERSONS IN YOUR FIELD ON OTHER CAMPUSES (or elsewhere) WHO MAY BE ASKED TO EVALUATE YOUR PROFESSIONAL REPUTATION.

- a. Michael E. Wheeler, Vice President, Associate Dean and Professor of Law, South Texas College of Law, 1303 San Jacinto, Houston, Texas, 77002. (713) 646-1858.
- b. Michael Heise, Professor Cornell Law School, 304 Myron Taylor Hall, Ithaca, NY 14853. (607) 255-0069.
- c. Alan Newman, Professor, University of Akron School of Law, 150 University Ave., Akron, OH 44325. (330) 972-5859.