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Professor of Law

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PERSONAL INFORMATION:

Born in Cleveland, Ohio, February 10, 1950

EDUCATION:

B.A., 1972, University of Wisconsin-Madison
J.D., 1975, Cleveland State University
A.M.L.S., 1980, University of Michigan

BAR MEMBERSHIPS:

Wisconsin (active)
Ohio (inactive)

ACADEMIC AWARDS:

Undergraduate degree awarded "with distinction"
Law degree awarded "Cum Laude"
American Jurisprudence Award for Excellence in the Study of Corporations
1980 Margaret Mann Scholar, University of Michigan
Beta Phi Mu, University of Michigan

PROFESSIONAL AWARDS:

Excellence in Academic Law Librarianship Award,
West Publishing Company (First Recipient, 1993)

ADMINISTRATIVE AND PROFESSIONAL POSITIONS:

DIRECTOR OF THE LAW LIBRARY,
University of Wisconsin Law School, Madison, Wisconsin,
July 1995 to present.

INTERIM DEAN,
Marquette University Law School, Milwaukee, Wisconsin,
July 1994 to July 1995.

ASSOCIATE DEAN,
Marquette University Law School,
July 1992 to July 1994.

DIRECTOR OF THE LAW LIBRARY,
Marquette University Law School,
July 1987 to December 1993.

ASSOCIATE LAW LIBRARIAN,
Tarlton Law Library, University of Texas at Austin,
November 1985 to June 1987.

ASSISTANT LIBRARIAN FOR PUBLIC SERVICES,
Tarlton Law Library, University of Texas at Austin,
September 1985 to November 1985.

ATTORNEY,
Barkan and Barkan Co., LPA, Columbus, Ohio,
February 1983 to October 1984.

RESEARCH LIBRARIAN,
United States Supreme Court, Washington, D.C.,
June 1981 to January 1983.

REFERENCE/MEDIA LIBRARIAN,
University of Southern California Law Library,
Los Angeles, California,
September 1980 to May 1981.

ATTORNEY,
Barkan, Barkan and Neff, Columbus, Ohio,
August 1975 to August 1979.

ACADEMIC APPOINTMENTS:

PROFESSOR OF LAW,
University of Wisconsin-Madison,
July 1995 to present (Torts I, Torts II, Professional Responsibilities).

VISITING PROFESSOR OF LAW,
Justus-Liebig-Universitat, Giessen, Germany,
June 1996 (Tort Law in the United States),
June 2001 (Defamation and Privacy in US Tort Law).

ASSISTANT/ASSOCIATE PROFESSOR OF LAW,
Marquette University, Milwaukee, Wisconsin,
July 1987 to July 1995 (Education Law, Professional Responsibility, Legal History,
Workers' Compensation, Legal Research).

VISITING ASSOCIATE PROFESSOR,
School of Library and Information Studies,
University of Wisconsin-Madison, Madison, Wisconsin,
June 1994 (Law Library Administration).

ADJUNCT ASSISTANT PROFESSOR,
School of Library and Information Science,
University of Wisconsin-Milwaukee, Milwaukee, Wisconsin,
1987 to 1995 (Law Library Administration).

VISITING PROFESSOR,
University of Tulsa College of Law, Tulsa, Oklahoma,
August 1986 (Accelerated Legal Research).

LECTURER IN LAW,
George Mason University School of Law, Arlington, Virginia, 1981, 1982
(Legal Research and Writing).

PUBLICATIONS:Books and Chapters in Books

FUNDAMENTALS OF LEGAL RESEARCH (9th Edition) with the late Roy M. Mersky and the late Donald J. Dunn, Foundation Press, 2009.

“ABA Accreditation Considerations,” in THE FUTURE OF LAW LIBRARIES (a symposium sponsored by the Florida Coastal School of Law, Thomson-West Publishing Company, and InfiLaw Systems held at Amelia Island Plantation, Florida; March 10-11, 2005). Thomson-West, 2006.

"Chapter 1: An Introduction to Legal Research," and "Chapter 2: The Legal Research Process," in FUNDAMENTALS OF LEGAL RESEARCH (Eighth Edition) by Mersky and Dunn, Mineola, NY, Foundation Press, 2002. (revision of chapters)

"Chapter 1: An Introduction to Legal Research," and "Chapter 2: The Legal Research Process," in FUNDAMENTALS OF LEGAL RESEARCH (Seventh Edition) by Jacobstein, Mersky, and Dunn, Mineola, NY, Foundation Press, 1998. (revision of chapters)

"Chapter 1: An Introduction to Legal Research," and "Chapter 2: The Legal Research Process," in FUNDAMENTALS OF LEGAL RESEARCH (Sixth Edition) by Jacobstein, Mersky, and Dunn, Mineola, NY, Foundation Press, 1994. (revision of chapters)

"Can Law Publishers Change the Law?" in SYMPOSIUM OF LAW PUBLISHERS, New York, Haworth Press, 1991, also in 11 LEGAL REFERENCE SERVICES QUARTERLY 29 (1991).

"Chapter 1: An Introduction to Legal Research," and "Chapter 2: The Legal Research Process," in FUNDAMENTALS OF LEGAL RESEARCH (Fifth Edition) by Jacobstein and Mersky, Mineola, NY, Foundation Press, 1990.

"An Introduction to American Legal Research," in ORIENTATION IN THE U.S. LEGAL SYSTEM, Washington, D.C., International Law Institute, 1987.

Articles

"Testing for Research Competency on the Bar Exam: The Next Steps," (with Susan Case, Michael Kane & Erica Moeser), 28 (3-4) LEGAL REFERENCE SERVICES QUARTERLY 281 (2009).

"Should Legal Research be Included on the Bar Exam? An Exploration of the Question," 99 LAW LIBRARY JOURNAL 191 (2007). This essay is part of a symposium issue that also has been published as a monograph: LEGAL INFORMATION AND THE DEVELOPMENT OF AMERICAN LAW: A COLLECTION OF ESSAYS INSPIRED BY THE CONTRIBUTIONS OF ROBERT C. BERRING, edited by Richard A. Danner and Frank G. Houdek. Thomson/West, 2008. Also reprinted in 77 (2) THE BAR EXAMINER 35 (May 2008).

"The First Conference of Religiously Affiliated Law Schools: An Overview," 78 MARQUETTE LAW REVIEW 247 (1995).

"La Religion y La Formacion Etica de Los Abogados," 1 CONGRESO NACIONAL DE DERECHO CIVIL Y COMERCIAL, Facultad de Derecho y Ciencias Politicas, Universidad Nacional Mayor de San Marcos, Lima, Peru 787-94 (1994).

"Jesuit Law Schools: Challenging the Mainstream," CONVERSATIONS ON JESUIT HIGHER EDUCATION, Spring 1993, at 7-15, 27-31.

"Jesuit Legal Education: Focusing the Vision," 74 MARQUETTE LAW REVIEW 99 (1990).

"Response to Schanck: On the Need for Critical Law Librarianship, or Are We All Legal Realists Now?" 82 LAW LIBRARY JOURNAL 23 (1990).

"Deconstructing Legal Research: A Law Librarian's Commentary on Critical Legal Studies," 79 LAW LIBRARY JOURNAL 617 (1987).

Review Essays

"Law and Information" (Book Review of THE ELECTRONIC MEDIA AND THE TRANSFORMATION OF LAW by Katsh), 10 NORTHERN ILLINOIS LAW REVIEW 365 (1990).

"On Describing Legal Research" (Book Review of FUNDAMENTALS OF LEGAL RESEARCH by Jacobstein and Mersky), 80 MICHIGAN LAW REVIEW 925 (1982).

Short Articles

"Marquette Programs Focus On Diverse Student Body," 64 WISCONSIN LAWYER 46 (April 1991).

"Law Book Paper and Binding: We're Starting To Do Better," THE CRIV SHEET, November 1989, at 7.

"From the Editor: Building Bridges," 2 INTEGRATED LEGAL RESEARCH: INSTRUCTION AND TECHNIQUE 1 (Fall 1989).

"From the Editor: Integrating Legal Research," 2 INTEGRATED LEGAL RESEARCH: INSTRUCTION AND TECHNIQUE 1 (Summer 1989).

"From the Editor: The 1988 Graylyn Conference," 1 INTEGRATED LEGAL RESEARCH: INSTRUCTION AND TECHNIQUE 1 (Winter & Spring 1989).

"From the Editor: Teaching the Process of Legal Research," 1 INTEGRATED LEGAL RESEARCH: INSTRUCTION AND TECHNIQUE 1 (Fall 1988).

"Marquette's 'Library without Walls' Is Service-Oriented," 62 WISCONSIN LAWYER 29 (January 1989).

Short Book Reviews

Book Review of LEXIS: THE COMPLETE USER'S GUIDE by Shapiro, LEGAL INFORMATION ALERT ___ 1989, at ___.

Book Review of FUNDAMENTALS OF MODERN BUSINESS by Hamilton, 62 WISCONSIN LAWYER 39 (August 1989).

Book Review of RECOMMENDED LAW BOOKS, SECOND EDITION by McDermott, 51 TEXAS BAR J. 524 (1988).

Book Review of THE CONSTITUTION OF THE UNITED STATES: A GUIDE AND BIBLIOGRAPHY TO CURRENT SCHOLARLY RESEARCH by Reams and Yoak, 16 INTERNATIONAL JOURNAL OF LEGAL INFORMATION 34 (1988).

Book Review of AND WE ARE NOT SAVED: THE ELUSIVE QUEST FOR RACIAL JUSTICE by Bell, 61 WISCONSIN BAR BULLETIN 20 (1988).

Book Review of LEGAL RESEARCH IN THE UNITED KINGDOM 1905-1984 by the Institute of Advanced Legal Studies, and PLANNING LEGAL RESEARCH by Clark and Herron, 15 INTERNATIONAL JOURNAL OF LEGAL INFORMATION 161 (1987).

Book Review of THE PROCESS OF LEGAL RESEARCH by Kunz, Schmedemann, Erlinder, and Downs, 37 JOURNAL OF LEGAL EDUCATION 146 (1987).

Book Review of COMPUTER-ASSISTED LEGAL AND TAX RESEARCH by Thomas and Weinstein, 50 TEXAS BAR JOURNAL 453 (1987).

Book Review of VIEWS FROM THE BENCH edited by Cannon and O'Brien, 50 TEXAS BAR JOURNAL 86 (1987).

Bibliography

THE TREATMENT OF MENTALLY ILL CRIMINALS: A BIBLIOGRAPHY, by Steven M. Barkan and Jill Mubarak, Los Angeles, University of Southern California, 1981.

PRESENTATIONS AND PAPERS DELIVERED:

Panel Participant, "Workshop for New Academic Law Library Directors: Making Scholarship a Reality," Association of American Law Schools Annual Meeting, San Diego, CA, January 10, 2009.

"The Long Tail of Legal Research: Perspectives on Teaching Legal Research in the Future." Teaching the Teachers: Effective Instruction in Legal Research Conference held at the Tarlton Law Library, University of Texas School of Law, Austin, Texas, October 18-20, 2007.

"ABA Accreditation Considerations," Law Library Directors' Luncheon, Association of American Law Schools Annual Meeting, Washington, DC, January 3, 2007.

"Should Legal Research be Included on the Bar Exam? An Exploration of the Question," at "Legal Information and the Development of American Law: Further Thinking about

the Thoughts of Bob Berring,” a symposium held at the Boalt Hall School of Law, University of California, Berkeley, October 21, 2006.

“ABA Accreditation Considerations,” at “The Future of Law Libraries,” a symposium, sponsored by the Florida Coastal School of Law, Thomson-West Publishing Company, and InfiLaw Systems; Amelia Island Plantation, Florida; March 10-11, 2005.

“Product Liability Law in the United States,” Universidad Diego Portales, Santiago, Chile, May 26, 1999.

“Tort Law in the United States,” Universidad Diego Portales, Santiago, Chile, April 21, 1999.

"The Regulation of Lawyers in the United States," Universidad Diego Portales, Santiago, Chile, January 15, 1998, and Universidad Catolica de Temuco, Temuco, Chile, January 12, 1998.

Speaker, “The Legitimacy of Management,” Annual Conference of the Wisconsin Association of Academic Librarians, Lake Geneva, WI; April 18, 1996.

Panelist, "Common Goals and Challenges in Professional Ethics Education," Jesuit Higher Education in the Heartland, Loyola University of Chicago, Chicago, IL; May 25, 1994.

"Toward A New Paradigm in Legal Education: A Law School Dean's Perspective," Conference on Teaching Research in Private Law Libraries, Mead Data Central, Scottsdale, AZ; April 17, 1994.

"Religion and the Ethical Formation of Lawyers," First National Conference on Civil and Commercial Law, Universidad Nacional Mayor de San Marcos, Lima, Peru; November 24, 1993.

Speaker, "The Jesuit and Catholic Factors in Legal Education at Loyola: What Do They Mean? What Should They Mean?" Loyola University of Chicago School of Law, Chicago, IL; October 14, 1993.

Speaker and Co-Coordinator, "Librarians as Teachers: Can They? Should They?" Annual Meeting of the American Association of Law Libraries, Boston, MA; July 13, 1993.

"Accelerated Legal Research," Third Annual Conference on Effective Teaching of Legal Research in a Technological Environment, Winston-Salem, NC; November 1989.

"Automation in the Nineties: How It Will Affect Our Resources," Midwest Regional Conference of Law Librarians, Chicago, IL; October 27, 1989.

"Target Audience: Law Students," American Association of Law Libraries Institute on Teaching Legal Research, Sacramento, CA; June 1989.

"Selling the Law: Access to Legal Information in an Online Environment," Annual Meeting of the State Bar of Wisconsin, Milwaukee, WI; February 1989.

"Megatrends in Legal Research," American Association of Law Libraries Institute on Managing New Technologies, Dallas, TX; January 1989.

"Accelerated Legal Research," Second Annual Conference on Effective Teaching of Legal Research in an Online Environment, Winston-Salem, NC; October 1988.

"The First Amendment Two Hundred Years Later: Are the 'Free Exercise' and 'Establishment' Clauses Compatible?" Colloquium, "Religion, Politics, Law: Focus on the 1988 Elections," Marquette University, Milwaukee, WI; April 16, 1988.

"Critical Legal Studies: Out of Harvard and into the Streets," Annual Meeting of the American Association of Law Libraries, Washington, DC; July 1986.

"The Electronic Law Library: Tarlton without Walls," Mead Data Central Invitational Institute, Annual Meeting of the Southwestern Association of Law Libraries, Waco, TX; March 1986.

OTHER SCHOLARLY ACTIVITIES:

Founding Editor, PERSPECTIVES: TEACHING LEGAL RESEARCH AND WRITING (a publication for teachers of legal research and writing published by West Publishing Company), 1992-94.

Editor, INTEGRATED LEGAL RESEARCH: INSTRUCTION AND TECHNIQUE (a publication for teachers of legal research and writing published by Mead Data Central, Inc.), 1988-90.

Book Review Editor, WISCONSIN LAWYER, 1987-90.

SELECTED PROFESSIONAL/SERVICE ACTIVITIES:

Co-Director, Summer Program in International and Comparative Law, Giessen, Germany. A four-week summer study abroad program for law students offered as a partnership with the Marquette University Law School and the law school at the University of Giessen. 2009 to present.

Site Evaluator, American Bar Association, Regent University School of Law Summer Program in Israel, June 2008.

Member, Site Evaluation Team, American Bar Association, Provisional Accreditation of the Florida A&M University College of Law, October 2007.

Member, Site Evaluation Team, American Bar Association, Provisional Accreditation of the Charleston School of Law, October 2005.

Bar Exam Question Writer, Supreme Court of Wisconsin, February 2005 Bar Exam (Torts).

Member, Copyright and Intellectual Property Task Force, Council of University of Wisconsin Libraries, University of Wisconsin System, February 2004-2005.

Member, Site Evaluation Team, American Bar Association, Provisional Accreditation of the Florida A&M University College of Law, November 2003.

Member, Site Evaluation Team, American Bar Association, Re-Accreditation of the Catholic University of America Columbus School of Law, March 2002.

Member, Site Evaluation Team, American Bar Association, Re-Accreditation of the Santa Clara University Law School, February 2001.

Member, Site Evaluation Team, American Bar Association, Re-Accreditation of the University of North Carolina School of Law, April 2000.

Member, Site Evaluation Team, American Bar Association, Accreditation of Western State University College of Law, March 1999.

Member, Site Evaluation Team, American Bar Association, Re-Accreditation of Brigham Young University Law School, March 1998.

Bar Exam Grader, Supreme Court of Wisconsin, 1989 to present.

Reporter, Committee on Professional Ethics, State Bar of Wisconsin, 1996-97.

“Legal Ethics: Rules, Regulations, and Beyond,” (with Professor Ralph Cagle) Wisconsin Law Alumni Association, Las Vegas, NV; September 14, 1996; and Madison, WI; April 26, 1997.

Chair, Association of American Law Schools, Committee on Libraries, 1994-95.

Member, Nominating Committee, Section on Law Libraries, Association of American Law Schools, 1995.

Participant, Seminar for New Law School Deans, American Bar Association, Wake Forest University School of Law, Winston-Salem, NC; June 15-19, 1994.

Program Coordinator and Moderator, Conference of Religiously-Affiliated Law Schools, Milwaukee, WI; March 18-19, 1994.

Delegate, American Bar Association, Latin American Sister Law School Program, March 1994 (Argentina, Peru, Brazil, Guatemala).

Speaker, "Confidentiality" and "The Ethics of Negotiation," Wisconsin Legal Ethics, Professional Education Systems, Inc., Milwaukee, WI; December 29, 1993.

Advisory Council, Conference on Teaching Research in Private Law Libraries, Mead Data Central, 1994.

Legal Research Instructor, Orientation in the U.S. Legal System, International Law Institute, Georgetown University Law Center, Washington, DC, 1982, 1983, 1986, 1989, 1990.

Moderator and Coordinator, "A Debate on the Methodology of Teaching Legal Research," Annual Meeting of the American Assn of Law Libraries, Minneapolis, MN; June 1990.

Moderator and Co-Coordinator, "The Role of the Religiously Affiliated Law School Library," Annual Meeting of the American Association of Law Libraries, Minneapolis, MN; June 1990.

Member, American Association of Law Libraries Government Relations Committee, 1990-91.

Co-Director, American Association of Law Libraries Institute on Business and Governmental Information Sources, Los Angeles, CA; January 1990.

Dean's Advisory Council, School of Library and Information Science, University of Wisconsin-Milwaukee.

Member, American Association of Law Libraries Call for Papers Committee, 1989-90.

Director, American Association of Law Libraries Workshop on Grant Writing and Fund Raising, Reno, NV; June 22, 1989.

Moderator and Co-Coordinator, "Law Book Paper and Binding," American Association of Law Libraries Annual Meeting, Reno, NV; June 20, 1989.

Chair, Conference of Law Libraries of the Association of Jesuit Colleges and Universities, 1989-90; Vice-Chair, 1988-89; Secretary-Treasurer, 1987-88.

Nominating Committee Chair, American Association of Law Libraries Academic Law Libraries Special Interest Section, 1989.

Member, American Association of Law Libraries Committee on Relations with Information Vendors, 1988-89.

Planning Committee, Conference on Effective Teaching of Legal Research in an Online Environment, Mead Data Central, 1988, 1989, 1990.

Moderator and Co-Coordinator, "Developing a Model Reader Services Department: Ask the Experts," Annual Meeting of the American Association of Law Libraries, Atlanta, GA; June 28, 1988.

Co-Moderator, "Workshop for New Directors of Law School Libraries," Annual Meeting of the Association of American Law Schools, Miami, FL; January 9, 1988.

Moderator, "Challenges to Library Education," Annual Meeting of the American Association of Law Libraries, Detroit, MI; June 1982.