

## RESUME

DAVID EDWARD SCHULTZ  
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### I. Personal Background and Education

Born: March 9, 1946; married; three children

J.D. University of Wisconsin - Madison, 1972

B.S. University of Wisconsin - Madison, 1967

Bar Admissions: State of Wisconsin, 1972; U.S. Federal Court, E.D. Wisconsin, 1972.

### II. Professional Experience

Associate Dean, Continuing Education and Outreach, Law School, University of Wisconsin-Madison, 1981 - present

Professor of Law, University of Wisconsin-Madison, 1985 - present

Associate Professor and Chairman, University of Wisconsin-Extension Department of Law, 1981 - 1985

Assistant Professor, University of Wisconsin-Extension, Department of Law, 1978 - 1981

Specialist/Project Coordinator, University of Wisconsin-Extension, Department of Law, 1974 - 1978

Staff Attorney, Corrections Legal Services Program, Milwaukee, Wisconsin, 1972 - 1974

### III. Research and Publications

#### A. Grants

1. Wisconsin Department of Transportation - Resource Center on Impaired Driving. Approximately \$200,000 to \$260,000 per year since 1992.
2. State Justice Institute - "The Role of the Trial Judge In Criminal Cases". 1992-1995.
3. Wisconsin Division of Corrections - A Guide for Communities Interested in Breaking the Cycle of Child Sexual Abuse. 1984-85.

#### B. Books

1. Wisconsin Jury Instructions-Criminal, 4 volumes looseleaf, University of Wisconsin Law School/University of Wisconsin-Extension; reporter/draftsman since 1976; 44 supplements 1980-present.
2. The Role of the State Trial Judge In Criminal Cases – The Need for Change, University of Wisconsin Law School 1995, with Frank J. Remington.
3. Defense of Criminal Cases in Wisconsin, University of Wisconsin-Extension, 1976 supplement.

C. Articles; Book Chapters

3. Chapter 1, "Stopping and Questioning and Arrest in OWI Cases," in A Wisconsin Prosecutor's Manual for OWI Cases. Wis. Dept. of Transportation, 1998. Revised 2000.
4. "The Importance of Clarity in the Law of Homicide: The Wisconsin Revision," 1989 Wis. Law Review 1323 (with Walter Dickey and Jim Fullin).
5. Book Review, "Escape of the Guilty: What A Wisconsin Trial Judge Thinks About the Criminal Justice System," 70 Marquette Law Review 633 (1987).
6. "Law, Trial Judges and the Psychiatric Witness – Reflections on How A Change In Legal Doctrine Has Been Implemented in Wisconsin," with Walter J. Dickey and Frank J. Remington, 3 International Journal of Law and Psychiatry 331 (1980).

D. Non-Party Brief – State v. Tucker, No. 03-1463-CR, Wisconsin Supreme Court, with Walter Dickey and Michael Smith, filed Oct. 15, 2004.

E. Non-Party Brief – State v. Crochiere, No. 02-1809-CR, Wisconsin Supreme Court , with Walter Dickey and Michael Smith, filed Dec. 23, 2003.

F. Non-Party Brief – State v. Gallion, No. 01-0051-CR, Wisconsin Supreme Court , with Walter Dickey and Michael Smith, filed Aug. 1, 2003.

G.. Non-Party Brief – State v. Jensen, No. 98-3175-CR, Wisconsin Supreme Court, with Walter Dickey, Ben Kempinen, and Michael Smith, filed Feb. 21, 2000.

H. Amicus Curiae Brief – State v. Seifert, No. 88-1297-CR, Wisconsin Court of Appeals, with Walter Dickey, filed in May 1989.

I.. Amicus Curiae Brief (on behalf of Criminal Jury Instructions Committee) – State v. Lee, No. 81-227, Wisconsin Supreme Court, 1981.

J. Other

1. Course Materials – "Introduction to Substantive Criminal Law" with Walter Dickey, Fall 1993 through 2008.
2. Course Materials – "Criminal Justice Administration" with Walter Dickey and Michael Smith, Spring, 1994 through 2008.
3. "A History of the Criminal Jury Instructions Committee, Gargoyle, Summer 1991.
4. Course Materials – Police Recruit Legal Training, 1979, 1980, 1981-82, 1983-84, 1984-85, 1986-87, 1988, 1989, 1990, 1991-92, 1994, and 1995.
5. "How Can State Judges Receive the Greatest Benefit from Judicial Education," November 1988. A paper prepared for the State Justice Institute Judicial Education Study Panel.
6. Course Materials – "Recent Developments In Criminal Law," prepared annually 1979-1989.
7. "Punish the Offender, Protect the Victim, Treat the Family – A Guide for Communities Interested in Breaking the Cycle of Child Sexual Abuse." Monograph (co-author) UW Law School 1986.

**III. Law School Teaching**

A. Criminal Procedure [Criminal Justice Administration]

Spring semester 1992 to present.

B. Substantive Criminal Law

Fall semester, 1992 to present.

C. Judicial Intern Program

Recruitment, assignment, and supervision of students for the fall and spring semesters and the summer, 1998 to present.

**IV. Recurring or Major Continuing Education Programs; Outreach Activities**

A. Police Recruit Legal Training 1979-1995

Approximately 116 hours of law-related classroom instruction presented as part of the recruit academy of the Madison Police Department in 1979, 1980, 1981-82, 1983-84, 1984-85, 1986-87, 1988, 1989, 1990, and 1991-92. Reduced to approximately 80 hours for 1994 and 1995.

B. Judicial Education Criminal Law and Sentencing Institute, May 15-17, 1990

Lead responsibility for developing, coordinating, presenting and preparing materials for three full days of instruction; shared instruction duties with Frank Remington, Walter Dickey, Herman Goldstein, and Ben Kempinen.

C. Recent Developments In Criminal Law

A 4-hour CLE program presented annually 1979-1989, including a complete outline of court decisions and legislative changes.

D. Legal Issues In Policing

A report on recent court decisions affecting police work; part of a program presented by the Department of Governmental Affairs, University of Wisconsin-Madison, annually, 1983-1989.

V. Papers; Presentations

A. "Reasonable Suspicion and Probable Cause Issues," SFST [Standardized Field Sobriety Testing] in Wisconsin, University of Wisconsin Law School Resource Center on Impaired Driving, August 2, 2002.

B. "Raves, Club Drugs and the Criminal Law," University of Wisconsin Law School, March 25, 2002

C. CLE presentations at the Annual Traffic and Impaired Driving Law Program, presented in April each year from 1996 to present: four one-hour workshops on the law relating to stops, frisks, arrests, Miranda warnings, etc.

D. Participated in a panel presentation to the Governor's Task Force On Racial Profiling on Feb. 22, 2000, with Herman Goldstein and David Cole.

E. Presentations on the Judicial Council's Criminal Procedure Revision: meeting of the Chief Judges on January 14, 2000; Wisconsin District Attorneys Summer Conference on June 13, 2000; and, the State Public Defender First Assistants Meeting, July 7, 2000.

F. "What The Criminal Justice System Really Needs"

- July 24, 1995 - Downtown Kiwanis, Madison
- March 14, 1995 - Dane County Bar Association.

G. The Wisconsin Judicial Council's Criminal Procedure Revision - Status Report

- January 26, 1995 - Wisconsin District Attorney's Association
- January 26, 1995 - State Bar Criminal Law Section Legislative Committee
- May 19, 1994 - Dane County Bar Association Criminal Law Section
- May 18, 1994 - Criminal Law and Sentencing Institute (Judicial Education).

- H. "Continuing Education and Outreach Opportunities" – Presentation at "Teaching Law – Exploring the Possibilities," August 28, 1993 at UW Law School.
- I. Commentator – Regional Conference on Impaired Driving, August 18, 1993, Madison.
- J. "Changes in the Wisconsin Criminal Jury Instructions" – CLE presentation at "Wisconsin's New Drunk Driving Law," February 25, March 5, 1993.
- K. Annual Report of Criminal Jury Instructions Committee to the Criminal Law and Sentencing Institute (a program of the Office of Judicial Education) each year 1976-present.
- L. "Teaching Law to Police" – Speech at the graduation ceremony of the Madison Police Department Recruit Academy, November 17, 1995 and December 21, 1990.
- M. "Criminal Jury Instructions Committee Report" – Statewide Prosecutors Education and Training Program, February 9, 1990.
- N. CLE presentations on New Chapter 948, Crimes Against Children, June 26, 27, 28; July 11; and September 22, 1989.
- O. CLE presentations on Wisconsin's New Homicide Law, January 17, 18, 19; February 17; and September 29, 1989.
- P. "Wisconsin's New Homicide Law," Annual Conference on Recent Developments in Criminal Law, Marquette University Law School, December 1988.
- Q. same, New Prosecutors' School, Statewide Prosecutor Education and Training Program (SPET), December 1988.
- R. same, SPET Training Program, October 1988.
- S. same, District Attorneys Summer Conference, SPET, July 1988.
- T. "Recent Developments In Criminal Jury Instructions," Statewide Prosecutor Education and Training Program, November 1986.
- U. "A Suggested Model Response to Child Sexual Abuse," at Child Sexual Abuse Conference, University of Wisconsin Center, Baraboo, Wisconsin, November 1986.
- V. same, Criminal Law and Sentencing Institute, Wisconsin Office of Judicial Education, May 1986, with Walter J. Dickey and Frank J. Remington.
- W. "The Wisconsin Criminal Jury Instructions," to Dane County Bar Association Criminal Law Section, February 1986 and November 1983.
- X. "Recent Court Decisions Affecting Criminal Procedure," Advanced Criminal Justice Institute, University of Wisconsin-Extension, April 1985.

Y. "Review: Constitutional Standards and Current Issues," a 4-hour program presented to thirteen groups of police officers during in-service training of the Madison Police Department, spring 1984.

Z. "New Directions in Wisconsin Criminal Law and Procedure: An Examination of the New Crimes and Procedures Enacted By the Wisconsin Legislature," Fifth Annual Conference on Recent Developments in Criminal Law, Marquette Center for Continuing Legal Studies, December 1984.

AA. "Proof of Intent In Criminal Cases," to Dane County Bar Association Criminal Law Section, November 1981.

BB. "Lesser Included Offenses," to Wisconsin Judicial Conference, October 1980.

## **VI. Professional Service**

### **A. Wisconsin Judicial Council**

Member, 1989-present; Chair, June 1991-1996  
Criminal Procedure Committee, Chair, June 1992-present; Reporter, 1995-present.

### **B. Wisconsin State Bar Association**

Member, 1972-present  
Criminal Law Section, Secretary-Reporter, 1977-1981  
Criminal Law Section Subcommittee on Determinate Sentencing, Reporter, 1980  
Special Committee on the State Public Defender Program, 1981  
Special Committee on Homicide Law Reform, 1983-1988.

### **C. Dane County Bar Association**

Member, 1975-2005  
Member, Committee on Professionalism, October 1991-93.

### **D. Association of Continuing Legal Education Administrators**

Member, 1977-present.

### **E. Committee Memberships**

- Court Efficiency Sub-Committee, Policy Planning Advisory Committee, Wisconsin Supreme Court, 2004-2005
- University/Crime Lab Cooperation Council, 1994-2000
- Wisconsin Legislative Council Special Committee to Review Sexual Assault Laws, 1990-91
- Wisconsin Judicial Council Guilty Plea Committee, 1984-85
- Wisconsin Judicial Council Committee on Improving Juror Comprehension, 1983-85
- Wisconsin Judicial Council Committee on Homicide, 1982-85
- Wisconsin Judicial Council Preliminary Examinations Committee, 1981-82
- Advisory Committee, Division of Corrections Administrative Rules Project, 1979-81

- Steering Committee, Wisconsin State Prison Paralegal Project, 1978-81
- Advisory Committee on State Public Defender Probation and Parole Revocation Training Project, 1981-82.

F. University Service

- Faculty Senate, 2007 -
- Chair, academic misconduct hearing panel; final report filed Aug. 25, 2005.
- Council on Outreach, 1990-2001
- College for Kids - June 28, July 7, 1993
- Council on Non-Credit Programming, 1988-90
- Continuing Education Council, 1984-86
- Professional and Human Development Faculty Advisory Committee, 1981-83
- Memorial Resolution Committee for Arnon R. Allen, 1981
- Acting Chair, Continuing Legal Education Unit, December 1980
- Panel Member, "Media Coverage of Corrections," presented by University of Wisconsin-Madison Journalism Department, April 27, 1979.

G. Law School

1. Committee memberships: Continuing Legal Education Committee 1981-1994; Building Committee 1992-1995; Petitions Committee 1994-1997; Skills Training and Outreach Committee 1993-1995; Gender and Race Equity Appeals Committee 1994-1996; Lectures Committee 1996-2000; Review Committee for the Legal Defense Project 2004.
2. Oversight for Major Lectures: Kastenmeier, 1992-2002; Sinykin, 1991; Fairchild, 1988-2003; Rundell, 1990.