

RESUME

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EDUCATION

Legal: Harvard Law School, J.D., 1972.
President, Harvard Law School Student Bar Association.

Attended Harvard 1969-70 as a Ford Foundation Study Fellow for International Development.

Grant recipient from the Harvard Law School Civil Rights Coordinating Committee for an internship at the National Council on Crime and Delinquency.

Grant recipient from the Harvard Law School Center for Criminal Justice for an internship at the Seattle Public Defender's office.

Editor of the Outlaw, a Harvard Law School student newspaper.

Graduate: Columbia University: M.A., 1967, Certificate of the Institute of African Studies, 1968; Master of International Affairs Degree, 1968; Doctorate in Comparative Education and International Affairs, 1970.

Dissertation Topic: Extra-Legal Student Political Movements at the The Free University of Berlin, the Sorbonne, and the London School of Economics.

Attended Columbia 1966-1969 as a Ford Foundation Study Fellow for International Development.

Under-graduate: University of Wisconsin, B.S., 1964.

Graduated Phi Kappa Phi Honorary Society, Honors in the Major, and awarded a Thesis of Distinction Honor. Recipient of a University of Wisconsin Full Tuition Scholarship.

PROFESSIONAL EMPLOYMENT

Touro Law School: Bruce Gould Distinguished Professor of Law, 1983 - Present.

City University of New York Law School: Visiting Professor, 2001-2002.

Special Counsel to the Judicial Board of the Association of Municipal Employees of Suffolk County, 1997.

University of Hong Kong: Visiting Professor, 1994.

Hofstra University School of Law: Clinical Instructor of Law, 1982-1983.

City University of New York: Adjunct Professor of Criminal Law, 1982-1983.

National Institute for Trial Advocacy: Faculty Member.

Legal Aid Society of New York: Senior Staff Attorney employed in the Criminal Defense Division, New York County, 1972-1982.

PROFESSIONAL ACTIVITIES (partial list)

Past Chair, Association of American Law Schools Section on Criminal Justice.

Member, Subcommittee for the Provision of Defense Services of the American Bar Association Section on Criminal Justice.

Coordinator, Program in Trial Advocacy (sponsored by the Association of the Bar of the City of New York) at Rikers Island Correctional Facility's Adolescent Law Program.

Member, Committee on Race and Racism of the American Bar Association Section on Criminal Justice.

Member, Joint Committee to Preserve the Independence of the Judiciary (composed, primarily, of representatives from New York area bar associations).

Public Interest Law Mentor, Harvard Law School.

Law Professors' Special Advisory Committee Member of the National Association of Criminal Defense Lawyers.

Executive Committee Member, Association of American Law Schools Section on International Law.

Member, Committee on Ethics, Gideon and Professionalism of the Section on Criminal Justice of the American Bar Association.

PUBLICATIONS (partial list)

The Emperor Gideon Has No Clothes: The Empty Promise of the Constitutional Right to Effective Assistance of Counsel, 13 Hastings Constitutional Law Quarterly 625 (1986).

The Relationship of the Court and Defense Counsel: The Impact on Competent Representation and Proposals for Reform, 29 Boston College Law Review, 531 (1988).

Court-Induced Ineffective Assistance of Counsel: The Failure of the Judiciary to Safeguard the Defendant's Right to a Fair Trial, Criminal Practice Law Review, Summer 1989 (revised and updated version of the Boston College Law Review Article).

Legal Malpractice, Professional Discipline, and Counsel for the Indigent, 61 Temple Law Review, 1171, Winter 1989.

The Eleventh Commandment: Thou Shalt Not be Compelled to Render the Ineffective Assistance of Counsel, Indiana Law Journal, Spring 1993.

The Indigent Defense Crisis, Special Report, in book form, prepared for the American Bar Association, July 1993 (with Robert Spangenberg).

Law and Racism in an Asian Setting: An Analysis of the British Rule of Hong Kong, Hastings International and Comparative Law Review, Winter 1995.

Constitutional Concerns About Capital Punishment: The Death Penalty Statute in New York, 11 Suffolk Academy of Law Journal (1996).

The Empire Strikes Back: The Use of Law by the British to Suppress Political Dissent in Hong Kong, Boston University International Law Journal (Spring 1997).

Immigration Laws as Instruments of Discrimination: Legislation Designed to Limit Chinese Immigration into the United Kingdom, Touro International Law Review 1 (Spring 1997).

The Status of Human Rights in Hong Kong, 57 The Humanist 22 (1997)
Reprinted in 3 American Reporter 688 as An American Reporter Special Report: Hongkong, Britain and China: The Experience of Democracy.

The World's Youngest Political Prisoner, 59 The Humanist 2 (1999).

The Constitutionalization of *Ineffective Assistance of Counsel*, 58 University of Maryland Law Review 1433 (1999).

Cultural Relativism, Economic Development and International Human Rights in the Asian Context, Touro International Law Review 1 (2001).

Due Process Denied: Judicial Coercion in the Plea Bargaining Process, 32 Hofstra Law Review 1349 (2004).

The Supreme Court's Analysis of Issues Raised by Death Penalty Litigants in the Court's 2004 Term, 21 Touro Law Review 891(2006).

Judicial Misconduct in Criminal Cases: It's Not Just the Counsel Who May Be Ineffective, 4 Ohio State Criminal Law Review 1 (2006).

A Comparative Analysis of the Jewish Law and Secular Perspectives on International Human Rights, Jewish Law Report (2006).

Death Penalty and Right to Counsel Decisions in the 2005 – 2006 Term of the Supreme Court, 22 Touro Law Review 1003 (2007).

An Analysis of Death Penalty Decisions from the 2006-2007 Supreme Court Term, 23 Touro Law Review 4 (2008).

An Analysis of Thirty Five Years of Rape Reform: A Frustrating Search for Fundamental Fairness, 41 Akron Law Review 981 (2008)

Race And The Doctrine of Self Defense: The Role of Race in Determining The Proper Use of Force to Protect Oneself, 4 Journal of Race, Gender, and Ethnicity 30 (2009).

An Analysis of Supreme Court Death Penalty Decisions, reprinted in R. Satyanarayana (Ed.), Criminal Responsibility – A Psychological Evaluation Amicus Books, 2010.

Supreme Court Criminal Law Jurisprudence, October 2008 Term, 26 Touro Law Review 545 (2010).

Supreme Court Criminal Law Jurisprudence: Fair Trials, Cruel Punishment, and Ethical Lawyering, 27 Touro Law Review 149 (2011)

Recent Landmark Criminal Law Decisions of the Supreme Court: The Jurisprudence of the Supreme Court: Fair Trial, Juvenile Justice, The Death Penalty and the Right to Counsel, Lambert Academic Publishing (2012) (a revised, expanded and updated version of Supreme Court Criminal Law Jurisprudence: Fair Trials, Cruel Punishment, and Ethical Lawyering, 27 Touro L. Rev. 149 (2011)

New Paths for the Court: Protections Afforded Juveniles Under Miranda; Effective Assistance of Counsel; and Habeas Corpus Decisions of the Supreme Court's 2010/2011 Term, 28 Touro L.Rev. No. 2 (2012)

The Role of Defense Counsel in Ensuring a Fair Justice System, National Association of Criminal Defense Lawyers, Vol. XXXVI The Champion, No. 5 (2012)

An Analysis of China's Human Rights Policies in Tibet: China's Compliance with the Mandates of International Law Regarding Civil and Political Rights, Vol. 18, ILSA Journal of International and Comparative Law 115 (2012).

RELEVANT SPECIAL PRESENTATIONS (partial list)

Towards A Noble Ideal: Gideon in the 21st Century, Annual Meeting of the American Bar Association, 1991 (A Presidential Showcase Program).

Competent Representation and the Criminal Defense Attorney, Annual Meeting of the American Bar Association, 1992. (Special Presidential Showcase Presentation).

The Ethical Responsibilities of the Criminal Defense Lawyer, Fordham University Law School, Stein Center for the Study of Ethics and Public Interest Law, New York (1992).

Recent Developments in American Labour Law, National Labour Court of Israel, Jerusalem, Israel (1995).

The Human Rights Record in Hong Kong, New York City (1996).

The Death Penalty in New York: Constitutional Issues, Suffolk County Bar Association (1997).

New York State's Controversial Drug Laws: How Well Have They Worked? (Conference Organizer and Moderator, 1998).

The Constitutionality of the Confiscation of Property Allegedly Used in the Commission of a Crime, Expert Witness Testimony at hearings held at the Suffolk County Legislature (1998).

Perspectives on the Religious and Political Implications of the Panchen Lama Controversy, Conference of Asian Scholars, New Paltz, New York (1998).

Public Defense Services in New York State, Expert Witness Testimony at hearings held at the Association of the Bar of the City of New York (1998).

The Asian Perspective on Human Rights, Touro Law School (Conference Organizer, Presenter, and Moderator, 1998).

Is Gideon's Constitutional Right to Counsel for Indigent Defendants Real or Illusory at the Trial and Pretrial Stage? University of Maryland School of Law (1999).

The South Asian Nuclear Crisis: Past, Present, Future, South Asian Journalists Association, New York City (1999).

The Evisceration of Sixth Amendment Rights for Indigents, Joint Program of the Sections on Constitutional Law, Criminal Justice, and Poverty Law of the Association of American Law Schools at the Annual Meeting of the Association (2001).

Pro Bono Lawyering in the Criminal Justice Context, Joint Program of the Sections of Poverty Law, Criminal Justice, and Pro Bono and Public Service Opportunities of the Association of American Law Schools at the Annual Meeting of the Association (2001).

The Ethical Responsibilities of the Judge, Prosecutor and Defense Counsel, Criminal Courts Bar Association of Suffolk County (2001).

Concerns Arising From Mandatory Arrest and Prosecution Statutes in Domestic Violence Cases, City University of New York School of Law (2002).

Judging Judges' Ethics: The Professional Responsibility of the Judiciary in Criminal Cases, Hofstra University School of Law (2003)

The Death Penalty: Justice or Vengeance, Rutgers University School of Law (2004)

An Analysis of Issues Concerning the Sixth Amendment in the Supreme Court's 2004-2005 Term, Touro Law Center (2005).

Current Issues in Death Penalty Litigation, Fifth Annual Romero Lecture Series Program on Faith and Justice, Rutgers University (2005)

An Analysis of Issues Concerning the Death Penalty in the Supreme Court's 2005-2006 Term, Touro Law Center (2006).

Therapeutic Jurisprudence in the Context of the Criminal Justice System, Law As A Healing Profession Conference, Touro Law Center (2007).

Criminal Procedure Issues and the Supreme Court, Conference on a Review of Decisions of the Supreme Court (2007).

Supreme Court Jurisprudence Relating to Criminal Law and Criminal Procedure, Touro Law Center 2008.

An Analysis of Cases Relating to Criminal Law and Procedure in the Supreme Court's 2008-2009 Term, Touro Law Center 2009.

Fair Trials, Cruel Punishment, and Ethical Lawyering. Touro Law Center (2010).

HONORS (partial list)

Named Bruce K. Gould Distinguished Professor of Law, March, 2008.
Outstanding Professor of the Year (Dean's Selection).
Teacher of the Year (Students' Selection).
Faculty Member/Administrator of the Year (Faculty Selection).
Paul Marks Public Interest Award (Selection of Special Committee on the Public Interest).
Milton Handler Foundation Honorable Mention Award for Faculty Scholarship.
Class Professor of the Year (Graduating Students' Selection).
Student Bar Association Presidential Award for School Service.
Best Day Lecturer (Selection of the student body).
Lecturer of the Year (Selection of the student body).
Professor of the Year (Selection of graduating students).
Best Lecturer (Selection of the student body).
Student Bar Association Award for Outstanding Contribution to the Student Body.
Teacher of the Year (Dean's Selection).

BAR MEMBERSHIPS

Admitted to practice in the United States Supreme Court, the Eastern District and Southern District Federal Courts, and in New York State.

ADDITIONAL EMPLOYMENT

Columbia University Teaching Fellow, 1968.
U.S. Peace Corps Volunteer Teacher, Somali Republic 1964-1966.