

IAN WEINSTEIN

Fordham University School of Law
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EXPERIENCE

FORDHAM UNIVERSITY SCHOOL OF LAW

Professor of Law, Fall 2002 - present
Associate Dean for Clinical & Experiential Programs, 2010 – 2015
Director of Clinical Legal Education, 2006 - 2015
Associate Professor, 1992 - 2002
Adjunct Professor, 1991 – 1992

NALP Award of Distinction for Innovative Use of Technology, 2007
Public Interest Faculty Member of the Year, 2015-16
Recipient, Dean's Medal of Recognition, May, 2016

I teach law and lawyering in traditional classes, live client clinics and simulation courses in the areas of criminal law, criminal procedure, comparative international criminal law, evidence, interviewing, counseling and negotiation, and trial advocacy. My areas of scholarly interest include criminal law, criminal procedure, federal sentencing, lawyering and problem solving and clinical pedagogy.

As Associate Dean for Clinical & Experiential Programs I had overall academic and administrative responsibility for live client clinics in more than a 15 practice areas, taught by more than 20 faculty members, simulation programs enrolling more 600 students per academic year and fieldwork placements for more than 300 students per academic year.

I was the fourth full time clinical legal educator to join the Fordham faculty and have been privileged to play a key role in the growth of our program and its emergence as a leading American program of clinical legal education.

I have also served Fordham Law School and Fordham University as a:
Member, Dean Search Committees
Member, Middle States Steering Committee
Member, Task Force on the Future of Liberal Arts Education
Member, Legislation and Regulation Class Implementation Subcommittee
Member, Long Range Planning/Budget Committee
Member, Curriculum Committee
Member, University Committee on Justice in Higher Education
Member, Clinical Legal Education Committee

Member, Steering Committee on Trends in Legal Education
Member, Faculty Recruitment Committee
Chair, Retention Tenure and Promotion Committee (2005 - 2009)
Chair, Admissions Committee (2001 - 2009)
Organizer and member, Faculty Summer Reading Group
Member, Adjunct Evaluation Committee
Member, Lilly Mission Discussion Group
Founding Director, Moore Advocacy Center
Director, Mulderig National Scholarship Program
Chair or member, ad hoc Clinical Faculty Hiring Committees
Chair and Member, Clinic Retreat Planning Committee
Member, Clinic Applications Committee

LINCOLN SQUARE LEGAL SERVICES, INC.

Executive Director, 2006 - 2015
Supervising Attorney, 1991 – 2006, 2016 - present

As Executive Director of Lincoln Square Legal Services I oversaw the public interest law firm practicing within the Law School in support of our in-house clinics. I was responsible for regulatory compliance, office administration and management of the professional staff.

As Supervising Attorney I am responsible for student lawyers litigating in federal and state trial and appellate courts as well as various administrative fora.

CLINICAL LEGAL EDUCATION ASSOCIATION

Vice President, 2010
President 2011
Immediate Past President 2012
Member of the Board and Member of the Executive Committee, January 2010 – December 2012
Member of the Board, January 2012 – December 2015
Member of the CLEA Advocacy Committee, January 2010-December 2015

I was elected executive officer and member of the Board of Directors of the Clinical Legal Education Association, the largest law faculty membership organization in the United States. As the President for 2011, I was responsible for operations of this all volunteer organization. I was elected to the Board of Directors in 2012. Our mission is to advance Clinical Legal Education.

*FEDERAL DEFENDER SERVICES UNIT OF THE LEGAL AID SOCIETY
FOR THE SOUTHERN DISTRICT OF NEW YORK*

Staff Attorney, July 1988 - September 1991.

I represented indigent criminal defendants in the United States District Court for the Southern District of New York and the United States Court of Appeals for the Second Circuit.

GEORGETOWN UNIVERSITY LAW CENTER

Stiller/Prettyman Fellow, August 1986 - July 1988.

I represented indigent defendants in trials and appeals in the District of Columbia Superior Court and Court of Appeals and supervised students litigating criminal cases in the Law Clinic.

EDUCATION

GEORGETOWN UNIVERSITY LAW CENTER

LL.M. conferred, October 1990

Stuart Stiller/E. Barrett Prettyman Fellow, 1986-1988

NEW YORK UNIVERSITY SCHOOL OF LAW

J.D., Cum Laude, conferred May 1986

Awards: Order of the Coif; Arthur T. Vanderbilt Medal; Ann Petluck Posses Award

REED COLLEGE, Portland Oregon

B.A. in Philosophy, conferred May 1981

Awards: Phi Beta Kappa; Edward M. Garland Award for Excellence in the Study of Philosophy

PUBLICATIONS

Books

David Binder, Paul Bergman, Paul Tremblay and Ian Weinstein, *LAWYERS AS COUNSELORS: A CLIENT CENTERED APPROACH* (West Academic Press, 3rd Edition, 2011).

Harry Subin, Chester Mirsky & Ian Weinstein, *FEDERAL CRIMINAL PRACTICE: PROSECUTION AND DEFENSE* (West, 1992).

Book Chapters

Ian Weinstein, *Access to Civil Justice in America: What Do We Know?*, in *BEYOND ELITE LAW: ACCESS TO CIVIL JUSTICE FOR AMERICANS OF AVERAGE MEANS*, ed. by Samuel Estreicher and Joy Radice (Cambridge University Press, forthcoming 2015).

Ian Weinstein, *Dr. Martin Luther King and the American Civil Rights Movement: Charismatic and Institutional Perspectives*, in *THE CHARISMATIC PRINCIPLE IN SOCIAL LIFE*, ed. by Luigino Bruni and Barbara Sena (Taylor and Francis, 2012)

Articles

Ian Weinstein, *Learning and Lawyering Across Personality Types*, 21 *CLINICAL LAW REVIEW* 427(2015)

Ian Weinstein, *Financial Retrenchment and Institutional Entrenchment: Will Legal Education Respond, Explode or Just Wait it Out? A Clinician's View* 41 WASH. U. J.L. & POL'Y 61 (2013).

Ian Weinstein, *Teaching Reflective Lawyering in a Small Case Litigation Clinic: A Love Letter to My Clinic*, 13 CLINICAL L. REV. 573 (2006).

Ian Weinstein, *The Historical Roots of Regional Sentencing Variation*, 11 ROGER WILLIAMS U. L. REV. 495 (2006).

Ian Weinstein, *The Revenge of Mullaney v. Wilbur: U.S. v. Booker and The Reassertion of Judicial Limits on Legislative Power to Define Crimes*, 84 OR. L. REV. 393 (2005).

Ian Weinstein & Nathaniel Marmor, *Federal Sentencing During the Interregnum: Defense Practice as the Blakely Dust Settles*, 17 FED. SENT. R. 51 (2004).

Ian Weinstein, *The Adjudication of Minor Offenses in New York City*, 31 FORDHAM URB. L. J. 1157 (2004).

Ian Weinstein, *Don't Believe Everything You Think: Cognitive Bias in Legal Decision Making*, 9 CLINICAL L. REV. 783 (2003).

Ian Weinstein, *Fifteen Years After the Federal Sentencing Revolution: How Mandatory Minimums Have Undermined Effective and Just Narcotics Sentencing*, 40 AM. CRIM. L. REV. 87 (2003).

Ian Weinstein, *Testing Multiple Intelligences: Comparing Evaluation by Simulation and Written Exam*, 8 CLINICAL L. REV. 247 (2001).

Ian Weinstein, *Conference: Report of the Working Group on Representation Within Law School Settings*, 67 FORDHAM L. REV. 1861 (1999).

Ian Weinstein, *Judicial Discretion and the Federal Sentencing Guidelines*, 79 BOSTON UNIVERSITY LAW REVIEW 493 (1999).

Ian Weinstein, *Regulating the Market for Snitches*, 47 BUFFALO LAW REVIEW 563 (1999).

Ian Weinstein, *Substantial Assistance and Sentence Severity: Is There a Correlation?*, 11 FEDERAL SENTENCING REPORTER 83 (1998).

Ian Weinstein, *Lawyering in the State of Nature: Instinct and Automaticity in Legal Problem Solving*, 23 VERMONT LAW REVIEW 1 (1998).

SELECTED PRESENTATIONS

Discussant, *Works in Progress*, AALS Clinical Conference, May 2016.

Presenter, *Access to Justice, What Do We Know?* Conference on the Publication of Beyond Elite Law, May 2016.

Presenter, *Socratic Method*, New York Law School Teaching Colloquium, October 2014.

Plenary Panelist and Presenter, *Collaborations Among Groups and New York's Pro Bono Scholars Program*, SALT Teaching Conference, October 2014.

Panelist, *Law School in the New Legal Environment*, Washington University School of Law Journal of Law and Policy, October 2012

Affinity Group Presenter, *Current Issues in Law School Accreditation*, AALS Clinical Section Conference, May 2012.

Plenary Panelist, *Current Issues in Law School Accreditation*, AALS Clinic Directors Conference, June 2011

Presenter, *Sorting for School Success and Developing Reflective Practice & Personality Traits, Types and Styles: The Problem of Pirates and Ninjas in Legal Education*, Clinical Theory Workshop 25th Anniversary Conference, New York Law School, October 2010.

Plenary Panelist, *The Future of Clinical Legal Scholarship*, Clinical Theory Workshop Twenty-Fifth Anniversary Conference, New York Law School, October 2010.

Co-Presenter, *Outcomes Assessment: Using Simulation Courses as Assessment Tools*, AALS Clinical Section Conference, May 2010.

Co-Presenter, Town Hall Meeting on ABA Accreditation Review Process, AALS Clinical Section Conference, May 2010

Presenter, *Dr. Martin Luther King and the American Civil Rights Movement: Charismatic and Institutional Perspectives*, Conference on The Charismatic Principle in Economic and Civil Life: History, Theory and Good Practice, Sophia Institute, Loppiano, Italy

Presenter, *Teaching the Whole Person, Reaching the Whole Class*, AALS Section on Part Time Programs, AALS Winter Meeting, 2010.

Panelist, *The Role of Faith and Ethical Leadership in Legal Education*, Fordham Law School's Institute on Religion, Law & Lawyer's Work, November 2009.

Presenter, *Children Be Free: Legal Education and the Revival of Hair on Broadway*, NYLS Clinical Theory Workshop, October 2009.

Presenter, *Interviewing in Criminal Practice*, Second UCLA/BYU Conference on Interviewing and Counseling, October 2009.

Co-Presenter, *Love of Neighbor in Lawyering*, International Conference for Young Lawyers, Castel Gandolfo, Italy, May 2009.

Respondent, *The Right and The Good*, Fordham Natural Law Colloquium, October 2008.

Co-Presenter, *Clinical Education at Fordham*, Dean's Planning Counsel, April, 2006.

Presenter, *A Classic Clinic*, Sixth International Clinical Conference at Lake Arrowhead, California, October 2005.

Co-Presenter, *Federal Sentencing after Booker/FanFan*, The Association of the Bar of the City of New York, February 2005.

Co-Presenter, *Federal Sentencing after Blakely*, The Criminal Justice Act Panel for the Southern District of New York, September 2004.

Co-Presenter, *Empirical Evaluation of Assessment Methods*, AALS Clinical Section Workshop, May 2004.

Co-Presenter, *Redefining the Meaning of Criminal Transgressions*, Conference on Creative Problem Solving, California Western School of Law, March 2004.

Co-Presenter, *The Dream of a Common Language: Interdisciplinary Collaboration on Behalf of Families*, New York Law School Clinical Theory Workshop, with Prof. Ann Moynihan, February 2004.

Presenter, *The Adjudication of Minor Offenses in America*, The Advanced Criminal Law Seminar, Fordham Law School, January 2004.

Presenter, *Cognitive Bias and Client Counseling*, Fordham Faculty Colloquium, 2002.

Co-Presenter, *Empirical Methods in Clinical Scholarship*, AALS Clinical Section Workshop, May 2001.

Panelist, *An Academic Perspective on the Federal Sentencing Guidelines*, presented at the Federal Bar Counsel Conference on the Federal Sentencing Guidelines, May 2001.

Presenter, *Facts: The Mysterious Other Half of Thinking Like a Lawyer*, presented at the Clinical Theory Workshop, New York Law School, October 1997.

Co-Presenter, *Facts: The Mysterious Other Half of Thinking Like a Lawyer*, Third International Clinical Conference at Lake Arrowhead, California, October 1997.

OTHER PROFESSIONAL ACTIVITIES

Consultant to the St. Mary's University School of Law Clinical Program, 2015.

New York State Bar Association Committee on Legal Education and Admission to the Bar.

AALS Membership Review Reporter and Member, ABA Accreditation Site Visit Team, 2013 & 2014.

Member, AALS Membership Application Site Visit Team, 2013.

Member, ABA Accreditation Site Visit Teams, 2011 & 2012.

Appear in varied media outlets as an expert on current issues in criminal law and related topics.

Small group facilitator, Clinical Section Meetings of the Association of American Law Schools, 1996 - 2016.

Panelist, *Love of Neighbor in the Law*, Conference on the Spirituality of Unity: A Gift for Our Time, Fordham Law School, 2011.

Member, New York State Bar Association Presidential Task Force on the Future of the Legal Profession, 2010 – 2011 and member of the drafting subcommittee of the Task Force Report section, Educating and Training New Lawyers, available at http://www.nysba.org/AM/Template.cfm?Section=Task_Force_on_the_Future_of_the_Legal_Profession_Home&Template=/CM/ContentDisplay.cfm&ContentID=48108.

Member of the Organizing Committee and M.C. at Tribute to Associate Dean Stephen Ellmann, Clinical Theory Workshop 25th Anniversary Conference, New York Law School, October 2010.

Conference Participant, *Love of Neighbor and the Legal Profession*, Loppiano, Italy, March 2008.

Guest Blogger, *Clinicians With Not Enough to Do*, 2008.

Co-consultant to Hofstra Law School on the Future of the Law School's Clinical Program, 2008.

Publisher, Lawclinic.tv, a video blog, Recipient of the NALP Award of Distinction for Technology, 2007.

Faculty member, Fordham Summer Program in Ireland, 2007 & 2008.

Conference Participant, *Fraternity as a Juridical Concept*, Castel Gandolfo, Italy, November, 2005.

Tribute to Stephen Ellmann at the 20th Anniversary Celebration for the Clinical Theory Workshop, CUNY Law School, 2005.

Faculty Advisor, Student Disaster Network Trips

Extensive lecturing and simulation based instruction on lawyering skills to law students and practicing attorneys in private and public service settings, 1990 - 2007.

Outside evaluator, various promotion and tenure candidates.

Book Prize Recipient, Northwestern University Summer Debate Institute, 1976.