

PAUL SCHIFF BERMAN
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Program in Law and Public Affairs
Princeton University
Princeton, NJ 08540
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CURRENT POSITION

PRINCETON UNIVERSITY PROGRAM IN LAW & PUBLIC AFFAIRS, Princeton, NJ
Visiting Professor and Visiting Research Scholar (2006-07)

UNIVERSITY OF CONNECTICUT SCHOOL OF LAW, Hartford, Connecticut
Jesse Root Professor of Law (2006-present); Professor (2003-2006); Associate Professor (1998-2002)
Courses taught include *Conflict of Laws*, *Civil Procedure*, *Legal and Cultural Issues in Cyberspace*, *Law, Culture and Community*, *Federal Courts and the Appellate Process*, and *Copyright Law*.

CLERKSHIPS

JUSTICE RUTH BADER GINSBURG, Supreme Court of the United States (1997-98)
CHIEF JUDGE HARRY T. EDWARDS, U.S. Court of Appeals, D.C. Circuit (1995-96)

EDUCATION

NEW YORK UNIVERSITY SCHOOL OF LAW, J.D., *summa cum laude*, May 1995
Journal: *New York University Law Review*, Managing Editor

Awards: University Graduation Prize (for the graduating student with the highest cumulative GPA)
Frank H. Sommer Memorial Award (for outstanding scholarship, character & professional activities)
Frank T. Dierson Award (for writing that demonstrates technical accuracy & clarity of purpose)
Orison Marden Moot Court Competition Prize for Best Oralist
Order of the Coif
American Jurisprudence Award for Contracts
Public Interest Summer Internship Grant

PRINCETON UNIVERSITY

A.B., *summa cum laude*, Anthropology, June 1988; recipient of Louis B. Sudler Prize for the Arts

PUBLICATIONS/RESEARCH PROJECTS

Books

LAW BEYOND BORDERS: JURISPRUDENCE FOR A HYBRID WORLD (work-in-progress)

LAW & SOCIETY APPROACHES TO CYBERSPACE, Editor (Ashgate Publishing, forthcoming 2007).

THE GLOBALIZATION OF INTERNATIONAL LAW, Editor (Ashgate Publishing, 2005).

CYBERLAW: PROBLEMS OF POLICY AND JURISPRUDENCE IN THE INFORMATION AGE 3d Edition (with Patricia L. Bellia & David G. Post, West Publishing, 2006).

CYBERLAW: PROBLEMS OF POLICY AND JURISPRUDENCE IN THE INFORMATION AGE 2d Edition (with Patricia L. Bellia & David G. Post, West Publishing, 2004).

CYBERLAW: PROBLEMS OF POLICY AND JURISPRUDENCE IN THE INFORMATION AGE (with Patricia L. Bellia & David G. Post, West Publishing, 2003).

Book Chapters

Conflict of Laws and the Legal Negotiation of Difference, in LAW AND THE STRANGER (Austin D. Sarat, Martha Umphrey & Lawrence Douglas eds., Stanford Univ. Press, 2007, forthcoming).

Cyberspace and the State Action Debate: The Cultural Value of Applying Constitutional Norms to "Private" Regulation, in CYBERLAW (Brian Fitzgerald ed., Ashgate Publishing, 2006)

The Internet, Community Definition, and the Social Meaning of Legal Jurisdiction, in VIRTUAL PUBLICS: POLICY AND COMMUNITY IN AN ELECTRONIC AGE (Beth Kolko, ed., Columbia Univ. Press, 2003).

Telling a Less Suspicious Story: Notes Towards a Non-Skeptical Approach to Legal/Cultural Analysis, in CULTURAL STUDIES AND THE LAW: BEYOND LEGAL REALISM? (Austin D. Sarat and Jonathan Simon eds., Duke Univ. Press, 2003).

Journal Articles

A Pluralist Approach to International Law, 32 YALE J. INT'L L. ____ (forthcoming, 2007).

Seeing Beyond the Limits of International Law (reviewing JACK L. GOLDSMITH & ERIC A. POSNER, THE LIMITS OF INTERNATIONAL LAW), 84 TEX. L. REV. 1265 (2006).

Dialectical Regulation, Territoriality, and Pluralism, 38 CONN. L. REV. 929 (2006) (commenting on Robert Ahdieh, *Dialectical Regulation*).

Towards a Cosmopolitan Vision of Conflict of Laws: Redefining Governmental Interests in a Global Era, 153 U. PA. L. REV. 1819 (2005).

From International Law to Law and Globalization, 43 COLUM. J. TRANSNAT'L L. 485 (2005).

Conflict of Laws, Globalization, and Cosmopolitan Pluralism, 51 WAYNE L. REV. 1105 (2005),
(lead article in a symposium issue dedicated to a consideration of my work).

Judges as Cosmopolitan Transnational Actors, 12 TULSA J. OF COMP. & INT'L L. 109 (2005).

The Globalization of Jurisdiction, 151 U. PA. L. REV. 311 (2002).

The Cultural Life of Capital Punishment: Surveying the Benefits of a Cultural Analysis of Law (reviewing AUSTIN SARAT, WHEN THE STATE KILLS: CAPITAL PUNISHMENT AND THE AMERICAN CONDITION), 102 COLUM. L. REV. 1129 (2002).

Telling a Less Suspicious Story: Notes Towards a Non-Skeptical Approach to Legal/Cultural Analysis, 13 YALE J.L. & HUMAN. 95 (2001)

An Observation and a Strange But True "Tale": What Might the Historical Trials of Animals Tell Us About the Transformative Potential of Law in American Culture? 52 HASTINGS L.J. 123 (2000).

Cyberspace and the State Action Debate: The Cultural Value of Applying Constitutional Norms to "Private" Regulation, 71 U. COLO. L. REV. 1263 (2000).

The Culture of Cyberspace: Panel Summary, 93 ASIL PROC. 354 (2000).

An Anthropological Approach to Modern Forfeiture Law: The Symbolic Function of Legal Actions Against Objects, 11 YALE J.L. & HUMAN. 1 (1999).

Rats, Pigs, and Statues on Trial: The Creation of Cultural Narratives in the Prosecution of Animals and Inanimate Objects, 69 N.Y.U. L. REV. 288 (1994).

Newspaper Articles

Whose Laws Apply in the Global Village?, THE HARTFORD COURANT (Jan. 17, 2003).

Stem Cell Patents are a Worry, NEW HAVEN REGISTER (Sept. 6, 2001).

Can Copyright, First Amendment Peacefully Coexist?, THE HARTFORD COURANT (March 5, 2001).

Letter to the Editor, N.Y. TIMES (Feb. 23, 2001) (responding to Jeffrey Rosen, *In Lieu of Manners*).

Are we Overprotecting Intellectual Property?, FT. LAUDERDALE SUN-SENTINEL (Sept. 21, 2000).

Is it Theft or Just Great Advertising?, SAN JOSE MERCURY NEWS (Sept. 20, 2000).

Danger or Opportunity?: Internet's Impact on the Music Business Need Not be What Some Fear, MONTREAL GAZETTE (Sept. 18, 2000).

Cybermusic: Are We Overprotecting Intellectual Property Online?, TULSA WORLD (Sept. 17, 2000).

CreativityCNot PropertyCGets Protection, CLEVELAND PLAIN DEALER (Sept. 15, 2000).

Ease up on MP3: Are We Overprotecting Intellectual Property Online?, HARTFORD COURANT (Sept. 10, 2000).

Littleton and the Internet: Responding to the Wrong Threats, HARTFORD COURANT (May 23, 1999).

CONFERENCE PARTICIPATION AND INVITED LECTURES

- Seeing Beyond the Limits of International Law*, Invited speaker in international law colloquium, Temple Law School (Jan. 2007).
- Conflict of Laws and the Emerging Global Plural Order*, Plenary session presentation, Law and Society Association, Annual Meeting (July 2006).
- Chair, Panel on *Transgovernmental Networks*, Law and Society Association, Annual Meeting (July 2006).
- The Emerging Global Plural Order*, Invited presentation at Kyoonpook National University, Republic of Korea (May 2006).
- “Insiders,” “Outsiders,” and the Legal Negotiation of Difference: Conflict of Laws in a Plural World*, Invited presentation at Amherst College, Department of Law, Jurisprudence, and Social Thought (April 2006).
- Conflict of Laws and the Challenge of Legal Pluralism*, Annual Meeting of the Association for the Study of Law, Culture & the Humanities, Syracuse University (March 2006).
- Chair/Discussant, panel on *Judging*, Annual Meeting of the Association for the Study of Law, Culture & the Humanities, Syracuse University (March 2006).
- Chair/Discussant, panel on *Legal Pluralism*, Annual Meeting of the Association for the Study of Law, Culture & the Humanities, Syracuse University (March 2006).
- The Erosion and Persistence of Territoriality: Some Legal Consequences of a Hybrid World*, Invited Symposium Participant, UCLA Law School (March 2006).
- Chair, Panel on Current Scholarship in International Law, Yale Law School (March 2006).
- Conflict of Laws and the Challenge of Legal Pluralism*, Invited Symposium Participant, University of Connecticut School of Law (Jan. 2006).
- Sovereignty and the Challenge of Pluralism*, Annual Meeting of the Association for the Study of Law, Culture & the Humanities, University of Texas, at Austin (March 2005).
- Sovereignty and the Challenge of Pluralism*, Annual Meeting of the Association for the Study of Law, Culture & the Humanities, University of Texas, at Austin (March 2005).
- Law Beyond Borders: Jurisdiction in an Era of Globalization*, an interdisciplinary symposium devoted to a discussion of three of my articles, at the Annual Meeting of the Association of American Law Schools, San Francisco, CA (January 2005).
- Choice of Law and Governmental Interests in a Global Era*, Invited Symposium Participant, University of Pennsylvania Law School (November 2004).
- Judges as Cosmopolitan Transnational Actors*, Invited Symposium Participant, University of Tulsa Law School (November 2004).
- Chair, Panel on *Innovative Approaches to Legal Theory*, Law and Society Association, Annual Meeting (May 2004).
- Jurispersuasion, Pluralism, and Sovereignty*, Law and Society Association, Annual Meeting (May 2004).

The Internet, Community Definition, and the Social Meaning of Legal Jurisdiction, Invited Speaker, Brandeis College (April 2004).

Law Beyond Borders: Jurisdiction, Juris-Persuasion, and Community, Invited Speaker, Hofstra Law School (April 2004).

Chair, *Keynote Session on Law & Globalization*, Annual Meeting of the Association for the Study of Law, Culture & the Humanities, University of Connecticut School of Law (March 2004).

Law Beyond Borders: The Internet, Globalization, and the Social Meaning of Legal Jurisdiction, Invited Speaker, Department of Anthropology, Princeton University (October 2003).

The Rise, "Fall," and Puzzling Persistence of Transnationalism, Invited Speaker, University of Exeter, UK (October 2003).

The Rise, "Fall," and Puzzling Persistence of Transnationalism, Invited Speaker, Centre for International Courts and Tribunals, University College of London, UK (October 2003).

Invited Participant, Cyberlaw Retreat, Sponsored by the Harvard Law School Berkman Center on Internet and Society (August 2003)

Invited Speaker, *Personal Jurisdiction and the Internet: Introducing Students to the Theoretical Basis for Jurisdictional Rules*, Association of American Law Schools Mid-Year Conference on Civil Procedure (June 2003).

Invited Panelist, *Courts, Sovereignty, and International Human Rights*, Conference on *Globalization, Democracy, and Regulation: The International Architecture of Law in the Twenty-First Century*, Program in Law and Public Affairs, Princeton University (May 2003).

Panel Chair/Discussant, *In and Beyond the Post-Modern Moment: New Challenges for Law*, Annual Meeting of the Association for the Study of Law, Culture, and the Humanities, Benjamin A. Cardozo School of Law (March 2003).

Panel Chair/Discussant, *Sovereignty and the Limits of Sovereign Power*, Annual Meeting of the Association for the Study of Law, Culture, and the Humanities, Benjamin A. Cardozo School of Law (March 2003).

Panel Chair, *Socio-Cultural Approaches to International Law*, Annual Meeting of the Association for the Study of Law, Culture, and the Humanities, Benjamin A. Cardozo School of Law (March 2003).

The Assertion of Jurisdiction and the Power to Speak, Annual Meeting of the Association for the Study of Law, Culture, and the Humanities, University of Pennsylvania School of Law (March 2002).

Panel Discussant, *Regulating Artistic & Cultural Production*, Annual Meeting of the Association for the Study of Law, Culture, and the Humanities, Benjamin A. Cardozo School of Law (March 2003).

The Globalization of Jurisdiction, Invited Participant, Boston College School of Law Faculty Workshop (February 2003).

The Globalization of Jurisdiction, Invited Participant, Duke University School of Law Faculty Workshop (February 2003).

The Globalization of Jurisdiction, Invited Participant, Notre Dame School of Law Faculty Workshop (January 2003).

The Globalization of Jurisdiction, Invited Participant, Washington & Lee University School of Law Faculty Workshop (October 2002).

The Globalization of Jurisdiction, Invited Participant, Georgetown University Law Center Faculty Workshop (October 2002).

The Globalization of Jurisdiction, Invited Participant, American University Washington College of Law Faculty Workshop (September 2002).

The Globalization of Jurisdiction, Invited Participant, Stanford/Yale Junior Faculty Forum, Yale Law School (June 2002).

Internet Legal Issues, State of Connecticut Judicial Branch (June 2002)

The Internet, the Nation-State, and the Social Meaning of Legal Jurisdiction, Law and Society Association, Annual Meeting (May 2002).

The Hermeneutics of Suspicion and the Eighteenth Century Roots of Twentieth Century Legal Scholarship, American Society of Eighteenth Century Studies Annual Meeting, (April 2002).

The Continuing Conundrum of Internet Jurisdiction, Connecticut Bar Association Computer Law Section (April 2002).

The Globalization of Jurisdiction: Cyberspace, Nation-States, and Community Definition, Junior Faculty Workshop, Northeastern Law School (March 2002).

Plenary Session Chair, *The Politics of Race, Representation, and Reparations: Amistad, the Historical Record, and the Role of Law*, Annual Meeting of the Association for the Study of Law, Culture, and the Humanities, University of Pennsylvania School of Law (March 2002)

Panel Chair, *Surveying Law and Borders: The Role of Law in Defining Disciplinary, Jurisdictional, Theoretical, and Social Boundaries*, Annual Meeting of the Association for the Study of Law, Culture, and the Humanities, University of Pennsylvania School of Law (March 2002)

The Internet, the Nation-State, and the Social Meaning of Legal Jurisdiction, Annual Meeting of the Association for the Study of Law, Culture, and the Humanities, University of Pennsylvania School of Law (March 2002)

Panel Chair, *Law After Postmodernism: Legal Discourse, Relativist Thought, and Civil Society*, Annual Meeting of the Association for the Study of Law, Culture, and the Humanities, University of Texas School of Law (March 2001)

The Social Value of Legal Discourse and Legal Education, Annual Meeting of the Association for the Study of Law, Culture, and the Humanities, University of Texas School of Law (March 2001)

Telling a Less Suspicious Story: Notes Towards a Non-Skeptical Approach to Legal/Cultural Analysis, Annual Meeting of the Law and Society Association (May 2000)

Telling a Less Suspicious Story: Notes Towards a Non-Skeptical Approach to Legal/Cultural Analysis, Conference on Cultural Studies and the Law, Yale Law School (April 2000)

Telling a Less Suspicious Story: Notes Towards a Non-Skeptical Approach to Legal/Cultural Analysis, Annual Meeting of the Association for the Study of Law, Culture, and the Humanities (March 2000)

Cyberspace and the State Action Debate: The Cultural Value of Applying Constitutional Norms to "Private" Regulation, Symposium on Telecommunications Law for the 21st Century, University of Colorado School of Law (February 2000)

An Observation and a Strange But True "Tale": What Might the Historical Trials of Animals Tell Us About the Transformative Potential of Law in American Culture?, Law and Culture Reading Group sponsored by Amherst College Program in Law, Jurisprudence, and Social Thought (Oct. 1999)

Assessing America's Abiding Legal Faith: Notes Towards a Theory About the Cultural Benefits of Legal Discourse and Procedure, Annual Meeting of the Law and Society Association (May 1999)

The Common Senses of Law, Panel Discussant, Annual Meeting of the Law and Society Association (May 1999)

Broken Bodies in Legal Space, Panel Discussant, Annual Meeting of the Law and Society Association (May 1999)

The Historical Trials of Animals and Inanimate Objects, and the Transformative Potential of Law, Conference on Philosophy, Interpretation, and Culture, SUNY Binghamton (April 1999)

The Internet, Jurisdiction, and the Symbolic Assertion of Community Membership, Dean's Faculty Workshop Series, SUNY Binghamton (April 1999)

The Culture of Cyberspace, Panel Chair, American Society of International Law Annual Meeting (March 1999)

Assessing America's Abiding Legal Faith: Notes Towards a Theory About the Cultural Benefits of Legal Discourse and Procedure, Annual Meeting of the Association for the Study of Law, Culture, and the Humanities (March 1999)

Rats, Pigs, and Statues on Trial: The Creation of Cultural Narratives in the Prosecution of Animals and Inanimate Objects, Group for Early Modern Culture Studies Annual Conference (November 1994)

LEGAL EXPERIENCE

UNITED STATES COURT OF APPEALS FOR THE DC CIRCUIT, Washington, DC

Pro Bono Counsel: Court-appointed pro bono counsel in *Taylor v. US Probation Office, et al.*, 409 F.3d 426 (D.C. Cir. 2005); *Mavity v. Veneman*, slip op. (D.C. Cir. 2004); *Krishnan v. Barnhart*, 328 F.3d 685 (D.C. Cir. 2003).

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT, NY, NY

Counsel: *Tibbetts v. Dittes, et al.*, slip op. (2d Cir. 2006).

WIGGIN & DANA, New Haven, CT

Consultant on general appellate issues (2004-present).

AON CORPORATION, Chicago, IL

Drafted expert report on Connecticut civil procedure issues for international litigation in the UK (2005).

DAY, BERRY & HOWARD, Hartford, CT

Consultant on cyberlaw and general appellate issues, serve as writing tutor to associates (1998-2005).

CUMMINGS & LOCKWOOD, Hartford, CT

Consultant on cyberlaw and general appellate issues (1998-2003).

SULLIVAN & CROMWELL, New York, New York

Pro Bono Extern: Chosen from among all incoming litigation associates to devote an entire year to the representation of *pro se* litigants in cases referred by the United States District Court for the Southern District of New York. Represented fifteen clients. Served as lead counsel during a two-day trial in SDNY, conducted thirty-four depositions, argued motions, participated in settlement negotiations, and handled all aspects of litigation.

(10/96-7/97)

JENNER & BLOCK, Washington, DC

Summer Associate. (Summer 1995)

SULLIVAN & CROMWELL, New York, New York

Summer Associate. (Summer 1994)

LAUFMAN, RAUH AND GERHARDSTEIN, Cincinnati, Ohio

Summer Intern: Drafted motions, interviewed clients, and assisted in all aspects of a civil-rights practice. (Summer 1993)

NEIGHBORHOOD DEFENDER SERVICE OF HARLEM, New York, New York

Intern: Worked one to three days per week at a criminal public defender office. (10/92-4/93)

UNEMPLOYMENT ACTION CENTER, New York, New York

Claimant's Representative: Represented over thirty claimants for unemployment benefits in administrative hearings and on appeal before the New York State Department of Labor. (10/92-5/95)

OTHER WORK EXPERIENCE

SPIN THEATER, New York, New York

Founder/Artistic Director: Formed and incorporated not-for-profit theater company with annual budget of approximately \$20,000. Directed and designed eight original theater works including one on tour in Boston, MA. (1/89-5/95)

THE WOOSTER GROUP, New York, New York

Administrative Director: Chief administrative officer for not-for-profit theater company with annual budget of approximately \$900,000. Responsible for all administrative activities including: long-range planning, fundraising, grant writing, company management, bookkeeping, and publicity. (6/88-1/92)

MEDIA APPEARANCES

Quoted in:

The Washington Post

The New York Times

USA Today

AP

The Hartford Courant

The Times (UK)

Detroit News

Florida Times-Union

Seattle Post-Intelligencer

Business Week

Miami Herald

San Jose Mercury News

San Francisco Chronicle

CNN (online)

Chicago Tribune

MSNBC (online)

ABC News (online)
New York Sun
Wired News
Newsday
Albany Times-Union
The State (SC)
Houston Chronicle
Fort Worth Star-Telegram
Pittsburgh Post-Gazette
Sacramento Bee
Charlotte News-Observer
Lexington Herald-Leader
Boston Globe (online)
Boston Herald (online)
Forbes
San Jose Mercury-News
Seattle Times
Kansas City Star
Arizona Republic
The Hartford Courant
The Connecticut Law Tribune
Providence Journal
The New Orleans Times-Picayune
IDG News Service
Dallas Morning News

Television:

Interviewed on Fox News (Local Affiliate) (October 2005) regarding nomination of Samuel Alito to the Supreme Court.
Interviewed on Fox News (Local Affiliate) (October 2005) regarding nomination of Harriet Miers to the Supreme Court.
Interviewed on NBC News (Local Affiliate) (September 2005) regarding nomination of John Roberts to Supreme Court.
Interviewed on Fox News (Local Affiliate) (March 13, 2002) regarding questions of privacy of medical records.
Interviewed on NBC News (Local Affiliate) (March 13, 2002) regarding questions of privacy of medical records.
Interviewed on Fox News (Local Affiliate) (Oct. 25, 2001) regarding the USA Patriot Act
Interviewed on NBC News (Local Affiliate) (Dec. 12, 2000) regarding the U.S. Supreme Court's *Bush v. Gore* decision.

Radio:

Interviewed on WTIC-AM (April 2006) regarding US Supreme Court decision in terrorism detention cases.
Interviewed on NPR's Morning Edition (March 2006) regarding internet privacy.
Interviewed on BBC World Service (March 2006) regarding internet privacy.
Interviewed on BBC's The World Today (March 2006) regarding internet privacy.
Interviewed on Canda's "The Rutherford Show" (March 2006) regarding internet privacy.

Interviewed on WTIC-AM (Nov. 6, 2001) regarding Administration's plan to authorize military commissions.

Interviewed on Jamaica radio (March 28, 2003) regarding the legality of the U.S. war in Iraq.

Included in a list of people described as "among the Internet's most notable technical, policy, and trademark elite" in Judith Oppenheimer, *Cyber HQBThe New Imperialism*, www.tldlobby.com/badwitchicann.html, visited Jan. 20, 2001.

PROFESSIONAL HONORS

Princeton Program in Law and Public Affairs
Awarded fellowship (2006-07 academic year)

Yale/Stanford Junior Faculty Forum:
The Globalization of Jurisdiction was selected for presentation in the category of International Law (2002)

University of Connecticut Provost's Research Fellowship (Spring 2004)

Named one of "Connecticut's New Leaders of the Law" by the Connecticut Law Tribune (Fall 2004).

PROFESSIONAL ASSOCIATIONS

Association for the Study of Law, Culture, and the Humanities
Steering Committee, March 2003 to present
Chair, James Boyd White Prize Committee, March 2006-present

American Society of International Law
Law and Society Association
Member

Association of American Law Schools
Chair, Section on Law and Interpretation, 2006-2007
Chair, Section on Law and Anthropology, 2004-2005
Member, Executive Committee of the Section on Conflict of Laws, 2003-05
International Journal of Information Policy, Law, and Security, Editorial Board Member (2004-present)

PEER/TENURE REVIEWS

Cambridge University Press
Cornell University Press
University of Michigan Press
University of Alabama Press
Law, Politics, & Society
Law, Culture & the Humanities
Technology & Culture
LEXIS Publishing
Aspen Law and Business
Review of International Studies
Mosaic: a Journal for the Interdisciplinary Study of Literature
University of Minnesota School of Law
Catholic University Law School
University of Tulsa College of Law

ACADEMIC ADMINISTRATION ACTIVITIES

University of Connecticut

Law School Dean Search Committee (elected) (1999-2000)

University of Connecticut School of Law

Chair of Faculty Appointments Committee (elected) (2004-06)

Chair of Career Services Committee (2000-present)

Member of Educational Policy Committee (2002-2003)

Faculty Advisor to *Connecticut Law Review*, (1999-present)

Member of Faculty Appointments Committee (elected) (2000-2002)

Member of Clerkship Committee (1998-2000)