

## CURRICULUM VITAE

**JOHN M. BURKOFF**

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### EDUCATION

LL.M.        *HARVARD UNIVERSITY SCHOOL OF LAW* - June 1976

J.D.         *UNIVERSITY OF MICHIGAN SCHOOL OF LAW* - May 1973

A.B.         *UNIVERSITY OF MICHIGAN* (College of Literature, Science & the Arts;  
Honors Program; Major: Political Science) - April 1970

### EDUCATIONAL HONORS

Graduated *cum laude* from Law School and College; Honored at Honors Convocations in Law School and College; Received American Jurisprudence Award in Conflict of Laws; Named to Pi Sigma Alpha National Political Science Honorary Society.

### NON-DEGREE EDUCATIONAL PROGRAMS

Special Economics Institute, Center for Law and Economics, Pittsburgh, Summer 1984.

Workshop on Applied and Professional Ethics, Institute of Society, Ethics and the Life Sciences, The Hastings Center, Colorado College, Summer 1981.

**TEACHING**

PROFESSOR OF LAW (1982-present)

ASSOCIATE PROFESSOR OF LAW (1979-1982)

ASSISTANT PROFESSOR OF LAW (1976-1979)

**UNIVERSITY OF PITTSBURGH SCHOOL OF LAW**

Criminal Law; Constitutional Criminal Procedure; Legal Ethics; Advanced Fourth Amendment Law; Criminal Defense & Prosecutorial Ethics

VISITING PROFESSOR OF LAW (*forthcoming* Spring 2011)

**UNIVERSITY OF NAVARRA** (Spain)

FOREIGN LAW CHAIR (February-March 2004)

**UNIVERSITY OF GHENT FACULTY OF LAW** (Belgium)

VISITING LECTURER (March 2003)

**UNIVERSITY OF BELGRADE FACULTY OF LAW** (Serbia)

PROFESSOR OF LAW & VISITING PROFESSOR OF SOCIOLOGY (Summer 2001)

**UNIVERSITY OF PITTSBURGH, LAW AT SEA PROGRAM, SEMESTER AT SEA, INSTITUTE FOR SHIPBOARD EDUCATION** (Piraeus, Cadiz, Oslo, St. Petersburg, Antwerp, Casablanca, Naples, Alexandria, Istanbul)

VISITING LECTURER (November 2000)

**UNIVERSITY OF GHENT DEPARTMENT OF CRIMINAL LAW & CRIMINOLOGY** (Belgium)

VISITING PROFESSOR OF POLITICAL SCIENCE (Fall 1996)

**UNIVERSITY OF PITTSBURGH, SEMESTER AT SEA, INSTITUTE FOR SHIPBOARD EDUCATION** (Vancouver, Kobe, Shanghai, Hong Kong, Ho Chi Minh City, Phnom Penh, Madras, Port Said, Haifa, Istanbul, Piraeus, Casablanca, Port Everglades)

VISITING LECTURER (Fall 1995)

**MOI UNIVERSITY FACULTY OF LAW & UNIVERSITY OF NAIROBI SCHOOL OF LAW** (Kenya)

VISITING PROFESSOR OF POLITICAL SCIENCE & SOCIOLOGY (Spring 1990)

**UNIVERSITY OF PITTSBURGH, SEMESTER AT SEA, INSTITUTE FOR SHIPBOARD EDUCATION** (Nassau, Casablanca, Dubrovnik, Odessa, Istanbul, Port Said, Madras, Penang, Hong Kong, Taipei, Kobe, Seattle)

VISITING ASSISTANT PROFESSOR OF LAW (Summer 1977)  
*WEST VIRGINIA UNIVERSITY COLLEGE OF LAW*

ADJUNCT INSTRUCTOR OF LAW (1975-1976)  
*BOSTON UNIVERSITY SCHOOL OF LAW*

VISITING ASSISTANT PROFESSOR OF LAW (Summer 1975)  
*WAYNE STATE UNIVERSITY SCHOOL OF LAW*

ADJUNCT INSTRUCTOR OF LAW (1974-1975)  
*WAYNE STATE UNIVERSITY SCHOOL OF LAW*

TEACHING FELLOW (1972-1973)  
*UNIVERSITY OF MICHIGAN COLLEGE OF LITERATURE, SCIENCE & THE ARTS*

TEACHING FELLOW (1972-1973)  
*UNIVERSITY OF MICHIGAN PILOT PROGRAM*

**ACADEMIC ADMINISTRATION**

EXECUTIVE DEAN  
*UNIVERSITY OF VIRGINIA, SEMESTER AT SEA, INSTITUTE FOR SHIPBOARD EDUCATION (Summer 2010) (Halifax, Barcelona, Civitavecchia (Rome), Naples, Dubrovnik, Piraeus (Athens), Istanbul, Alexandria, Casablanca, Norfolk)*

EXECUTIVE DEAN  
*UNIVERSITY OF VIRGINIA, SEMESTER AT SEA, INSTITUTE FOR SHIPBOARD EDUCATION (Summer 2007) (Ensenada, Acapulco, Balboa, Guyaquil, Valparaiso, Callao, Puntarenas, Corinto, Puerto Quetzal, San Diego)*

ASSOCIATE DEAN FOR ACADEMIC AFFAIRS  
*UNIVERSITY OF PITTSBURGH SCHOOL OF LAW (July 2000 to January 2004)*

DIRECTOR  
*UNIVERSITY OF PITTSBURGH, LAW AT SEA PROGRAM, SEMESTER AT SEA, INSTITUTE FOR SHIPBOARD EDUCATION (Summer 2001) (Piraeus, Cadiz, Oslo, St. Petersburg, Antwerp, Casablanca, Naples, Alexandria, Istanbul)*

ACADEMIC DEAN  
*UNIVERSITY OF PITTSBURGH, SEMESTER AT SEA, INSTITUTE FOR SHIPBOARD EDUCATION (Fall 1996) (Vancouver, Kobe, Shanghai, Hong Kong,*

Ho Chi Minh City, Phnom Penh, Madras, Port Said, Haifa, Istanbul, Piraeus, Casablanca, Port Everglades)

### **UNIVERSITY OF PITTSBURGH SCHOOL OF LAW COMMITTEES**

FACULTY STEERING COMMITTEE, 2009-2010 (Chairman), 2007-2008, 2006-2007 (Chairman), 1999-2000 (Chairman), 1997-1998, 1986-1987, 1985-1986 (Chairman), 1983-1984 (Chairman), 1982-1983, 1979-1980; Petitions Committee, 2010; AD HOC COMMITTEE ON CLINICS, 1989-1990; AD HOC COMMITTEE ON EXTERNAL WORK, 1998-1999; AD HOC COMMITTEE ON SPECIAL ADMISSIONS, 1982; AD HOC COMMITTEE ON TEACHING, 1995-1996 (Chairman); AD HOC SELF-STUDY REPORT COMMITTEE, 2003-2004 (Chairman); ADMISSIONS COMMITTEE, 2007-2008, 2004-2005, 1991-1992 (Chairman), 1990-1991, 1988-1989 (Chairman), 1986-1987, 1985-1986 (Chairman), 1984-1985, 1980-1981 (Chairman), 1979-1980; APPOINTMENTS COMMITTEE, 2008-2009 (Chairman); 1997-1998, 1982-1983 (Chairman), 1978-1979 (Chairman), 1977-1978; BUDGET COMMITTEE, 1989-1990; COLLOQUIUM COMMITTEE, 1993-1994, 1981-1982; CONTINUING LEGAL EDUCATION COMMITTEE, 1994-1995, 1993-1994; CURRICULUM COMMITTEE, Fall 2004 (ex officio), 2003-2004 (ex officio), 2002-2003 (ex officio), 2000-2001 (ex officio), 1979; DEAN SEARCH COMMITTEE (Elected Faculty Representative), 1992-1993, 1983-1984; JUDICIAL HONOR BOARD, 2005-2006 (Chairman); 1997, 1993-1994, 1983-1984 (Chairman); LEGAL WRITING COMMITTEE, 1993-1994 (Chairman); LIBRARY & TECHNOLOGY COMMITTEE, 1999-2000; LIBRARY COMMITTEE, 1983-1984, 1976-1977; PLACEMENT COMMITTEE, 1998-1999 (Chairman), 1997, 1995-1996, 1981-1982 (Chairman), 1980-1981; LL.M. ADMISSIONS COMMITTEE, 2005-present.

### **FACULTY ADVISOR: UNIVERSITY OF PITTSBURGH SCHOOL OF LAW**

AMNESTY INTERNATIONAL, 1988-1990; 1982-1983; FLEX-TIME STUDENTS, 1985-2006; LAW & ARTS SOCIETY, 1980-1981; LAW REVIEW, 1978-1981; LEGAL ASSISTANCE (PRISON) PROGRAM, 1977-1978; NATIONAL MOOT COURT TEAM, 1977-1978; PITT LAW CHRONICLE, 1985-1991; PITT LAW FILM SOCIETY, 1984-1985; POLSKY CRIMINAL PROCEDURE MOOT COURT TEAM, 1983-1986; TRANSFER STUDENTS, 2005-present.

## **AWARDS, FELLOWSHIPS, RECOGNITION**

- Awarded Chancellor's Distinguished Public Service Award, *University of Pittsburgh*, 2009.
- Voted winner of the Excellence in Teaching Award by the *University of Pittsburgh* graduating class, 2007.
- Awarded Chancellor's Distinguished Teaching Award, *University of Pittsburgh*, 1987.
- Nominated by *University of Pittsburgh* for Council for Advancement and Support of Education, Professor of the Year Award, 1987.
- Named Fulbright Scholar, Indo-American Subcommission Fellowship, 1983 (declined award due to research restrictions placed by Government of India).
- Named "Honorary Chief of Police" by City of Louisville Police Department; Presented with "Key to the City" by Mayor of Louisville, October 1980.
- Awarded Ford Foundation Fellowship, East Asian Legal Studies Program, *Harvard University School of Law*, June 1976.
- Recognized in: Who's Who in the World; Who's Who in America; Who's Who in American Law; Who's Who in American Society; Who's Who of Emerging Leaders in America; Who's Who in American Education; Who's Who in the East; International Directory of Distinguished Leadership; Who's Who Among America's Teachers; Strathmore's Who's Who; The National Registry of Who's Who; AcademicKeys Who's Who in Law Education; Montclair's Who's Who; Madison Who's Who of Executives and Professionals; Who's Who Among Law Professionals; Who's Who of Worldclass Professionals.
- Martindale-Hubbell highest lawyer rating: "a v".

## **MEMBER**

- Bars: U.S. Supreme Court; Pennsylvania; Michigan (inactive); U.S. Third Circuit Court of Appeals; U.S. District Court for the Western District of Pennsylvania; U.S. District Court for the Eastern District of Michigan
- Chairperson 1980, Chairperson-Elect 1979, Executive Council 1977, 1978, 1981 & 1982, Criminal Justice Section, Association of American Law Schools

- American Law Institute
- American Bar Association
- Pennsylvania Bar Association
- Allegheny County Bar Association
- National Association of Criminal Defense Lawyers
- United States Supreme Court Historical Society
- Pennsylvania Supreme Court Historical Society
- American Civil Liberties Union

#### **PROFESSIONAL, UNIVERSITY, AND COMMUNITY ACTIVITIES**

- Member, *University of Pittsburgh*, Chancellor's Distinguished Public Service Award Committee, 2009-present.
- Member, Semester at Sea Alumni Association Board of Directors, Faculty and Staff Council, 2008-present.
- Member, American Bar Association, Criminal Justice Section, Ethics, Gideon and Professionalism Committee, 2006-present.
- Member, Pennsylvania Bar Association, Judicial Campaign Advertising Advisory Board, 1995-present
- Member, Pennsylvania Bar Association, Amicus Curiae Brief Committee, 1991-present, (Chairperson, 1994-1995)
- Member, Pennsylvania Supreme Court, Commission on Judicial Independence, 2006-2010.
- Member, Allegheny County (Pennsylvania) District Attorney's Office Use of Force Working Group ("Taser Task Force"), 2008-2009.
- Member, West Virginia University, Executive MBA Investigative Panel, 2008.
- Consultant and Lecturer, Community Policing in Albania Project, Institute for

Democracy & Mediation, Center for Russian & East European Studies, *University of Pittsburgh*, Tirana, Albania (2006)

- Member, *University of Pittsburgh*, Provost's Advisory Council on Instructional Excellence, 2004-2006
- Faculty Member, Pennsylvania Conference of State Trial Judges, Judicial Education Conference, 2006, 2000, 1997, 1995, 1993, 1992, 1991, 1989, 1988, 1987, 1986, 1985, 1984
- Lecturer, Legal Ethics & Legal Profession in the United States, United States Steel Legal Department, Kosice, Slovakia (2005)
- Member, *University of Pittsburgh*, Semester at Sea Academic Advisory Committee, 1999-2002, 1992-1995
- Legal Chair, Kentucky Emerson (neighborhood) Coalition, 1997-2004
- Faculty Member, Pennsylvania Supreme Court New Judges Training Program, Criminal Law, 2002, 2000, 1996, 1992, 1990, 1988, 1985
- Speaker & Consultant (legal ethics and criminal justice), U.S. State Department, Bureau of Public Affairs, United States Embassy, Reykjavik, Iceland, 2000
- Chairperson, Updating Task Force, Third Edition, Special Functions of the Trial Judge, Criminal Justice Standards, Criminal Justice Section, American Bar Association, 1997-2000
- Founding Chairman & Board Member, City of Pittsburgh Citizens Police Review Board, 1997-1999
- Consultant, Draft Law on the Bar Association, Lithuania, Central and East European Law Initiative, American Bar Association, 1998
- Graduate, Pittsburgh Bureau of Police, Citizen's Training Academy, Class of 1998
- Editorial Consultant, The Foundation Press, Inc., 1997
- Lecturer, BAR/BRI Pennsylvania Bar Review (Legal Ethics), 1996-1997
- Member, Public Defender Selection Committee, Allegheny County, 1996
- Member, Allegheny County Legal Services Transition Team, 1996

- Consultant, Draft Penal Code, Kyrgyzstan, Central and East European Law Initiative, American Bar Association, 1995
- Consultant and Lecturer, African Law Initiative, American Bar Association, Moi University Faculty of Law, University of Nairobi School of Law, and U.S. Embassy Speakers' Program, Eldoret and Nairobi, Kenya, 1995
- Member, Criminal Justice Standards Committee, Criminal Justice Section, American Bar Association, 1995-1997
- Consultant, Draft Law on Prosecution, Republic of Latvia, Central and East European Law Initiative, American Bar Association, 1994
- Member, Task Force on Ethiopian War Crimes, International Law Section, American Bar Association (Consultant to Special Prosecutor's Office, Addis Ababa), 1993-1994
- Consultant, Draft Criminal Code, Republic of Kazakhstan, Central and East European Law Initiative, American Bar Association, 1992
- Consultant & Speaker, U.S. State Department, Bureau of Human Rights, Human Rights Project, Judicial System Study, United States Embassy, Bujumbura, Burundi, 1991
- Chairperson, Senate Elections Committee, *University of Pittsburgh*, 1991-1993
- Member, *University of Pittsburgh* Chancellor's Distinguished Teaching Awards Committee, 1991, 1989
- Editorial Consultant (Criminal Law Series), Clark Boardman Callaghan (publishers), 1990-1996
- Member, Pennsylvania Bar Association Disciplinary Board Study Committee, 1989-1991
- Reporter, Third Edition, Prosecution Function Standards, Criminal Justice Standards, Criminal Justice Section, American Bar Association, 1988-1993
- Reporter, Third Edition, Defense Function Standards, Criminal Justice Standards, Criminal Justice Section, American Bar Association, 1988-1992
- Member, Allegheny County Bar Association Council on Professionalism, 1988-1996, (Chairperson, 1994-1995; Acting Chairperson, 1993-1994; Vice-Chairperson, 1991-1993)

- Member, Pittsburgh Black/Jewish Dialogue, 1987-1989
- Member, Ethical Considerations Committee, Criminal Justice Section, American Bar Association, 1987-1990
- Co-Director, Allegheny County Bar Association Oral History Project ("Profiles in Professionalism"), 1989-1991
- Member, Pittsburgh AIDS Task Force, Legal Committee, 1988-1990
- Chairman, *University of Pittsburgh* Parking Board of Appeals, 1987-1991
- Member, Community Relations Committee, United Jewish Federation, 1987-1991
- Contributing Editor, Michigan State Bar Examination, 1982-1996
- Lawyer Member, Institutional Review Board for Biomedical Research, **University of Pittsburgh**, 1979-1982; Alternate Member, 1982-1986
- Vice President, Board of Directors, Public Interest Law Group of Western Pennsylvania, 1986-1987
- Consultant, "Visions of the Constitution," WQED-TV (series on the Constitution aired on PBS in 1987), 1985-1986
- Counsel, "Cartoon-Aid" Project, Relief Effort for USA for Africa, 1985
- Member, Pittsburgh Press "Steelers Fans Panel," 1985-1986
- National Advisory Board, Democratic Presidential Campaign, 1983-1984
- Consultant, Commonwealth of Kentucky, Department of Justice (Probable Cause Project), 1980-1984
- Contributing Editor, Pittsburgh Magazine, 1982-1983
- Director, Board of Directors, Persad Center, Inc. (mental health center), Pittsburgh, 1980-1983
- Counsel, People's Oakland (community group), 1981
- Elected Alternate Delegate, 1980 Democratic National Convention

- Counsel, Democratic Presidential Campaign (Pennsylvania), 1980
- Director, Board of Directors, House of the Crossroads (residential drug rehabilitation program), Pittsburgh, 1979-1981
- Counsel, Michigan Physician's Crisis Committee, 1978-1981
- Amnesty International Urgent Action Network, 1976-1983

### **LEGAL POSITIONS**

Of Counsel, Marcus & Shapira, LLP Pittsburgh, Pennsylvania	1979, 1986-2000
Special Counsel, Justice Ralph J. Cappy Pennsylvania Supreme Court	1990-1994
Law Clerk, Justice G. Mennen Williams, Michigan Supreme Court	1973-1975
Law Clerk, Environmental Law Division, Ohio Attorney General's Office	Summer 1972

### **LITIGATION**

Counsel, appellate counsel, amicus counsel, and consulting counsel in numerous criminal and civil (plaintiff and defense) matters at the administrative, trial, and appellate court levels, state and federal. Expert witness in numerous matters (state and federal courts and administrative proceedings) relating to legal ethics and/or criminal justice.

### **PUBLICATIONS**

#### **Books**

EXAM PRO ON CRIMINAL LAW (OBJECTIVE QUESTIONS) (West) (*in progress*: Spring 2011) (with N. Burkoff).

INSIDE CRIMINAL LAW: WHAT MATTERS AND WHY (Aspen) (2d ed.) (*in progress*: Winter 2011) (with R. Weaver).

CRIMINAL LAW: A CONTEMPORARY APPROACH (*in progress*: Winter 2011) (West Interactive Casebook Series) (with R. Weaver & C. Hancock) (and Teachers' Manual).

CRIMINAL OFFENSES AND DEFENSES IN PENNSYLVANIA (6th edition) (West Pennsylvania Practice Series) (*also available on WESTLAW*) (2010).

EXAM PRO ON CRIMINAL LAW (Essay Questions) (West) (2010).

CRIMINAL PROCEDURE: CASES & MATERIALS, PROBLEMS & EXERCISES (4th edition 2010) (West) (with R. Weaver, L. Abramson, R. Bacigal, C. Hancock & J. Hoefel) (and Teachers' Manual).

ACING CRIMINAL LAW (West) (2009).

CRIMINAL LAW: CASES & MATERIALS, PROBLEMS & EXERCISES (3rd edition) (West) (2009) (with R. Weaver, L. Abramson & C. Hancock) (and Teachers' Manual).

PRINCIPLES OF CRIMINAL PROCEDURE (3d edition) (West) (2008) (with R. Weaver, L. Abramson, & C. Hancock).

INSIDE CRIMINAL LAW: WHAT MATTERS AND WHY (Aspen) (2008) (with R. Weaver).

CRIMINAL PROCEDURE: CASES & MATERIALS, PROBLEMS & EXERCISES (3d edition) (West) (2007) (with R. Weaver, L. Abramson, R. Bacigal, C. Hancock, D. Lively & J. Hoefel) (and Teachers' Manual).

PRINCIPLES OF CRIMINAL PROCEDURE (2d edition) (West) (2007) (with R. Weaver, L. Abramson, & C. Hancock).

CRIMINAL LAW: CASES & MATERIALS, PROBLEMS & EXERCISES (2d edition) (West) (2005) (with R. Weaver, L. Abramson & C. Hancock) (and Teachers' Manual and Annual Supplement).

CRIMINAL OFFENSES AND DEFENSES IN PENNSYLVANIA (5th edition) (West Pennsylvania Practice Series 2004) (and Annual Pocket Part supplements through 2009).

CRIMINAL PROCEDURE: CASES & MATERIALS, PROBLEMS & EXERCISES (2d edition) (West 2004) (with R. Weaver, L. Abramson, R. Bacigal, C. Hancock, & D. Lively) (and Teachers' Manual and Annual Supplements).

PRINCIPLES OF CRIMINAL PROCEDURE (West 2004) (with R. Weaver, L. Abramson, & C.

Hancock).

CRIMINAL LAW: CASES & MATERIALS, PROBLEMS & EXERCISES (West) (2002) (with R. Weaver, L. Abramson & C. Hancock) (and Teachers' Manual and Annual Supplements).

CRIMINAL DEFENSE ETHICS: LAW AND LIABILITY 2d (West)(2002) (annual soft-cover editions beginning in 2002) (*also available on WESTLAW*).

CRIMINAL PROCEDURE: CASES & MATERIALS, PROBLEMS & EXERCISES (West) (2001) (with R. Weaver, L. Abramson, R. Bacigal, C. Hancock, & D. Lively) (and Teachers' Manual and Annual Supplements 2001 to 2003).

CRIMINAL OFFENSES AND DEFENSES IN PENNSYLVANIA (4th edition) (West 2001) (and Annual Pocket Part Supplements 2001 to 2003) (*this title acquired from Harrison & Co. in 2002 by West Group*) (*previously available on WESTLAW*).

READINGS IN CRIMINAL LAW (Matthew Bender & Co. 1998) (with C. Hancock, R. Weaver, A. Reed, & P. Seago) (*this title acquired from Anderson Publishing Co. in 2002 by LEXIS/NEXIS Group*).

CRIMINAL OFFENSES AND DEFENSES IN PENNSYLVANIA (3d edition) (Harrison & Co. 1995)(and Annual Pocket Part Supplements 1996 to 1999).

INEFFECTIVE ASSISTANCE OF COUNSEL (West 1993) (and annual Supplementary Releases 1993 to present) (with H. Hudson 1993 to 2000; from 2001 to *present* with N. Burkoff) (*also available on WESTLAW*).

CRIMINAL DEFENSE ETHICS: LAW AND LIABILITY (Revised edition) (West 1991) (and Annual Supplementary Releases 1992 to 2002).

CRIMINAL OFFENSES AND DEFENSES IN PENNSYLVANIA (2d edition) (Harrison & Co. 1989) (and Annual Pocket Part Supplements 1990 to 1994).

SEARCH WARRANT LAW DESKBOOK (West 1987) (and Semiannual Supplementary Releases 1988 to *present*) (expanded to 2-volume treatise in 2008)(*also available on WESTLAW*).

CRIMINAL DEFENSE ETHICS: LAW AND LIABILITY (Clark Boardman Callaghan 1986) (and Annual Supplementary Releases 1987 to 1990).

CRIMINAL OFFENSES AND DEFENSES IN PENNSYLVANIA (Harrison & Co. 1984) (and Annual Pocket Part Supplements 1987 to 1988).

### **Monthly Newsletters**

Co-ordinating Editor, *Search and Seizure Law Report* (West) (May 1989 to present).

Co-ordinating Editor, *Criminal Practice Law Report* (West) (1993 to 1997).

### **Book Chapters**

"If God Wanted Lawyers to Fly, She Would Have Given Them Wings: Life, Lust & Legal Ethics in *Body Heat*," in R. Strickland, T. Foster & T. Banks (eds.), SCREENING JUSTICE—THE CINEMA OF LAW: SIGNIFICANT FILMS OF LAW, ORDER AND SOCIAL JUSTICE (William S. Hein & Co. 2006).

Various entries, in THE ENCYCLOPEDIA OF AMERICAN CIVIL LIBERTIES (Taylor & Francis Books, Inc.) (2006).

"Exclusionary Rules," in ENCYCLOPEDIA OF POLICE SCIENCE 262 (ed. W. Bailey) (Garland Publishing Inc. 1995) (2d ed.).

Commentary, "Government," in TRADE & COMMERCIAL LAWS OF THE RUSSIAN FEDERATION: OFFICIAL CODIFICATION & COMMENTARY 1 (Oceana Publications, Inc. 1993).

"Exclusionary Rules," in ENCYCLOPEDIA OF POLICE SCIENCE 177 (ed. W. Bailey) (Garland Publishing Inc. 1989).

"Suppression of Illegally Obtained Evidence: Pretext Searches," in 4 CRIMINAL DEFENSE TECHNIQUES 83-1 (Matthew Bender & Co. 1985).

"Exclusionary Rules," in ENCYCLOPEDIA OF CRIME AND JUSTICE (ed. S. Kadish) (MacMillan/Free Press 1983).

"Human Rights in the United States of America," in LAW IN ACTION ¶ 1001 (ed. P. Latimer) (CCH Australia, Ltd. 1982).

"Suppression of Illegally Obtained Evidence: Private Searches," in 4 CRIMINAL DEFENSE TECHNIQUES 80-1 (Matthew Bender & Co. 1982).

### **Law Review & Professional Journal Articles**

"Search Me?," 39 Texas Tech Law Review 1109 (2007), reprinted on-line at bePress Legal Repository at <http://law.bepress.com/pittlwps/papers/art66>, and at SSRN eLibrary at

<http://ssrn.com/abstract=1010352>.

"Flipper Ethics," *The Champion* 30 (January-February 2007).

"Remembering Welsh White," *4 Ohio State Journal of Criminal Law* 15 (Fall 2006),  
reprinted on-line at bePress Legal Repository at  
<http://law.bepress.com/pittlwps/papers/art49/>.

"The Fourth Amendment & Terrorism," *109 Penn State Law Review* 911 (Spring 2005),  
*reprinted as adapted in 32 Search and Seizure Law Report* 41 (June 2005).

"'A Flame of Fire': The Fourth Amendment in Perilous Times," *74 Mississippi Law Journal* 631 (2004).

"Ineffective Assistance of Counsel Based on Counsel's Alleged Fourth Amendment Failures," *30 Search & Seizure Law Report* 41 (June 2003) (with N. Burkoff).

"When is Probable Cause Information in a Search Warrant 'Stale?'" *28 Search and Seizure Law Report* 81 (December 2000).

"Competent Criminal Defense Representation: Ethical Issues," *5 Criminal Practice Law Report* 81 (1997).

"If God Wanted Lawyers to Fly, She Would Have Given Them Wings: Life, Lust & Legal Ethics in *Body Heat*," *21 Oklahoma City University Law Review* 187 (1997).

"Criminal Defense Counsel & Their Clients: Who Decides What?" *4 Criminal Practice Law Report* 81 (1996).

"Challenges to the Magisterial Issuance of Search Warrants," *23 Search and Seizure Law Report* 81 (1996).

"Appellate Review of Warrantless Search Determinations: The Triumph of the 'De Novo' Standard," *23 Search and Seizure Law Report* 65 (1996) (with C. Stone), *reprinted in 7 Florida Criminal Practice Service* (1997).

"Conflicts of Interest in Criminal Defense Representation," *3 Criminal Practice Law Report* 9 (1995).

"Justice Stephen Breyer and the Fourth Amendment," *21 Search and Seizure Law Report* 57 (1994) (with G. Moses).

"Establishing and Challenging Search Warrant Probable Cause," 20 Search and Seizure Law Report 169 (1993).

"Criminal Defense Malpractice: A Practitioner's Guide," 1 Criminal Practice Law Report 65 (1993).

"Law Enforcement Entries to Execute Search Warrants," 19 Search and Seizure Law Report 57 (1992).

"Prosecutorial Ethics: The Duty Not 'To Strike Foul Blows,'" 53 University of Pittsburgh Law Review 271 (1992).

"Untimely Execution of Search Warrants," 18 Search and Seizure Law Report 97 (1991).

"Search Warrant Particularity: Things to Be Seized," 17 Search and Seizure Law Report 25 (1990).

"Search Warrant Particularity: Places to Be Searched," 16 Search and Seizure Law Report 113 (1989).

"Ethics Violations and the Exclusionary Rule," 4 Criminal Justice 33 (Spring 1989).

"The Pretext Search Doctrine Returns After Never Leaving," 66 University of Detroit Law Review 362 (1989), reprinted in J. Carr (ed.), 1990 Criminal Law Review 23 (Clark Boardman Co.).

"Allocation of Decision-Making Authority," 2 Criminal Justice 25 (Fall 1987), reprinted in Training Materials, Massachusetts Public Defender's Office (1988).

"Legal Negligence: The Threat and the Reality in Criminal Cases," Trial 33 (September 1987).

"What Do You Do When Your Client Tosses the Murder Weapon On Your Desk?," The Champion 5 (December 1986).

"Search Warrant Execution: Scope and Intensity," 13 Search and Seizure Law Report 25 (1986).

"Rejoinder: Truth, Justice, and the American Way—or Professor Haddad's Hard Choices," 18 University of Michigan Journal of Law Reform 695 (1985), reprinted in part in Law Review Digest 25 (September/October 1986).

"Tribute to Tal Fowler: A Character With Character," 47 University of Pittsburgh Law Review vii (Spring 1986).

"Antecedent Justification For Warrantless Search and Seizure Activity," 12 Search and Seizure Law Report 165 (1985).

"The Pretext Search Doctrine: Now You See It, Now You Don't," 17 University of Michigan Journal of Law Reform 523 (1984).

"The Reasonable Good-Faith Exception to the Exclusionary Rule in Search Warrant Cases," 11 Search and Seizure Law Report 53 (1984).

"When Is A Search Not A 'Search?' Fourth Amendment Doublethink," 15 University of Toledo Law Review 515 (1984), reprinted in J. Carr (ed.), 1985 Criminal Law Review 3 (Clark Boardman Co.).

"Bad Faith Searches," 57 New York University Law Review 70 (1982).

"Pretext Searches," 9 Search and Seizure Law Report 25 (1982).

"Not So Private Searches and the Constitution," 66 Cornell Law Review 627 (1981), reprinted in J. Carr (ed.), 1982 Criminal Law Review 103 (Clark Boardman Co.).

"Searches and Seizures by Private Police," 8 Search and Seizure Law Report 97 (1981).

"Dedication-To Tom Cooley: He Likes Cheese," 41 University of Pittsburgh Law Review 667 (1980).

"The Court that Devoured the Fourth Amendment: The Triumph of an Inconsistent Exclusionary Doctrine," 58 University of Oregon Law Review 151 (1979), reprinted in J. Carr (ed.), 1980 Criminal Law Review 3 (Clark Boardman Co.).

"Non-Investigatory Police Encounters," 13 Harvard Civil Rights-Civil Liberties Law Review 681 (1978).

"The Legal Profession at the Crossroads," Trial 46 (June 1977).

"Appointment and Removal Under the Federal Constitution: The Impact of Buckley v. Valeo," 22 Wayne Law Review 1335 (1976).

"Obscenity Under the Michigan Constitution: Protected Speech?," 54 Michigan State Bar Journal 964 (1975) (co-author).

### Other Articles

"The O.J. Defense: A Helpful Outline," Pittsburgh Legal Journal 1 (August 10, 1995).

"O.J. & Legal Ethics: What's in the Manila Envelope?," Pittsburgh Legal Journal 1 (July 14, 1994).

"Drug Testing and the Fourth Amendment," 3 Employment Testing Reporter 397 (May 15, 1989).

"The Supreme Court's Dangerous Drug-Testing Decisions: Catching the Good Guys," ACLU Quarterly Comments (May 1989).

"The Supreme Court and Drug Testing," Cleveland Plain Dealer p. 5-B (April 12, 1989); Los Angeles Times; Seattle Post-Intelligencer; Las Vegas Review Journal; and two dozen other daily newspapers.

"Supreme Court Bloopers and Practical Jokes: The Burger Court and the Fourth Amendment," 37 Virginia Law Weekly 1 (February 15, 1985), reprinted in Pitt Law Chronicle 4 (Spring 1985).

"Suing the ABA: A Case for Religious Discrimination," Pittsburgh Magazine 29 (January 1983).

"Writ and Wrong: A Lawyer's Conflict of Duty & Conscience," Pittsburgh Magazine 47 (Sept. 1982).

"The Insanity Defense: A Crazy System for Dealing With Crazy People," Pitt Magazine 7 (August 1982).

"Pull Over, Please: What Are Your Rights When Your Car is Stopped?" Pittsburgh Magazine 75 (July 1982).

### Book Reviews & Review Essays

24 Criminal Justice Ethics 47 (Winter/Spring 2005) (*review of Philip B. Heymann, TERRORISM, FREEDOM AND SECURITY: WINNING WITHOUT WAR*).

6 Lawyers Journal (Journal of the Allegheny County Bar Association) 6 (September 3, 2004) (*review of K. Gormley, J. Bauman, J. Fishman & L. Kozler (eds.), THE PENNSYLVANIA CONSTITUTION: A TREATISE ON RIGHTS AND LIBERTIES*).

Pennsylvania Bar Association Quarterly 182 (October 2000) (*review of* L. Terry, A. Coney & T. Wilkinson (eds.), PENNSYLVANIA ETHICS HANDBOOK).

2 Legal Publishing Review 17 (January 1990) (*review of* R. Reed (ed.), BEYOND THE BILLABLE HOUR: AN ANTHOLOGY OF ALTERNATIVE BILLING METHODS).

1 Legal Publishing Review 15 (May/June 1989) (*review of* G. Joseph, SANCTIONS: THE FEDERAL LAW OF LITIGATION ABUSE).

37 University of Oklahoma Law Review 441 (1984) (*review of* J. Brady, JUSTICE AND POLITICS IN PEOPLE'S CHINA: LEGAL ORDER OR CONTINUING REVOLUTION?).

41 University of Pittsburgh Law Review 703 (1980) (*review of* J. Wilkinson, FROM BROWN TO BAKKE—THE SUPREME COURT AND SCHOOL INTEGRATION: 1954-1978).

48 University of Colorado Law Review 381 (1978) (*review of* H. Schwartz, TAPS, BUGS AND FOOLING THE PEOPLE).

63 American Bar Association Journal 1248 (Sept. 1977) (*review of* D. Wise, THE AMERICAN POLICE STATE).

22 Wayne Law Review 1009 (1976) (*review of* F. Carrington, THE VICTIMS).

53 Journal of Urban Law 135 (1975) (*review of* N. Morris, THE FUTURE OF IMPRISONMENT).

### Miscellaneous

"Legal Ethics Revisited: Response," 4 Criminal Justice 2 (Summer 1989).

"The Burger Court—It Intrudes," The Nation 290 (Oct. 8, 1983).

"Bargain Barristers?," Pittsburgh Magazine 13 (March 1983).

"A Compromise of Judicial Integrity," 66 Judicature 4 (June-July 1982).

"Response to Duncan Kennedy," 33 Harvard Law Bulletin 35 (Spring 1982).

"Steagald v. United States," Police Chronicle 2 (Oct. 1981).

"Benign Ignorance of the Law Is No Protection," New York Times, p.A22, col. 3 (Oct. 13, 1981), reprinted in the Defender (New York State Defenders Association, January 1982).

"Ill-Advised [Bar Admission] Rules," 64 *Judicature* 200 (1980).

"United States v. Bifulco," PREVIEW (February 1980).

"The Costs of the Fourth Amendment," 62 *Judicature* 420 (April 1979).

### **SPEECHES**

Speaker on constitutional law, criminal justice, human rights, and legal and judicial ethics topics at numerous public, educational, civic, continuing legal education, continuing judicial education, and other professional functions in the United States and foreign countries.

### **NAMED LECTURE**

James Otis Lecture, Inaugural Lecturer: "'A Flame of Fire': Taking the Fourth Amendment Seriously," National Center for Justice and the Rule of Law, University of Mississippi College of Law (February 4, 2004).