

PETER SIMON MARGULIES
Roger Williams University School of Law
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EDUCATION:

Columbia University School of Law

J.D. 1981

Academic Standing:

Top 1/4 of class.

Activities:

Articles Editor, Columbia Journal of Law and Social Problems.

Awards:

Harlan Fiske Stone Scholar, 1978-79, 1979-80

Colgate University

Activities:

B.A. in History, Magna cum Laude, 1978

Awards:

Editor-in Chief, Colgate News

Phi Beta Kappa; Honors in History

LEGAL EXPERIENCE:

PROFESSOR OF LAW

July 2001 (Visiting 2000-01) -

Roger Williams University School of Law
Bristol, Rhode Island

Teaches Immigration Law, Family and Disability Law Clinic, and Legal Ethics.

**PROFESSOR OF LAW AND DIRECTOR,
IMMIGRATION CLINIC**

July 1992 - July 2001

St. Thomas University School of Law
Miami, Florida

Started and directed Immigration Law Clinic focusing on representation of refugees and immigrant families, with duties including supervision of clinic staff and outreach to community legal services providers; teaches Professional Responsibility, seminar on law and disability, and Law and Medicine; coordinates administration of three other clinical programs, including domestic violence clinic, externship program, and clinic in appellate litigation.

VISITING PROFESSOR

August 1989-July 1992

City University of New York Law School at
Queens College, New York, NY

Designed and taught seminar integrating representation of clients with disabilities, training in interviewing and counseling, and instruction in substantive doctrine in law of government benefits, education, employment, and housing pertaining to disability; as third semester simulation coordinator, designed and implemented required Lawyering Seminar curriculum, and taught seminar on legal analysis, negotiation, and trial practice integrated with substantive curriculum of property, evidence, and procedure.

ASSOCIATE CLINICAL PROFESSOR
General Civil Clinic, Hofstra Law School
Hempstead, N.Y.

January 1988-August 1989

Taught seminar in lawyering skills, including advocacy, interviewing, investigation, counseling, and negotiation; supervised students in live cases involving public benefits, family law, special education, immigration, and employment.

CLINICAL ASSOCIATE PROFESSOR
Federal Litigation Clinic
New York Law School, New York, New York

December 1984-December 1987

Helped design clinical program with the following responsibilities: teaching substantive law and lawyering skills through classroom instruction, tutorials, simulations and live cases involving governmental benefits, special education, disability discrimination, and criminal justice competency issues; supervising submission of comments on proposed federal regulations; coordinating and participating in amicus briefs and appellate litigation in United States Supreme Court, Circuit Court of Appeals and New York State Court of Appeals.

SENIOR ATTORNEY; STAFF ATTORNEY
Mental Health Information Service, New York, New York

August 1981-December 1984

Represented patients committed under the New York Mental Hygiene Law and Criminal Procedure Law in proceedings for furloughs, release, and retention, as well as appeals; represented amicus curiae in appellate proceedings: advocated on patient's behalf with state officials, doctors and other facility staff, and outside agencies; and initiated, supervised, and participated in class action litigation in state and federal courts.

SELECTED PUBLICATIONS:

A. Public Interest Law, Legal Education, and Professional Responsibility

After Marek, the Deluge: Harmonizing the Interaction Under Rule 68 of Statutes That Do and Do Not Classify Attorney's Fees as Costs, 73 Iowa L. Rev. 413 (1988).

"Who Are You to Tell Me that ?": Attorney-Client Deliberation Regarding Nonlegal Issues and the Interests of Nonclients, 68 N.C.L. Rev. 213 (1990).

The Mother with Poor Judgment and Other Tales of the Unexpected: A Civic Republican View of Difference and Clinical Legal Education, 88 Nw. U. L. Rev. 695 (1994).

Access, Connection, and Voice: A Contextual Approach to Representing Senior Citizens of Questionable Capacity, 62 Fordham L. Rev. 1073 (1994).

Progressive Lawyering and Lost Traditions (Review Essay), 73 Tex. L. Rev. 1139 (1995).

Introduction: Towards an Inclusive Professionalism, 8 St. Thomas L. Rev. 3 (1995).

Representation of Domestic Violence Survivors as a New Paradigm of Poverty Law: In Search of Access, Connection, and Voice, 63 Geo. Wash. L. Rev. 1071 (1995).

Lawyers as Caregivers: Child-Client's Competence in Context, 64 Fordham L. Rev. 1473 (1996).

Violence Against Women and the Violence of Law, 8 Cardozo Studies in L. & Literature 179 (1996) (Robert Cover Symposium).

Identity on Trial: Subordination, Social Science Evidence, and Criminal Defense, 51 Rutgers L. Rev. 45 (1998).

Re-Framing Empathy in Clinical Legal Education, 5 Clinical L. Rev. 605 (1999).

Multiple Communities or Monolithic Clients: Positional Conflicts of Interest and the Mission of the Legal Services Lawyer, 67 Fordham L. Rev. 2339 (1999).

The New Class Action Jurisprudence and Public Interest Law, 25 N.Y.U. Rev. L. & Soc. Change 487 (1999).

Commitment, Craft, and the Golden Calf: Lessons from Exodus for Legal Education, 74 St. John's U.L. Rev. 667 (2000).

The Virtues and Vices of Solidarity: Regulating the Roles of Lawyers for Clients Accused of Terrorist Activity, 62 Md. L. Rev. 173 (2003).

Foreword: Risk, Deliberation, and Professional Responsibility, 1 J. Nat'l Sec. L. & Pol'y 357 (2005) (part of Symposium on Professional Responsibility and the War on Terror).

Lawyers' Independence and Collective Illegality in Government and Corporate Misconduct, Terrorism, and Organized Crime, 58 Rutgers L. Rev. 939 (2006).

Legal Hazard: Corporate Crime, Advancement of Executives' Defense Costs, and the Federal Courts, 7 U.C. Davis Bus. L. J. 55 (2006).

When to Push the Envelope: Legal Ethics, the Rule of Law, and National Security Strategy, 30 Fordham Int'l L.J. 642 (2007).

Lawyering for Children: Confidentiality Meets Context, 81 St. John's L. Rev. 601 (2007).

True Believers at Law: National Security Agendas, the Regulation of Lawyers, and the Separation of Powers, __ Maryland L. Rev. __ (forthcoming 2008).

B. Disability Law

The Pandemonium Between the Mad and the Bad: Procedures for the Commitment and Release of Insanity Acquittes After Jones v. United States, 36 Rutgers L. Rev. 793 (1984).

Involuntary Commitment of the Psychiatric Homeless, Shelter Workers' Handbook (1985).

The Newest Equal Protection: City of Cleburne and a Common Law for Statutes and Covenants Affecting Group Homes for the Mentally Disabled, 3 N.Y.L.S. Hum. Rts. Ann. 359 (1986).

The Cognitive Politics of Professional Conflict: Law Reform, Mental Health Treatment Technology, and Citizen Self-Governance, 5 Harv. J. L. & Tech. 25 (1992).

Building Communities of Virtue: Political Theory, Land Use Policy, and the 'Not in My Backyard' Syndrome, 43 Syr. L. Rev. 945 (1992).

C. Immigration and Terrorism

Stranger and Afraid: Undocumented Aliens and Federal Employment Law, 38 DePaul L. Rev. 553 (1989).

Difference and Distrust in Asylum Law: Haitian and Holocaust Refugee Narratives, 6 St. Thomas L. Rev. 135 (1994).

Asylum, Intersectionality, and AIDS: Women with HIV as a Persecuted Social Group, 8 Geo. Immig. L.J. 521 (1994).

Democratic Transitions and the Future of Asylum Law, 71 U. Colo. L. Rev. 3 (1999).

Children, Parents, and Asylum, 15 Geo. J. Immig. L. 289 (2001).

Uncertain Arrivals: Immigration, Terror, and Democracy After September 11, 2002 Utah L. Rev. 481

Judging Terror in the “Zone of Twilight”: Exigency, Institutional Equity, and Procedure After September 11, 84 B.U. L. Rev. 383 (2004).

Making “Regime Change” Multilateral: The War on Terror and Transitions to Democracy, 32 U. Denver J. Int’l L. & Pol’y 389 (2004).

Detention of Material Witnesses, Exigency, and the Rule of Law, 40 Crim. L. Bull. 599 (2004).

The Clear and Present Internet: Terrorism, Cyberspace, and the First Amendment, 2004 UCLA J.L. Tech. 4.

Above Contempt? Regulating Government Overreaching in Terrorism Cases, 34 Sw. U. L. Rev. 449 (2005).

Beyond Absolutism: Legal Institutions in the War on Terror, 60 U. Miami L. Rev. 309 (2006).

The Military Commissions Act, Coerced Confessions, and the Role of the Courts, 25(2) Crim. Justice Ethics 2(2006).

Reliability and the Interests of Justice: Interpreting the Military Commissions Act of 2006 to Deter Coercive Interrogations, 12 Roger Williams U.L. Rev. 750 (2007) (with Laura Corbin).

ACADEMIC ACTIVITIES:

Reviewer, Tenure and Promotion Applications, California Western School of Law, San Diego, California; Touro Law School, Huntington, New York; Catholic University, Washington, D.C.; City University of New York Law School at Queens College; University of New Mexico School of Law.

Member, Diversity Task Force, St. Thomas University, 1993-95.

Chair, Library Committee; Member, Long-Range Planning Committee; Co-Chair, Ad Hoc Committee on Establishment of Pro Bono Requirement, St. Thomas University School of Law.

Member, American Association of Law Schools Committee, Roger Williams University School of Law.

COMMUNITY ACTIVITIES:

Board of Directors, Public Interest Law Foundation at Columbia, 1980-1989.

Board of Directors, Manhattan Legal Services Corporation, November 1983- May 1985.

Board of Directors, MFY Legal Services, Inc., September, 1985 - July 1992 (Member, Executive Committee; and Secretary, 1988).

Member, Forum for Haitian Justice, Rep. Carrie Meek, Congress of the United States, House of Representatives.

Pro bono counsel for amicus curiae in cases involving mental disability and domestic violence, 1985- .

Member, Rhode Island Supreme Court Committee to Revise the Rules of Professional Conduct, 2002-05.