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**EMPLOYMENT:**

A. Kenneth Pye Professor of Law, Duke University School of Law, since 1995

Professor of Law, 1987-1995  
Associate Professor of Law, 1983-1987

Dean, Duke University School of Law, 2000-2007

**EDUCATION:**

J.D., 1975, Boalt Hall School of Law, UC Berkeley. *California Law Review*, Note and Comment Editor

M.A., 1969, History, Harvard University. Harvard Graduate Prize Fellow; Woodrow Wilson Fellow; Danforth Foundation Honorable Mention

B.A., 1968, Wheaton College, Norton, Mass., *magna cum laude*. Phi Beta Kappa. Highest departmental honors in history

**BAR MEMBERSHIPS:** California, 1975; North Carolina, 1980

**PRIZES AND AWARDS**

Equal Justice Works, Dean John R. Kramer Award (“Dean of the Year”) for “leadership in public service in legal education,” 2006

Honorary Degree, Wheaton College, May 2008

Justice R. Ammi Cutter Award (for excellence as a Reporter on the Principles of the Law of Family Dissolution), American Law Institute, 1998

Duke University Scholar/Teacher of the Year, 1994

## **BOOKS**

*Gender Law and Policy* (with Deborah Rhode) (Aspen, 2010)

*Gender and Law: Theory, Doctrine, Commentary* (with Deborah Rhode) (Aspen, 5th ed. 2010)

*Principles of the Law of Family Dissolution: Analysis and Recommendations* (American Law Institute 2002) (Reporter, with Ira Ellman and Grace Blumberg)

*Feminist Legal Theory: Readings in Gender and Law* (ed. with Rosanne Kennedy) (Westview Press, 1991)

*Family Law: Cases, Text & Problems* (2d edition, with Ira Ellman and Paul Kurtz) (Michie, 1991)

*Children with Special Needs* (ed. with Judith Wegner) (Transaction Press, 1987)

## **ARTICLES AND ESSAYS**

Unconstitutionally Male? The Story of United States v. Virginia, in *Women and Law Stories* (Elizabeth Schneider & Stephanie Wildman eds. forthcoming 2010)

Making Good on Good Intentions: The Critical Role of Motivation in Reducing Implicit Workplace Discrimination, 95 *Va. L. Rev.* 1893 (2009)

Feministicke Pravne Metode, in *Žene I Pravo* (Ivana Radačić ed. 2009).

A Conversation Among Deans from "Results: Legal Education, Institutional Change, and a Decade of Gender Studies," 29 *Harvard Journal of Law & Gender* 465 (Summer 2006)

Feminism and Family Law, in *Women and the Law* 307-334 (Jane Campbell Moriarity ed. 2005)

Foreword: A Tribute to William W. Van Alstyne, 54 *Duke Law Journal* 1355 (2005)

More on Lazy Rules: Remarks at the Investiture of Ira Mark Ellman, 35 *Arizona State Law J.* 715 (2003).

Preference, Presumption, Predisposition and Common Sense: From Traditional Custody Doctrines to the American Law Institute's Family Dissolution Project, 36 *Family Law Quarterly* 11-25 (Spring 2002).

U.S. Custody Law and Trends in the Context of the ALI Principles of the Law of Family Dissolution, 10 *Virginia Journal of Social Policy & the Law* 5 (Fall 2002).

Foreword: Symposium on International Securitization and Structured Finance, 12 *Duke Journal of Comparative & International Law* 281-84 (2002) (with Douglas T. Breedon).

The Gender Law Canon, in *Legal Canons* 266-302 (Jack Balkin & Sandy Levinson, eds. 2001)

Comparing Race and Sex Discrimination in Custody Cases, 28 *Hofstra Law Review* 877 (2000)

Cracking Foundations as Feminist Method, 8 *American University Journal of Gender, Social Policy & Law* 31 (2000)

Feminism and Family Law, 33 *Family Law Quarterly* 475 (1999)

Child Custody in the 21<sup>st</sup> Century: How the American Law Institute Proposes to Achieve Predictability and Still Protect the Individual Child's Best Interests, 35 *Willamette Law Review* 467 (1999).

Improving the Law Relating to Postdivorce Arrangements for Children, in *The Postdivorce Family* (eds. Paul Amato and Ross Thompson, 1999)

Perspectives in Feminist Jurisprudence, in *Feminist Jurisprudence, Women and the Law: Critical Essays, Research Agenda, and Bibliography* (eds. Betty Taylor, Sharon Rush, & Robert J. Munro, 1999)

Saving the Family From the Reformers, 31 *U.C. Davis Law Review* 809 (1998)

Anglo-American Law, in *A Companion to Feminist Philosophy* (eds. Alison M. Jaggar & Iris Marion Young, 1998)

A True Family Agenda, *North Carolina Independent*, August 1996

A Family Agenda Without the Rhetoric, *The Chicago Tribune*, August 29, 1996, 1-27

Tradition, Change, and the Idea of Progress in Feminist Legal Thought, 1995 *Wisconsin Law Review* 303

Sex, Lies, and Dissipation: The Discourse of Fault in a No-Fault Era, 83 *Georgetown Law Journal* 2525 (1994) (with Barbara Bennett Woodhouse)

Only Girls Wear Barrettes: Dress and Appearance Standards, Community Norms, and Workplace Equality, 92 *Michigan Law Review* 2541 (1994)

Gender Law, 1 *Duke Journal of Gender Law & Policy* 1 (1994)

Feminist Perspectives on the Ideological Impact of Legal Education Upon the Profession, 72 *North Carolina Law Review* 1259 (1994)

Surplus Visibility, in *Beyond PC: Toward a Politics of Understanding* (ed. Patricia Aufderheide 1992)

Feminist Legal Methods, 103 *Harvard Law Review* 829 (1990)

The Chilly Climate on College Campuses: An Expansion of the "Hate Speech" Debate, 1990 *Duke L.J.* 574 (with Jean O'Barr)

Surrogate Parenthood: Finding a North Carolina Solution, 18 *North Carolina Central Law Review* 1 (1989)

Reexpressing Parenthood, 98 *Yale Law Journal* 293 (1988)

Porno-Symbolism: A Response to Professor McConahay, 51 *Law & Contemporary Problems* 71 (1988)

Teaching Values: A Dilemma, 37 *Journal of Legal Education* 519 (1987)

Baby M: The Legal System Confronts Conflicting Human Values, *Duke Law Magazine*, Summer 1987

Courts Not Bound by Parental Agreements, 119 *New Jersey Law Journal* 27 (February 26, 1987)

Joint Custody, Feminism and the Dependency Dilemma (with Stack), 2 *Berkeley Women's Law Journal* 9 (1986)

The Role of Cost in Educational Decisionmaking for the Handicapped Child, 48 *Law & Contemporary Problems* 7 (1985)

Rethinking Parenthood As An Exclusive Status: The Need for Legal Alternatives When the Premise of the Nuclear Family Has Failed, 70 *Virginia Law Review* 879 (1984)

A Reappraisal of Parenthood, *Duke Law Magazine*, Spring 1984

In re B.G.: The Expanding Role of the Juvenile Court in Child Custody Disputes, 63 *California Law Review* 236 (1975)

Pregnancy and the Constitution: The Uniqueness Trap, 62 *California Law Review* 1532 (1974)

## **BOOK REVIEWS**

Rumpelstiltskin (review of *Sex and Reason* by Richard A. Posner), 23 *Connecticut Law Review* 473 (1993)

The Alchemy of Race and Rights (review of *The Alchemy of Race and Rights* by Patricia Williams),  
14 *Sydney Law Review* 393 (1992))

Minow's Social Relations Approach: Unanswering the Unasked (review of *Making All the Difference*  
by Martha Minow), 17 *Law and Social Inquiry* 437 (1992))

Disability as a Social Construct (review of *Disability as a Social Construct* by Claire H. Liachowitz),  
18 *Contemporary Sociology* 759 (Sept. 1989))

Storytelling (review of *Abortion and Divorce in Western Law* by Mary Ann Glendon), 1987 *Duke  
Law Journal* 760

MacKinnon's Feminism: Power on Whose Terms? (review of *Feminism Unmodified* by Catharine A.  
MacKinnon), 75 *California Law Review* 1559 (1987)

Book Review (*Feminism Unmodified: Discourses on Life and Law* by Catharine A. MacKinnon, and  
*Real Rape* by Susan Estrich), 12 *Signs* 879 (1988)

## **SELECTED PROFESSIONAL ACTIVITIES**

Commentator, Board Diversity and Corporate Performance: Filling in the Gaps, University of North  
Carolina at Chapel Hill School of Law, April 16, 2010

Panelist, The Construction of Racial Discrimination, From Slavery to Freedom to the White House:  
Race in 21<sup>st</sup> Century America, Duke University School of Law, April 8, 2010

Panelist, The Debate: Censorship v. The First Amendment, 2010 Symposium: Sexually Explicit  
Speech and the First Amendment, *First Amendment Law Review*, University of North  
Carolina School of Law, February 19, 2010

Lecturer, Making Good on Good Intentions, Graylyn Lecture Series, Wake Forest University,  
April 23, 2009

Commentator, Baby-Selling Roundtable, George Washington University Law School,  
April 17, 2009

Panelist, Radcliffe Gender and Law Conference, Gender, the Law, and the Unsettled Questions of  
Educational Opportunity, Radcliffe Institute for Advance Study, Harvard University,  
March 13, 2009

Speaker, Randall Park Colloquium Series, Good Intentions, University of Kentucky School of Law,  
February 20, 2009

Commencement Speaker, Forty Years, Wheaton College, May 17, 2008

Speaker, APA/ABA Conference, Reconceptualizing Child Custody: Past, Present, and Future – Lawyers and Psychologists Working Together, Custody Decision Making Standards, Chicago, May 1, 2008

Moderator, E-Expertise, How Blogs, SSRN, Listservs, On-line Research Tools, and Other Electronic Technologies are Changing the Legal Academy in the 21st Century, American Association of Law Schools Annual Meeting, Plenary Panel, New York, Jan. 4, 2008

Panelist, “Conversation Among Deans: Institutional Responses to Student Experience Studies,” *Harvard Journal of Law & Gender* Conference on Results: Legal Education, Institutional Change and a Decade of Gender Studies, Cambridge, Massachusetts, March 2006

Moderator, Plenary Session, “Law Schools – Quo Vadis,” Jackson Hole VIII, Conference on Law School Development for Deans and Administrators, Jackson Hole, Wyoming, June 2005

Panel Member, “The Role of the Dean in the Fund-raising Process,” Section on Institutional Advancement, Association of American Law Schools Annual Meeting, San Francisco, January 2005

Panelist, “The Approximation Rule: Are Predictability Presumptions and Best Interests Compatible?,” 4<sup>th</sup> Annual Conference of the Association of Family and Conciliation Courts on Best Interests Revisited: Challenging Our Assumptions, San Antonio, Texas, May 2004

Presenter, “What We Have Here Is A Failure To Communicate,” Section for the Law School Dean, Annual Meeting of the Association of American Law Schools, January 2004

Panelist, Symposium on Abortion: Research, Ethics and Activism, Sallie Bingham Center for Women’s History and Culture, Duke University, November 2003

Speaker, “Can the Law School Curriculum be Disengendered,” AALS Workshop on Taking Stock: Women of All Colors in Law School, New York, New York, June 2003

Facilitator, “Deans are From Venus: Development Officers are From Mars – Bringing the Relationship Down to Earth,” ABA Section of Legal Education and Admissions to the Bar, Jackson Hole VII Conference on Law School Development, Jackson Hole, May 2003

Speaker, “More on Lazy Rules: Remarks at the Investiture of Ira Mark Ellman,” College of Law, Arizona State University, March 2003

Speaker, *Hofstra Law Review* Conference on Marriage, Democracy, and Families, Hempstead, NY, March 2003

Commentator, Stanford/Yale Junior Faculty Forum, Yale Law School, May 2002

Speaker, Wheaton College Honors Convocation, May 2002

Speaker, "U.S. Custody Law and Trends in the Context of the ALI Principles of the Law of Family Dissolution," University of Virginia Center for Children, Families, and the Law, Conference on Resolving Child Custody Disputes: Innovations & Controversy, February 2002

Speaker, Law and Interdisciplinarity, Duke Women's Studies Department, September 2001

Speaker, A Look Back at My First Year, ABA 2001 Seminar for New Law School Deans, Winston-Salem, NC, June 2001

Speaker, Women and the Law, Duke History Department, March 2001

Working Group Leader, Women, Justice and Authority Conference, Yale Law School, April 28-30, 2000

Siben Lecturer, Comparing Race and Sex Discrimination in Custody Cases, Hofstra University School of Law, October 27, 1999

Speaker, AALS Workshop for Women in Legal Education: Getting Unstuck without Coming Unglued, New York University School of Law, October 2, 1999

Respondent, Individual Rights Panel, Clinton and the Constitution Conference, Duke Law School, September 24, 1999

Keynote Speaker, Pennsylvania Superior Court Conference, ALI Principles, St. Louis, May 24, 1999

Keynote Speaker, 1999 Family Law Conference, Willamette College of Law, February 26, 1999

Reporter (since 1994, with Ira Ellman and Grace Blumberg), American Law Institute, Principles of Family Dissolution (Child Custody). Spring 1998: Named to R. Ammi Cutter Chair

Speaker, "Divorce and Family Law," at The Future of Families: Should Families Shape Policy or Should Policy Shape Families?, at the University of Virginia, Charlottesville, Nov. 14, 1997

Bodenheimer Lecture, "Saving the Family From the Reformers," University of California at Davis School of Law, Nov. 19, 1997

Speaker, "ALI's New Principles of Family Law," National Association of Women Judges Nineteenth Annual Conference, September 26, 1997, Salt Lake City

Keynote Speaker, The Postdivorce Family: Research and Policy Issues, University of Nebraska at Lincoln, May 30, 1997

Moderator, Federalist Society Symposium, Law and ..., Duke Law School, March 1, 1997

Public Lecture, Feminist Theory: Academics or Politics, Princeton University, February 27, 1997

Faculty Colloquium, Feminist Legal Theory: Scholarship or Politics, Duke Law School, February 25, 1997

Law and Public Policy Faculty Workshop, Child Custody: Fairness to Adults or the Child's Best Interests, Duke Law School, January 21, 1997

Panelist, Feminist Theories and Judging, National Association of Women Judges Conference, Memphis, September 28, 1996

Faculty, Family Dissolution and the Appellate Judge: Basic Trends in the Law and Dilemmas in Appellate Review of Child Custody Cases, Appellate Judges' Conference, Jackson Hole, Wyoming, July 22, 1996

Discussant, Child Support Guideline Issues: Poor Fathers and Second Families, at conference on The Effects of Child Support Enforcement on Non-Resident Fathers, Sept. 14-16, 1995, Princeton

Testimony, How Custody and Visitation Decisions are Made: Current Realities, Future Trends, Public Hearings, U.S. Commission on Child and Family Welfare, Alexandria VA, March 28, 1995

Speaker, The Idea of Progress in Feminist Legal Thought, Harvard Law School, faculty workshop, November 4, 1994

Speaker, The Idea of Progress in Feminist Legal Thought, Cornell Law School, faculty workshop, October 20, 1994

Speaker, Who's Got Custody? Who's in Charge? Legal Implications of Changing Family Roles, Conference on the Changing Definition of the American Family, Duke University, October 2, 1994

Plenary Speaker, Using Feminist Approaches in Teaching Family Law, AALS Workshop On Family and Juvenile Law, Washington D.C., February 26, 1994

Responder, Divorce and Feminist Legal Theory Conference, Georgetown University Law Center, February 12, 1994

1993 Rundell Lecturer, University of Wisconsin-Madison Law School, November 1, 1993

Speaker, The Idea of Progress in Feminist Legal Thought, Dartmouth College, October 25, 1993

Speaker, A Post-Feminist View of Change, Vermont Law School, October 25, 1993

Speaker, Feminist Perspectives on the Ideological Impact of Legal Education Upon the Profession, The Third Annual Dan K. Moore Program in Ethics, University of North Carolina at Chapel Hill School of Law, Chapel Hill, NC, October 1, 1993

Speaker, Tradition as Discourse in Family Law Jurisprudence, Law and Society Annual Meeting, May 29, 1993, Chicago

Speaker, Tradition and the Family, Discourses Speaker Series, New York University School of Law, April 8, 1993

Speaker, The Hill/Thomas Proceedings From a Lawyer's Perspective, Wheaton College Alumni Club, May 3, 1992, Chapel Hill, NC

Lecturer, Theory as Traction: Feminist Methodology in Practice, Legal Perspectives Series, University of Arizona College of Law, April 24, 1992

Speaker, Women Use the Law: Trap or Trump?, Duke Women's Studies Program, April 11, 1992

Speaker, Feminist Legal Theory, West Durham Rotary Club, April 10, 1992

Panelist, Feminist Perspectives on Intergenerational Responsibilities, Family Law and Aging Committee, AALS Annual Meeting, January 4, 1992

Faculty Workshop, Feminist Legal Theory, North Carolina Central University School of Law, April 24, 1991

Keynote Speaker, Feminist Legal Theory in a Nutshell, CLE Program on Feminist Jurisprudence, Lewis & Clark School of Law, April 19, 1991

Florrie Wilkes Sanders Lecture, Interdisciplinary Connections in Feminist Thought, Vanderbilt Law School, April 9, 1991

Presentation, Tradition, UNC-Chapel Hill School of Law Faculty Law and Social Science Workshop, March 22, 1991

Panelist, New Perspectives on Difference, and Political Correctness and Transformative Politics, Frontiers of Legal Thought Conference, Duke University School of Law, January 26-27, 1991

Women's Studies Faculty Seminar Presentation, Feminism Under Construction, Women's Studies Program, Duke University, February 15, 1988

Panelist, *Litigation in a Different Voice?*, Litigation section meeting at the Association of American Law Schools Annual Meeting, January 4, 1991

Presentation, *The Limits of Law*, UNC-Chapel Hill School of Law Conference "Putting Theory into Practice," September 1990

Discussion leader, *The Voices of Women*, AALS Conference on Women in Legal Education, March 20-21, 1990

Presenter, *Feminist Against Feminist: Will the "Real Feminist" Please Stand?*, Queens University School of Law, March 2, 1990

Panelist, *Feminist Views on "Hate Speech" Regulation*, Duke Law School Conference on Frontiers of Legal Thought, January 1990

Speaker, *Feminist Legal Methodologies*, National Humanities Center, December 1989

Speaker, *Feminist Legal Theory*, Women's Law Society, UNC-Chapel Hill School of Law, March 23, 1989

Speaker, *Feminist Methodology*, Training Workshop, Duke-UNC Center for Research on Women, Ford Foundation Women's Studies Curriculum Development Project, March 24, 1989

Speaker, *Women and the Family, Society and the State*, History Department, UNC-Chapel Hill, February 28, 1989

Speaker, *Feminist Legal Theory, Philosophy and the Law Course*, Philosophy Department, Duke University, February 8, 1989

Speaker, *Women's Moral Reasoning*, Pilgrim United Church of Christ, February 6, 1989

Speaker, *Feminist Legal Theory*, Seminar on Gender Issues, National Humanities Center, November 8, 1988

Speaker, *Legal Issues in New Reproductive Technologies*, Duke Alumni Weekend Panel, Duke University, September 24, 1988

Advisor, Duke-UNC Center for Research on Women, Women's Studies Curriculum Development Project, 1988-1989

Lecturer, BAR/BRI Bar Review Course, Family Law, June 1988, 1989, 1990, 1991

Panelist, *Surrogate Parenthood*, sponsored by Duke Women's Law Society, March 17, 1988

Testimony, *Legal Considerations in Surrogate Parenting Contracts*, before the Adoptions/Surrogate

Parenthood Study Commission of the North Carolina General Assembly, February 2, 1988

Guest, Public Radio Talk Show, Madison, Wisconsin, July 28, 1987 (interviewed about feminist legal theory)

Testimony, North Carolina House Judiciary Committee Hearings on Review of N.C. General Statutes section 50-13.2 (Child Custody), July 14, 1987

Speaker, Rights and Responsibility in Women's Claims for Exclusive Parenthood, Feminism and Legal Theory Conference, Institute for Legal Studies, University of Wisconsin at Madison School of Law, July 28, 1987

Keynote Speaker, The Legal Response to Families in Trouble, North Carolina Judicial Conference on Permanent Families, Raleigh, North Carolina, September 27, 1985

Speaker, Joint Custody, Feminism, and the Dependency Dilemma, Feminism and Legal Theory Conference, Institute for Legal Studies, University of Wisconsin at Madison School of Law, July 24, 1985

Speaker, Seminar on Children and the Law, National Conference of State Legislatures, Law and Justice Committee, Washington, D.C., March 7, 1985

Recipient of grant under Small Grants Program of National Institute for Dispute Resolution, Summer 1985, for preparation of *Child Advocacy: Reading and Problems*, child advocacy course materials emphasizing non-adversarial dispute resolution

Panelist, The Education for All Handicapped Children Act: Ten Years Later, at 1985 annual meeting of the American Association of Law Schools, Law and Education Section, Washington, D.C., January 1985

Speaker, The Guardian ad Litem as Advocate in the Court: Documentation, Evidentiary Issues, Hearings, and Decisions, North Carolina Guardian ad Litem Conference, Institute of Government, Chapel Hill, North Carolina, March 9, 1984

Special Faculty Editor, Fall 1984 issue of *Law and Contemporary Problems* symposium issue on Children with Special Needs in Public Education. Convened conference February 1984

Panelist, The Legal Response to Changing Family Stereotypes, at January 1984 annual meeting of Association of American Law Schools, Women in Legal Education and Family Law Section, San Francisco

Panelist, Training Conference on Representing Handicapped Children in the Public Schools, Raleigh, North Carolina, May 7-8, 1983, sponsored by Governor's Advocacy Council for Persons with Disabilities and Carolina Legal Assistance for Mentally Handicapped

## **PROFESSIONAL AFFILIATIONS**

Member, Executive Committee, Association of American Law Schools, 2009-

Director, Boston Scientific Corporation, 2009-

Member, Legal Aid of North Carolina Access to Justice Campaign Leadership Committee, 2006-

Member, North Carolina Chief Justice's Commission on Professionalism, 2005-2007

Board Member, American Law Deans Association, 2005-2007

Law School Development Committee, American Bar Association Section of Legal Education and Admissions to the Bar, 2002-05

Board of Directors, Durham County Department of Social Services, 1999-2004 (Chair, 2002-2003)

Vice President, North Carolina Bar Association, 2002-03

American Law Institute, since 1989; Co-Reporter, Principles of the Law of Family Dissolution, since 1994 (R. Ammi Cutter Chair)

American Association of Law Schools' Resource Corps, since 1996

North Carolina Association of Women Attorneys, since 1985

Society of American Law Teachers (Board of Directors, 1988-1993)