

**LESLIE YALOF GARFIELD**  
**25 ECHO LANE**  
**LARCHMONT, NY 10538**  
**HOME: (914) 833-2950**  
**BUSINESS: (914) 422-4308**

**TEACHING EXPERIENCE:**

**Pace University School of Law**

White Plains, NY

2007-present Professor of Law  
Editorial Director, Journal of Court Innovation

2005-present Professor of Law

2003 Recipient, Ottinger Award for Outstanding Teaching, Scholarship and Service;

2000-2005 Associate Prof. of Law;

May 1998 Tenure granted;

1991-2002 Associate Professor of Law;  
Director of the Academic Support Program;

1990-1991 Assistant Professor of Law;

1985-1986 Lecturer in Law;

Courses Constitutional Law;  
Contracts;  
Criminal Law;  
Entertainment Law;  
Legal Analysis and Writing;  
Sales – Domestic and International;  
Torts;

**LEGAL EXPERIENCE:**

**Council of the City of New York**

Legislative Attorney

Legal Division

1986-1990 Counsel to Committees on Governmental Operations, Economic Development, Sub-Committees on City Contracts and Legislative Panel on Waterfront Development. Responsible for drafting legislation, organizing public hearings, coordinating with city agencies and interest groups and all other tasks relevant to the city's legislative process. Also responsible for researching and writing on various municipal and constitutional law issues.

## EDUCATION:

University of Florida College of Law, Gainesville, FL, J.D., May 1985

**Law Review:** Senior Articles Editor  
Board Member

University of Florida, Gainesville, FL, School of Liberal Arts and Sciences, B.A. in Political Science with High Honors, June 1982.

## PUBLICATIONS:

*The Case for a Criminal Law Theory of Intentional Infliction of Emotional Distress*, 4 Crim. L. Brief 33 (Winter 2009);

*Don't Count Them Out Just Yet: Toward the Plausible Use of Race-Preference Student Assignment Plans*, 10 RUTG. RACE AND L. REV. 340 (2008);

*Envisioning the Glass Half Full: The Future of Race Preference Policies*. 63 N.Y.U. ANNUAL SURVEY OF THE LAW 385 (2008);

*Adding Colors to the Chameleon: Why the Supreme Court May Adopt a New Compelling Governmental Interest Test for Race-Preference Student Assignment Plans*. 56 KAN. L. REV. 101 (2008);

*The Cost of Good Intentions: Why the Supreme Court's Decision Upholding Affirmative Action Admission Programs is Detrimental to the Cause* 27 PACE L.REV. 15 (Fall 2006);

*Back to Bakke: Defining the Strict Scrutiny Test for Affirmative Action Policies Aimed at Achieving Diversity in the Classroom*, 83 NEB. L. REV. 631 (Winter 2005);

*Finding Success in the Cauldron of Competition: The Effectiveness of Academic Support Program*, co-authored with Kelly Levi, 2004 BYU LAW AND EDUC. J. 1 (2004)

*Back to the Future: Does Apprendi Bar the Legislature's Power to Shift the Burden of Proving Affirmative Defenses?* 35 CONN. L. REV. 1351 (Spring 2003);

*The Academic Support Student in the Year 2010*, 69 U.M.K.C. L. Rev 491 (Spring 2001);

Editor, *AALS Section on Academic Support Symposium Edition*, 69 U.M.K.C. LAW REV. 491 (Spring 2001);

*A More Principled Approach to Criminalizing Carelessness: A Prescription for the Legislature*, 65 TENN. L.REV.875 (1998);

*Hopwood v. Texas: Strict in Theory or Fatal in Fact*, 34 SAN DIEGO L. REV. 992 (1997);

*Squaring Affirmative Action Admissions Policies With Federal Judicial Guidelines: A Model for the Twenty-First Century*, 22 J.C.&U.L. 895 (1996); Reprinted on the Higher Education Extension Service, [www.review.org](http://www.review.org);

Michelle S. Simon & Leslie Yalof Garfield, *Teaching Skills Through the Substantive Law: Integration of the Principles of the MacCrate Report*, report prepared with the support of the Institute for Law School Teaching, Gonzaga University School of Law 1992-1993;

*Curtailment of Early Election Predictions: Can We Predict the Outcome?* 36 FLA. L. REV 489 (1984).

#### Chapter Updates:

“Defense of Capital Cases,” New York Criminal Practice, (Matthew Bender and Co., 2010);

“Defense of a Kidnapping Case,” New York Criminal Practice, (Matthew Bender and Co., 2010);

“Defense of an Obscenity Case”, New York Criminal Practice, (Matthew Bender and Co., 2010);

“Defense of a Rape Case”, New York Criminal Practice, (Matthew Bender and Co., 2010);

“Defense of Sex Crimes”, New York Criminal Practice, (Matthew Bender and Co., 2010);

“Defense of a Gambling Case”, New York Criminal Practice, (Matthew Bender and Co., 2009);

“Defending Drunk Driving Cases: Evidence Problems”, New York Criminal Practice, (Matthew Bender and Co., 2009);

“Defense of a Burglary Case”, New York Criminal Practice, (Matthew Bender and Co., 2009);

“Removal and Change of Venue,” New York Criminal Practice, Matthew Bender & Co., (2008);

“Electronic Eavesdropping, New York Criminal Practice, Matthew Bender & Co., (2008);

“Electronic Surveillance Under Federal Law, New York Criminal Practice, Matthew Bender & Co. (2008);

#### Scholarly Speaking Engagements:

June 2009: “The Case for a Criminal Law Theory of Intentional Infliction of Emotional Distress,” Faculty Colloquium, Pace Law School, White Plains, N.Y.

- May 2008: “Sticks and Stones Can Break Your Bones but Names Can Really Hurt You: Justifying the Use of Force as a Defense Against “Mere Words” Montreal, Can.;
- March 2008; Don’t Count Them Out Just Yet: Toward the Plausible Use of Race-Preference Student Assignment Plans, 10 RUTG. RACE AND L. REV. 340 (2008);
- July 2006: Lecturer, BarBri Bar Review and Pre –Law Prep Programs (nationwide)
- Jan 2005: Presenter, “*It Takes a Village: Issues Concerning Improving School Bar Pass Rates*” AALS Joint Section Meeting for the Sections on Student Services and Academic Support, AALS National Convention, San Francisco, Cal.;
- Feb 2004: “Back to Bakke: Defining the Strict Scrutiny Test for Affirmative Action Policies Aimed at Achieving Diversity in the Classroom,” New York State Conference of Guidance Counselors and Admissions Officials, Tarrytown, N.Y.;
- Jan 2004: Invited Moderator, “Developing Scholarship on Academic Support,” AALS Section on Academic Support, AALS National Convention, Atlanta, Ga.;
- Mar. 2003: “What Lies in the Future for Admissions Officials?” Regional Conference of Guidance Counselors, Pace University, Briarcliff Manor, NY;
- June 2002 Law School Admissions Council National Academic Support Workshop: Keynote Speaker, Seattle, Wash.;
- July 2001 Law School Admissions Council Academic Support Workshop: Tell Us What You Want to Hear: Issues for New Academic Support Professionals, Brooklyn N.Y.;
- Jun. 1998 “Enhancing Student Bar Passage Rate” Law School Admissions Council, Academic Support Workshop, Denver, CO.;
- Jun. 1997 "Academic Support in the New Millennium," Law School Admissions Council Academic Support Workshop, White Plains, NY;
- Jun. 1996 "Starting an Academic Support Program on Campus," Law School Admissions Council Academic Support Workshop, New York, NY;
- Feb. 1996 "Stimulating Campus-Wide Discussion to Encourage Diverse Viewpoints Inside the Classroom," Pace University Colloquium on Diversity, White Plains, NY;
- Jan. 1996 "Presenting a Diversity Training Program to Incoming First-Year Students," American

Association of Law Schools Joint Program of Sections on Administration in Law Schools and Student Services, San Antonio, TX;

Nov. 1995 Round Table on Race & Diversity, Pace University School of Law Brown Bag Colloquium, White Plains, NY;

Jun. 1995 "Squaring Affirmative Action Admissions Policy With Federal Judicial Guidelines: A Model for the Twenty First Century," National Conference on Race and Ethnicity in Higher Education, Santa Fe, NM;

Jun. 1994 "Methodology for Teaching Academic Support Students," Law School Admissions Council Academic Support Workshop, Los Angeles, CA;

Sep. 1994; "Encouraging Discussion on Diversity Among University Students"  
Sep. 1993 Pace University Diversity Training Workshops, Pleasantville, NY;

Jun. 1992 "Providing Academic Assistance to At-Risk Students," Law School Admissions Council Academic Support Workshop, Boulder, CO.

Professional Speaking Engagements:

October 2010: LecturerKaplan-PMBR Bar Review Series, "Criminal Law and Criminal Procedure" New York, NY

Summer 2010: LecturerKaplan-PMBR Bar Review Series, "Criminal Law and Criminal Procedure" & Torts, Miami, Fla. New York, NY

Summer 2010: N.Y. LEO Program, a six-week educational initiative created by Chief Judge Judith Kay to support minority law students attending N.Y. area law schools;

June 2010: New Directions, Legal Analysis and Writing for those returning to the workplace, White Plains, NY

January 2010: LecturerKaplan-PMBR Bar Review Series, "Criminal Law and Criminal Procedure" New York, NY

July 2009: Lecturer, Law Preview "Constitutional Law," New York, NY;

Jan. 2009: Lecture, Chadbourne & Parke, LLP, "On Becoming a Summer Associate," New York, NY

Summer 2009: N.Y. LEO Program, a six-week educational initiative created by Chief Judge Judith Kay to support minority law students attending N.Y. area law schools;

June 2009: New Directions, Legal Analysis and Writing for those returning to the workplace, White Plains, NY

Summer 2008: N.Y. LEO Program, a six-week educational initiative created by Chief Judge Judith Kay to support minority law students attending N.Y. area law schools;

June 2008: New Directions, Legal Analysis and Writing for those returning to the workplace, White Plains, NY

- July 2008: Lecturer, Law Preview “Constitutional Law,” New York, NY;
- Summer 2007: N.Y. LEO Program, a six-week educational initiative created by Chief Judge Judith Kay to support minority law students attending N.Y. area law schools;
- Summer 2004: Lecturer, BarBri Bar Review Program. N.J. Bar Essay Writing Skills; Ct Bar Essay Writing Skills;
- Lecturer, BarBri First Year, Program. Lectured on criminal law, constitutional law, law school skills, legal research, analysis and writing;
- Summer 2003: Lecturer, BarBri First Year, Program. Lectured on criminal law, constitutional law, law school skills, legal research, analysis and writing;
- Summer 2003: Lecturer, BarBri, N.J. Bar Essay Writing Skills; NY Bar Essay Writing Skills;
- Feb. 2003: Lecturer, BarBri. N.J. Bar Exam Essay Writing;
- Summer 2002: Lecturer, BarBri/NILE Program. Lectured on criminal law, constitutional law, law school skills, legal research, analysis and writing;
- Summer 2001 Lecturer, BarBri/NILE Program. Lectured on criminal law, constitutional law, law school skills, legal research, analysis and writing.;
- Summer 2000 Lecturer, BarBri/NILE Program. Lectured on criminal law, constitutional law, law school skills, legal research, analysis and writing.;
- Dec. 1998 “Educating the At-Risk Student” Touro School of Law Faculty Colloquium, Hempstead, N.Y.;

## **PROFESSIONAL ACTIVITIES & COMMITTEE AFFILIATIONS:**

### **Professional Activities:**

- May 2006- present: Managing Director, Journal of Court Innovation (a partnership between the New York State Judicial Institute, the Center for Court Innovation and Pace Law School);
- May 2006-June 2010 Director, Criminal Law/Legal Analysis and Writing Program, Pace Law School, White Plains, NY;

### **Committee Affiliations:**

- Jan. 2008-present: Member, Executive Committee AALS Section on Criminal Justice;
- Present: Member, AALS Section on Academic Support; AALS Section on Criminal Justice;

Jan. 2001 - June 2002 Member, LSAC Subcommittee for Academic Support Workshops;

Sept. 2000 Chair, Planning Committee, American Association of Law Schools 2000 Section Meeting;

Jan 2000-Present Executive Board Member, American Association of Law Schools Section on Academic Support;

Jan 1999 Chair, American Association of Law Schools Section on Academic Support;

Jan. 1997-Jan. 1998 Chair-Elect, American Association of Law Schools Section on Academic Support;

Jun. 1997 Convenor, Law School Admissions Council National Academic Support Workshop;

Oct. 1996-Jun. 1997 Law School Admissions Council National Assistance Program, Planning Committee;

Jun. 1997 American Association of Law Schools Committee on Academic Assistance Program, Planning Committee;

Nov. 1996 Law School Admissions Council Sub-Committee on Academic Assistance;

Jun. 1996 Program Co-Chair, Law School Admissions Council Regional Planning Committee, Regional Academic Support Workshop;

Jan. 1995-May 1995 Chairman, American Association of Law Schools Provisional Section;

June 1994- Co-Chair, Committee to Form a New AALS Section on Academic Support;

May 1995 Section granted provisional status May 1995.

**BAR MEMBERSHIPS:**

State of New York;  
State of Florida.

**PROFESSIONAL AFFILIATIONS:**

Member of the American Bar Association;  
Member of the AALS Section on Academic Support;  
Member of the AALS Section on Criminal Justice;

Member of the Legal Writing Institute;  
Member of the New York Bar Association.