

MICHELLE S. SIMON

78 North Broadway
White Plains, New York 10603

Office: (914) 422-4348
Cell: (914) 629-0142

msimon@law.pace.edu

ACADEMIC EXPERIENCE

Elisabeth Haub School of Law at Pace University, White Plains, New York (1985-present)

Professor of Law (2001-present), **Walker/O'Connor Ives Faculty Scholar** (2021-present),
Director of Legal Skills Program (2018-present), **Dean of Law School** (2007-2014), **Associate Dean for Academic Affairs** (2001-2006), **Associate Professor of Law** (1992-2001), **Assistant Professor of Law** (1990-1992), **Director of Legal Analysis and Writing Program** (1986-1992), **Lecturer** (1985-1990)

Current or Recent Courses: Torts, Civil Procedure, Conflict of Laws, Law and Education, Criminal Law; Legal Skills; Advanced Appellate Advocacy; Local Government Law

Major Achievements as Dean:

- Solicited and facilitated all aspects of major donations to law school
- Improved rate and gross participation in alumni giving (five-fold increase)
- Recruited outstanding entry-level and national faculty
- Increased quality of student body as measured by median LSAT and GPA
- Substantially improved racial and ethnic diversity of student body
- Increased gross revenue with no or minimal tuition increases over 7 year-period
- Designed and implemented new initiatives for faculty scholarly productivity, including reduced teaching loads, increased research stipends, enhanced faculty colloquia and workshop series
- Created and implemented voluntary faculty retirement incentives, at election of faculty
- Created new revenue sources including January-admit program and non-JD programs
- Overhauled Legal Skills program to enhance consistency of instruction across 1L curriculum
- Fostered world-class environmental program (maintaining US News specialty ranking)
- Expanded quality and quantity of students entering LLM program through diversified recruitment of international and other students
- Designed, planned and implemented first-of-its-kind legal residency and incubator program for recent law school graduates to learn legal practice while providing quality low-bono legal services
- Worked collaboratively with university administration on all aspects of law school's relationship with larger university

Major Awards: *Festschrift in Honor of Dean Michelle S. Simon*, 35 PACE L. REV. 4 (2015); Richard L. Ottinger Award for Faculty Achievement, 2001, 2007, 2015 (for outstanding service to law school and outside communities); President's Award for Excellence, 2004, 2012

EDUCATION

J.D., cum laude, Syracuse University College of Law, Syracuse, New York (1981)
Senior Lead Articles Editor, *Syracuse Law Review*, 1980-1981
Dean's List (all semesters)
Graduate Teaching Assistant, Legal Writing and Advocacy

B.A., cum laude, The State University of New York at Albany (1977)
Anthropology Major

LEGAL EXPERIENCE

Wilson Elser Moskowitz Edelman & Dicker (1982-1985)
Litigation Associate with experience in products liability and insurance defense

United States District Court, Eastern District of New York (1981-1982)
Law Clerk, The Honorable A. Simon Chrein, United States Magistrate

MAJOR PUBLICATIONS

Against a Uniform Law on the Income Taxation of Trusts (circulating for publication)

Law Faculty Experiences Teaching During the Pandemic, 43 ST. LOUIS L.J. 1 (2021) (with Bridget J. Crawford) (invited paper)

The Supreme Court, Due Process and State Income Taxation of Trusts, 67 UCLA L. REV. DISC. 2 (2019) (with Bridget J. Crawford).

Walking Out: Schools, Students and Civil Disobedience, 69 SYRACUSE L. REV. 83 (2019)

Hogan vs. Gawker II: A Statutory Solution to Fraudulent Joinder, 70 BAYLOR L. REV. 1 (2018)

Commentary on Gebser v. Lago Vista Independent School District in FEMINIST JUDGMENTS: REWRITTEN OPINIONS OF THE UNITED STATES SUPREME COURT (Kathryn M. Stanchi, Linda L. Berger & Bridget J. Crawford, eds.) (Cambridge University Press 2016)

Reliable Science: Overcoming Public Doubts in the Climate Change Debate, 37 WILLIAM & MARY ENVTL. L. & POL'Y REV. 219 (2012) (with William Pentland)

Celebrating Thirty Years of the Pace Law Review, 30 PACE L. REV. 1146 (2010)

Women and the Law: How Far We've Come and Where We Need to Go, 29 PACE L. REV. 223 (2009)

Defining the Limits of Supplemental Jurisdiction Under 28 U.S.C. § 1337: A Hearty Welcome to Permissive Counterclaims, 9 LEWIS & CLARK L. REV. 295 (2005)

Offensive Issue Preclusion in the Criminal Context: One Step Forward, Two Steps Back, 34 U. MEMPHIS L. REV. 735 (2004)

Suspended Over The Abyss: A City's Quest for Local Autonomy in Institutional Reform Litigation, 23 FORDHAM URBAN L.J. 663 (1996)

Whose Crime Is It Anyway?: Liability For The Lethal Acts Of Non-participants In The Felony, 71 U. DET. L. REV. 223 (1994)

Teaching Skills Through The Substantive Law: Integration Of The Principles Of The "MacCrate Report", Grant Award, Institute for Law School Teaching, Gonzaga University School of Law, 1992-1993. (co-authored with Leslie Yalof Garfield)

Teaching Writing Through Substance: The Integration of Legal Writing With All Deliberate Speed, 42 DEPAUL L. REV. 619 (1992)

OTHER WRITINGS

Jury Instructions in Criminal Cases, in CRIMINAL DEFENSE TECHNIQUES (Matthew Bender 2000)

Drug-Induced Intoxication as a Defense to Criminal Liability, in DEFENSE OF NARCOTICS CASES (Matthew Bender 2000)

Guilty Plea Negotiations, in CRIMINAL DEFENSE TECHNIQUES (Matthew Bender, 2000)

The Prosecution and Defense of Non-Forcible Heterosexual Sex Offenses, in THE PROSECUTION AND DEFENSE OF SEX CRIMES (Matthew Bender 1999)

AIDS Legal Issues, in THE PROSECUTION AND DEFENSE OF SEX CRIMES (Matthew Bender 1999)

Search and Seizure, in CRIMINAL LAW ADVOCACY (Matthew Bender 1999)

Motions Challenging the Indictment, in CRIMINAL LAW ADVOCACY (Matthew Bender 1999)

Defense of Driving Under the Influence of Drugs Cases, in CRIMINAL LAW ADVOCACY (Matthew Bender 1998)

Steps in the Criminal Process, Criminal Discovery, in CRIMINAL LAW ADVOCACY (Matthew Bender 1998)

LAW SCHOOL AND UNIVERSITY SERVICE

Currently (2021-present): Administrative & Budget Committee (chair), Strategic Planning Committee (chair), University Budget Committee (member), University Budget and Reporting Strategic Plan Subcommittee (member), and Overhead Efficiencies University Team (member)

Prior Committee Work: Have chaired every faculty standing committee over the years, including Self-Study Committee for ABA Accreditation, Administration & Budget Committee, Curriculum Committee, Academic Standing Committee, Admissions Committee, and Appointments

Committee, as well as various ad hoc and University committees including chairing the search committee for Dean for the School of Education.

PRESENTATIONS

Speaker, "Law Professors' Experiences Teaching During the Pandemic: Unequal Burdens" Section on Women in Legal Education, AALS Annual Meeting, January 8 2021

Speaker, "Legal Nurse Consulting Course," Pace University School of Law, Center for Continuing Legal Education (Pace CCLE), White Plains, New York, June/July, 2000

Speaker, "Presenting A Diversity Training Program to Incoming First-Year Students," Section on Student Services, AALS Annual Meeting, San Antonio, Texas, January, 1996

Speaker, "Legal Writing Refresher Course," Pace University School of Law, Center for Continuing Education (Pace CCLE), White Plains, New York, May 7, 1996

Speaker, "How to Succeed in Law School," Pace University School of Law, Center for Continuing Education (Pace CCLE), White Plains, New York, July, 1997

Speaker, "Legal Writing Refresher Course," Pace University School of Law, Center for Continuing Education (Pace CCLE), White Plains, New York, May, 1998

COMMUNITY ENGAGEMENT

Trustee, Board of Education, Eastchester Union Free School District, 1997-2018

- President, 1999-2000; 2006-2008
- Vice President, 1998-1999, 2000-2001, 2005-2006, 2006-2007
- Chaired three searches for School Superintendent
- Chair of Education Committee, Finance Committee, Audit Committee

Member, Board of Visitors, Pace University School of Law, 2000- 2004

PROFESSIONAL QUALIFICATIONS AND AFFILIATIONS

Member of the Bar of the State of New York

Member of the Bars of the United States Courts for the Eastern and Southern Districts of New York

Law & Society Association

New York State Bar Association

Westchester County Bar Association