

JAY CONISON
DEAN AND PROFESSOR OF LAW

Valparaiso University Law School
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CHRONOLOGY

ACADEMIC

1998-	Valparaiso University Law School	Dean and Professor
1990-98	Oklahoma City University School of Law	Interim Dean 1997-98 Associate Dean 1994-97 Professor 1994-98 Associate Professor 1993-94 Assistant Professor 1990-93

LEGAL

1981-1990	Sonnenschein Nath & Rosenthal Chicago, Illinois Business litigation with emphasis on antitrust, franchising, and employee benefits
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EDUCATIONAL

1981	J.D.	University of Minnesota (Magna Cum Laude) Order Of the Coif Law Review, Notes and Comments Editor
1978	M.A.	University of Minnesota (Philosophy)
1975	B.A.	Yale College (Mathematics and Philosophy)

PERSONAL

Born October 21, 1953, Cincinnati, Ohio
Married; two adult children

PUBLICATIONS

BOOKS AND CHAPTERS

EMPLOYEE BENEFIT PLANS IN A NUTSHELL (3d ed.) (West 2003); (2d ed.) (West 1998); (1st ed. West 1993)

The Impact of ERISA on Secured Lending, Chapter 12A of SECURED TRANSACTIONS UNDER THE UNIFORM COMMERCIAL CODE (Matthew Bender 1994)

Chapter 15, "State of Illinois," in ABA ANTITRUST LAW SECTION, STATE ANTITRUST PRACTICE AND STATUTES (with R. T. Joseph, R. C. Busey, A.S. Burt & S. H. Rice) (1990)

MAJOR ARTICLES

The Architecture of Accreditation, 96 Iowa L. Rev 1515 (2011),
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1767004

Law School Education and Liberal CLE, 40 Val. U.L. Rev. 325 (2006),
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1786457

Success, Status, and the Goals of a Law School, 37 U. Tol. L. Rev. 23 (2005),
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1786476

Financial Management of the Law School: Costs, Resources, and Competition, 34 U. Tol. L. Rev. 37 (2002),
http://works.bepress.com/cgi/viewcontent.cgi?article=1015&context=jay_conison

Assurance, Reliance and Expectation, 6 S. Cal. Interdisc. L.J. 335 (1998),
http://works.bepress.com/cgi/viewcontent.cgi?article=1011&context=jay_conison

The Pragmatics of Promise, 10 Can. J.L. & Jurisp. 273 (1997),
http://works.bepress.com/cgi/viewcontent.cgi?article=1019&context=jay_conison

ERISA and the Language of Preemption, 72 Wash. U.L.Q. 619 (1994),
http://works.bepress.com/cgi/viewcontent.cgi?article=1013&context=jay_conison

What Does Due Process Have To Do With Jurisdiction?, 46 Rutgers L. Rev. 1071 (1994),
http://works.bepress.com/cgi/viewcontent.cgi?article=1009&context=jay_conison

Suits for Benefits Under ERISA, 54 U. Pitt. L. Rev. 1 (1992),

http://works.bepress.com/cgi/viewcontent.cgi?article=1007&context=jay_conison

Foundations Of The Common Law Of Plans, 41 DePaul L. Rev. 575 (1992),
http://works.bepress.com/cgi/viewcontent.cgi?article=1017&context=jay_conison

The Federal Common Law Of ERISA Plan Attorneys, 41 Syracuse L. Rev. 1049 (1990)

Restrictive Lease Covenants And The Law of Monopoly, 9 Franchise L.J., Summer 1990, at 3

Retail Price Ceilings And The Rule Of Reason, 8 Franchise L.J., Summer 1988, at 1

BLOGS

Huffington Post

Legal Scholarship and Law School Strategy, http://www.huffingtonpost.com/jay-conison/legal-scholarship-and-law-school_b_1628591.html (posted 26 June 2012)

What is Legal Education Good For?, http://www.huffingtonpost.com/jay-conison/law-school-b_1653400.html (posted 6 July 2012)

What Are the Problems of Law School Tuition?, http://www.huffingtonpost.com/jay-conison/law-school-tuition_b_1727779.html (posted 1 August 2012)

Career Planning and Law School Innovation, http://www.huffingtonpost.com/jay-conison/career-planning-and-law-s_b_1868265.html (posted 11 September 2012)

The Role of Faculty Hiring in Law School Change, http://www.huffingtonpost.com/jay-conison/law-school-faculty_b_1896680.html (posted 19 September 2012)

Courses, Disaggregation, and the Cost of Legal Education,
http://www.huffingtonpost.com/jay-conison/courses-disaggregation-an_b_1980811.html (posted 19 October 2012)

EDITORSHIPS

Franchise Law Journal, Topic & Article Editor, 1990-1996
Minnesota Law Review, Notes & Comments Editor, 1980-81

OTHER PUBLICATIONS

VOLT—Career Planning Innovation At Valparaiso Law, 23 Indiana Lawyer No. 12, at 10 (31 August-12 September 2012), <http://www.theindianalawyer.com/dean-s-desk->

[-career-planning-innovation-at-valparaiso-law/PARAMS/article/29549](http://www.insidehighered.com/views/2012/06/12/essay-flaws-lsat)

The Real Problem With the LSAT, Inside Higher Education (12 June 2012),
<http://www.insidehighered.com/views/2012/06/12/essay-flaws-lsat>

Value and Delivery in Law School Education, 22 Indiana Lawyer No. 25, at 5 (17 February-1 March 2012), <http://www.theindianalawyer.com/deans-desk-value-and-delivery-in-law-school-education/PARAMS/article/28145>

Universals in Law School Education, International Association of Law Schools Annual meeting conference paper (Canberra, Australia May 2009), published at [http://www.ialsnet.org/meetings/role/papers/ConisonJay\(USA\).pdf](http://www.ialsnet.org/meetings/role/papers/ConisonJay(USA).pdf); reprinted with revisions as Valparaiso University School of Law Legal Studies Research Paper No. 09-05, SSRN: <http://ssrn.com/abstract=1418649>

The State of Tort Law at the Turn of the Millenium—An Introduction, 34 Val. U.L. Rev. 555 (2000)

Has the Time Come and Gone? Calculating the Limitations Period on Suits to Recover Unpaid Multiemployer Withdrawal Liability (Board of Trustees, Bay Area Laundry and Dry Cleaning Pension Trust Fund v. Ferbar Corp. Of California, Inc.), 1997-98 Preview of United States Supreme Court Cases 89

Franchising Currents (Column), 16 Franchise L.J. 156 (1997) (with Kim Lambert and Dennis Wiczorek)

Does ERISA Preempt a State Tax on the Income of Medical Centers Owned and Operated by ERISA-Governed Healthcare Plans? (DeBuono v. NYSA-ILA Medical and Clinical Services Fund), 1996-97 Preview of Supreme Court Cases 302

When Does ERISA Preempt State Regulation of Apprenticeship Plans? (California Division of Labor Standards Enforcement v. Dillingham Construction, NA), 1996-97 Preview of United States Supreme Court Cases 79

Franchising Currents (Column), 15 Franchise L.J. 121 (1996) (with Kim Lambert and Andrew Loewinger)

When Is the Process of Amending a Pension Plan Subject to ERISA's Fiduciary Rules? (Lockheed Corp. v. Spink), 1995-96 Preview of United States Supreme Court Cases 340

When Is a Proceeding to Pierce the Corporate Veil a Matter For Federal Courts? (Peacock v. Thomas), 1995-96 Preview of United States Supreme Court Cases 60

Franchising Currents (Column), 15 Franchise L.J. 20 (1995) (with David Gurnick and Anita Blair)

Copyright and the Franchise, 14 Franchise L.J. 69 (1995)

Franchising Currents (Column), 14 Franchise L.J. 6 (1994) (with David Gurnick and John Dienelt)

Doing it Right: What Language Must an Employer Benefit Plan Contain to Validate Changes in Benefits (Curtiss-Wright Corp. v. Schoonejongen), 1994-95 Preview of United States Supreme Court Cases 170

Do ERISA's Fiduciary Rules Apply to an Insurance Company's General Account Assets? (John Hancock Mutual Life Insurance Co. v. Harris Trust and Savings Bank), 1993-94 Preview of United States Supreme Court Cases 11

Can Nonfiduciaries Be Held Liable For Damages If They Participate In A Breach Of Duty By An ERISA Plan Fiduciary? (Mertens v. Hewitt Associates), 1992-93 Preview of United States Supreme Court Cases 207

Franchising Currents (Column), 13 Franchise L.J. 49 (1993) (with Kim A. Goodhard and Larry C. Becnel)

Seeking A Preliminary Injunction, 12 Franchise L.J. 127 (1993)

Franchising Currents (Column), 12 Franchise L.J. 77 (1993) (with Kim A. Goodhard)

ERISA Basics For Creditors And Attorneys, 46 Consumer Fin. L.Q. Rpt. 156 (1992)
Franchising Currents (Column), 11 Franchise L.J., Fall 1991, at 41

Fiduciary Litigation Involving Employer Stock And Employee Stock Ownership (with Roger C. Siske), in First Annual ERISA Litigation Conference (Prentice Hall 1988)

CONTINUING EDUCATION**EXECUTIVE EDUCATION**

October 2012	Massachusetts Institute of Technology, Sloane School of Business, Strategy in a Global World
June 2012	Massachusetts Institute of Technology, Sloane School of Business, Intelligent Organizations: Collaboration and the Future of Work
February 2012	Massachusetts Institute of Technology, Sloane School of Business, Implementing Improvement Strategies
September 2011	Massachusetts Institute of Technology, Sloane School of Business, Creating High Velocity Organizations
July 2010	Center for Management Research, Cambridge, MA, Assessing and Refining Your Leadership Style
December 2009	Massachusetts Institute of Technology, Sloane School of Business, Transforming Your Leadership Strategy
December 2008	Massachusetts Institute of Technology, Sloane School of Business, Reinventing Your Business Strategy
April 2008	Harvard Law School, Program on Negotiation, Managing the Difficult Business Conversation
December 2006	Massachusetts Institute of Technology, Sloane School of Business, Understanding and Solving Complex Business Problems
Spring 2006	Harvard Law School, Program on Negotiation for Senior Executives
July 2002	Harvard Graduate School of Education, Management Development Program

MEMBERSHIP AND LEADERSHIP POSITIONS IN PROFESSIONAL ORGANIZATIONS

LEGAL EDUCATION

American Bar Association

Task Force on the Future of Legal Education
Reporter, 2012-

American Bar Association, Section of Legal Education and Admissions to the Bar

Accreditation Committee 2005-2011
Vice-Chair 2008-10
Chair 2010-11

Rules of Procedure Task Force 2012-

Special Committee on Accreditation Transparency 2007-08

ABA Sabbatical Site Inspection Teams (Member, Chair) and LL.M. and Summer Program Site
Inspector 1998-

Frequent speaker at workshops for site team chairs, new site inspectors, and schools undergoing
inspection

Committee on Clinical and Skills Education 1998-2004
Co-Chair 2001- 2004

American Bar Association, Rule of Law Initiative

Consultant to joint Rule of Law Initiative/United States Agency for International
Development project in Republic of Georgia 2008 designed to develop, inter alia, improved
Georgian systems for legal education and accreditation of law schools. Helped organize
conference and led programs at conference, helped draft accreditation standards, and
assisted with implementation of conference outcomes.

Association of American Law Schools

Libraries and Technology Committee 1999-2002

Section on Employee Benefits
Executive Committee 2001-03

Chair 2002

Site Inspection Teams (Reporter on Joint ABA/AALS Teams, Membership Review Site Team Chair) 2000-

Indiana State Bar Association

Professional Legal Education, Admission, and Development Section
Chair-Elect 2000-01
Chair 2001-02

Indiana Legal Education Conclave, Program Vice-Chair 2001-02

Legal Education Conclave Implementation Committee
Vice-Chair 2002-03
Chair 2003-04

International Association of Law Schools

Annual Conference Presenter, 2009 & 2011

Innovative Curriculum Awards Committee, 2012-13

Law School Admission Council

Finance and Legal Affairs Committee 1997-2001

Other Boards and Committees

John Marshall Law School Employee Benefits Advisory Board 2003-2007

University of Minnesota Law School Board of Visitors 1999-2004

Oklahoma Bar Association Mandatory Pre-Admission Task Force 1997-98

STATE AND LOCAL BAR ASSOCIATIONS

Illinois
Indiana

Porter County, IN
Lake County, IN

Chicago, IL

OTHER LEGAL ORGANIZATIONS

Fellow, Indiana Bar Foundation 1998-

Trustee 1998-2005, 2007-08

Director, Indiana Continuing Legal Education Forum 1998-2008

Secretary 2003-05

Chair, Curriculum Committee 2007-08

Porter County Inns of Court 1998-2003

Federal Administrative Law Judge Screening Panel (Oklahoma-Arkansas) 1994-97

Second Tuesday Program Committee, Oklahoma Chapter, International Franchise Association
1994-97

American Civil Liberties Union of Illinois, Participating Attorney 1981-85

OTHER PROFESSIONAL AND COMMUNITY ACTIVITIES

ADMITTED TO LAW PRACTICE

State

Illinois

Federal

United States Supreme Court
Seventh Circuit Court of Appeals
Eighth Circuit Court of Appeals

Northern District of Illinois
Eastern District of Wisconsin
Western District of Oklahoma

NON-LAW ACCREDITATION SERVICE

Liaison Committee on Medical Education

Appeal Hearing Panel on Removal of Accreditation, Public Member, November 2011

COMMUNITY ORGANIZATIONS

Greater Valparaiso Chamber of Commerce, Board of Directors 2002-07

Jewish Federation of Northwest Indiana, Board of Directors 2002-05

Oklahoma City Intercongregational Jewish Education Committee 1994-96

Indiana Society of Chicago 1998-2002

Valparaiso Rotary Club 1998-2003

OTHER UNIVERSITY AND LAW SCHOOL SERVICE

VALPARAISO UNIVERSITY

Member, Search Committee, Dean of College of Business Administration (2011)

Member, Search Committee, Vice President of Enrollment Management (2011)

Chair, Search Committee, Vice President for Institutional Advancement (2010)

Chair, Search Committee, Vice President and General Counsel (2009)

Chair, Search Committee, Assistant Provost (2009)

Member, Strategic Planning Committee (2009-)

Member, Search Committee, Vice President of Enrollment Management (2009)

Chair, Task Force on the Function and Operation of the Council of Deans (2003-04)

Member, Council of Deans (1998-)

OKLAHOMA CITY UNIVERSITY

Member, Search Committee, University President (1997-98)

Member, Council of Deans (1994-98)

COURSES TAUGHT

Civil Procedure
Federal Jurisdiction
Copyright
Intellectual Property

Employee Benefit Plans
Legal Method/Legal Process
Advanced Legal Method
Seminar: Legal Reasoning