

PAUL E. MCGREAL
Southern Illinois University School of Law
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Carbondale, IL 62901
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TEACHING EXPERIENCE

Southern Illinois University School of Law

Interim Associate Dean for Academic Affairs, August 2009 to June 2010

Professor of Law, July 2006 to Present

Constitutional Law, First Amendment Rights, Fourteenth Amendment,
Law and Economics, Religion and the Law

Texas A&M University, Mays Executive MBA Program

Instructor, August 1999 to Present

Member of the founding faculty for the EMBA program, creating
modules on Business Ethics, Corporate Social Responsibility, Corporate
Governance, and Corporate Compliance and Ethics Programs

South Texas College of Law

Harry and Helen Hutchens Research Professor, January 2003 to 2006

Director, Corporate Compliance Center, 2003 to 2006

As the Center's founding Director, responsibilities included fundraising
in coordination with the College's development office, supervising one
full-time staff person, working with the College's public relations
department on marketing the Center, organizing and moderating two
CLE programs per year, oversight of the Center's budget, developing
corporate externships for the College's JD/MBA program with Texas
A&M University, recruiting and working with the Center's Board of
Advisors, and outreach to the corporate community on Center projects

Professor, August 2002 to 2006

Associate Professor, August 1999 to August 2002

Assistant Professor, May 1996 to August 1999

Antitrust, Constitutional Law, Constitutional Law Seminar, Corporate
Legal Compliance, Law & Economics, Legislation, Professional
Responsibility, and Property

George Mason University School of Law

Visiting Associate Professor, Spring 2002
Antitrust and Civil Procedure

Dedman School of Law, Southern Methodist University

Visiting Assistant Professor, Spring 1996
Constitutional Law and Trial Advocacy
Lecturer in Law, 1994-1995
Conflict of Laws

RESPONSIBILITIES AND ACTIVITIES AS INTERIM ASSOCIATE DEAN FOR ACADEMIC AFFAIRS

Report directly to the Dean of the School of Law and conduct all administrative activities undertaken in support of the JD degree program, including leadership in curriculum planning, assignment of teaching responsibilities, scheduling of classes, and student academic advisement

Work closely with the Dean of the School of Law on budget planning, including proposed budgets, projected class size, and requests to hire under the University's hiring and salary freezes

Interpret and apply the Rules of the School of Law and other operating papers on academic matters

Advised on the School of Law's response to the ABA Site Visit Report and the ABA Accreditation Committee's Decision Letter

Supervise the Registrar's Office and its three employees, and oversee the registration and academic records area

Proposed and completed the School of Law's first research project, with University support, concerning strategies for the School of Law to improve in the *US News and World Report* law school rankings

Facilitate and provide support for School of Law initiatives on distance education and semester-away externship programs

Facilitate learning outcomes assessment at the School of Law

Successfully chaired a special committee to overhaul the School of Law's policies on academic standing, academic probation, and dismissal

Oversee hiring, retention, and review of adjunct instructors

Oversee joint degree programs with other University colleges and departments

Review student disclosures pertaining to character and fitness, including the School of Law's certification to state licensing authorities

Determine and ensure implementation of disability accommodations

Support and publicize faculty scholarship, including maintenance of faculty web pages and training of new faculty on SSRN and bePress

Participate in completion of the School of Law's annual ABA Questionnaire

EDUCATION

Yale Law School

LL.M. 1994

**Dedman School of Law,
Southern Methodist University**

J.D. Magna Cum Laude 1992

Valedictorian

Order of the Coif

Editor-in-Chief, *Southwestern Law Journal/SMU Law Review*

Williams College

B.A. Cum Laude 1989 (Economics)

OTHER LEGAL EXPERIENCE

Hon. Warren W. Matthews, Alaska Supreme Court, Law Clerk, 1992-1993

Baker & Botts, L.L.P. (Dallas), Associate, 1994-1995

Civil litigation, including federal securities law and antitrust claims.

PUBLICATIONS

Law Review Publications

Corporate Compliance Survey, 66 BUS. LAW. (forthcoming 2010).

The Unpublished Free Exercise Opinion in Bowen v. Roy, 34 S. ILL. U. L.J. (forthcoming 2010).

Book Review: "The Sins of the Fathers: The Law and Theology of Illegitimacy Reconsidered," by John Witte, Jr., 25 J. L. & REL. (forthcoming 2009).

Corporate Compliance Survey, 65 BUS. LAW. 193 (2009).

The Case for a Constitutional Easement Approach to Permanent Monuments in Traditional Public Forums, 103 NW. U.L. REV. COLLOQUY 135 (2008).

Debate: First Amendment Limits on the Regulation of Judicial Campaign Speech: Defining the Government's Interest, 157 U. PENN. L. REV. PENNUMBRA 76 (2008) (Debate with James J. Alfini).

The Unpublished Free Exercise Opinion in Jensen v. Quaring, 33 S. ILL. U. L.J. 1 (2008).

Corporate Compliance Survey, 64 BUS. LAW. 253 (2008).

Social Capital in Constitutional Law: The Case of Religious Norm Enforcement Through Prayer at Public Occasions, 40 ARIZ. ST. L.J. 585 (2008).

In Defense of Complete Preemption, 156 U. PENN. L. REV. PENNUMBRA 147 (2007).

Counteracting Ambition: Applying Corporate Compliance and Ethics to the Separation of Powers Threat of Domestic Surveillance, 60 SMU L. REV. 1571 (2007).

Corporate Compliance Survey, 63 BUS. LAW. 195 (2007).

Best Practices in Corporate Compliance: Survey Results and Analysis, 25 CORP. COUNS. REV. 31 (2006).

Corporate Compliance Survey, 61 BUS. LAW. 1645 (2006).

A Constitutional Defense of Legislative History, 13 WM. & MARY BILL OF RTS. J. 1241 (2005).

Corporate Compliance Survey, 60 BUS. LAW. 1759 (2005) (Survey Reporter with Jean K. FitzSimon).

Legal Risk Assessment After the Amended Sentencing Guidelines: The Challenge for Small Organizations, 23 CORP. COUNS. REV. 153 (2004).

Slighting Context: The Illogic of Ordinary Speech in Statutory Interpretation, 52 KAN. L. REV. 325 (2004).

Saving Article I from Seminole Tribe: A View from The Federalist Papers, 55 SMU L. REV. 393 (2002).

Why Repeal of the Death Tax Means the Second Demise of Substantive Due Process, 39 SAN DIEGO L. REV. 551 (2002).

Applying Coase to Qui Tam Actions Against the States, 77 NOTRE DAME L. REV. 87 (2001) (with DeeDee Baba).

There Is No Such Thing as Textualism: A Case Study in Constitutional Method, 69 FORDHAM L. REV. 2393 (2001).

Unconstitutional Politics, 76 NOTRE DAME L. REV. 519 (2001).

Impeachment as a Remedy for Ethics Violations, 41 S. TEX. L. REV. 1369 (2000).

Ambition's Playground, 68 FORDHAM L. REV. 1107 (2000).

The Role of Suspicion in Federal Equal Protection, 8 WM. & MARY BILL OF RTS. J. 183 (1999).

Annual Survey of Texas Law—Conflict of Laws, 47 SMU L. REV. 835 (1999) (with Jeffrey Kyle).

The Flawed Economics of the Dormant Commerce Clause, 39 WM. & MARY L. REV. 1191 (1998).

Alaska Equal Protection: Constitutional Law or Common Law?, 15 ALASKA L. REV. 209 (1998).

Constitutional Illiteracy, 30 IND. L. REV. 693 (1997).

Equal Protection and Intersectionality — A Reply to Professor Yarbrough, 38 S. TEX. L. REV. 1167 (1997).

Some Rice with Your Chevron? Presumption and Deference in Regulatory Pre-emption, 45 CASE W. RES. L. REV. 823 (1995).

Annual Survey of Texas Law—Conflict of Laws, 47 SMU L. REV. 865 (1994).

Annual Survey of Texas Law—Conflict of Laws, 46 SMU L. REV. 1123 (1993).

A Tale of Two Courts: The Alaska Supreme Court, the United States Supreme Court, and Retroactivity, 9 ALASKA L. REV. 305 (1992).

Back to the Future: The Supreme Court's Retroactivity Jurisprudence, 15 HARV. J.L. & PUB. POL'Y 595 (1992).

Books and Chapters

An Introduction to Corporate Compliance and Ethics Programs, in *Corporate Compliance and Ethics Institute 2010*, edited by Rebecca Walker, et al. (Practising Law Institute 2010).

Cutting Edge Issues in Corporate Compliance, in *Corporate Compliance Practice Guide: The Next Generation of Compliance*, edited by Carole Basri (LexisNexis Group 2009).

An Overview of Corporate Compliance and Ethics Programs, in *Advanced Corporate Compliance and Ethics Workshop 2009*, edited by Rebecca Walker, et al. (Practising Law Institute 2009).

Questions & Answers: Constitutional Law (2d ed. LexisNexis Group 2007) (with Linda Eads).

Questions & Answers: Constitutional Law (LexisNexis Group 2003; 2004-2006 Cumulative Supplements) (with Linda Eads).

The Pine Tar Incident, in *Courting the Yankees: Legal Essays About the Bronx Bombers* (Carolina Academic Press 2003).

Selected Other Writings

Electronic Newsletter, Editor, Corporate Compliance Committee, Business Law Section, American Bar Association, February 11, 2009.

Best Practices in Corporate Compliance: Survey Results and Analysis — Part II, FED. ETHICS REP., July 2007, at 1.

Best Practices in Corporate Compliance: Survey Results and Analysis — Part I, FED. ETHICS REP., June 2007, at 1.

WORKS IN PROGRESS

An Economic Analysis of the Ministerial Exception to Title VII

Religious Accommodation of Medical Professionals and the Establishment Clause

SELECTED PROFESSIONAL PRESENTATIONS

Hot Topics and Global Trends in Compliance and Ethics, PLI Corporate Compliance and Ethics Institute 2010, May 14, 2010 (Chicago) and June 11, 2010 (New York).

Lessons from the Margins: My Work in the Blackmun and Powell Papers, Jackson County Bar Association (Carbondale, IL), December 17, 2009.

Latest Developments in Compliance, PLI Advanced Corporate Compliance and Ethics Workshop 2009 (New York), November 12, 2009.

The Legal and Policy Framework of the U.S. FCPA, Roundtable on Combating Corruption: Corporate Compliance Programs and Global Anti-Corruption Law and Initiatives, University of Illinois: College of Business Center for International Business and Research (CIBER), College of Business Center for Professional Responsibility in Business and Society, College of Law Office of Graduate and International Legal Studies (Urbana-Champaign), November 6, 2009.

Cutting Edge Legal Issues in Compliance and Ethics, Chicago Regional Business Ethics Network (Chicago), November 5, 2009.

New Legal Issues & Hot Topics in Corporate Compliance, PLI Corporate Compliance and Ethics Institute 2009, March 26, 2009 (Atlanta), May 20, 2009 (Chicago), and June 4, 2009 (New York).

Lincoln's Suspension of Habeas Corpus: Historical Antecedent to Modern Controversies, Abraham Lincoln Bicentennial Celebration, Southern Illinois University School of Law (Carbondale), February 12, 2009.

Electronic Submission, Dissemination, and Archiving of Our Scholarship: SSRN, bePress, and Beyond, Central States Law Schools Association 2008 Conference, Southern Illinois University School of Law (Carbondale), October 24, 2008.

Lessons from the Margins: Insights from the Blackmun Papers, Constitution Day 2008, Southern Illinois University School of Law (Carbondale), September 16, 2008.

Compliance Practices: Survey Results and Analysis, Meeting of Corporate Compliance Committee, ABA Business Law Section, 2008 Spring Meeting (Dallas), April 12, 2008.

Recent Developments and Hot Topics in Corporate Compliance, PLI Corporate Compliance and Ethics Institute 2008 March 27, 2008 (Atlanta), May 14, 2008 (Chicago), and June 5, 2008 (New York).

NCBE/Law Faculty Panel Discussion: Legal Pedagogy and Law School Curriculum, University of Baltimore School of Law, March 6, 2008.

Compliance Update, PLI 2007 Advanced Corporate Compliance Workshop (San Francisco), September 27, 2007.

Recent Developments and Hot Topics in Corporate Compliance, PLI Corporate Compliance and Ethics Institute 2007, March 29, 2007 (Atlanta) and May 17, 2007 (Chicago).

Counteracting Ambition: Domestic Surveillance and the Separation of Powers, Guarding the Guardians, Cary M. Maguire Center for Ethics and Professional Responsibility, Southern Methodist University (Dallas), October 20, 2006.

The President's War Power in the Separation of Powers, ACLU, Southern Illinois Chapter, October 19, 2006.

Cutting-Edge Developments in Compliance, PLI 2006 Corporate Compliance Institute, March 30, 2006 (Atlanta), May 18, 2006 (Chicago), and June 15, 2006 (New York).

Corporate Compliance and Ethics Survey Results, Greater Houston Business Ethics Roundtable, February 6, 2006.

Defining the Role of the Corporate Attorney: Does It Depend Upon Whom You Ask?, State Bar of Texas Annual Meeting (Dallas), June 24, 2005.

Are Post-Enron Attempts to Police Corporate America Sensible: Has the Pendulum Swung Too Far?, Panel Moderator, Houston Bar Association Joint Faculty Meeting, April 21, 2005.

Cutting-Edge Developments in Compliance, PLI 2005 Corporate Compliance Institute, March 31, 2005 (Atlanta), April 28, 2005 (Chicago), and May 19, 2005 (Houston).

Social Capital in Constitutional Law: The Santa Fe Case, Faculty Forum, Dedman School of Law, Southern Methodist University, February 12, 2004.

Judicial Campaign Speech, Debate, South Texas College of Law Federalist Society, November 4, 2003.

Regulation of Virtual Child Pornography—The Constitutional Aftermath of Ashcroft v. Free Speech Coalition, Panelist, SEAALS Annual Conference, July 30, 2002.

Texas' Initiation into the Union: A Constitutional Inquiry, Constitutional Studies Colloquium, University of Texas School of Law, March 20, 2001.

Impeachment as a Remedy for Ethical Violations, South Texas College of Law Annual Ethics Symposium, October 14, 1999.

Can Congress Require House Districts?, Young Scholars Program, SEAALS Annual Conference, July 23, 1999.

SOUTHERN ILLINOIS UNIVERSITY COMMITTEES AND SERVICE

2010-2011

Chair, Personnel Committee (faculty hiring)
Chair, Faculty Evaluation Committee (tenure and promotion) (selected for two-year term by tenured faculty)
Coordinator, Faculty Scholarly Workshops
Campus Wide Assessment Committee
Graduate Council
Coach, McGee National Civil Rights Moot Court Competition Team

2009-2010

Chair, Personnel Committee
Chair, Readmission Review Special Committee
Long Range Planning Committee
Academic Standards Committee
Coordinator, Faculty Scholarly Workshops
Curriculum Committee, *ex officio*
Rules Committee, *ex officio*
Campus Wide Assessment Committee
Coach, McGee National Civil Rights Moot Court Competition Team

2008-2009

Personnel Committee
Faculty Evaluation Committee
Professional Development Committee
Facilitator – Self-Study Focus Groups on Faculty Scholarship and Experiential Learning
Coordinator, Faculty Scholarly Workshops
Coach, McGee National Civil Rights Moot Court Competition Team

2007-2008

Personnel Committee
Faculty Evaluation Committee
(selected for two-year term by untenured faculty)
Professional Development Committee
Coordinator, Faculty Scholarly Workshops
Coach, McGee National Civil Rights Moot Court Competition Team

2006-2007

Professional Development Committee
Rules Committee
Distinguished Visitor Screening Committee
Coordinator, Faculty Scholarly Workshops
Coach, McGee National Civil Rights Moot Court Competition Team

SELECTED SOUTH TEXAS COLLEGE OF LAW SERVICE AND COMMITTEES

Promotion, Tenure, and Reappointment Committee, 2003-2005
Faculty Appointments Committee, 2002-2004
Curriculum Committee, 2002-2003
Chair, Subcommittee on Standards for Presumptively Continued Employment (brought the faculty to consensus on rules governing status of legal research and writing faculty), 2003-2004
Risk Assessment Group (conducted risk assessment and implemented policies and procedures to ensure legal compliance), 2005-2006
Faculty Advisor, *South Texas Law Review*, 2002-2004
Admissions Committee, 1999-2000
Academic Assistance Advisory Committee – Ad Hoc (reviewed the College's academic support program), 2004-2005

SELECTED PROFESSIONAL MEMBERSHIPS, ACTIVITIES, AND AWARDS

Senior Class Award, 2008, 2009, and 2010 (voted by the graduating class to honor a faculty or staff member at the Southern Illinois University School of Law)

Amicus Curiae Briefs Joined:

Brief of Constitutional and Administrative Law Scholars as *Amici Curiae* in Support of Petitioners, *Limmer v. Missouri Pacific Railroad Company*, Docket No. 09-1255 (United States Supreme Court), 2010

Brief of Constitutional and Administrative Law Scholars in Support of Respondent, *Altria Group, Inc., v. Good*, Docket No. 07-562 (United States Supreme Court), 2008

Brief of Constitutional and Administrative Law Scholars in Support of Respondent, *Wyeth v. Levine*, Docket No. 06-1249 (United States Supreme Court), 2008

Editor, E-Newsletter and Annual Survey, Corporate Compliance Committee, Business Law Section, American Bar Association, 2006 to present

Tone and Conduct Committee, Illinois State Bar Association, Member from Judicial District 5 (hears complaints on judicial campaign advertising), 2006 to 2008

External Peer Reviewer, Social Sciences and Humanities Research Council of Canada (corporate governance research proposal), 2008

Coordinated Seventh Circuit Conference and Seventh Circuit hearings to be held at the SIU Law School (both were canceled due to weather), 2007-2008

Blind Peer Reviewer, *Windsor Law Review*, University of Windsor (evaluated an article on separation of powers under the United States Constitution), 2007

Drafter of Problem and Bench Brief and Final Round Judge, National Health Law Moot Court Competition (problem involved free exercise and free speech rights of pharmacists who object to filling prescriptions for Plan B), 2007

Faculty Reviewer, Student Casenotes and Comments, *Southern Illinois Law Journal*, 2006 to present

Houston Bar Association LegalLine (pro bono legal information and referral service), 2004-2006

Member, Texas Disciplinary Rules of Professional Conduct Committee of the State Bar of Texas (drafted proposed revisions to the Texas lawyer ethics rules after the ABA's Ethics 2000 initiative), 2005-2006

BAR ADMISSIONS

State Bar of Texas, 1992

Supreme Court of the United States, 2009