

RICHARD H. FRANKEL

Drexel University Earle Mack School of Law
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EDUCATION

Georgetown University Law Center, LL.M. (Advocacy) with distinction, 2009
Teaching Fellow and Supervising Attorney, Appellate Litigation Program, 2006-2008

Yale Law School, J.D., 2001
The Yale Law Journal, Senior Editor
Community Legal Services Clinic, Student Director
Yale Law & Policy Review, Articles Editor

Yale College, B.A., *summa cum laude* (Ethics, Politics and Economics) 1997
Phi Beta Kappa
Yale Daily News, Sports Editor

LAW SCHOOL TEACHING EXPERIENCE

Drexel University Earle Mack School of Law 2008-present
Associate Professor of Law
Supervise Drexel's Appellate Litigation Clinic, in which students litigate appeals on behalf of pro bono clients in state and federal courts of appeals.

Georgetown University Law Center, Appellate Litigation Program 2006-2008
Teaching Fellow and Supervising Attorney: Co-taught clinic and supervised students litigating before the U.S. Courts of Appeals for the D.C. Circuit, the Ninth Circuit, the Armed Forces, and before the Board of Immigration Appeals.

Yale Law School, Jerome N. Frank Legal Services Organization 1999-2001
Student Director, Community Legal Services Clinic.
Supervised clinical students with their case work in a poverty law clinic; advocated on behalf of clients seeking child-care benefits; represented clients in superior court and in administrative fair hearings; conducted negotiations with state officials; oversaw clinic outreach with local community groups.

PUBLICATIONS AND WORKS IN PROGRESS

Regulating Privatized Government Through Section 1983, 76 UNIVERSITY OF CHICAGO LAW REVIEW 1449 (2009).

The Failure of Analogy in Conceptualizing Private Entity Liability Under Section 1983, 78 UMKC L. REV. 967 (2010) (symposium)

CONSUMER ARBITRATION AGREEMENTS: ENFORCEABILITY AND OTHER TOPICS (National Consumer Law Center, 5th ed., 2007 & 5th ed. Supps. 2008 and 2009) (with Leslie A. Bailey, F. Paul Bland, Jr., Michael J. Quirk, and Jonathan Sheldon).

Note, *Proposition 209: A New Civil Rights Revolution?*, 18 YALE L. & POL'Y REV. 431 (2000).

Undue Deference, TRIAL, Nov. 2006.

Illusory Arbitration Clauses, THE EMPLOYEE ADVOCATE, Spring/Summer 2004 (with F. Paul Bland, Jr. and Michael J. Quirk).

Trampling on Due Process: The Case Against Non-Opt-Out Punitive Damages Classes Under Rule 23(b)(1)(B) (work in progress).

GOVERNMENT TESTIMONY

United States House of Representatives, Subcommittee on Commercial and Administrative Law of the Committee on the Judiciary, Washington, D.C. (May 2009)

Witness at the hearing on "The Federal Arbitration Act: Is the Credit Card Industry Using it to Quash Legal Claims?"

United States Judiciary, Committee on Rules on Practice and Procedure, Washington, D.C. (April 2004)

Presented Testimony regarding proposed amendments to Federal Rule of Appellate Procedure 32.1

PRESENTATIONS

Practising Law Institute, 15th Annual Consumer Financial Services Institute, New York NY, (February 19, 2010)
Panelist, "Arbitration"

"Enforcing Constitutional Rights in the 21st Century," Edward Smith/Bryan Cave Symposium, UMKC School of Law, Kansas City, MO (October 23, 2009)
Panelist. Presented a paper titled "Reconceptualizing Private-Entity Liability Under Section 1983."

American Financial Services Association Conference, Tucson, AZ (Winter 2006)
Panelist, "Mandatory Arbitration Debate"

American Financial Services Association & National Association of Consumer Credit Regulators, State Government Relations Forum, Los Angeles, CA (Fall 2005)
Panelist, “The Debate Over Mandatory Arbitration”

ABA 2005 Conference, Business Litigation Section, Chicago, IL (Summer 2005)
Panelist, “Alternate Dispute Resolution”

ATLA 2005 Summer Convention, Toronto, Ontario (Summer 2005)
Presenter, Litigation at Sunrise, “Fighting Mandatory Arbitration Agreements”

State Bar of Texas, 2005 Consumer Law Conference, Galveston, TX (Summer 2005)
Presenter, “Challenging Enforcement of Mandatory Arbitration Agreements”

EXPERIENCE

Trial Lawyers for Public Justice, Washington, DC 2003-2006
Goldberg-Deitzler Fellow. Litigated class action, consumer protection and civil rights cases for national public interest law firm.

Hon. William C. Canby, Jr., U.S. Court of Appeals for the Ninth Circuit 2002-2003
Phoenix, AZ
Law Clerk.

Hon. Henry H. Kennedy, Jr., U.S. District Court for the District of Columbia 2001-2002
Washington, DC
Law Clerk.

BAR ADMISSIONS

State: District of Columbia
Pennsylvania (in accordance with Pennsylvania Bar Rule 311)
California (inactive)

Federal: U.S. Court of Appeals for the D.C. Circuit
U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Armed Forces
U.S. District Court for the Central District of California
U.S. District Court for the Northern District of California
U.S. District Court for the District of Colorado