

VITAE
OF
PROFESSOR WILLIAM S. JORDAN, III

The University of Akron
School of Law
September 2007

I. PROFESSIONAL EXPERIENCE

1985-Present University of Akron School of Law
1999-Present - McDowell Professor of Law
1989-1999 - Professor of Law
1985-1989 - Associate Professor of Law

1978-1985 Harmon, Weiss & Jordan (and predecessor firms), Washington, D.C.
1981-1985 - Partner
1978-1981 - Associate

1974-1978 Attorney-Advisor, Office of General Counsel, U.S. Department of
Housing and Urban Development

II. EDUCATIONAL BACKGROUND

Legal University of Michigan Law School
J.D. 1974, cum laude

Undergraduate Stanford University
B.A. 1971, History

III. SUBJECTS TAUGHT

At The University of Akron
Property (15+ years)
Evidence (3 years)
Administrative Law (20+ years)
Environmental Law (21 years)
Intermediate Legal Communication (1 year)
Wetland Regulation Seminar (1 year)

At The University of Wolverhampton, England (academic year 1991-92)

Land Law
American Legal System
Legal Method

IV. PUBLICATION COMMITMENTS

Supplements to the Fifth Edition of Koch, Jordan, and Murphy, *Administrative Law: Cases and Materials*.

V. SELECTED PUBLICATIONS

Casebook

Co-author, Koch, Jordan, and Murphy, *ADMINISTRATIVE LAW: CASES AND MATERIALS*, 5th ed. (LexisNexis 2006)

Web-based supplement to the above casebook, www.uakron.edu/law/jordan, co-authored with Richard Murphy, published September 2007.

Articles

Updating Deference: The Court's 2001-2002 Term Sows More Confusion About Chevron, 32 ELR 11459 (December 2002).

U.S. v. Mead: Complicating the Delegation Dance, 31 ELR 11425-11437 (Nov. 2001).

Judicial Review of Informal Statutory Interpretations: The Answer is Chevron Step 2, Not Christensen or Mead, 54 ADMIN. L. REV. 719-733 (2002).

Judges, Ideology, and Policy in the Administrative State: Lessons From A Decade of Hard Look Remands of EPA Rules, 53 ADMIN. L. REV. 45-102 (2001).

Ossification Revisited: Does Arbitrary and Capricious Review Significantly Interfere With Agency Ability to Achieve Regulatory Goals Through Informal Rulemaking?, 94 Nw. U. L. Rev. 393-450 (2000).

Envirocare v. NRC Increases Agency Discretion to Deny Administrative Intervention: Right Result - Wrong Reason, 33 ELR 10597 (August 2000).

Legislative History and Statutory Interpretation: The Relevance of English Practice, 29 U.S.F. Law Rev. 1-42 (1994).

Justice David Souter and Statutory Interpretation, 23 U. Tol. L. Rev. 491-530 (1992).

Deference Revisited: Politics as a Determinant of Deference Doctrine and The End of the Apparent Chevron Consensus, 68 Neb. L. Rev. 454-515 (1989).

Citizen Litigation Under The Clean Water Act: The Second Circuit Renews Its Leadership Role in Environmental Law, 52 Brooklyn Law Review 829-854 (1986).

Psychological Harm After PANE: NEPA's Requirement to Consider Psychological Damage, 8 Harvard Environmental Law Review 55-87 (1984).

State and Local Government Authority to Ban or Regulate Nuclear Reactors for the Purpose of Protecting Psychological Health, 88 Dickinson Law Review 14-32 (1983).

Book Chapters

Judicial Review (co-author), in DEVELOPMENTS IN ADMINISTRATIVE LAW AND REGULATORY PRACTICE 2000-2001 (ABA Section of Administrative Law and Regulatory Practice, 2001).

Judicial Review (co-author), in DEVELOPMENTS IN ADMINISTRATIVE LAW AND REGULATORY PRACTICE 1999-2000 (ABA Section of Administrative Law and Regulatory Practice, 2000).

Representing Intervenors in Nuclear Litigation, NUCLEAR LITIGATION, PLI, 1981, pp. 155-196.

"Nuclear Energy," in THE ISSUES OF 1982: A BRIEFING BOOK, 1982, pp. 111-115, revised and updated in AMERICA'S STATES: A CITIZENS AGENDA - 1983-1984, pp. 59-63, both published by the Conference on Alternative State and Local Policies.

Book Reviews

Review of G. Richardson and H. Genn, eds., ADMINISTRATIVE LAW AND GOVERNMENT ACTION: THE COURTS AND ALTERNATIVE MECHANISMS OF REVIEW, 46 J. Legal Educ. 286-293 (1996).

Review of J. Tomain, NUCLEAR POWER TRANSFORMATION (1987), 56 Cin. L. Rev. 971-988 (1988).

VI. PUBLIC PRESENTATIONS

Fall 2006 – Moderated a panel on The Relationship Between Agencies and the Courts: Implications of the *Brand X* and *Gonzales v. Oregon* Cases at the Fall Conference of the Section on Administrative Law and Regulatory Practice of the American Bar Association, Washington, D.C.

Fall 2005 – Moderated a panel on Reviewability of Informal Agency Statements at the Fall Conference of the Section on Administrative Law and Regulatory Practice of the American Bar Association, Washington, D.C.

Spring 2004 and 2005 – At the invitation of the Child Support Enforcement Association of Ohio, lectured to four meetings of hearing officers on the due process requirements that govern their hearings.

November 2001 – Invited participant in a forum of Administrative Law professors at the University of Louisville, Nov. 16-17.

November 2001 – Presented Current Developments in Judicial Review at the Fall Meeting of the Section of Administrative Law and Regulatory Practice of the ABA, Washington, D.C.

October 2001 – Spoke on Environmental Law to the Women's Committee of The University of Akron.

October 2000 – Presented Current Developments in Judicial Review at the Fall Meeting of the Section of Administrative Law and Regulatory Practice of the ABA.

October 1996 - Presented a "Work-In-Progress" at the Annual Meeting of the Central States Law School Association.

March 1994 - Presented a paper entitled "Cross-Fertilization: Opportunities for Legal Exchange between the United States and Great Britain" at the Annual Meeting of the Association of Law Teachers (British) at Cambridge University.

Spring 1992 Invited to speak at the University of Birmingham, England, on an American lawyer's perspective on the English criminal justice system. The program was co-sponsored by the University of Birmingham and the University of Minnesota-Duluth.

December 1991 Invited to speak to international trade students at the University of Staffordshire, England, on an American perspective on the Uruguay Round of the GATT talks.

VII. SELECTED PROFESSIONAL RECOGNITION

Fall 2004 Served as an external reviewer on an article by a candidate for tenure at William Mitchell.

October 2001 Served as external reviewer on an article by a candidate for tenure and promotion at the College of William and Mary School of Law.

October 2000 Upon the nomination of Dean Joseph Tomain of the University of Cincinnati School of Law, attended the second Glenmore Justice Institute.

October 1999 Selected for membership Omicron Delta Kappa, a National Leadership Honor Society.

October 1997 Elected President of the Central States Law School Association.

1989-90 Invited to write the competition problem for the National Administrative Law Moot Court Competition, which is sponsored by the University of Dayton School of Law. Served as a judge on the Final round Panel for the Competition.

May 1989 Professor Charles Koch, Woodbridge Professor of Law at William and Mary, recommended my recent *Deference Revisited* article, then in draft form, to the Administrative Conference of the United States, characterizing one section as an "excellent treatment" of the issue.

Spring 1989 Invited by the Association of Trial Lawyers of America to serve as a judge for a national environmental law essay competition.

Invited by Case Western Reserve University School of Law to serve as a judge in the final formal practice round for the Niagara International Law Moot Court Competition Team.

Spring 1988 Named Outstanding Professor of the Year by the Black Law Students Association.

August 1985 Invited to serve on a panel sponsored by the Nuclear Regulatory Commission on relations between NRC Personnel and citizen activities.

Spring 1985 Invited to address a committee of independent experts on enforcement policy at the Nuclear Regulatory Commission.

Spring 1983 Guest speaker for the Harvard Environmental Law Society.

Guest speaker for the University of Pittsburgh Environmental Law Society.

Invited to serve as a judge for the first year moot court competitions at Harvard.

Invited to serve as a judge for the first year moot court competitions at Catholic University Law School.

December 1980 Invited to serve as a faculty member, Nuclear Litigation Seminar, Practicing Law Institute, New York City.

1976 (approx.) Received commendation from the Assistant Secretary for Consumer Affairs and Regulatory Functions, US Department of Housing and Urban Development.

VIII. SELECTED CIVIC AND PROFESSIONAL ACTIVITIES

A. Prior to Joining the Faculty

1. Capitol Hill Restoration Society.
Served on the Zoning Committee.
2. Sierra Club
Active for approx. eight years with the local chapter in Washington, D.C. Served on the Executive Committee of the local group and chaired one of the group's committees. Organizer for a workshop on, "A D.C. Environmental Agenda for the 80's," as part of Earth Day 80.
3. Friends of Rock Creek's Environment
Founding member of FORCE (Friend's of Rock Creek's Environment), a volunteer group dedicated to Rock Creek Park, in Washington, D.C.
4. Urban Design Conferences
Major participant in the organization of three conferences on urban design issues:
Spring 1981 "Design and Development - Shaping Washington's Future
Spring 1980 "NEPA and the Built Environment (14th Annual Conference on Socio-Physical Technology)."
Spring 1979 "Washington City Care Conference."

B. Since Joining the Faculty

1. ABA Section of Administrative Law and Regulatory Practice
Elected Member of the Council of the Section – 3-year term (2006-2009)
Contributing Editor, Administrative & Regulatory Law News, quarterly newsletter (beginning Fall 2002)
Co-Chair of the Committee on Judicial Review (2006-present), Chair (2004-2005), Vice-Chair (2000 - 2004).
2. Akron Bar Association – Law School liaison and Member, Board of Trustees, beginning July 2007.
3. Central States Law School Association
President (1998), Treasurer (1997). Organized and hosted the 1998 Annual Meeting of the Association.
4. Nuclear Information and Resource Service, Washington, D.C.
Member of the Board of Directors. NIRS is a non-profit nuclear information clearinghouse. (1986-1995)
5. Ohio Citizens for Responsible Energy.
Member of the Board of Advisors for several years after late 1985. In 1985-86, I periodically advised the organization on legal matters.
6. Pittsburgh Public Interest Law Group.
In 1986, asked to help organize a public interest law firm in Pittsburgh.

7. Ohio Chapter - Rails to Trails Conservancy
Member (1988-89) of the organizing committee that established the Ohio Chapter of the Rails to Trails Conservancy.
8. Unitarian Universalist Church of Akron
Elected to the Search Committee for a new minister in September 1992. Co-Chair of the every-member canvass, fall 1994 and fall 1995. Sunday School teacher (1995-96 and 1996-97). Previously active on various committees.
9. Environment Education Leadership Project
Appointed to the Advisory Board for this project of Ohio Citizen Action. (1993)
10. Great Lakes Water Quality Initiative
Appointed to the Advisory Board for this project of Ohio Citizen Action. (1994)
11. Advisory Committee to the Citizens Policy Center
Appointed to the Advisory Committee to the Citizen Policy Center for a project studying campaign spending and campaign finance reform. (1995-1998)
12. Scout Leader
Leader of Den 1, Pack 3075, Cub Scouts. (1995-97)
Cubmaster, Pack 3075. (1997-2000)
Member, Nominating Committee, Old Portage District (1998-2001)
Scoutmaster, Troop 75 (2000-2006)
13. Summit Education Initiative, Akron, Ohio
Member, Board of Advisors (1998 to 2002).
14. Common Ground, Akron, Ohio (1998-1999)
Invited participant in development of community discussions on a proposal for an Afrocentric school.

IX. SELECTED SCHOOL OF LAW ACTIVITIES

A. Committee Assignments and Activities

- Chair, RTP Committee, Spring 2002-present
- Chair, Appointments Committee, 2000-present
- Chair, Dean Search Committee, Summer-Fall 1994.
- Chair, Self-Study Committee, 1992-1994
- Chair, Ad Hoc Committee on Post-Tenure Review, 2000-2002
- Chair, Ad Hoc Committee on Bar Exam Performance, 1997-98, Fall 1998. Member 1999-2001
- Chair, Ad Hoc Committee on Bar Exam Performance, Spring 2005-2006

Co-Chair, Ad Hoc Faculty Committee to Review the July 1990 Ohio Bar Examination Results (academic year 1990-91).

Faculty Representative to the AALS House of Delegates (1997, 1998).

Member, Ad Hoc Committee on Response to the ABA/AALS Site Visit Report (academic year 1994-95).

Member, Ad Hoc Committee on Strategic Planning (academic year 1994-95).

Member, Ad Hoc Committee on Responding to ERIP (academic year 1993-94).

Member, Ad Hoc Committee on Faculty Development (academic years 1995-96, 1999-2000, 2000-2001).

Member Ad Hoc Committee on Disability Accommodations (1999-2001)

Member, Ad Hoc Committee on the Law School Web Site (1999-2001)

Member of the Alumni and Student Affairs Committee. (academic year 1985-86)

Member of the Library Committee. (academic year 1985-86)

Co-Chair of the Admissions Committee (academic year 1995-96), Member (1985-1998, 1999-present). Served as Chair of the Minority Selection Subcommittee of the Admissions Committee and Chair and member of the Scholarship Subcommittee. (academic years 1986-87 through 1990-91 and 1992-93 through 1994-95)

Member of the Dean Search Committee. Served as Secretary to the Committee. (academic year 1986-87)

Member of the Curriculum Committee. (academic years 1986-87, 1988-89)

Member of the Faculty Appointments Committee. (academic years 1987-88 through 1990-91 and 1992-93 through 1999-2000) Arranged and coordinated the visits of Judge Abner J. Mikva of the U.S. Court of Appeals for the District of Columbia Circuit (Fall 1989) and Deputy Attorney General Donald Ayer (Spring 1990).

Member of the Ad Hoc Committee on Computers (academic years 1986-87 through 1988-89, 1990-91)

Member of the John F. Seiberling Chair in Constitutional Law Search Committee. (academic years 1988-89 through 1990-91 and 1992-93 through 1994-95)

Member, Ad Hoc Speakers Committee. (academic years 1992-93 and 1993-94)

B. Other Significant Activities

Hearing officer for the Akron Metropolitan Housing Authority (2003-present).

Retained to serve as an expert witness in a property dispute in Summit County Court of Common Pleas (Fall 2001).

Spoke on the Great Lakes Water Quality Initiative to the Senior Citizens, Ohio EPA, and a Congressionally-sponsored public hearing (1996 and 1997).

Organized the visit of Professor Patrick Randolph of the University of Missouri-Kansas City in February 1997.

Organized the appearance of Robert F. Kennedy, Jr., at the law school to discuss developments in Environmental Law. (Fall 1995)

Appeared on WAKC-TV's Citizen Forum of the Air, discussing current congressional proposals affecting Environmental Law. (Summer 1995)

Presented briefings to the staff of the Akron Office of Ohio Citizen Action on recent developments in the area of Environmental Law. (1995-1997)

Served as a judge in practice rounds for the Moot Court Team and the Jessup Moot Court Team. (various times, at least once each year)

Advisor to the Black Law Students Association. (academic years 1986-87 through 1990-91) Coached participants in the Frederick Douglas Moot Court Competition. (academic year 1986-87)

Served as coach for the Moot Court team sent to the National Administrative Law Moot Court Competition at the University of Dayton School of Law. (academic years 1987-88, 1988-89, 1990-91)

Coach and later Supervisor for the Moot Court team sent to the National Environmental Law Moot Court Competition at Pace University Law School. (academic years 1990-91, 1992-93 through 1999-2000)

Supervisor for the Moot Court team sent to the Environmental Law Competition at Chase Law School. (academic years 1994-95 thru 1998-1999)

Advisor to the Environmental Law Society (1992-present) and Akron Public Interest Law Society (2002-present).

X. SELECTED UNIVERSITY ACTIVITIES

Chaired a hearing on charges of scholarly misconduct by a university faculty member (academic year 2001-2002)

Chair, Task Force on Personnel Policies and Practices (1996)

Member, Faculty Senate (2001-2003)

Member, Athletic Committee (2001-present)

Member, University Well Being Committee (1996-2000)

Member, University Review Committee reviewing the Dept. of Political Science (1995)

Member University Review Committee reviewing the Environmental Studies Program (1995)

Member, Editorial Board, University of Akron Press (1994-1996 and reappointed to unexpired term 1997-98)

Guest speaker for Professor Randy Mitchell in his Conservation Biology class, speaking on the role of scientists in environmental regulation. (2006 and prior years)

Guest teacher for Professor David Ritchey in various Public Relations classes, speaking on legal aspects of public relations and on public relations in an environmental dispute. (1994, 1995)

Member of the University Search Committee for Senior Vice President and Provost
(Spring 1990 through Spring 1991)

Law School Representative to the Faculty Advisory Committee to the President
(academic year 1990-91)

Law School representative to the University United Way Campaign (academic years
1986-87 through 90-91 and 1992-93 and 1993-94)

Member, Academic Policies, Curriculum and Calendar Committee (academic years
1986-87, 1989-90, and 1990-91)

Attended an AALS Workshop on Teaching Administrative Law in June 1990.

Attended an AALS Workshop on Faculty in Administration in October 1994.

Attended a Symposium on Administrative Law at Chicago-Kent Law School, Spring
1997.

Attended an ALI-ABA course on Wetlands Preservation Law, Spring 1998.