

ELLEN E. SWARD
Professor of Law
University of Kansas School of Law
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EDUCATION

Harvard Law School, Cambridge, Massachusetts
JD, 1979
Board of Editors, *Harvard Law Review*, 1977-79
Case Editor, 1978-79

University of Cincinnati, Cincinnati, Ohio
BA with High Honors in Political Science, 1970

LEGAL EMPLOYMENT

University of Kansas
School of Law
Lawrence, Kansas 66045
Robert A. Schroeder Teaching Fellow, 2005-2008
Associate Dean for Research, 2004-
Professor, 1989-present
Associate Professor, 1984-89

Arent, Fox, Kintner, Plotkin & Kahn
Washington Square
1050 Connecticut Ave., N.W.
Washington, D.C. 20036-5339
Associate, Litigation, 1981-84

Michael, Best & Friedrich
First Wisconsin Bank Building
Madison, Wisconsin
Associate, 1979-81
Summer Associate, 1978

COURSES TAUGHT

Advanced Litigation (Pre-trial Advocacy)
Civil Procedure I and Civil Procedure II (current)
Creditors' and Debtors' Rights (1984-91)
Civil Procedure Seminar
Federal Courts and the Federal System (current)
Legal Research and Writing
Western Civilization (undergraduate)

PUBLICATIONS

Book

THE DECLINE OF THE CIVIL JURY (Carolina Academic Press, 2001).

Book Chapter

Public Interest Law Activities Outside the U.S.A., in BURTON A. WEISBROD WITH JOEL F. HANDLER AND NEIL K. KOMESAR, PUBLIC INTEREST LAW: AN ECONOMIC AND INSTITUTIONAL ANALYSIS (1978)(with Burton A. Weisbrod).

Articles

Justification and Doctrinal Evolution, 37 CONNECTICUT LAW REVIEW 389 (2005).

State and Local Resistance to the Patriot Act, 1 KU DIALOGUES 1 (2005).

A History of the Civil Trial in the United States, 51 KANSAS LAW REVIEW 347 (2003).

The Seventh Amendment and the Alchemy of Fact and Law, 33 SETON HALL LAW REVIEW 573 (2003).

Legislative Courts, Article III, and the Seventh Amendment, 77 NORTH CAROLINA LAW REVIEW 1037 (1999).

Appellate Review of Judicial Fact-Finding, 40 KANSAS LAW REVIEW 1 (1991).

Values, Ideology, and the Evolution of the Adversary System, 64 INDIANA LAW JOURNAL 301 (1989).

PUBLICATIONS (continued)

Resolving Conflicts Between Bankruptcy Law and the State Police Power, 1987 WISCONSIN LAW REVIEW 403.

The Federal Courts Improvement Act: A Practitioner's Perspective, 33 AMERICAN UNIVERSITY LAW REVIEW 385 (1984) (with Rodney F. Page).

Public Interest Law: Collective Action in an International Perspective, 3 URBAN LAW AND POLICY 59 (1980) (revision of book chapter cited above).

Comment, *Interstate Waste Disposal*, 92 HARVARD LAW REVIEW 57 (1978).

Comment, *Psychological Aptitude Tests and the Duty to Supply Information*, 91 HARVARD LAW REVIEW 869 (1978).

Work in Progress

Books

A History of the Civil Trial in the United States

Articles

Official Civil Disobedience and the Patriot Act

Congressional Standing to Challenge Presidential Signing Statements

SELECTED PRESENTATIONS

The Evolution of Justification, University of Nebraska Faculty Colloquium, March 2003, and University of Colorado Faculty Colloquium, October 2003

A History of the Civil Trial in the United States, University of Kansas Law Review Symposium, February 2003

The Seventh Amendment and the Alchemy of Fact and Law, University of Cincinnati Faculty Colloquium, April 2001

SERVICE ACTIVITIES

University Service

Conflict of Interest Committee, 2004-
Associate Deans Research Council, 2004-
Search Committee for the Law School Dean, 1998-99
Founding member, Faculty Women's Caucus, 1998-
Nominating Committee for Rhodes and Marshall Scholarships, 1994, 1997, 1998
Pew Higher Education Roundtable, Spring 1997
Ad Hoc Committee to Review Consenting Relationships Brochure, spring 1994
Senate/Faculty Executive Committee, 1991-92
University Council, 1991-94
University Committee on Promotions & Tenure, 1991-92, 1994-95, 2000-03
Search Committee for the Vice Chancellor for Research,
Graduate Studies and Public Service, 1991-92
Committee on Tenure and Related Problems, 1989-90; 1993-94
Committee on Academic Policies and Procedures, 1988-89
Human Relations Committee, 1985-87, Chair, 1986-87

Law School Service

Associate Dean for Research, 2004-
Promotion and Tenure Committee, 2003-
Chair, 2004-06
Ad Hoc Committee on Tenure and Promotion Standards, Chair, 2004-05
Curriculum Review Committee, 2000-01
Planning Committee for the New Lawyering Course, 1998-99
Self-Study Committee, 1991-92, 1997-1999; 2004-06
Chair, 1997-99
Committee on Long-Range Planning, 1994-97
Chair, 1994-97
Faculty Recruitment Committee, 1992-95, 1996-97 (chair), 1998-99, 2001-05, 2006-07
Ad Hoc Committee on Grievance Procedures, 1993-94
Academic Committee, 1984-1992, 2000-04
Chair, 1987-91, 2000-04
Director, Law School Skills Enhancement Program for Minority Students, 1987-91
Committee on Minority Student Affairs, 1991-94
Ad Hoc Committee on Academic Support Programs, 1991-94;
Chair, 1992-94
Advisor to Black Law Students Association, 1987-94
Advisor to Women in Law, 1992-98
Advisor to *Kansas Law Review*, 1992-99

SERVICE ACTIVITIES (continued)

Professional Service

American Law Institute (elected 2003)

Members' Consultative Groups:

- Intellectual Property: Principles Governing Jurisdiction, Choice of Law, and Judgments in Transnational disputes
- International Jurisdiction and Judgments
- Principles and Law of Aggregate Litigation

American Bar Association

- Accreditation Site Visit Team Member (Indiana University – Indianapolis), March 2003
- Accreditation Site Visit Team Member (Washington University), October 2004

Association of American Law Schools

Civil Procedure Section, Mentoring Committee, 2003-

International Association for Procedural Law, elected 2005

Judge Hugh Means Inns of Court, 2003-

Member, District of Columbia and Wisconsin bars

Member, Kansas Bar Association

Community Service

Women's Transitional Care Services

Member, Board of Directors, 2002-present; President, 2006-present

Interfaith Caring Neighbors (ICAN)

Volunteer, 2002-

Lawrence Symphony Orchestra

President, Executive Committee, 1989-1993

Unitarian Fellowship of Lawrence

LINK Coordinator, 2005-present

HONORS AND AWARDS

Robert A. Schroeder Teaching Fellowship, 2005-2008

Phi Beta Delta, national honorary for International scholars, elected 2004.

Dean James Green Fellow, 1996-99 (service award).

Dean's Award for Service, January 1996.

Postlethwaite Award for Meritorious Scholarship, for *Appellate Review of Judicial Fact-Finding*, 40 KANSAS LAW REVIEW 1 (1991).

Rice Prize for Faculty Scholarship, 1987, for *Resolving Conflicts Between Bankruptcy Law and the State Police Power*, 1987 WISCONSIN LAW REVIEW 403.