STEPHEN J. WARE

Frank Edwards Tyler Distinguished Professor of Law

University of Kansas

1535 West 15th Street, Lawrence, KS 66045-7577
https://law.ku.edu/people/stephen-ware
+1-785-864-9209
ware@ku.edu

PROFESSIONAL POSITIONS

2019 - present	Frank Edwards Tyler Distinguished Professor of Law, The University of Kansas.
2003 - 2019	Professor of Law, The University of Kansas.
1993 - 2003	Assistant Professor, Associate Professor, and then Professor of Law, Cumberland School of Law, Samford University.
1991 - 1993	Attorney, Davis Polk & Wardwell, New York, NY.
1990 - 1991	Law Clerk to the Honorable J. Daniel Mahoney, United States Court of Appeals, Second Circuit.

SHORT TERM POSITIONS

2026 Summer	Visiting Professor, Renmin University, Beijing, China. Visiting Professor, Shanghai University.
2025 Summer	Visiting Scholar, Adam Mickiewicz University, Poznan, Poland.
2002 Summer	Visiting Professor of Law, The University of Kansas.
2001 Summer	Visiting Professor of Law, The University of Alabama.
1999 Fall	Visiting Professor of Law, Ohio State University.
1998 Fall	Visiting Professor of Law, College of William & Mary.

EDUCATION

J.D., *honors*, University of Chicago Law School, 1990. Associate Editor, UNIVERSITY OF CHICAGO LAW REVIEW. Bradley Fellow in Legal History.

B.A., American History and Political Science, *cum laude*, 1987, University of Pennsylvania.

BOOKS

PRINCIPLES OF NEGOTIATION, MEDIATION, AND OTHER PROCESSES OF DISPUTE RESOLUTION (West Concise Hornbook Series 2026).

ARBITRATION (Foundation Press University Casebook Series, 5th ed. 2026) (with David Horton, Tamar Meshel, and Alan Scott Rau).

Teacher's Manual to ARBITRATION (Foundation Press University Casebook Series, 5th ed. 2026) (with David Horton, Tamar Meshel, and Alan Scott Rau).

PRINCIPLES OF ARBITRATION LAW (West Concise Hornbook Series, 2nd ed. 2023) (with Ariana Levinson).

PRINCIPLES OF ALTERNATIVE DISPUTE RESOLUTION (West Concise Hornbook Series, 4th ed. 2023).

ARBITRATION (Foundation Press University Casebook Series, 4th ed. 2020) (with Alan Scott Rau).

- 2022 Update
- 2024 Update

Teacher's Manual to ARBITRATION (Foundation Press University Casebook Series, 4th ed. 2020) (with Alan Scott Rau).

PRINCIPLES OF ARBITRATION LAW (West Concise Hornbook Series 2017) (with Ariana Levinson).

PRINCIPLES OF ALTERNATIVE DISPUTE RESOLUTION (West Concise Hornbook Series, 3d ed. 2016).

PRINCIPLES OF ALTERNATIVE DISPUTE RESOLUTION (Thomson/West Concise Hornbook Series, 2d ed. 2007).

ARBITRATION LAW IN AMERICA: A CRITICAL ASSESSMENT (Cambridge University Press 2006) (with Edward Brunet, Richard Speidel & Jean Sternlight).

ALTERNATIVE DISPUTE RESOLUTION (West Group Hornbook Series 2001).

JOURNAL ARTICLES & BOOK CHAPTERS

63. *(Amicable) Settlement in Insolvency Cases: An International Comparative Perspective* in PROCEEDINGS OF INSOL EUROPE ACADEMIC FORUM 2026 (forthcoming 2027).

62. *International Arbitration of Insolvency Claims Verification and Claims Against Non-Creditors* in RESEARCH HANDBOOK ON INTERNATIONAL INSOLVENCY LAW (forthcoming 2027) (Laura Coordes ed. Edward Elgar).

61. *The Federal Arbitration Act in Context: A Defense of the Supreme Court's Textualism*, Transnational Dispute Management (June 2026).

60. *International Arbitration Agreements in Insolvency: Seeking a Happy Medium* in PROCEEDINGS OF INSOL EUROPE ACADEMIC FORUM 2025.

59. *Enforcement of Negotiated and Mediated Settlements in the EU and in the Anglosphere: A Comparative Approach*, 111 STUDIA IURIDICA VARSOVIENSIS 73 (2026) (with Piotr Slawicki).

58. *The Legal Nature of Chinese Arbitration Institutions and Reform Trends: From Government-Affiliated to Independent Organisations* in THE CAMBRIDGE HANDBOOK OF ARBITRATION IN CHINA (Bales & Xie, eds. Cambridge University Press, forthcoming 2027) (with Dan Xie).

57. *Consumer Debt Relief in Brazil and the United States: A Partial Convergence with Brazil's Consumer Over-Indebtedness Law*, 41 CONN. J. OF INT'L LAW 55 (2026) (with Camila Ramos Rhoden).

56. *Repeal the Federal Arbitration Act's "Arising out of" Requirement*, 14 AMERICAN UNIVERSITY BUSINESS LAW REVIEW 535 (2025).

55. *Reconciling Bankruptcy and Insolvency Law with Enforceable Arbitration Agreements* (unpublished draft, comments welcome).

54. *Arbitrating Bankruptcies*, (unpublished draft, comments welcome).

53. *Contracting Away Constitutional Rights in the United States: Adhesive Consent (Blanket Assent) to Arbitration and other Agreements*, 26 GERMAN LAW JOURNAL 904 (2025) (symposium article).

52. *Drahozal's Defense of* Southland in DISCUSSIONS IN DISPUTE RESOLUTION: THE FOUNDATIONAL ARTICLES, Vol. II (Hinshaw, Schneider, and Cole, eds.) (Oxford Univ. Press 2025).

JOURNAL ARTICLES & BOOK CHAPTERS - continued

51. *Ideological Competition over State Supreme Court Selection Methods*, 87 Alb. L. Rev. 963 (2024), reprinted in 1 ROMANIAN JUDGES' FORUM REV. 92 (2024).

50. *Section 2's "Arising out of" Requirement: An Argument for Repeal* in THE FEDERAL ARBITRATION ACT: SUCCESSES, FAILURES, AND A ROADMAP FOR REFORM (Bales & Gross, eds. Cambridge University Press 2024).

49. *The Supreme Court's Defensible Interpretations of the Federal Arbitration Act* in THE FEDERAL ARBITRATION ACT: SUCCESSES, FAILURES, AND A ROADMAP FOR REFORM (Bales & Gross, eds. Cambridge University Press 2024).

48. *Arbitration Agreements as Executory Contracts in Bankruptcy After Mission Prod. Holdings, Inc. v. Tempnology, LLC*, 96 AM. BANKR. L. J. 769 (2023).

47. *Judicial Selection that Fails the Separation of Powers*, 72 CATH. U. L. REV. 299 (2023).

46. *Labor Grievance Arbitration's Differences*, 51 CUMB. L. REV. 275 (2021) (symposium article).

45. *Lasting Lessons from Mentschikoff's Commercial Arbitration* in DISCUSSIONS IN DISPUTE RESOLUTION: THE FOUNDATIONAL ARTICLES (Hinshaw, Schneider, and Cole, eds.) (Oxford Univ. Press 2021).

44. *Labor Unions, Cartelization, and Arbitration: Replacing At-Will Employment with Arbitration of Employee Grievances*, 12 ARBITRATION L. REV. 19 (2020) (symposium article).

43. *Paternalism or Gender-Neutrality?*, 52 CONN. L. REV. 537 (2020).

42. *Private Ordering and Commercial Arbitration: Lasting Lessons from Mentschikoff*, 2019 JOURNAL OF DISPUTE RESOLUTION 1.

41. *A Short Defense of Southland, Casarotto, and other Long-Controversial Arbitration Decisions*, 30 LOYOLA CONSUMER LAW REVIEW 303 (2018) (symposium article).

40. *The Centrist Case for Enforcing Adhesive Arbitration Agreements*, 23 HARVARD NEGOTIATION LAW REVIEW 29 (2017).

39. *The Centrist Case against Current (Conservative) Arbitration Law*, 68 FLORIDA LAW REVIEW 1227 (2016).

38. *The Politics of Arbitration Law and Centrist Proposals for Reform*, 53 HARVARD J. ON LEGISLATION 711 (2016).

JOURNAL ARTICLES & BOOK CHAPTERS - continued

37. *Debt, Poverty, and Personal "Financial Distress",* 89 AM. BANKR. L. J. 493 (2015).

36. *The Glucose Model of Mediation: Physiological Bases of Willpower as Important Explanations for Common Mediation Behavior*, 15 PEPP. DISP. RESOL. L. J. 377 (2015) (with Roy F. Baumeister, W. Scott Simpson, & Daniel Weber).

35. *Judicial Elections, Judicial Impartiality and Legitimate Judicial Lawmaking: Williams-Yulee v. The Florida Bar*, 68 VANDERBILT L. REV. EN BANC 59 (2015).

34. *A 20th Century Debate About Imprisonment for Debt*, 54 AMERICAN J. LEGAL HISTORY 351 (2014).

33. *Vacating Legally-Erroneous Arbitration Awards*, 6 Y.B. ON ARB. & MEDIATION 56 (2014).

32. *Is Adjudication a Public Good?: "Overcrowded Courts" and the Private-Sector Alternative of Arbitration,* 14 CARDOZO J. CONFLICT RESOL. 899 (2013).

31. *Originalism, Balanced Legal Realism and Judicial Selection: A Case Study*, 22 KAN. J. L. & PUB. POL'Y 165 (2013).

30. *Similarities Between Arbitration and Bankruptcy Litigation*, 11 NEV. L. J. 436 (2011) (symposium article).

29. *Why Do Businesses Use (or Not Use) Arbitration Clauses?*, 25 OHIO ST. J. ON DISP RESOL. 433 (2010) (with Christopher R. Drahozal).

28. *Bankruptcy Law's Treatment of Creditors' Jury-Trial and Arbitration Rights*, 17 AM. BANKR. INST. L. REV. 479 (2009) (symposium article).

27. *The Missouri Plan in National Perspective*, 74 MO. L. REV. 751 (2009) (symposium article).

26. *The Bar's Extraordinarily Powerful Role in Selecting the Kansas Supreme Court*, 18 KAN. J. L. & PUB. POL'Y 392 (2009).

25. *Farm Tractors in Kansas: How to Perfect a Security Interest*, 57 U. KAN. L. REV. 409 (2009) (with Aaron K. Johnstun).

24. *What Makes Securities Arbitration Different from Other Consumer and Employment Arbitration?* 76 U. CIN. L. REV. 447 (2008) (symposium article), *reprinted in*, 8 ICFAI UNIV. J. OF ALT. DISP. RESOL. 25 (2009).

23. *Selection to the Kansas Supreme Court*, 17 KAN. J. L. & PUB. POL'Y 386 (2008).

JOURNAL ARTICLES & BOOK CHAPTERS - continued

22. *Arbitration Law's Separability Doctrine After Buckeye Check Cashing Inc. v. Cardegna*, 8 NEV. L. J. 107 (2007) (symposium article).

21. "*Medical-Related Financial Distress," and Health Care Finance: A Reply to Professor Melissa Jacoby*, 55 U. KAN. L. REV. 1259 (2007) (symposium article).

20. *The Case for Enforcing Adhesive Arbitration Agreements - with Particular Consideration of Class Actions and Arbitration Fees*, 5 J. AM. ARB. 251 (2006).

19. *The Source of Alabama's Abundance of Arbitration Cases: Alabama's Bizarre Law of Damages for Mental Anguish*, 28 AM. J. TRIAL ADVOC. 135 (2004) (with W. Scott Simpson & Vickie M. Willard).

18. *Arbitration Clauses, Jury-Waiver Clauses and Other Contractual Waivers of Constitutional Rights*, 67 LAW & CONTEMP. PROBS. 167 (2004) (symposium article).

17. *Teaching Arbitration Law*, 14 AM. REV. INT'L ARB. 231 (2003).

16. *Contractual Arbitration, Mandatory Arbitration and State Constitutional Jury-Trial Rights*, 38 U.S.F. L. REV. 39 (2003) (symposium article).

15. *Consumer and Employment Arbitration Law in Comparative Perspective: The Importance of the Civil Jury*, 56 U. MIAMI L. REV. 865 (2002) (symposium article).

14. *Security Interests, Repossessed Collateral and Turnover of Property to the Bankruptcy Estate*, 2002 UTAH L. REV. 775.

13. *Domain-Name Arbitration in the Arbitration-Law Context: Consent to, and Fairness in, the UDRP*, 6 J. SMALL & EMERGING BUS. L. 129 (2002).

12. *Paying the Price of Process: Judicial Regulation of Consumer Arbitration Agreements*, 2001 J. DISP. RESOL. 89 (symposium article).

11. *The Effects of Gilmer: Empirical and Other Approaches to the Study of Employment Arbitration*, 16 OHIO ST. J. ON DISP. RESOL. 735 (2001) (symposium article), *reprinted in*, ALTERNATIVE DISPUTE RESOLUTION IN THE EMPLOYMENT ARENA 479-503 (Samuel Estreicher & David Sherwyn eds., 2004).

10. *Money, Politics and Judicial Decisions: A Case Study of Arbitration Law in Alabama*, 15 J.L. & POL. 645 (1999), *reprinted in*, 30 CAP. U. L. REV. 583 (2002).

9. *ADR in Cyberspace*, 15 OHIO ST. J. ON DISP. RESOL. 589 (2000) (symposium article) (with Sarah Rudolph Cole).

8. *Arbitration and Assimilation*, 77 WASH U. L.Q. 1053 (2000).

JOURNAL ARTICLES & BOOK CHAPTERS - continued

7. *Default Rules from Mandatory Rules: Privatizing Law Through Arbitration*, 83 MINN. L. REV. 703 (1999).

6. *Consumer Arbitration as Exceptional Consumer Law*, 29 MCGEORGE L. REV. 195 (1998) (symposium article).

5. *"Opt-In" for Judicial Review of Errors of Law Under the Revised Uniform Arbitration Act*, 8 AM. REV. INT'L ARB. 263 (1997).

4. *Arbitration and Unconscionability after Doctor's Associates, Inc. v. Casarotto*, 31 WAKE FOREST L. REV. 1001 (1996).

3. *Employment Arbitration and Voluntary Consent*, 25 HOFSTRA L. REV. 83 (1996).

2. *Punitive Damages in Arbitration: Contracting Out of Government's Role in Punishment and Federal Preemption of State Law*, 63 FORDHAM L. REV. 529 (1994).

1. *A Critique of the Reasonable Expectations Doctrine*, 56 U. CHI. L. REV. 1461 (1989), *reprinted in*, 4 NAT'L INS. L. REV. 339 (1990).

OTHER PUBLICATIONS

38. *An Overview of Bankruptcy and Debt Collection Law for Media and Defamation Lawyers*, Continuing Legal Education materials for Kansas City Metropolitan Bar Association Media and the Law Seminar, 2025 May 8.

37. *Masks and Freedom*, TOPEKA CAPITAL JOURNAL, July 4, 2020.

36. *Senate confirmation of judges is transparent and democratic*, KANSAS CITY STAR, June 12, 2020.

35. Ross et al. v. American Express et al.: The Story Behind the Spread of Class Action-Barring Arbitration Clauses in Credit Card Agreements, Dispute Resolution Magazine, Fall 2014, at 18 (with Nancy Welsh).

34. *State's judge selection undemocratic*, LAWRENCE JOURNAL WORLD, Nov. 29, 2012.

33. *An Overview of Bankruptcy Law in the United States*, 9 INT'L CORP. RESCUE 320 (2012).

32. *The Missouri Plan Makes Business People Second-Class Citizens in Judge Selection*, MISSOURI BUSINESS, 2012, at 40.

OTHER PUBLICATIONS - continued

31. Switch to democratic politics to choose judges, INDIANAPOLIS STAR, Jan. 23, 2012.

30. *Disorder in the court*, TOPEKA CAPITAL JOURNAL, March 15, 2011.

29. How does your state select its judges? Inside ALEC, March, 2011, at 9 (with Brian Fitzpatrick)

28. Process for Selecting Judges is Undemocratic, WICHITA EAGLE, Aug. 22, 2010.

27. *The Legal Structure of Securities Arbitration*, in SECURITIES ARBITRATION 171 (PLI 2010).

26. Authorities Split After the Supreme Court's Hall Street Decision: What Is Left of the Manifest Disregard Doctrine? Engage, March 2010, at 119 (with Marisa C. Maleck).

25. *The Future of Commercial Arbitration*, 9 PEPP. DIS. RES. J. 415 (2009) (with Richard Chernick, William F. Rylaarsdam & Thomas J. Stipanowich).

24. *Open Up the Process of Picking Justices*, WICHITA EAGLE, Jan. 23, 2009, *reprinted in*, OLATHE NEWS, Jan. 28, 2009, at 4A.

23. *Professor questions judge selection*, LAWRENCE JOURNAL WORLD, Dec. 8, 2007.

22. *Bar Has Too Much Power in Picking State's Justices*, WICHITA EAGLE, Nov. 29, 2007.

21. *Five Reasons Why Contracts Teachers Should Consider Teaching an Arbitration Course*, in EXPLORING THE BOUNDARIES OF CONTRACT LAW (Association of American Law Schools, Section on Contracts, 2005).

20. *The Bankruptcy Abuse Prevention & Consumer Protection Act of 2005* in KANSAS BAR ASSOCIATION ANNUAL BANKRUPTCY INSTITUTE (2005).

19. *ADR at KU Law* and *Reform of the Federal Arbitration Act*, KU LAW MAGAZINE, Fall 2004, at 2 & 10.

18. *Arbitration under Assault: Trial Lawyers Lead the Charge*, CATO Institute Policy Analysis no. 433, April 18, 2002.

17. *Arbitration: Different Types, Different Bodies of Governing Law*, American Bar Association annual meeting, Dispute Resolution Section, April 5, 2002.

16. *Trial Lawyers Fight Arbitration for Their Own Benefit*, L.A. DAILY J., and S.F. DAILY J. Mar. 26, 2002.

OTHER PUBLICATIONS - continued

15. *The Alabama Story: Arbitration shows law's connection to politics, culture*, DISP. RESOL. MAG. 24 (Summer 2001), reprinted as *Arbitration: A License to Steal*, 12 WORLD ARB. & MED. REP. 316 (Dec. 2001).

14. Common Sense and Contracts Symposium: The *Gateway* Thread, 16 TOURO L. REV. 1145, 1180-81 (2000).

13. *Truce possible in GOP-Dominated high court*, BIRMINGHAM NEWS, Dec. 3, 2000, at 1C.

12. "*Adhesion" Contracts Under the Revised Uniform Arbitration Act* in ARBITRATION BEYOND 2000, THE REVISED UNIFORM ARBITRATION ACT: WHAT IT MEANS TO YOU (2000).

11. *Recent Developments in Chapter 13 Cases* (with Judge James S. Sledge) in CUMBERLAND SCHOOL OF LAW 11TH ANNUAL BANKRUPTCY LAW SEMINAR (2000).

10. Public comment for United States Department of Commerce and Federal Trade Commission Joint Workshop on Alternative Dispute Resolution for Online Consumer Transactions.

9. *Gore will win if geographic theory holds*, BIRMINGHAM NEWS, Apr. 2, 2000.

8. *Arbitration Law in Alabama: Separability and Unconscionability*, ALABAMA TRIAL LAWYERS ASSOCIATION JOURNAL, Fall 1999, at 22.

7. *Arbitration Law in Alabama: Coming Issues*, ALABAMA DEFENSE LAWYERS ASSOCIATION JOURNAL, Oct. 1999, at 17.

6. *Arbitration breaks courts' monopoly*, BIRMINGHAM NEWS, Aug. 22, 1999, at 3C.

5. *Clerkships* (with Todd J. Zywicki) and *Approaching the Job Market* in LAW SCHOOL AND BEYOND (1999).

4. *Cutting Legal Costs Through Arbitration*, BUSINESS ALABAMA, June 1999, at 47.

3. *Basic Principles of Arbitration Law* and *Successful Challenges to Arbitration Agreements*, in ARBITRATION OF CONSUMER FINANCIAL SERVICES DISPUTES 797 (1999).

2. *Does a Court's Deference to an Arbitrator's Rulings Extend to Rulings on Whether the Dispute is Arbitrable?*, 1994-95 PREVIEW OF UNITED STATES SUPREME COURT CASES 271 (1995).

OTHER PUBLICATIONS - continued

1. *Does a New York Choice-of-Law Clause in an Arbitration Agreement Preclude Recovery of Punitive Damages?* 1994-95 PREVIEW OF UNITED STATES SUPREME COURT CASES 157 (1994).

CITATIONS

Scholarship cited in the YALE LAW JOURNAL, STANFORD LAW REVIEW, HARVARD LAW REVIEW, COLUMBIA LAW REVIEW, UNIVERSITY OF CHICAGO LAW REVIEW, NEW YORK UNIVERSITY LAW REVIEW, and the main law reviews of each of the other "Top 20" law schools in the United States.

Scholarship cited by the Supreme Court of the United States and in at least 36 other federal and state cases.

39. Lugo v. Sunrun PR Operations, LLC, 2026 TSPR 76 (July 10, 2026)

38. Oak Knoll Sch. of the Holy Child v. Utica Nat'l Ins. Grp., 821 F. Supp. 3d 478, 487 (D.N.J. 2026)

37. In re Yellow Corp., 2024 WL 1313308 (B.R. D. Del. 2024).

36. Williams v. Smyrna Residential, LLC, 685 S.W.3d 718 (Tenn. 2024).

35. Garcia-Diaz v. Libre by Nexus, Inc., 106 Va. Cir. 38 (2020).

34. Vargas v. Howell, 949 F.3d 1188, 1196 (9th Cir. 2020).

33. Vargas Gonzalez v. Secretario Del Departamento De Salud, No. CA-13-105, 2017 WL 1314751, at *3 (P.R. Cir. Feb. 28, 2017).

32. Schumacher Homes of Circleville, Inc. v. Spencer, 787 S.E.2d 650, 658 (W. Va. 2016).

31. Armstrong World Indus., Inc. v. Travelers Indem. Co., 115 A.3d 342 (Pa. Super. Ct. May 6, 2015).

30. Schumacher Homes of Circleville, Inc. v. Spencer, 774 S.E.2d 1 (W. Va. Apr. 24, 2015).

29. Seagate Tech., LLC v. W. Digital Corp., 854 N.W.2d 750 (Minn. Oct. 8, 2014).

CITATIONS - continued

28. Coleman v. Mariner Health Care, Inc., 755 S.E.2d 450 (S.C. March 12, 2014) (Toal, C.J., dissenting).

27. Merkin v. Vonage America Inc., 2014 WL 457942 (C.D. Cal. Feb. 3, 2014).

26. CompuCredit Corp. v. Greenwood, 565 U.S. 95, 103 (2012).

25. Jung Sook Lee v. Tenafly Associates LLC, 2012 WL 2052102, at *5 (N.J. Super. Ct. App. Div. June 8, 2012).

24. Maltby Biocontrol, Inc., et al. v. Biobest N.V., et al., 2012 WL 12951472 (C.D. Cal. May 14, 2012).

23. Gregorio v. GEICO Gen. Ins. Co., 815 F. Supp. 2d 1097, 1102 (D. Ariz. 2011).

22. Brown ex rel. Brown v. Genesis Healthcare Corp., 724 S.E.2d 250, 278 (W. Va. 2011).

21. In re Olshan Foundation Repair Co., LLC, 328 S.W.3d 883, 893 (Tex. 2010).

20. Vivoni Farage v. Ortiz Carro, 2010 TSPR 206, 2010 WL 3941827 (P.R. Sept. 28, 2010).

19. Khan v. BDO Seidman, LLP, 935 N.E.2d 1174, 1191 (Ill. Ct. App. 2010).

18. Rivera v. Centro Medico de Turabo, Inc., 575 F.3d 10, 24 (1st Cir. 2009).

17. In re Morgan Stanley & Co., Inc., 293 S.W.3d 182, 194 (Tex. 2009) (Hecht, J., dissenting).

16. Carlsbad Hotel Associates, L.L.C. v. Patterson-UTI Drilling Co., L.P., L.L.L.P., 199 P.3d 288, 290 (N.M. Ct. App. 2008).

15. Tracinda Corp. v. DaimlerChrysler AG, 502 F.3d 212, 223 n.10 (3d Cir. 2007).

14. Ingold v. AIMCO/Bluffs, L.L.C. Apartments, 159 P.3d 116, 121 n.3 (Colo. 2007).

13. Ex parte Walker, 972 So. 2d 737, 768 (Ala. 2007) (Parker, J., statement of non-recusal).

12. Melena v. Anheuser-Busch, Inc., 847 N.E.2d 99, 106 (Ill. 2006).

11. Republican Party of Minnesota v. White, 416 F.3d 738, 747 (8th Cir. 2005).

10. Branco v. Norwest Bank Minnesota, N.A., 381 F. Supp. 2d 1274, 1281 (D. Hawai'i 2005).

CITATIONS - continued

9. Dial 800 v. Fesbinder, 118 Cal. App. 4th 32, 46, 12 Cal. Rptr. 3d 711, 721 (2004), as modified (May 5, 2004).

8. In re Moore, 290 B.R. 851, 876 n.20 (Bankr. N.D. Ala. 2003).

7. Andersen v. Highland House Co., 757 N.E.2d 329, 338 (Ohio 2001) (Cook, J., dissenting).

6. In re Knepp, 229 B.R. 821, 836 (Bankr. N.D. Ala.1999).

5. Powertel, Inc. v. Bexley, 743 So. 2d 570, 576 (Fla. Dist. Ct. App. 1999).

4. In re Prudential Ins. Co. of America Sales Practice Litigation All Agent Actions, 133 F.3d 225, 230 (3d Cir. 1998).

3. Davis v. Prudential Securities, Inc., 59 F.3d 1186, 1192 (11th Cir. 1995).

2. Bensalem Tp. v. International Surplus Lines Ins. Co., 38 F.3d 1303, 1311 n.3 (3d Cir. 1994).

1. Allen v. Prudential Property and Cas. Ins. Co., 839 P.2d 798, 801–02, 807 (Utah 1992).

PRESENTATIONS

210. Choice of Law for Consumer Contracts in Theory and Practice, Book Launch, 2026 Nov. 4.
Topic: Consumer Private International Law in the United States
Co-panelists: Professors Benedikt Schmidtz (University of Groningen), Beatriz Añoveros Terradas (University of Barcelona), Elisabetta Bergamini (University of Udine), Jerca Kramberger Škerl (University of Ljubljana).

209. Werner Institute Symposium, Creighton University, 2026 Oct. 23.
Topic: Arbitration.
Co-panelists include Professors Hossein Fazilatfar, Anton Chaevitc, and Patrick Borchers.

208. INSOL Europe Academic Forum, Vilamoura, Portugal, 2026 Oct. 15.
Topic: Amicable Settlement (via Negotiation or Mediation) in Insolvency Cases: An International Comparative Perspective.

PRESENTATIONS - continued

207. Faculdade de Direito da Universidade NOVA de Lisboa, 2026 Oct. 13.
Commentary by Professor Joana Farrajota.
Topic: Enforcement of Negotiated and Mediated Settlement Agreements: an International Comparative Analysis.

206. Association of American Law Schools, Section on Alternative Dispute Resolution, Works-in-Progress Conference, University of Missouri School of Law, Hamden, CT, 2026 Sept. 26.
Topic: Enforcement of Negotiated and Mediated Settlement Agreements: an International Comparative Analysis.

205. Chicago-Harvard-Wharton Insolvency & Restructuring Conference, University of Pennsylvania, Wharton School of Business, 2026 Sept. 18.
Topic: Alternative Dispute Resolution in Insolvency

204. ADR Researchers Network, Civil Mediation Council, England, 2026 July 30.
Topic: Enforcement of Negotiated and Mediated Settlement Agreements: an International Comparative Analysis.

203. University of Regensburg, Germany, 2026 July 8.
Topic: Enforcement of Negotiated and Mediated Settlement Agreements: an International Comparative Analysis.

202. INSOL Academic Colloquium, London, 2026 April 20.
Topic: ADR in Insolvency Cases.
Co-panelists: Professors Rosa Rojas-Vertiz, ITAM, Mexico; Eugenio Vaccari, Royal Holloway University of London.

201. 18th Annual International Conference on Contracts (KCON), 2026 Feb. 21.
Topic: Untroubled By Adhesion Contracts.

200. 18th Annual International Conference on Contracts (KCON), 2026 Feb. 20.
Topic: Adhesive Arbitration Agreements in International Comparative Perspective.

199. Association of American Law Schools Annul Meeting, 2026 Jan. 8.
Topic: Adhesive Arbitration Agreements.
Co-panelists: Professors Maria Glover (Georgetown), Amy Schmidtz (Ohio State), Richard Frankel (Drexel), Ron Aronovsky (Southwestern)

198. Legal Education in the US and Türkiye, 2025 Dec. 10.
Co-panelist: Bahçeşehir Üniversitesi Law Professor Mert Nomer

PRESENTATIONS - continued

197. Widener University Federalist Society and American Constitution Society, 2025 Oct. 20.
Topic: Judicial Selection.

196. INSOL Europe Academic Forum, Vienna, 2025 Oct. 9.
Topic: Arbitration Agreements in Bankruptcy and other Insolvency Cases.
Co-panelists: Hon.-Prof. Dr. Alexander Klauser, Institut für Zivilverfahrensrecht und Insolvenzrecht, Universität Graz & Dr. Gert-Jan Boon, Universiteit Leiden

195. University of Bucharest (Romania) Faculty of Law, Leontin Jean Constantinesco Center for Comparative Law Studies: Settlement Agreements in Comparative Legal Frameworks, 2025 Oct. 7.
Topic: Enforcement of Mediated Settlement Agreements.
Co-panelists: U. Bucharest Law Professors Adriana Almășan & Marilena Crăciun

194. University of Bucharest (Romania) Faculty of Law, International Conference on European Law and Arbitration, 2025 Oct. 6.
Topic: Evolution of Arbitration at the International Level (the impact of the New York Convention).
Co-panelists: U. Bucharest Law Professors Cristina Alexe & Cristiana Stoica

193. Chicago-Harvard-Wharton Insolvency & Restructuring Conference, University of Chicago, 2025 Sept. 12.
Topic: Reconciling Bankruptcy and Insolvency Law with Enforceable Arbitration Agreements.

192. College of Commercial Arbitrators Summit, American University, Washington College of Law, 2025 June 5, 2025.
Topic: Repeal the Federal Arbitration Act's Arising Out Of Requirement.

191. Adam Mickiewicz University (Poznan, Poland) Faculty of Law and Administration, 2025 May 29.
Topic: Alternative Dispute Resolution in the US.

190. INSOL Academic Colloquium, Barcelona, 2025 May 23.
Topic: Reconciling Bankruptcy and Insolvency Law with Enforceable Arbitration Agreements.
Co-panelists: Renmin University (China) Professor Jingxia Shi; University of Antwerp (Belgium) Professors Dilyara Nigmatullina & Melissa Vanmeenan; Debanshu Mukherjee, Vidhi Centre for Legal Policy, India.

189. Kansas City Metropolitan Bar Association Media and the Law Seminar, 2025 May 8.
Topic: An Overview of Bankruptcy and Debt Collection Law for Media and Defamation Lawyers. Co-panelists: Carol LoCicero, Patricia Hamilton, Lynn Rzonka.

PRESENTATIONS - continued

188. Federalist Society, University of Missouri-Kansas City School of Law, 2025 April 21.
Topic: The Missouri Plan of Judicial Selection. Debate with Professor Steve Leben.

187. University of Warsaw Faculty of Law, Poland, Mediation in Civil Disputes – Twenty years after and beyond, 2025 March 28.
Topic: Enforcement of Mediated Settlements: A Comparative Perspective.

186. University of Gdansk Faculty of Law, Gdansk, Poland, 2025 March 25.
Topic: Alternative Dispute Resolution in the USA and Central and Eastern Europe.
Co-Lecturer: Prof. Dr Habil. Natalia Mushak, National Aviation University, Kyiv, Ukraine.

185. University of Gdansk Faculty of Law, Gdansk, Poland, 2025 March 25. Topic: Selecting and Retaining Judges.

184. Jagiellonian University Private Law Department, Krakow, Poland., 2025 March 24.
Topic: Arbitration Agreements in Bankruptcy and other Insolvency Cases.

183. Association of American Law Schools Section on Dispute Resolution, 2025 Jan. 30.
Topic: Arbitration Clause Expansion.
Mentor's commentary on presentation of "rising scholar" Creighton University Law Professor Hossen Fazilatfar.

182. Professional Advanced Legal Studies, BAU Global, 2024 Dec. 13.
Topic: Arbitration.
Co-presenters: Doç. Dr. Çiğdem Yazıcı, MEF Üniversitesi; Vice Dean Sami Özgür MEMİŞOĞLU, Doğuş University; Doç. Dr. Melis Taşpolat Tuğsavul, Bahçeşehir Üniversitesi.

181. Uzbek-Turk Law Days, Bahçeşehir Üniversitesi and Tashkent State University of Law, 2024 Sept. 30.
Topic: Digital Transformation of ADR: Uzbekistan's Journey Towards Online Dispute Resolution.
Co-presenter: Dr. Islambek Rustambekov, Rector, Tashkent State University of Law.

180. Midwest Law & Economics Association, 2024 Sept. 21.
Topic: Arbitration Agreements in Bankruptcy and other Insolvency Cases.

179. Southeastern Association of American Law Schools, 2024 July 26.
Moderator of Discussion Group: Pedagogy and Assessments in Consumer Law, Commercial Law, and Bankruptcy Courses.

178. Southeastern Association of American Law Schools, 2024 July 25.
Topic: Arbitration Agreements in Bankruptcy and other Insolvency Cases.

PRESENTATIONS - continued

177. Universität Bremen, Germany, Informed Consent to Dispute Resolution Agreements, 2024 June 21.
Topic: Contracting Away Constitutional Rights in the United States: Adhesive Consent (Blanket Assent) to Arbitration and other Agreements.

176. Law & Society Association, Annual Meeting, Denver, CO, 2024 June 6.
Topic: Arbitrating Bankruptcies.

175. Tashkent State University of Law, Tashkent, Uzbekistan, 2024 May 27.
Topic: Legal Research in the United States.

174. Bahçeşehir Üniversitesi, Istanbul, Turkey, 2024 May 22.
Topic: U.S. Arbitration Law: Domestic and International.

173. Bahçeşehir Üniversitesi, Istanbul, Turkey, 2024 May 21.
Topic: Settlement Negotiation and Plea Bargaining in the United States

172. Bahçeşehir Üniversitesi, Istanbul, Turkey, 2024 May 21.
Topic: Example Class and Moot Court in U.S. Legal Education.

171. Bahçeşehir Üniversitesi, Istanbul, Turkey, 2024 May 20.
Topic: Legal Education in the United States.

170. BYU/Chicago Winter Bankruptcy Conference, Park City, Utah, 2024 March 13.
Topic: Arbitrating Bankruptcies.

169. Federalist Society, Law Professors Division, 2024 Jan. 4.
Topic: Arbitrating Bankruptcies.

168. Association of American Law Schools, Section on Alternative Dispute Resolution, Works-in-Progress Conference, Quinnipiac University School of Law, Hamden, CT, 2023 Oct. 13.
Topic: Arbitrating Bankruptcies.

167. Central States Law School Association, University of Oklahoma College of Law, Norman, OK, 2023 Sept. 23. Topic: Arbitrating Bankruptcies.

166. Federalist Society, University of Missouri-Kansas City School of Law, 2023 April 17.
Topic: The Missouri Plan of Judicial Selection. Debate with Professor Steve Leben.

165. A Seat at the Sitting Podcast, 2023 March 16.
Topic: Coinbase, Inc. v. Bielski, arbitration case.

164. Federalist Society, Law Professors Division, 2023 Jan. 5.
Topic: Judicial Selection.

PRESENTATIONS - continued

163. National Conference of Bankruptcy Judges Annual Conference, Orlando, FL, 2022 Oct. 20.
Topic: Arbitration Agreements as Executory Contracts in Bankruptcy.
Co-presenters: University of Chicago Professor Anthony Casey, University of Illinois Professor Bob Lawless, University of Oklahoma Professor Kara Bruce.

162. Judicial Symposium on Civil Justice Issues, Law & Economics Center, George Mason University, Arlington, VA, 2022 Oct. 11.
Topic: Arbitration.

161. Central States Law School Association, Washburn School of Law, Topeka, KS, 2022 Sept. 9.
Topic: Arbitration Agreements as Executory Contracts in Bankruptcy.

160. Recent Developments in the Law CLE, University of Kanas School of Law, Lawrence, KS, 2022 May 20.
Topic: Arbitration

159. Kansas Creditors' Attorney Association, Semi-Annual Meeting, Continuing Legal Education, 2022 Feb. 21.
Topic: Consumer Arbitration.

158. University of Chicago Federalist Society, 2022 Jan. 12.
Topic: Consumer Law.
Co-presenter: University of Chicago Law School Professor Lisa Bernstein.

157. Federalist Society, Law Professors Division, 2022 Jan. 7.
Topic: Judicial Selection.

156. University of Costa Rica School of Law, online faculty workshop, 2021 Oct. 1. Topic: Teaching Professional Skills.
Co-presenters: University of Costa Rica Professor Roberto Yglesias and Roger Guevara.

155. Wyoming Federalist Society, 2021 May 13.
Topic: Judicial selection.

154. American Bar Association, Dispute Resolution Section, 2021 April 16.
Topic: arbitration.
Co-presenters: University of Nevada Professor Jean Sternlight, Loyola Law School Professor Hiro Aragaki, and Yeshiva University Adjunct Professor Brian Farkas.

153. Samford University, Cumberland Law Review symposium, 2021 Feb. 26.
Topic: Labor Grievance Arbitration's Differences.

PRESENTATIONS - continued

152. Association of American Law Schools, Section on Alternative Dispute Resolution, Dispute Resolution Works-in-Progress Consortium, 2021 Jan. 29.
Topic: International Commercial Arbitration.
Co-presenter: Utrecht Law School Professor Cornelis J. W. Baaij.

151. University of Iowa Federalist Society, 2020 Oct. 29.
Topic: Defund the police?

150. University of Akron Federalist Society, 2020 Oct. 1.
Topic: Defund the police?
Co-presenter: University of Akron Jurist-in-Residence Edward Gilbert.

149. American Bar Association, Dispute Resolution Section, 2020 April 24.
Topic: arbitration.
Co-presenters: Pepperdine University Professor Maureen Weston and Yeshiva University Adjunct Professor Brian Farkas.

148. Penn State University, Dickinson School of Law, Federalist Society, 2020 Feb. 13.
Topic: judicial selection.
Co-presenter: Widener University Professor Mike Dimino.

147. Penn State University, Arbitration Symposium, 2020 Feb. 12.
Topic: Labor Unions, Cartelization, and Arbitration: Replacing At-Will Employment With Arbitration of Employee Grievances.
Co-presenters: University of Michigan Professor Theodore J. St. Antoine, Pace University Professor Jill Gross, and Ohio Northern U. Professor Richard Bales.

146. University of Texas Federalist Society, 2019 Nov. 5.
Topic: arbitration.
Co-presenter: U. Texas Professor Mechele Dickerson

145. University of Nevada Las Vegas Federalist Society, 2019 Oct. 21.
Topic: Alternative Dispute Resolution.
Co-presenter: University of Nevada Professor Jean Sternlight.

144. Brigham Young University Federalist Society, 2019 Oct. 14.
Topic: Alternative Dispute Resolution.
Co-presenter: Stephen Kelson.

143. Lawyers for Civil Justice, membership meeting, Washington, DC, 2019 May 3.
Topic: arbitration.

PRESENTATIONS - continued

142. Dole Institute of Politics, University of Kansas, 2019 April 25.
Topic: Political Polarization and the Supreme Court
Co-presenter: Lee Epstein, Ethan A.H. Shepley Distinguished University Professor at Washington University.

141. Federalist Society, Law Professors Division, 2019 Jan. 4.
Topic: Paternalism or Gender-Neutrality?

140. Faculty Workshop, Widener Commonwealth Law School, 2018 Oct. 15.
Topic: Paternalism or Gender-Neutrality?

139. Widener University Federalist Society, 2018 Oct. 15.
Co-presenters: Judge Robert Graci and Widener University Professors Michael Dimino and John Capowski.

138. Teleforum, Federalist Society, 2018 May 21.
Topic: judicial selection.
Co-presenter: Vanderbilt University Law Professor Brian Fitzpatrick.

137. American Bar Association, Dispute Resolution Section, 2018 April 5.
Topic: arbitration.

136. Missouri Bar Association, 2018 March 9.
Topic: Arbitration in Bankruptcy.

135. Cumberland School of Law, Federalist Society, 2018 Jan. 11.
Topic: "Forced Arbitration"
Co-presenter: Adjunct Professor Scott Simpson.

134. Federalist Society, Law Professors Division, 2018 Jan. 5.
Topic: Private Ordering and Commercial Arbitration: Lasting Lessons from Mentschikoff.

133. Washburn University Federalist Society, 2017 Nov. 14.
Topic: judicial selection.
Co-presenter: Washburn Professor Jeff Jackson.

132. Platte Citizens for the Law and Humanities, 2017 Nov. 8.
Topic: judicial selection.
Co-presenters include Missouri Court of Appeals Judge Gary Witt, Alan Simpson.

131. Southeastern Association of American Law Schools, 2017 Aug. 2.
Topic: arbitration.
Co-presenter: University of North Carolina Professor of Law Mark Weidemaier.

PRESENTATIONS - continued

130. Florida Bar Annual Convention, Constitution Revision Commission and Florida's Judiciary Presidential Showcase seminar, 2017 June 22.
Co-presenters: Vanderbilt University Law Professor Brian Fitzpatrick, University of Pittsburgh Professor Chris Bonneau, Florida Supreme Court Justice Charles Wells, Speaker of the Florida House Dean Cannon, Richard Levenstein.

129. Loyola University of Chicago Consumer Law Review Symposium, 2017 March 17.
Topic: arbitration.
Co-presenter: Deepak Gupta.

128. Loyola University of Chicago Federalist Society, 2017 March 16.
Topic: arbitration.
Co-presenter: Loyola University Professor Margaret Moses.

127. Northwestern University Federalist Society, 2017 Feb. 14.
Topic: adhesion contracts.
Co-presenter: Northwestern University Law Professor Bruce Markell.

126. University of Chicago Federalist Society, 2017 Feb. 13.
Topic: arbitration.
Co-presenter: University of Chicago Law School Professor Lisa Bernstein.

125. American Society of Comparative Law workshop on comparative business and financial law, 2017 Feb. 10.
Topic: European and U.S. Approaches to Consumer Financial Protection.
Co-presenter: Professor Andrea Boyack, Washburn University School of Law.

124. American Bar Association, Dispute Resolution Section, 2017 Jan. 24.
Topic: consumer arbitration.
Co-presenters: Professor Sarah Cole, Ohio State, and Professor Imre Szalai, Loyola University (New Orleans).

123. Cumberland School of Law, Federalist Society, 2017 Jan. 12.
Topic: "What Should Conservatives and Libertarians Think of Plaintiffs' Lawyers?"
Co-presenter: Professor Michael DeBow.

122. Federalist Society, Law Professors Division, 2017 Jan. 5.
Topic: judicial retention elections.

121. Bahçeşehir Üniversitesi, Istanbul, Turkey, 2016 August 1.
Topic: Criminal and Civil Negotiation and Mediation.

120. American Bar Association, Dispute Resolution Section, Continuing Legal Education, 2016 April 8.
Topic: arbitration.

PRESENTATIONS - continued

119. University of Chicago Institute of Politics, 2016 Feb. 18.
Topic: Justice Scalia's legacy.
Co-presenters: University of Chicago Law School Professors Geoff Stone, William Baude, & Gerald Rosenberg.

118. American Bar Association, Dispute Resolution Section, 2016 Jan. 28.
Topic: arbitration, DirecTV case.
Co-presenters: Professor Jean Sternlight, UNLV, and Professor Imre Szalai, Loyola University.

117. Association of American Law Schools, annual meeting, 2016 Jan. 9.
Panel presentation.
Topic: How to Get the Most Out of the AALS.
Co-presenters: American University Law Professor David Snyder, University of Alabama Law Professor Ron Krotoszynski.

116. Federalist Society, Law Professors Division, 2016 Jan. 8.
Moderator of panel presentations on several topics.

115. Consumer Financial Protection Bureau, 2015 Oct. 7.
Panel presentation.
Topic: consumer arbitration.

114. Midwest Law & Economics Association, 2015 Oct. 3.
Topic: arbitration.

113. Marquette University Federalist Society, 2015 Sept. 21.
Topic: Judicial Selection.

112. American Bar Association, Business Law Section, Continuing Legal Education, 2015 Sept. 19, Chicago.
Topic: arbitration in consumer contracts.
Co-presenter: Professor Ramona Lampley, St. Mary's University.

111. Southeastern Association of American Law Schools, 2014 Aug. 6.
Topic: Arbitration and the Consumer Financial Protection Bureau.

110. Law & Society Association, Annual Meeting, Minneapolis, MN, 2014 June 1.
Topic: arbitration and the Consumer Financial Protection Bureau.

109. Penn State University, School of Law, 2014 Jan. 31. Academic symposium.
Topic: arbitration.
Resulted in publication of *Vacating Legally-Erroneous Arbitration Awards*, 6 Y.B. on Arb. & Mediation 56 (2014).

PRESENTATIONS - continued

108. University of Kansas Continuing Legal Education, 2013 May 30.
Topic: judicial selection.

107. American Bar Association, Dispute Resolution Section, Continuing Legal Education, 2013 April 6.
Topic: arbitration.

106. IAALS – Institute for the Advancement of the American Legal System, University of Denver, 2013 March 28-29.
Topic: judicial selection.

105. Kansas City Kansas Chamber of Commerce, 2013 Jan. 18.
Topic: judicial selection.
Co-presenter: former Kansas House Judiciary Chair Tim Owens.

104. University of Maryland, Carey School of Law, 2012 Nov. 2. Academic symposium.
Topic: arbitration.
Resulted in publication of *Is Adjudication a Public Good?: "Overcrowded Courts" and the Private-Sector Alternative of Arbitration*, 14 Cardozo J. Conflict Resol. 899 (2013).

103. Florida State University Federalist Society, 2012 Oct. 15.
Topic: judicial selection.
Co-presenter: University of Pittsburgh Professor of Political Science Chris Bonneau.

102. University of Colorado Federalist Society, 2012 Sept. 25.
Topic: financial crisis.
Co-presenter: University of Colorado Law Professor Erik Gerding.

101. University of Denver Federalist Society, 2012 Sept.
Topic: Debt, Foreclosure, Bankruptcy and Consumer Protection Law.
Co-presenter: Professor Michael Sousa.

100. University of Arkansas, Fayetteville, Federalist Society, 2012 Feb. 7.
Topic: financial crisis.

99. University of Arkansas, Little Rock, Federalist Society, 2012 Feb. 6.
Topic: financial crisis.

98. Elon University School of Law, 2012 Jan. 11.
Topic: judicial selection.

97. Duke University School of Law Federalist Society, 2012 Jan. 11.
Topic: debtor-creditor law.
Co-presenter: University of North Carolina Law Professor Melissa Jacoby.

PRESENTATIONS - continued

96. Indianapolis Federalist Society, Lawyers Chapter, 2012 Jan. 10.
Topic: judicial selection.

95. George Washington University Federalist Society, 2011 Nov. 8.
Topic: judicial selection.
Co-presenters included former Federal Election Commissioner Karl Sandstrom.

94. University of Limerick, Ireland, 2011 Nov. 5.
Topic: *An Overview of Bankruptcy Law in the United States*.
Co-presenters: Eoin Quill, University of Limerick, and Jason Harris, University of Technology, Sydney, Australia.

93. Southeastern Association of American Law Schools, 2011 July 29.
Topic: arbitration.

92. Iowa Federalist Society Lawyers' Chapter, 2011 Feb. 22.
Topic: judicial selection.
Other presenters included Iowa Judicial Nominating Commissioner Guy Cook.

91. American Bar Association, Dispute Resolution Section, Continuing Legal Education, 2011 Feb. 8.
Topic: arbitration.

90. The University of Houston Law Center Federalist Society, 2011 Jan. 19.
Topic: plaintiffs' lawyers.
Co-presenter: University of Houston Law Professor Richard Alderman.

89. Federalist Society, Law Professors Division, 2011 Jan. 7.
Topic: arbitration.
Co-presenter: George Washington University Law Professor Larry Cunningham.

88. DePaul University College of Law, Federalist Society, Chicago, IL, 2010 Nov. 8.
Topic: "Mandatory" Arbitration.

87. American Constitution Society, Washington, DC, 2010 Oct. 19.
Topic: arbitration.
Co-presenters: Georgetown University Law Professor Nina Pillard and Catholic University Law Professor Suzette Malveaux.

86. Creighton University School of Law, Federalist Society, Omaha, NE, 2010 Oct. 5.
Topic: Libertarianism.

85. University of Pittsburgh Federalist Society, 2010 Sept. 14.
Topic: financial crisis.

PRESENTATIONS - continued

84. Practicing Law Institute, Continuing Legal Education, New York, NY, 2010 Aug. 11.
Topic: securities arbitration.

83. Wichita Bar Association, Continuing Legal Education, 2010 June 4.
Topic: judicial selection.

82. American Bar Association, Dispute Resolution Section, Continuing Legal Education, 2010 April 8.
Topic: mediation.

81. Santa Clara University School of Law Federalist Society, 2010 April 7.
Topic: debtor-creditor law.
Co-presenter: Santa Clara University Law Professor Gary Neustadter.

80. University of Colorado Law School Federalist Society, 2010 April 6.
Topic: financial crisis.
Co-presenter: University of Colorado Law Professor Andrew Schwartz.

79. University of Memphis Federalist Society, 2010 March 16.
Topic: Financial crisis.

78. University of Nevada, Boyd School of Law, 2010 Feb. 13. Academic symposium.
Topic: bankruptcy law and arbitration.
Resulted in publication of Stephen J. Ware, *Similarities Between Arbitration and Bankruptcy Litigation*, 11 Nev. L. J. 436 (2011).

77. University of Nevada, Boyd School of Law Federalist Society, 2010 Feb. 11.
Co-presenter: University of Nevada Law Professor Nancy Rapoport.

76. University of Florida School of Law Federalist Society, 2010 Feb. 3.
Topic: arbitration.
Co-presenter: University of Florida Law Professor Leonard Riskin.

75. State Bar of Texas, Continuing Legal Education, 2010 Jan. 26.
Topic: arbitration.

74. Texas Wesleyan University School of Law, Federalist Society, 2010 Jan. 25.
Topic: Debt, Foreclosure, Bankruptcy and Consumer Protection Law.

73. St. John's University School of Law, 2009 Oct. 2. Academic symposium.
Topic: bankruptcy law and arbitration.
Resulted in publication of Stephen J. Ware, *Bankruptcy Law's Treatment of Creditors' Jury-Trial and Arbitration Rights*, 17 Am. Bankr. Inst. L. Rev. 479 (2009).

PRESENTATIONS - continued

72. Seton Hall University School of Law, Federalist Society, 2009 Sept. 30.
Topic: judicial selection.
Co-presenters: Seton Hall Law Professor Robert Martin.

71. Yeshiva University, Cardozo School of Law Federalist Society, 2009 Sept. 30.
Topic: financial crisis.
Co-presenter: Cardozo Law Professor Eric Pan.

70. University of Missouri School of Law, 2009 Feb. 27. Academic symposium.
Topic: judicial selection.
Resulted in publication of Stephen J. Ware, *The Missouri Plan in National Perspective*, 74 Mo. L. Rev. 751 (2009).

69. Chapman University School of Law, Federalist Society, 2009 Jan. 29.
Topic: Alternative Dispute Resolution.

68. Federalist Society Law Professors Division, 2009 Jan. 9.

67. St. Mary's University of San Antonio School of Law, Federalist Society, 2008 Dec. 5.
Topic: "A Libertarian View of the Civil Justice System".

66. Wichita Bar Association, Continuing Legal Education, 2008 Oct. 31.
Topic: bankruptcy.

65. Los Angeles County Bar Association, 2008 Oct. 22.
Topic: arbitration.
Resulted in publication of The Future of Commercial Arbitration, 9 Pepp. Dis. Res. J. 415 (2009) (with Richard Chernick, William F. Rylaarsdam & Thomas J. Stipanowich).

64. Federalist Society, Overland Park, KS, 2008 Oct. 16.

63. Southeastern Association of American Law Schools, 2008 Aug. 1.
Topic: arbitration.

62. Hamline University School of Law Federalist Society, 2008 April 10.
Topic: arbitration.
Co-presenter: Hamline University Law Professor James Coben.

61. American Bar Association, Dispute Resolution Section, Continuing Legal Education, 2008 April 3. Topic: dispute resolution.
60. Judge Hugh Means Inn of Court, Continuing Legal Education, 2008 March 26.
Topic: judicial selection.

59. University of Kansas, Students of Liberty, 2008 March 25.
Topic: libertarianism.

PRESENTATIONS - continued

58. Vanderbilt University Law School, 2008 Feb. 8. Faculty research conference.
Topic: arbitration.

57. George Mason University School of Law Federalist Society, 2007 Oct. 25.
Topic: arbitration.

56. Midwest Law & Economics Association, 2007 Oct. 13.
Topic: judicial selection.

55. University of Minnesota School of Law Federalist Society, 2007 Oct. 12.
Topic: arbitration.

54. University of Missouri School of Law Federalist Society, 2007 Sept. 20.
Topic: arbitration.
Co-presenter: University of Missouri Law Professor Richard Reuben.

53. Saint Louis University Federalist Society, 2007 Sept. 19.

52. American Bar Association, Dispute Resolution Section, Continuing Legal Education, 2007 April 28.
Topic: arbitration.

51. University of Cincinnati College of Law, 2007 March 30. Academic symposium.
Topic: *What Makes Securities Arbitration Different from Other Consumer and Employment Arbitration?*.

50. University of Nevada, Boyd School of Law, 2007 Jan. 26. Academic symposium.
Topic: *Arbitration Law's Separability Doctrine After Buckeye Check Cashing Inc. v. Cardegna*.

49. Washburn University Federalist Society, 2006 Mar. 9.

48. New York University School of Law, 2005 Nov. 29.
Guest teaching with Professor Sam Estreicher.
Topic: arbitration.

47. University of Kansas School of Law, 2005 Nov. 3.

46. Midwest Law & Economics Association, 2005 Oct. 14. Individual presentation.
Topic: arbitration.

45. Association of American Law Schools, Conference on Contract Law, 2005 June 15.
Topic: arbitration and contracts.

PRESENTATIONS - continued

44. University of Kansas Continuing Legal Education, 2005 June 10.
Topic: mediation.

43. Illinois Advanced Judicial Academy, Judicial Education, 2005 June 9.
Topic: mediation.

42. United States Chamber of Commerce, 2005 Apr. 14.
Topic: arbitration.
Co-presenters included N.Y.U. Law Professor Sam Estreicher.

41. Kansas Bar Association Annual Bankruptcy Institute, Continuing Legal Education, 2005 Apr. 1.
Topic: bankruptcy.

40. Topeka Area Bankruptcy Council, Continuing Legal Education, 2004 Nov. 18.
Topic: bankruptcy.

39. Faulkner University, Jones School of Law, 2004 May 19.
Topic: arbitration.

38. Federalist Society Law Professors Division, 2004 Jan. 4.

37. Federalist Society, National Lawyers Convention, 2003 Nov. 13.
Topic: employment arbitration.

36. National Association of Insurance Commissioners, 2003 Mar. 10, Atlanta, GA.
Topic: arbitration.

35. Association of American Law Schools, annual meeting, 2003 Jan. 3.
Topic: arbitration.

34. Duke University School of Law, 2002 Oct. 4. Academic symposium.
Topic: arbitration.
Resulted in publication of *Arbitration Clauses, Jury-Waiver Clauses and Other Contractual Waivers of Constitutional Rights*, 67 Law & Contemp. Probs. 167 (2004).

33. Yale Law School, 2002 April 22.
Guest teaching with Professor Jennifer Brown.
Topic: arbitration.

32. American Bar Association, Dispute Resolution Section, Continuing Legal Education, 2002 April 5.
Topic: arbitration.

PRESENTATIONS - continued

31. University of Miami School of Law, 2002 Mar. 2. Academic symposium.
Topic: *Consumer and Employment Arbitration Law in Comparative Perspective: The Importance of the Civil Jury*.

30. University of Kansas School of Law, Feb. 2002. Faculty workshop.
Topic: secured transactions and bankruptcy.

29. Federalist Society Law Professors Division, 2002 Jan. 3.

28. Lewis & Clark College, Northwestern School of Law, 2001 Oct. 5. Academic symposium.
Topic: *Domain-Name Arbitration in the Arbitration-Law Context: Consent to, and Fairness in, the UDRP*.

27. Hamline University School of Law, 2001 June 9-11. Guest teaching.
Topic: arbitration.

26. Capital University Law School, 2001 Jan. 31. Academic symposium.
Topic: *Money, Politics and Judicial Decisions: A Case Study of Arbitration Law in Alabama*.

25. University of Missouri, 2000 Oct. 20. Academic symposium.
Topic: *Paying the Price of Process: Judicial Regulation of Consumer Arbitration Agreements*.

24. Samford University, Cumberland School of Law, Continuing Legal Education, 2000 Oct. 6.
Topic: bankruptcy.

23. Faulkner University, Jones School of Law, 2000 Sept. 12-13.
Academic symposium.
Topic: arbitration.

22. Southeastern Association of American Law Schools, 2000 Aug. 1.
Topic: arbitration.

21. American Bar Association, Dispute Resolution Section, Committee on Arbitration, Continuing Legal Education, 2000 July 8.
Topic: arbitration.

20. Federal Trade Commission/Department of Commerce, public workshop, 2000 June 7.
Topic: arbitration.

19. Faulkner University, Jones School of Law, 2000 Feb. 9. Academic symposium.
Topic: arbitration.

PRESENTATIONS - continued

18. University of Nevada, Boyd School of Law, 2000 Jan. 28. Faculty workshop.
Topic: arbitration.

17. Pace University School of Law, 2000 Jan. 21. Faculty workshop.
Topic: arbitration.

16. Federalist Society Law Professors Division, 2000 Jan. 6.

15. Stetson University College of Law, 1999 Dec. 6. Faculty workshop.
Topic: arbitration.

14. The Ohio State University, 1999 November 11. Academic symposium.
Topic: *ADR in Cyberspace*.

13. Alabama Civil Justice Reform Committee, 1999 Nov. 2.
Topic: arbitration.

12. Cleveland State University, Cleveland-Marshall College of Law, 1999 Oct. 26.
Faculty workshop.
Topic: arbitration.

11. Case Western Reserve University, School of Law, 1999 Oct. 25. Faculty workshop.
Topic: arbitration.

10. Faulkner University, Jones School of Law, 1999 July 23-24. Guest teaching.
Topic: arbitration.

9. Practicing Law Institute, New York, NY, Continuing Legal Education, 1999 Feb. 22.
Topic: arbitration.

8. Federalist Society Law Professors Division, 1999 Jan. 7.
Topic: Judicial Selection.

7. Faulkner University, Jones School of Law, 1999 Feb. 9.

6. Federalist Society Law Professors Division, 1999 Jan. 7. College of William & Mary, School of Law, 1998 Nov. 6. Faculty workshop.
Topic: arbitration.

5. George Mason University School of Law, 1998 Nov. 5. Faculty workshop.
Topic: arbitration.

4. Southeastern Association of American Law Schools, 1998 July. Panel presentation.
Topic: arbitration.

3. Dickinson School of Law, Faculty workshop, 1997 Nov.

PRESENTATIONS - continued

2. University of the Pacific, McGeorge School of Law, 1997 April 19. Academic symposium.
   Topic: *Consumer Arbitration as Exceptional Consumer Law*.

1. Institute for Humane Studies, Fairfax, VA, 1994 July 8.
   Topic: arbitration.
   Commentators included Harvard University Law Professor Bruce Hay and Georgetown University Law Professor Carrie Menkel-Meadow.

TEACHING

Alternative Dispute Resolution:

- Arbitration
- Mediation
- Negotiation.

Bankruptcy/Debtor-Creditor.

Contracts.

Commercial Transactions:

- Secured Transactions
- Payment Systems
- Sales.

Consumer Law.

Global Geopolitical Risk Analysis and International Law.

Professional Identity Formation.

Transnational Dispute Resolution.

PEER REVIEW

Yale Law Journal

Cambridge University Press

Vanderbilt University

University of North Carolina

University of Georgia

The Ohio State University

University of Colorado

University of Missouri

University of Kansas

University of Tennessee

University of California, Irvine

University of California, Davis

Michigan State University

Georgia State University

University of Louisville (2006 & 2014)

Loyola University

University of Mississippi

University of Missouri – Kansas City

Creighton University

South Texas College of Law

University of the Pacific

Widener University

University of Memphis

Elon University

TESTIMONY (Federal) - continued

United States Congress, House Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, 2009 Sept. 15.

United States Congress, Senate Committee on the Judiciary, Subcommittee on Antitrust, Competition and Consumer Rights and Senate Special Committee on Aging, 2008 June 18.

TESTIMONY (State)

Kansas Legislature, Senate Judiciary Committee, 2022 March 4.

Kansas Legislature, Senate/House Judiciary Interim Committee, 2019 Oct. 1.

Kansas Legislature, House Judiciary Committee, 2015 Jan. 22.

Kansas Legislature, House Judiciary Committee, 2013 Jan. 22.

Kansas Legislature, Senate Judiciary Committee, 2013 Jan. 16.

Kansas Legislature, House Judiciary Committee, 2013 Jan. 16.

Missouri Legislature, Senate Judiciary Committee, 2012 April 2.

Iowa Legislature, House Judiciary Committee, 2011 Feb. 22.

Kansas Legislature, House Judiciary Committee, 2011 Feb. 16.

Missouri Legislature, Senate Committee on Governmental Accountability and Fiscal Oversight, 2009 March 12.

Kansas Legislature, House Judiciary Committee, 2009 Feb. 13.

Kansas Legislature, House Federal and State Affairs Committee, 2008 Feb. 21.

Missouri Legislature, House General Laws Committee, 2008 Feb. 20.

Kansas Legislature, Senate Judiciary Committee, 2007 March 20.

Kansas Legislature, House Judiciary Committee, 2007 Feb. 6.

TESTIMONY (Court)

North Carolina Superior Court, Wilmington, NC, 2011 June 28-29.

SERVICE

Editorial Board, Journal of Legal Education, 2016-2019

Chair, Curricular Innovation Committee, 2011-2014

Chair, Academic Affairs Committee, 2020-present, member 1997-98, 2002-04, 2010-11

Promotion & Tenure Committee, 2015-16, 2019-present

Coach, National Moot Court Competition on Bankruptcy Law, 1998, 2003 – present

Mentor for "Rising Scholar in Dispute Resolution," selected by Association of American Law Schools Section on Alternative Dispute Resolution (2025)

Judge, American Bar Association Section on Dispute Resolution, Boskey Law Student Essay Competition, 2008 (approx.) - present

Faculty Advisor to KU Law Federalist Society, 2003 - present

Chair, Faculty Appointments Committee, 2004-2008, member 1997-2001, 2009

Chair, Faculty Workshops Committee, 2008-09

Chair, Career Services Committee, 2019-20, led search and interviews to hire new Dean of Career Services; member, 2014–16

Chair, Post-Tenure Review Committee, 2017-18

Manage, Business and Commercial Law Certificate, 2021-present

Provost's sole Representative on Grievance Committee, 2001
(reviewing law school's only denial of tenure in over a decade)

Dean Search Committee, 2000-01

Chair, Loans and Scholarships Committee, 2001-02

University Committee on Faculty Rights, Privileges and Responsibilities, 2010 - 2012, Committee Appointee to Scholarly Misconduct Hearing

Policy Committee, 2000-01 (elected by law faculty to appoint other committees)

SERVICE - continued

Dissertation Committee for Doctor of Juridical Sciences (S.J.D.), 2024, 2016

Student-selected Faculty Representative to Honor Code Hearing, 2007

Coach, ABA Representation in Mediation Competition, 2000-2004
(National Finalists 2000-01, Region Winners 2001-02)

Co-Director, Law & Economics Lunch Group, 2008 – 2011

Admissions Committee, 2010-11

Technology Committee, 2003-06

Advocacy and Clinical Education Committee, 1999-2001

Budget Committee, 1994-96

Judicial Clerkship Committee, 1994-97, 2002-03

Loans and Scholarships Committee, 1993-94

Strategic Planning Committee, 1996-97

Faculty Recorder, 1993-94

Faculty Advisor to Student Bar Association, 1994-2003

Faculty Advisor to Phi Delta Phi, 1993-94

Elected Law School Representative, University Faculty Executive Council, 1995-1996

University Academic Affairs Committee, 1994-96

PROFESSIONAL MEMBERSHIPS

American Bankruptcy Institute

American Law Institute, elected Sept. 21, 2012.

Arbitrator, American Arbitration Association (2007-2017).

American Bar Association:
- Section on Dispute Resolution
- Section on Legal Education.

INSOL

Kansas Bar Association.

Admitted to practice, New York, 1991.

MEDIA APPEARANCES

Television, radio, and print outlets including THE WALL STREET JOURNAL, THE NEW YORK TIMES, THE FINANCIAL TIMES, THE WASHINGTON POST and THE NATIONAL LAW JOURNAL.