

# CURRICULUM VITAE

PROFESSOR OF LAW EMERITUS, MICHAEL I. SWYGERT

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## Formal Education

Yale Law School, LL.M., 1968. Recipient, Yale University Fellowship.

Valparaiso University School of Law, J.D., *summa cum laude*, 1967.

Class rank-first, Editor-in-Chief, Volume One, VALPARAISO  
UNIVERSITY LAW REVIEW.

Carleton College; Valparaiso University, A.B., *cum laude*, and with honors, 1965.

Wayland Academy, Beaver Dam, Wisconsin, 1953-1957, Diploma, 1957.

## University Positions

Professor of Law (tenured), Stetson University College of Law,  
St. Petersburg, Florida, 1979-2005; emeritus, 2006 - present.

Visiting Professor of Law, University of Notre Dame Law School,  
Notre Dame, Indiana, 2002-2003, full academic year  
(on leave from Stetson University).

Visiting Professor of Law, Wake Forest University School of Law,  
Winston-Salem, North Carolina, Fall, 1997  
(on leave from Stetson University).

Visiting Professor of Law, DePaul University College of Law,  
Chicago, IL, 1966 (on leave from Stetson University).

Visiting Professor of Law, Emory University School of Law,  
Atlanta, Georgia, 1988-1989 (on leave from Stetson University).

Visiting Professor of Law, Faculty of Law, Cambridge University  
1986-1987, Cambridge, England (on leave from Stetson University).

Professor of Law (tenured), DePaul University College of Law,  
Chicago, Illinois, 1972-1980 (on leave 1979-1980 at Stetson University).

## University Positions (cont.)

Adjunct Professor of Law, Indiana University School of Public and Environmental Affairs, 1971-1975.

Assistant Professor of Law, Assistant Dean, Valparaiso University School of Law, 1969-1973 (on leave 1972-1973, DePaul University).

Associate Attorney, Hopkins, Sutter, Owen, Mulroy, Wentz & Davis, One First National Plaza, Chicago, Illinois, 1968-1970.

**Publications: Books**

Book, The Consummate Lawyer and Public Servant: William Reece Smith, Jr., (Expected year of publication, 2007).

Book, Florida's First Law School; A History of Stetson University College of Law (with W. Gary Vause) published by Carolina Academic Press, Durham, NC, 770 pages, 2517 footnotes (2006).

Book, "And, We Must Make Them Noble: A Contextual History of the Valparaiso University School of Law, 1879 – 2004, published by Carolina Academic Press, Durham, NC, 511 pages (2004)

Book, The Legal Handbook of Business Transactions: A Guide for Managers and Entrepreneurs (with E.C. Lashbrooke, Jr.), published by Greenwood-Praeger Press, Westport, CT, 579 pages, (1987); favorably reviewed in April 1988 THE BUSINESS LAWYER.

Book, Maximizing the Law School Experience, co-editor and contributing author, 231 pages (1983); favorably reviewed in August 1983 AMERICAN BAR ASSOCIATION JOURNAL. Published by Stetson University College of Law.

Book, Environmental Perspectives for Northwest Indiana, co-editor, contributing author (with Dr. Mark Reshkin) (1971). Published by Indiana University Northwest.

Book chapter, in Creditor Rights, and in separate book, Bankruptcy Practice, both published by the Illinois Institute for Continuing Legal Education in 1976, and in later editions in 1978, 1980, 1982, and 1986 (with the Honorable Robert E. Ginsberg, U.S. Bankruptcy Judge for the Northern District of Illinois).

Book chapter, Commentaries on Law & Economics: 1997 Yearbook, edited by Robert W. McGee (The Dumont Institute for Public Policy Research), titled: A Unified Theory of Justice, pp. 248-348 (1998).

Book chapter, Rights in Conflict, titled Permit Negotiations (Report of the National Committee on the Causes and Prevention of Violence), Chicago Study Team investigating the 1968 disturbances at the Democratic National Convention,

U.S. Government Printing Office, later, republished by Harper & Rowe (1969).

**Publications: Articles**

Article, *125th Anniversary Edition, Valparaiso University Law Review: A Contextual History of the Valparaiso University School of Law*, 38 Val. U. L. Rev. 627-1128 (501 pages) (2004).

Article, *A Unified Theory of Justice: The Integration of Fairness Into Efficiency*, (with Katherine Earle Yanes), 73 WASHINGTON LAW REVIEW 249 (May 1998); two responses published in Volume 73, including Thomas S. Ulen and Russell B. Korobkin, *Efficiency and Equity: What Can Be Gained by Combining Coase and Rawls?*, 73 WASHINGTON LAW REVIEW 329 (1998).

Article, *Imitating the 'Boys' of Albany: The Birth of the Valparaiso University Law Review*, 25 VALPARAISO UNIVERSITY LAW REVIEW 157 (1991).

Article, *Striving To Make Great Lawyers – Citizenship and Moral Responsibility: A Jurisprudence for Law Teaching*, 30 BOSTON COLLEGE LAW REVIEW 803 (1989).

Article, *Promissory Estoppel in Florida: Growing Recognition of Promissory Obligation* (with D. Smucker), 16 STETSON LAW REVIEW 1 (1986).

Article, *The Desirability of Post-Tenure Performance Reviews of Law Professors* (with N. Gozansky), 15 STETSON LAW REVIEW 357 (1986).

Article, *The Historical Origins, Founding, and Early Development of Student-Edited Law Reviews* (with Jon Bruce), 36 HASTINGS LAW JOURNAL 739 (1985), republished in book **Legal Research**, by George S. Grossman, OXFORD UNIVERSITY PRESS (1994).

Article, *Senior Law Faculty Publication Study: Comparisons of Law School Productivity*, 35 Journal of Legal Education (with N. Gozansky) 373 (1985).

Article, *The Opportunities of Lawyering and the Demands of Law School*, 12 STETSON LAW REVIEW (with Robert Batey) 567 (1983).

Article, *Putting Law School Grades in Perspective*, 12 STETSON LAW REVIEW 701 (1983).

Article, *The Law Faculty Hiring Process*, 18 HOUSTON LAW REVIEW 215 (with Jon Bruce) (1981).

Article, *Developments in Consumer Protection Law*, 23 DEPAUL LAW REVIEW 98-188

(1973).

Article, *The Failure of Consumerism*, 1 DEPAUL UNIVERSITY CAUSE OF ACTION 5 (1973).

Article, *Identification and Phase Analyses of Secured Transactions under Revised Article Nine of the Uniform Commercial Code*, 22 DEPAUL LAW REVIEW 317 (1972).

Article, *A Primer on the Coase Theorem: Making Law in a World of Zero Transaction Costs*, 6 DEPAUL BUSINESS LAW J. 1, (1999). Volume 6, Page 1.

Article, *The Future of Reciprocity: A Study in Antitrust Decisional Technique*, 1 VALPARAISO UNIVERSITY LAW REVIEW 114 (1966) (student note).

Article, *A Golden Anniversary in Gulfport: Stetson University College of Law*, Tampa Bay Magazine 58 (September/October 2004).

Article, *"On Teaching Morality to Law Students": A Response*, 21 STETSON LAW REVIEW 559 (1992).

Article, *The Moral Basis of Obligation: A Critique of "Obligation-Duty" Contemporary Analyses*, 16 STETSON LAW REVIEW 559 (1987).

Article, *A Plea for Greatness* (with Robert Batey), 12 STETSON LAW REVIEW 781 (1983).

Article, *A Talk to Entering Law Students*, 10 STETSON LAW REVIEW 286 (1981).

Book Review, *Law School: Legal Education in America from the 1850's to the 1980's* by Robert Stevens, 14 STETSON LAW REVIEW 381 (1985).

Book Review, *The Greening of America by Charles A. Reich*, 5 VALPARAISO UNIVERSITY LAW REVIEW, 692 (1971).

Book Review, *Franchising: Trap for the Trusting* by Harold Brown, 6 VALPARAISO UNIVERSITY LAW REVIEW 692 (1971).

Monograph, *You Are the Deciding Justice: Judicial Philosophy as it Relates to Roe vs. Wade* [unpublished, 1993.]

Monograph, *English Legal Education: Training for a Divided Profession* (with T. Reilly) (Unpublished, 1988).

Article, *Harvard, Yale, and East Cupcake: The Standardizing of America's Law* \_

Schools (in submission)

Tribute, Howard A. Oleck, A Renaissance Man, 27 STETSON LAW REVIEW 385 (1997).

Tribute, Dean Bruce R. Jacob, A Dean For All Seasons, 21 STETSON LAW REVIEW 307 (1992).

Tribute, Ricardo Haroldum Stevenson (includes 4 testimonials) by Russell A. Willis, Jr., Michael I. Swygert, Charles R. Gromley and Louis F. Bartelt, Jr., 23 VALPARAISO UNIVERSITY LAW REVIEW, Fall 1988 X-XVIII.

Tribute, Calvin A. Kuenzel, 29 STETSON LAW REVIEW 7 (1999).

Article, Fairness Norms Incorporated into the Restatement (Second) of Contracts (in process).

**University, College, Scholarship, and Teaching Awards**

Distinguished Service Award for work at the Stetson University College of Law, 1979 – 2005 (June 2005).

Distinguished Alumni Achievement Award for Excellence and Recognition in One's Profession, Valparaiso University, 2004.

Homer and Dolly Hand Awards for Excellence in Faculty Research, 1987 – 1988, and 2003 – 2004.

Outstanding Teaching Awards at DePaul University College of Law, 1976 – 1979.

Stetson University Excellence in Teaching Awards, 1991, 1999.

Best Teaching Award, First-Year Class, Emory Law School, 1988-1989.

**Learned and Professional Society Memberships**

Elected Member, The American Law Institute, ALI Consultative Committee, Restatement of Suretyship; ALI Consultative Committee, Uniform Commercial Code, Article Nine Study Group.

Member, The American Society for Political and Legal Philosophy, The American Bar Association; and, The Society for Professionals in Dispute Resolution.

### Bar Admissions

Illinois Supreme Court; United States Court of Appeals for the District of Columbia;  
United States Court of Appeals for the Seventh Circuit;  
United States District Court for the Northern District of Illinois.

### Selected Professional Activities

Arbitration and Mediation. Member of American Arbitration Association Labor and Commercial Panels; New York Stock Exchange of Securities Arbitrators; (former) Florida Board of Regents Panel of Arbitrators for the Florida University System; Member, APCOM Florida Panel for the Remediation of Claims involving Prudential Insurance Company. Lecturer on ADR, Stetson University, Indiana University, and Purdue University. Extensive mediation, arbitration, and fact finding experience in public sector collective bargaining impasses, grievances, interest arbitration, and in work stoppages – panels included the Indiana Education Employment Relations Board and the Florida Public Employee Relations Board. Assigned by Florida Sixth Judicial Circuit to serve as the Referee in a securities fraud case.

### Selected Community Service

Commission Member, Pinellas County Sheriff's Civil Service Commission,  
1991-1996; Chairperson: 1994-1995.

Volunteer Attorney representing City of Gary, Indiana, in intervening to oppose application of Northern Indiana Public Service Company in seeking a construction permit from the Atomic Energy Commission (later Nuclear Regulatory Commission) to build a nuclear power plant (Bailey One). The case twice went to the U.S. Supreme Court and the utility eventually canceled the one billion dollar plus project. *See, Porter County Chapter of the Izaak Walton League vs. the Atomic Energy Commission*, 515 F.2d 513 (7th Cir. 1975), *rev'd and rem'd*, 423 U.S. 112 (1975).

Member, National Council, Valparaiso University School of Law since 1999;  
Chairperson since 2004.

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July 10, 2006

MO:dg 1/11/05