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CURRENT EMPLOYMENT/POSITIONS:

Florida International University College of Law, Miami, FL

Associate Dean for Faculty Research and Professor of Law (August 2007 - present)

Appointed to serve as the College of Law's first Associate Dean for Faculty Research and Development (September 2008). Responsibilities include supporting the full range of faculty scholarly research projects, mentoring junior faculty on matters of scholarship and teaching, organizing workshops, assisting with proposals for research and teaching support opportunities, selecting faculty for university awards and recognition, and creating and administering related College of Law scholarship and teaching initiatives.

Hired at the rank of full professor with tenure (August 2007).

Teach Evidence, Criminal Procedure, Scientific and Forensic Evidence, and Alternative Dispute Resolution.

In addition to decanal responsibilities, College of Law administrative responsibilities have included chairing promotion & tenure committee, faculty appointments committee, and lecturer review committee. University administrative responsibilities have included service on the College of Law Dean Search Committee (elected faculty representative), Psychology Department Faculty Hiring Committee, and PhD Review Committees (Department of Legal Psychology).

National Conference of Bar Examiners, Madison, WI

(November 2009 – present)

Serve on Multistate Essay Examination Committee, a six-member group responsible for drafting and editing the essay questions administered on the bar examinations in over 30 states and jurisdictions and on the Uniform Bar Examination. In this capacity, I have primary authorship, editing, and quality control responsibility for bar-administered essay questions testing examinees' knowledge of evidence, criminal procedure and criminal law.

Association of American Law Schools, Washington, D.C.

(January 2017 – December 2020)

Serve on Membership Review Committee, a ten-member committee responsible for monitors compliance with AALS membership requirements and core values by over 200 U.S. law schools.

Society for Pediatric Radiology, Reston, VA (January 2000 - Present)

Recipient 2018 Presidential Recognition Award

Committee on Child Abuse Committee on Child Abuse, Founding member and legal advisor.

National Center on Shaken Baby Syndrome, Farmington, UT (June 2018-present)

Serve on International Advisory Board

PREVIOUS LAW SCHOOL EMPLOYMENT/POSITIONS:

Hofstra University School of Law, Hempstead, N.Y.

Visiting Professor of Law (January 2007 - May 2007)

Taught Evidence

New England Law: Boston, Boston, MA

Professor of Law (August 1999 - May 2007)

Tenured in May 2005.

Taught Evidence, Criminal Procedure, Criminal Law, Scientific and Forensic Evidence, Criminal Advocacy, and Alternative Dispute Resolution

Thomas Jefferson School of Law, San Diego, CA

Adjunct Professor of Law (January 1997 - July 1998)

Taught Antitrust, Advanced Constitutional Law: Civil Rights Litigation, and Trial Advocacy

The George Washington University School of Law, Washington, D.C.

Adjunct Professor of Legal Writing and Oral Advocacy (August 1990 - May 1991)

OTHER RELEVANT EMPLOYMENT/POSITIONS:

United States Department of Justice, Washington, D.C.

Federal Prosecutor, Litigation I Section, Antitrust Division (February 1992 - June 1995)

Recipient - Assistant Attorney General's Special Achievement Award (1995)

Recipient - Department of Justice Outstanding Service Award (1995)

Investigated and prosecuted international price-fixing and bid-rigging cases. Member of four-lawyer trial team that investigated and prosecuted General Electric and DeBeers for international criminal conspiracy to fix prices in the industrial diamond market. Conducted pretrial interviews with more than thirty witnesses across the United States and Europe, examined more than twenty witnesses before federal grand juries and at trial in federal district court, and drafted and argued numerous pretrial motions during international criminal investigation and federal criminal prosecution.

Recipient of two DOJ awards from Attorney General Janet Reno for outstanding individual achievement.

National Institute for Trial Advocacy, Louisville, CO

Assistant Team Leader and Faculty Instructor (March 1997 - August 1999)

Led lawyer trial training programs and taught trial practice skills at NITA Attorney-Training Programs in various locations including Seattle, San Francisco, and San Diego.

Ross, Dixon & Masback, Washington, D.C.

Associate (October 1989 - February 1992)

Drafted briefs, pleadings and other legal memoranda in cases involving First Amendment, corporate, and general commercial issues. Argued motions and represented clients at judicial and administrative hearings. Represented *pro bono* clients at hearings, settlement negotiations and mediations.

Paul, Weiss, Rifkin, Wharton & Garrison, New York, N.Y.

Summer Associate (summer 1988)

Hon. Charles P. Sifton, U.S. District Court, Eastern District of New York, Brooklyn, N.Y.

Summer Law Clerk (summer 1987)

Kings County District Attorney's Office, Homicide Bureau, Brooklyn, N.Y.

Trial Preparation Assistant (July 1984 - July 1986)

Prepared homicide cases for trial. Located, interviewed, and helped interview and gather evidence from homicide witnesses, police officers, and forensic experts. Coordinated testing of forensic evidence.

Researched and drafted pretrial and trial motions. Served as homicide victims' family liaison to various public services organizations.

EDUCATION:

University of Pennsylvania Law School, Philadelphia, PA, J.D. (May 1989)

Instructor, First-Year Course in Legal Writing, Research, and Trial Advocacy

Member and Associate Editor, UNIVERSITY OF PENNSYLVANIA LAW REVIEW (1987-1989)

Robert Dechert Scholar

Swarthmore College, Swarthmore, PA, B.A. Political Science (May 1984)

Stuyvesant High School (June 1980)

SELECTED LEGAL & SCIENTIFIC PUBLICATIONS:

Consensus Statement on Abusive Head Trauma in Infants and Young Children (2018) (co-authored medico-legal consensus statement drafted on behalf of the Society for Pediatric Radiology, European Society of Pediatric Radiology, American Society of Pediatric Neuroradiology, American Academy of Pediatrics, and American Professional Society on the Abuse of Children)

Throwing the Baby Out with the Bath Water, 47 PEDIATRIC RADIOLOGY 11 (2017) (co-authored medico-legal response for Society for Pediatric Radiology and European Society for Pediatric Radiology to Swedish Agency for Health Technology Assessment 2016 report on *Traumatic Shaking: The Role of the Triad in Medical Investigations of Suspected Traumatic Shaking*)

99 Problems and the Bitchin' is One: A Pragmatist's Guide to Student-Edited Law Reviews, 33 TOURO L. REV. 407 (2017) (solicited symposium article)

Flagrant Police Abuse: Why Black Lives [Also] Matter to the Suppression Standard, 22 BERK. J. CRIM. L. 36 (2016)

The Etiology and Significance of Fractures in Infants and Young Children: A Critical Multidisciplinary Review, 46 PEDIATRIC RADIOLOGY 591 (2016) (co-authored medico-legal literature review and international medical professional society consensus statement)

THE SIXTH AMENDMENT AND THE RIGHTS OF THE ACCUSED: TRIALS, PRESENTATION OF EVIDENCE, AND CONFRONTATION (2d Ed. 2015) (co-authored with Professor Paul Marcus (William & Mary School of Law), Judge Tommy E. Miller, and Judge David K. Duncan)

Extralegal Supreme Court Policy Making, 24 WM. & MARY BILL RTS. J. 451 (2015)

Rights, Remedies, and the Quantum and Burden of Proof, 3 VA. J. CRIM. L. 89 (2015)

The Supreme Court Screws Up the Science: There is No Abusive Head Trauma/Shaken Baby Syndrome "Scientific" Controversy, 2014 UTAH L. REV. 1357 (2014) (co-authored with Brian Holmgren)

- Reply to Findley et al. Regarding Daubert and the Rules of Evidence*, 43 PEDIATRIC RADIOLOGY 135 (2013)
- What do Pediatric Healthcare Experts Really Need to Know About Daubert and the Rules of Evidence*, 43 PEDIATRIC RADIOLOGY 891 (2013)
- Dissent into Confusion: The Supreme Court, Denialism, and the False “Scientific” Controversy Over Shaken Baby Syndrome*, 2013 UTAH L. REV. 153 (2013) (co-authored with Brian Holmgren)
- THE SIXTH AMENDMENT AND THE RIGHTS OF THE ACCUSED: TRIALS, PRESENTATION OF EVIDENCE, AND CONFRONTATION (2012) (co-authored with Professor Paul Marcus (William & Mary School of Law), Judge Tommy E. Miller, and Judge David K. Duncan)
- Finding Nino: Mapping the (Glorious) Beginning and (Bitter) End of Justice Scalia’s Confrontation Clause Legacy*, 44 U. AKRON L. REV. 1211 (2011)
- C.S.I. Bulls#!t: The National Academy of Sciences, Melendez-Diaz v. Massachusetts, and Future Challenges to Forensic Science and Forensic Evidence*, 2010 UTAH L. REV. 327 (2010) (solicited symposium article)
- Cited by: THE NEW WIGMORE: EXPERT EVIDENCE, Art. 4.12 (2th ed. 2017)
- It’s Just a Shot Away: MMR Vaccines and Autism and the End of the Daubertista Revolution*, 35 WM. MITCHELL L. REV. 1511 (2009) (solicited symposium article)
- The Future of Neuroimaged Lie Detection and the Law*, 42 U. AKRON L. REV. 717 (2009) (solicited symposium article)
- Reprinted in Appellate Judges Education Institute (AJEI) Summit (2010).
- Cited by: MODERN SCIENTIFIC EVIDENCE: THE LAW AND SCIENCE OF EXPERT TESTIMONY, Art. 38:1 (2016-2017)
REFERENCE MANUAL ON SCIENTIFIC EVIDENCE, Art. 747 (3d ed.)
SCIENCE FOR JUDGES III (2016-2017)
- Toxic Torts, Autism, and Bad Science: Why the Courts May Be Our Best Defense Against Scientific Relativism*, 40 NEW ENG. L. REV. 409 (2006) (solicited symposium article)
- Watching the Detectives: New Strategies for Challenging Police Drug Jargon Testimony*, 20 CRIM. JUST. 4 (Winter 2005) (solicited article)
- Beyond the Sea: An American View of English Criminal Law Governing Scientific Evidence*, INT’L COMMENTARY ON EVID. (BePress2005)(www.bepress.com/ice/vol2/iss2/art6) (solicited review article)
- Cited by: Wash. Prac., Evidence Law & Practice Art. 702.57 (6th ed.)
- Faith-Based Miranda: Why the New Missouri v. Seibert Police Bad Faith Test Is a Terrible Idea*, 47 ARIZ. L. REV. 395 (2005)
- Critical Review of “Temporary Brittle Bone Disease,”* 35 PEDIATRIC RADIOLOGY 1036 (2005) (co-authored medico-legal literature review)

What Happens When Dirty Harry Becomes an [Expert] Witness for the Prosecution?,
79 TUL. L. REV. 1 (2004)

Cited by: United States v. Chapman, (D.N.M. 2015)
United States v. Rodriguez, 2015 WL 5138146 (D.N.M. 2015)
Logan v. Gelb, 52 F.Supp 3d 122 (D. Ma. 2014)

Cited by: ANNOTATED REFERENCE MANUAL ON SCIENTIFIC EVIDENCE (2d. ed.) (2012)
SCIENCE FOR JUDGES III (2005)
West's Louisiana Statutes Ann. Art. 704
Wash. Prac., Evidence Law & Practice Art. 702.57 (6th ed.)

A Courtroom Diagnosis: Countering the Defenses of Temporary Brittle Bone Disease and Mild Osteogenesis Imperfecta in Child Abuse Cases, American Prosecutors Research Institute,
16 UPDATE 8 (2004) (solicited article)

Translating Visions of Rationality into Specific Legal Reforms,
4 MICH. ST. D.C.L. L. REV. 1175 (2003) (solicited symposium article)

Eyes Wide Shut: Hidden Problems and Future Consequences of the Fact-Based Validity Standard,
34 SETON HALL L. REV. 89 (2003) (solicited symposium article)

Reprinted in: Paul Roberts, EXPERT EVIDENCE AND SCIENTIFIC PROOF IN CRIMINAL TRIALS:
THE INTERNATIONAL LIBRARY OF ESSAYS ON CRIMINAL LAW (2017)

Cited by: New Jersey Rules Annotated, Rule 702 & Rule 703

Einstein on the Bench?: Exposing What Judges Do Not Know about Science and Using Child Abuse Cases to Improve How Courts Evaluate Scientific Evidence, 64 OHIO ST. L. J. 531 (2003)

Cited by: HANDLING CHILD CUSTODY, ABUSE AND ADOPTION CASES, Art. 17.4 (2016)
American Law Institute-American Bar Association-Federal Judicial Center
CLE Course of Study (2006)

Beyond the Polemic Against Junk Science: Navigating the Oceans that Divide Science and Law with Justice Breyer at the Helm, 81 B.U. L. REV. 1033 (2001)

Cited by: ANNOTATED REFERENCE MANUAL ON SCIENTIFIC EVIDENCE (2d. ed.) (2012)
American Law Institute-American Bar Association-Federal Judicial Center
CLE Course of Study (2007)

Whoever Fights Monsters Should See to it that in the Process He Does Not Become a Monster: Hunting the Sexual Predator with Silver Bullets -- Federal Rules of Evidence 413-415 -- and a Stake Through the Heart -- Kansas v. Hendricks, 49 U. FLA. L. REV. 505 (1997)

Cited by: United States v. Mound, 157 F.3d 1153 (8th Cir. 1998)

Killing Daddy: Developing a Self-Defense Strategy for the Abused Child, 137 U. PA. L. REV. 1281 (1989)

Cited by: State v. Smullen, 380 Md. 233, 844 A.2d 429 (2004)
State v. Nemeth, 82 Ohio St. 3d 202, 694 N.E.2d 1132 (1998)
State v. Janes, 121 Wash. 2d 220, 850 P.2d 495, 22 A.L.R.5th 921 (1993)

Cited by: Edwin J. Greenlee, *The University of Pennsylvania Law Review: 150 Years of History*, 150 U. PA. L. REV. 1875 (2002) (my 1989 article was described as one of four articles published by the University of Pennsylvania Law Review charting a new interdisciplinary direction for legal analysis and scholarship).

SELECTED LEGAL & SCIENTIFIC PRESENTATIONS:

The Child Abuse Case: Educating the Jury on the Science and Law, Seventeenth International Conference on Shaken Baby Syndrome/Abusive Head Trauma, Orlando, FL (September 2018)

Evidence-Based Practice in Child Protection, ISPCAN XXII International Congress on Child Abuse and Neglect, Prague, Czech Republic (September 2018)

Public Health Reports: Fact, Fiction and Consequences, Annual Conference, European Society of Pediatric Radiology, Berlin, Germany (June 2018)

The Role of the Pediatric Radiologist in Court, Society for Pediatric Radiology, Annual Meeting, Nashville, TN (May 2018)

The Public Health Impact of the Media and the Courts: New Developments and New Directions, New York City Abusive Head Trauma Conference, New York, N.Y. (Sept. 2017)

Fourth Annual Leading Edge Conference, Wolters Kluwer Legal Education, Chicago, IL (July 2017)
Modeled on TedX and SciFoo, invited by Wolters Kluwer to participate in annual innovation and collaboration forum defining new directions for U.S. legal education.

Abusive Head Trauma: The International Medico-Legal Debate, INTER-CAP (An International Course on Child Abuse Pediatrics, Amsterdam, The Netherlands (June 2017)

Abusive Central Nervous System Trauma: The Role of the Medical Expert, Annual Conference, American Society of Neuroradiology, Long Beach, CA (April 2017)

Unreasonable Doubt: How Swedish Courts and Agencies Are Undermining the Science in Abusive Head Trauma Cases, Annual Meeting, Ray E. Helfer Medical Society, Denver, CO (April 2017)

Voted “Best Long Presentation” by Helfer Society membership (an honorary society of physicians who provide medical leadership on the prevention, diagnosis, treatment and research of child abuse and neglect) along with co-presenter Gabriel Otterman, M.D.

Abusive Head Trauma: Television, Film, and Public Health Messaging, Sixteenth International Conference on Shaken Baby Syndrome/Abusive Head Trauma, Montreal, CA (September 2016)

Child Abuse, Law & Public Health, 2016 Child Maltreatment Symposium, Ann & Robert Lurie Children’s Hospital of Chicago, Chicago, IL (October 2016)

Imaging of Child Abuse: Exam Room, Reading Room, and Courtroom, Joint Meeting of the American Academy of Pediatrics and the Society for Pediatric Radiology, Orlando, FL (February 2016)

Executive Committee Workshop: The Role of the Court in Immunization Policy, Immunization Law & Policy Collaboration, Austin, TX (April 2015)

Keynote Presentation: Hot Topics in Evidence Law, Annual Meeting of the Florida Bar, Miami, FL (April 2015)

Responsibilities of the Expert Medical Witness in the Child Abuse Case, Annual Meeting of the Society for Pediatric Radiology, Seattle, WA (April 2015)

Scientific Evidence in Child Abuse Cases: The Legal Controversies, William & Mary School of Law, Williamsburg, VA (November 2014)

Eleventh Circuit Legal Scholarship Forum, Stetson University College of Law, Gulfport, FL (October 2014)

Keynote Presentation: Setting the Record Straight on Abusive Head Trauma for the Court, Media and Public, Fourteenth International Conference on Shaken Baby Syndrome/Abusive Head Trauma, Denver, CO (September 2014)

Abusive Head Trauma in the Criminal Courts, Thirteenth International Conference on Shaken Baby Syndrome/Abusive Head Trauma, Paris, France (May 2014)

University of Latvia United States Law Summer School, Faculty Member, Riga, Latvia (July 2013)

Annual Meeting of the Ray E. Helfer Medical Society, Commentator and Child Abuse Committee Representative, Sonoma, CA (May 2013)

Twelfth International Conference on Shaken Baby Syndrome/Abusive Head Trauma, Commentator, Cambridge, MA (September 2012)

Imaging of Child Abuse: Fact, Fiction, and Responsible Action, Society for Pediatric Radiology, Orlando, FL (February 2012)

How Legitimate Evidentiary Principles and Practice Help to Establish and Maintain the Rule of Law, Annual Meeting of COJUMA (Comite Juridico Militar de las Americas), United States Southern Command (September 2011)

The Law, Science, and Pseudoscience of Vaccine Injury Claims in the United States, Third Annual World Vaccine Congress: The Future of Global Vaccines, Beijing, China, (March 2011)

Law and Science of Vaccines and Autism Spectrum Disorders for the Federal Judiciary, U.S. Court of Federal Claims, Annual Judicial Conference, Washington, D.C., (October 2010)

Guilty by Brain Scan: Can Courts Use Neuroimages to Read Minds?, F.I.U. College of Law and Herbert Wertheim College of Medicine First Annual Conference on Law and Medicine, Miami, FL, (April 2010)

Transformative Evidence: Changes Inside the Courtroom and Outside the Courthouse, Association of American Law Schools Annual Conference, New Orleans, LA, (January 2010)

Scientific Validity after the National Academy of Sciences 2009 Report, Cyril H. Wecht Institute of Forensic Science and Law, Duquesne University, Pittsburgh, PA, (September 2009)

Mentoring Faculty Scholarship: Perspectives from an Associate Dean for Faculty Research, Southeastern Association of Law Schools, Palm Beach, FL, (July 2009)

Neurolaw, Symposium on Neuroscience, Law, and Government, University of Akron Law School, Akron, OH, (September 2008)

Florida Legal Scholarship Forum, Program Co-Director, Stetson University College of Law, Gulfport, FL (November 2008)

Challenging the Police Officer Expert, Annual Meeting of the South Carolina Association of Criminal Defense Attorneys, Greenville, S.C. (July 2008)

Soft Science and Non-Science: Controlling Expertise in the Courtroom, *Scholarship: Nuts and Bolts for New Evidence Teachers*, and *The Good, Bad, and Ugly: Advice for New Evidence Teachers*, Association of American Law Schools, Mid-Year Conference on Evidence, Cleveland, OH (June 2008)

The Use and Misuse of Police Expert Witnesses, Annual Meeting of the National Association of Criminal Defense Attorneys, Annual Meeting, Cincinnati, OH (April 2007)

Anti-Empiricism in Law, Science, and Society, William & Mary School of Law Criminal Law/Criminal Justice Roundtable, Williamsburg, VA (December 2006)

Developing a Better Approach to Scientific and Forensic Evidence in Theory and Practice, University of Houston Criminal Justice Institute Lecture Series, Houston, TX (November 2006)

Expect the Unexpected: Ideology-Driven Science and Law Controversies, Thomas Jefferson School of Law Distinguished Guest Lecture Series, San Diego, CA (November 2006)

Validity Standards and Emerging Forensic Technologies: Conference on Voice and Author Identification Technologies, Yale Law School, New Haven, CT (April 2006)

Transitioning from Law Practice into Law Teaching, Annual Meeting of the Hispanic National Bar Association, Washington, D.C. (October 2005)

Training the Medical Expert Witness to Testify in a Child Abuse Case, Annual Meeting of the Society for Pediatric Radiology, Savannah, GA (April 2004)

Lessons for Evidence Teachers from Behavioral Economics, Preventing and Solving Legal Problems Creatively, California Western School of Law, San Diego, CA (March 2004)

Translating Visions of Rationality into Specific Legal Reforms, *Visions of Rationality in Evidence Law*, Michigan State University – D.C.L. College of Law, East Lansing, MI (April 2003)

Trends in Judicial Overreliance on Peer-Reviewed Publication as the Sine Qua Non of Valid Science, Expert Admissibility: Keeping Gates, Goals, and Promises, Seton Hall University, School of Law, Newark, N.J. (February 2003)

Expert Witness Training for Pediatric Sub-Specialist Physicians, Children’s Hospital/Harvard University Medical School, Boston, MA (December 2002)

Translating Science into Law: Lessons from Doctors, Judges, and Lawyers about the Use of Medical Evidence in the Courtroom, New England Law: Boston, MA (November 2001)

Expert Witness Training for Post-M.D./Ph.D. Fellows in Forensic Psychiatry and Psychology, University of Massachusetts Medical School, Worcester, MA (May 2000 - May 2004)

Expert Witness Training for Post-M.D. Fellows in Forensic Pediatrics, Hasbro Children's Hospital/Brown University School of Medicine, Providence, R.I. (September 2001)

Expert Witnesses Training for Forensic Psychiatrists and Psychologists Working in the Massachusetts Prison System, Bridgewater State Hospital, Bridgewater, MA (December 2001)

PROFESSIONAL POSITIONS, EXPERTISE, AND SELECTED HONORS:

Immunization Law & Policy Executive Committee (April 2015)

Selected to serve on the Executive Committee of the Immunization Law and Policy Collaboration a new coalition of the Immunization Partnership and the Network for Public Health Law, which includes national and state public health official, physicians, and other advocates of evidence-based immunization policies and practices.

Expert Witness - *Mohideen v. Royal Bank of Scotland* (March-June 2014)

Provided expert opinion testimony in international litigation involving manipulation of LIBOR benchmark rates. Hired by counsel for Claimant, former Head of Rates Trading for RBS. Testified before U.K. Employment Tribunal as expert on comparative evidence and territorial jurisdiction on May 28, 2014. Case settled June 4, 2014.

The Association of American Law Schools Evidence Section Executive Committee

Chair (2009-2010), Secretary (2007-2008), Member (2006-2007)

Director, Mentoring Program for New Evidence Teachers/Scholars (2007-2012)

Hispanic National Bar Association Law Professors Committee (2005-2009)