

MICHAEL A. WOLFF

Dean and Professor of Law
Saint Louis University School of Law
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EMPLOYMENT HISTORY

Dean, March 4, 2013 – present.

Professor of Law, Saint Louis University School of Law, August 2011 – present.

Judge, Supreme Court of Missouri, appointed under Missouri nonpartisan court plan, August 1998. Retained by voters, November 2000.

Served two-year term as Chief Justice, July 1, 2005 to June 30, 2007.

Chairman, Coordinating Commission for Judicial Education Department, which oversees education programs for judges, clerks, juvenile officers, and other court officials, 2000-2004.

From 1993 - 2002, conducted a seminar and workshop on Sentencing Policy at Saint Louis University School of Law for Missouri state judges, law students, and corrections officials, supported by the Edna McConnell Clark Foundation (three-year grant 1993-1995), and, after 1995, the Missouri Sentencing Commission. Taught course on Legislation (Spring 2000 and Spring 2002) and, as Distinguished Visiting Professor at St. Louis University School of Law, taught Civil Procedure I and II from 2007 to 2011.

Chair, Missouri Sentencing Advisory Commission 2004 – 2011.

Professor of Law, Saint Louis University School of Law. Assistant Professor, 1975; Associate Professor (with tenure) 1977; Professor, 1980-1998.

Chief Counsel (1993-1994 - on leave from university) and Special Counsel to Governor Mel Carnahan (after returning to faculty) (1994 to 1998). See "Public Service" section, below.

Recipient, Teaching Excellence Award, 1981.

Served for eight years as a principal author of FEDERAL JURY PRACTICE AND INSTRUCTIONS (Devitt, Blackmar, Wolff & O'Malley) used throughout the

country by judges and lawyers practicing in the federal courts (See Publications, below.)

Courses: Civil Procedure, State Constitutional Law, Trial Advocacy, Judicial Process Clinic, Sentencing Policy, Health Law, Legislation, Administrative Law, Legal Profession, Constitutional Law, Law and Medicine, Law and Public Education (seminar), Legal Regulation of Health Care Delivery (seminar), Nonadversarial Lawyering (seminar) and the Lawyering Process.

Faculty Advisor to *Law Journal*, 1977-80.

Directed a clinical legal education program in Health Law, under a grant from the U.S. Department of Health, Education and Welfare, 1979-80.

Secondary academic appointments: Assistant Professor in the Department of Community Medicine, Saint Louis University School of Medicine, 1978-1998. Lectured on legal problems in medical practice, law and medical ethics. Also on faculty of School of Public Health, St. Louis University.

Lecturer, West Bar Review, on Federal and Missouri Civil Procedure, 1996 and 1997, and National Institute for Legal Education law school preparatory program, 1996-2000.

Visiting Professor, Sichuan University, Peoples Republic of China, May-June, 1989.

Faculty member, Judicial Education Program, St. Louis University School of Law, July, 1989, and July, 1990, "The Role of the Judge in the Adversary System."

Practice: From June 1, 1981 to August 15, 1982, engaged in full time law practice, while on leave from the University, with a firm that specializes in litigation. Maintained limited trial practice during teaching career, primarily in cases on health care law, constitutional issues, and employment.

Director, Black Hills Legal Services, Rapid City, South Dakota. September 1973 to August 1975. Duties included representing low-income clients, management of eight-person staff, planning, fiscal responsibility, supervision and training of lawyers.

Attorney, Legal Aid Society of Metropolitan Denver, Denver, Colorado. Director of research and litigation, January 1973 to June 1973; from September through December 1972, was a VISTA lawyer in the research and litigation division. As division director, was responsible for coordinating major litigation in the 35-lawyer program.

Attorney, Legal Assistance of Ramsey County, Saint Paul, Minnesota. August 1971 to September 1972. Specialized in major litigation and law reform activities.

Law clerk, U.S. District Judge Miles W. Lord, Minneapolis, Minnesota, August 1970 to August 1971.

Reporter, copy editor, *The Minneapolis Star*, (now *The Star Tribune*) Minneapolis, Minnesota. 1967-1970. General assignment reporter and copy editor while attending law school.

EDUCATION

University of Minnesota Law School, Minneapolis, Minnesota. *Juris Doctor* degree, *cum laude*, 1970. Received award for highest grade point average in class in senior year, and *American Jurisprudence* awards for highest performance in Corporations, Social Legislation, and Business Planning course. Worked through law school as general assignment reporter and copy editor on *The Minneapolis Star*.

Dartmouth College, Hanover, New Hampshire. Bachelor of Arts degree, 1967, government major. Editor-in-chief and Chairman of the Board of THE DARTMOUTH, the student daily newspaper. Member of junior and senior honorary societies. Full scholarship.

PUBLIC SERVICE

Chief Counsel, Governor Mel Carnahan, State Capitol, Jefferson City, Missouri 65102, January 1993 – August 1994, during leave from Saint Louis University. In addition to counsel duties, served as liaison from the Governor to the Departments of Higher Education, Insurance, and Labor and Industrial Relations. Developed policies and programs affecting urban education, including educational reform and the integration of human services with metropolitan schools.

Special Counsel to the Governor. After returning to the university in 1994, continued working on problems of urban schools until appointment to the Court in August 1998. Worked with leaders of business communities in Kansas City and St. Louis, educators and legislators on a legislative package for urban schools that was enacted in 1998 and led to settlement of the St. Louis desegregation case. Leader of Missouri's team in the Policy Academy on Managing Systemic Change in Education sponsored by the National Governors' Association and Council of Governors' Policy Advisors.

Transition Director, Governor-Elect Mel Carnahan. Supervised a staff of 20 employees and over 100 volunteers in recruiting and screening personnel, and

helped establish priorities, programs and budgets for the incoming Carnahan administration. (November 1992 - January 11, 1993)

Chairman, Board of Trustees, Missouri Consolidated Health Care Plan, May 1993 to August 1998. The plan provides health insurance for state employees and markets health care coverage to other governmental entities. Led the Board, from its inception in 1993, in planning and implementing transition from a self-funded indemnity plan to "managed competition" model as purchaser of HMO and other insurance coverage.

Political: During the 1992 general election campaign, served as Director of Research for the Carnahan for Governor campaign. Was candidate for Missouri Attorney General in the August 4, 1992, primary election and Democratic nominee for Attorney General in the 1988 general election.

AWARDS AND HONORS

"Donald P. Lay Champion for Justice in the Workplace Award," National Employment Lawyers Association, Eighth Circuit, 2012.

"Benjamin N. Cardozo Award for Judicial Courage and Excellence", Missouri Association of Criminal Defense Lawyers, 2011.

Lecturer, 14th Annual Justice William J. Brennan, Jr. Memorial Lecture on State Courts & Social Justice, "Evidence-Based Judicial Discretion: Promoting Public Safety Through State Sentencing Reform," New York University School of Law, February 2008.

"Lawyer of the Year," MISSOURI LAWYER'S WEEKLY, 2007.

The Missouri Bar's Theodore McMillan Judicial Excellence Award, 2007.

Distinguished Non-Alumnus Award, University of Missouri Law School, 2007.

James C. Kirkpatrick Award, Northwest Missouri Press Association, 2007.

"Joseph E. Stevens Aspire to Excellence" Award, Kansas City Metropolitan Bar Association, 2006.

"President's Award," Missouri Association of Probate and Associate Circuit Judges, 2006.

Commencement speaker, Saint Louis University School of Law, 2006, 2011; Southern Illinois University School of Law, 2011.

Restorative Justice Award, Center for Women In Transition, St. Louis, 2005.

Distinguished alumni speaker, Lourdes High School, Rochester, Minnesota, 2005.

“Clarence Darrow Award,” Saint Louis University School of Law Public Interest Group, 2004.

BAR ADMISSIONS

Admitted to practice before Missouri Supreme Court, U.S. Supreme Court, U.S. Court of Appeals for the Eighth Circuit, and U.S. District Court in St. Louis. Also admitted to Bars of Minnesota (1970), South Dakota (1973), Colorado (1973) and federal courts in those states, but have let those state bar memberships lapse.

ACTIVITIES AND ORGANIZATIONS

The American Law Institute. Member, Advisors Group, Model Penal Code: Sentencing.

The American Judicature Society, the Missouri Bar, American Bar Association, and Lawyers Association of St. Louis, Bar Association of Metropolitan St. Louis.

Civil Rules Committee of the Missouri Supreme Court, 1989 to 1992, and 1995 to 1998. Have served on various other bar committees, including co-chair of Jury Instructions Committee of the Labor Law Section of the Bar Association of Metropolitan St. Louis, and lecturer in continuing legal education.

Active in various other civic, charitable, educational boards, committees and activities.

SPEECHES

Keynote Lecture, Southern Minnesota Regional Legal Services Conference Commemorating 100 Years of Legal Services for Indigents in St. Paul, “Civil Rights and Wrongs: The Persistence of Inequality and Unequal Opportunity, 1970-2010,” William Mitchell College of Law, St. Paul, Minn., June 2010.

Law Day speech, Springfield Metropolitan Bar Association, “From Lincoln the Lawyer to Lincoln the President: Dred Scott and the Lincoln-Douglas Elections,” May 2009.

“Evidence-Based Sentencing,” West Virginia Symposium on the Effective Administration of Justice, sponsored by the National Governors Association Center for Best Practices and the Pew Charitable Trusts, November 2008.

Dr. Edwin I. Megaree Honorary Lecture, International Community Corrections Association Research Conference, October 2008.

Keynote Speaker, Missouri Re-Entry Process: Celebrating Success and Planning for Future Training, June 2008.

Thomas D. Fulbright Lecture in American History, which was the keynote speech at the Dred Scott Conference at Washington University, “Race, Law and the Struggle for Equality: Missouri Law, Politics and the Dred Scott Case,” St. Louis, March 2007.

2007 State of the Judiciary Address to the Missouri General Assembly, January 2007, 63 J. Mo. Bar 64 (2007).

Address to The Missouri Bar, Judicial Conference in St. Louis, September 2006, 62 J. Mo. Bar 362 (2006).

Address to the Missouri Bar, Annual Meeting in Jefferson City, May 2006, 20 M.L.W. 505 (2006).

2006 State of the Judiciary Address to the Missouri General Assembly, January 2006, 62 J. Mo. Bar 56 (2006).

Address to The Missouri Bar, Judicial Conference in Kansas City, September 2005, 61 J. Mo. Bar 308 (2005).

TRIBUTES

A Tribute to the Honorable Michael A. Wolff, Vol. 50, No. 2, Saint Louis University Law Journal (pages 285-303): Introduction, by Dean Jeffrey Lewis.

Tribute to Chief Justice Michael Wolff, by the Hon. Richard B. Teitelman.

Michael Wolff: Chief of Collegiality, by the Hon. Duane Benton.

Chief Justice Michael A. Wolff: A Reflection, by Peter W. Salsich Jr.

A Tribute to the Honorable Michael A. Wolff, Chief Justice of the Supreme Court of Missouri, by Susan A. Fitzgibbon.

Tribute to Chief Justice Michael Wolff: Reminiscences of a Faculty Colleague, by Roger L. Goldman.

Tribute to Chief Justice Michael A. Wolff, by the Hon. Stephen N. Limbaugh Sr.

Michael A. Wolff, Chief Justice, Professor and Scholar, by Hon. Joseph J. Simeone.

PUBLICATIONS (Partial List)

Is There Life After Concepcion? State Courts, State Law, and the Mandate of Arbitration, 56 St. Louis U. Law J. 1269 (Summer 2012)

Missouri Provides Costs of Sentences and Recidivism Data: What Does Cost Have to Do With Justice? 24 Federal Sentencing Reporter 161 (Feb. 2012)

Stories of Civil Rights Progress and the Persistence of Inequality and Unequal Opportunity, 1970-2010, 37 William Mitchell Law Review 857 (2011).

What is Changing? The Future Is Not What It Used to Be, 23 Federal Sentencing Reporter, 150 (2010).

Missouri Law, Politics and the Dred Scott Case, in THE DRED SCOTT CASE: HISTORICAL AND CONTEMPORARY PERSPECTIVE ON RACE AND LAW, 212-226 (David Thomas Konig et al. eds. 2010).

Mainstream sentencing – The urgent need for dramatic reform (Devil's Advocate Column, co-author: Paul J. DeMuniz, chief justice of Oregon Supreme Court) JUDICATURE Volume 92, Number 4, January-February 2009).

Evidence-Based Judicial Discretion: Promoting Public Safety Through State Sentencing Reform (Annual William J. Brennan Jr. Memorial Lecture), 83 N.Y.U. Law Review 1389 (2008).

Cutting Recidivism by Analyzing Sentencing Outcomes, 20 Fed. Sentencing Rptr. 320 (June 2008).

Charles B. Blackmar: Professor, Judge, Chief Justice and Charlie, 72 Missouri Law Review 220 (Winter 2007).

Building Support for Strong, Fair and Impartial Courts, 82 Indiana Law Journal 1257 (2007).

Missouri's Information-Based Discretionary Sentencing System, 4 Ohio State Journal of Criminal Law 95 (Fall 2006).

Tinkering with the Machinery of Death in Mental Capacity, Ability and Eligibility for the Death Penalty, Saint Louis University Public Law Review 279 (Fall 2006).

Missouri Judges are Accountable ... To the Law, The Court Manager, 13 Volume 21, No. 1 (Spring 2006)

The Most Important Course in Law School? Introduction to symposium issue on teaching Civil Procedure, 47 Saint Louis University Law Journal 1 (2003).

From the Mouth of a Fish: An Appellate Judge Reflects on Oral Argument, 45 Saint Louis University Law Journal 1097 (2001).

Exploring Judicial Behaviors in the Laboratories of Democracy, 83 Judicature 267 (March-April 2000).

Ted McMillian: The Happy Coincidence of Timing, Talent, and Persistence, 43 St. Louis University Law Journal 1297 (1999).

FEDERAL JURY PRACTICE AND INSTRUCTIONS, (with Devitt, Blackmar and O'Malley) (West Pub. 4th ed.) 1987 (Volume 3) and 1992 (Volume 1); also, *Supplement*, and *Cumulative Supplement*, for 1985, 1986, 1987, 1988, 1989, 1990 and 1991.

Health Reform in Missouri (co-author), St. Louis Bar Journal, Fall 1993, at 32.

NURSING HOMES AND THE LAW: STATE REGULATION AND PRIVATE LITIGATION, with Johnson and Terry, (Harrison Pub. Co. 1985).

Personal Property Damages and Remittur and Additur, in DAMAGES, Missouri Bar Continuing Legal Education, editorial committee (1988).

Court Upholds Expanded Practice Role for Nurses, 12 Law, Medicine & Health Care 26 (1984).

Discoverability of Hospitals' "Incident Reports," St. Louis Bar Journal, Winter 1983, at 34.

Charity Means Business: Medicare Reimbursement for Hospitals' "Free Care" Obligations, 15 St. Louis University Law Journal 389 (1981), reprinted in Specialty Law Digest – Health Care (Bureau of National Affairs, Inc.).

PROBLEMS OF PROOF, Missouri Bar Continuing Legal Education, 1982, 1983, 1984, 1985, Chapter supplements: *Wrongful Death and Derivative Actions*.

Parting Shots, Saint Louis University Symposium, Fall 1981.

Attitudes and Health Promoting Behavior of Medical and Law Students, (Coe, Miller, Wolff, Prendergast and Pepper). 72 Amer. Journal of Public Health 725 (July 1982).

Protecting the Disabled Minority: Rights and Remedies Under Sections 503 and 504 of the Rehabilitation Act, 22 St. Louis University Law Journal 25 (1978).

LAW AND TACTICS IN JUVENILE CASES, (ALI-ABA 3d ed. 1977). Piersma, et al. Chapter: *Federal Court Litigation*.

PERSONAL INFORMATION

Born, 1945, LaCrosse, WI. Raised in Rochester, MN. 1963 graduate of Lourdes High School, Rochester, MN.

Married since 1968. Wife, Patricia, is a pediatrician who founded and serves as volunteer executive director of Meds and Food for Kids, Inc., a nongovernmental organization that operates a factory making ready-to-use therapeutic food in Cap Haitien, Haiti.

Two adult sons: Andrew, born 1974, who is an orthopedic surgeon residing in McLean, VA, and Benjamin, born 1977, a lawyer with the Bronx Defenders residing in New York City.

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