

JEFFREY A. STANDEN
Associate Dean
Van Winkle Melton Professor of Law
Willamette University

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LEGAL EMPLOYMENT

Willamette University College of Law

Associate Dean of Faculty, June 2011-present
Van Winkle Melton Professor of Law, 2011-present
Professor of Law, 1990 - 2011; Visiting Professor of Law, University of San Diego, 1999; Scholar-In-Residence, University of Virginia School of Law, 1996;

Awards: Faculty Award for Excellence in Scholarship
Student Bar Association Professor Award

Courses: Sports Law, Gaming Law, Evidence, Remedies, Criminal Procedure, Torts, Criminal Law, Advanced Criminal Procedure, Corporate and White-Collar Crime, Jurisprudence, Professional Responsibility, Law and Economics, Law and Financial Perspectives

Committees: Faculty Representative, University Board of Trustees (elected)
WUCL Self-Study (Chair)
Order of the Coif Committee (Chair)
Wilson Professorship Appointment (Chair)
Faculty Appointments (Recruitment)
Dean Appointment Committee (Chair)
Personnel Committee (elected)

Institute for Sports Law and Policy (Aspen, Colorado)

Executive Director, 2009 - present. Responsibilities include fund-raising, development, administrative leadership, strategic planning. Institute is headquartered in Aspen and produces working papers, policy statements, academic research and conferences, and media information.

United States Sentencing Commission (Washington, D.C., 1989-90)

Deputy General Counsel. Project Director for Commission study of statutory maxima.

Hunton & Williams (1986-90)

Litigation practice focused on financial instruments and civil racketeering.

Judicial Clerkship (1986-87)

The Honorable Robert F. Chapman, U.S. Court of Appeals for the Fourth Circuit

BOOKS

The Law of Sports in the United States (Oxford University Press, forthcoming 2011)

The Beauty of Bets: Prediction Markets and The Problems of Compensation (Oxford University Press, forthcoming 2011)

Taking Sports Seriously: Law and Sports in Contemporary American Culture (Carolina Academic Press, 2008)

BOOK CHAPTERS

Pete Rose and Baseball's Rule 21, Nine: A Journal of Baseball History (University of Nebraska Press, 2010)

Athletes As Role Models, Sports and Athletes (Christine Watkins, ed., Greenhaven Press 2009)

Commentaries on the Federal Sentencing Guidelines, United States Code Service (Lexis Publishing, 2004) (Chapter on Organizational Sanctions)

ARTICLES

Gaming Law vs. Gambling Law, Gaming Law Review and Economics (forthcoming Summer 2011)

Sports Betting and the Farrago of American Gambling Laws (forthcoming, work in progress)

Peer Effects in Affirmative Action: Evidence from Law Student Performance (with J. Mark Ramseyer and John R. Lott, Jr.), 31 International Review of Law and Economics 1 (2011)

Why Harmdoers Pay, 78 University of Missouri-Kansas City Law Review 705 (2010)

Is the NFL a Single Entity and Therefore Exempt from Antitrust Liability?, Preview of United States Supreme Court Cases (January 2010)

The Manly Sports: The Problematic Use of Criminal Law to Regulate On-Field Player Conduct, 99 Journal of Criminal Law and Criminology 619 (2009)

The Monopoly Myth: A Comment on the Public Funding of Sports Stadiums, 16 Villanova Sports and Entertainment Journal 267 (2009)

Owners, Brokers, Scalpers and Gamblers: The Theory of the Sports Firm (manuscript 2009, presented at Villanova Law School)

The Beauty of Bets: Wagers as Compensation for Professional Athletes, 42 Willamette Law Review 639 (2006)(symposium)

The New Importance of Maximum Penalties, 53 Drake Law Review 575 (2005) (symposium)

The Politics of Miranda, 12 Cornell Journal of Law and Public Policy 555 (2003)

The Production of Pro Bono, 12 Cornell Journal of Law and Public Policy 631 (2003)

The End of the Era of Sentencing Guidelines: Apprendi v. New Jersey, 87 Iowa Law Review 775 (2002)

The Exclusionary Rule and Damages: An Economic Comparison of Private Remedies for

Unconstitutional Police Conduct, 2000 Brigham Young University Law Review 1443
(reprinted in 28 Search and Seizure Law Report No. 3 (April 2001))
Private Remedies for Public Purposes, 36 Willamette Law Review 927 (2000)
An Economic Perspective on Federal Criminal Law Reform, 2 Buff. Crim. L. Rev. 249 (1998)
In Pari Delicto, The Social Critic (Spring 1996)
The Fallacy of Full Compensation, 73 Washington University Law Quarterly 145 (1995)
Plea Bargaining in the Shadow of the Guidelines, 81 California Law Review 1471 (1993);
reprinted in *Criminal Law Review* (James G. Carr, ed., 1995)
Teaching Law to Obedient Students, Willamette Lawyer, Fall 1993
Critical Legal Studies as an Anti-Positivist Phenomenon, 72 Virginia Law Review 983 (1986)

OTHER WRITINGS

Equity vs. Debt, Oregon State Bar Bulletin 70 (February/March 2011)
Is the NFL a Single Entity and Therefore Exempt from Antitrust Liability?, ABA Preview of
Supreme Court Cases (January 11, 2010)
Up A Tree Without a Nine-Iron, Legal Times (January 19, 2004)
A Good Bet?, Legal Times (December 1, 2003)
Can You Hear Them Now?, Legal Times (October 13, 2003)
In Memory of Robert L. Misner, 37 Willamette Law Review No. 1 (Winter 2001)
Why Can't Michael Play?, Legal Times (February 14, 2000)
Don't Play Pro Se, Legal Times (August 8, 1999)
Car Conundrums: Supreme Court Steers Twisting Route Through Fourth Amendment Law,
Legal Times (June 7, 1999)

LEGISLATIVE TESTIMONY

Statement Before the Subcommittee on Commerce, Trade, and Consumer Protection, Hearing on
"The NFL Starcaps Case: Are Sports' Anti-Doping Programs at a Legal Crossroads?"
Committee On Energy and Commerce, 111th Congress of the United States (November 3,
2009)
Statement Before the Subcommittee on Judiciary and Education, Hearing on Admission of the
State of New Columbia into the Union, H.R. 2482, Committee on the District of
Columbia, United States House of Representatives, 102nd Congress, 2nd Session, pages
138-172 (March 24, 1992)

SELECTED PRESENTATIONS

"Gaming Law vs. Gambling Law," Southeastern Association of Law Schools (South Carolina,
July 2011)
"The Online Poker Crackdown: On Point With Tom Ashbrook," National Public Radio, May 20,
2011
"Behind the Bets, ESPN.com podcast, April 2011
"Behind the Bets," ESPN.com podcast, November 2010
"Supreme Court Preview: American Needle v. NFL," March 2010 podcast, American Bar
Association

- “Supreme Court Preview: Aftermath of American Needle v. NFL, June 2010 podcast, American Bar Association
- “The Aftermath of American Needle,” Federalist Society podcast, June 2010
- “Emerging Issues in Sports Law,” West Publications podcast, March 2010
- “American Needle v. NFL,” Federalist Society podcast, March 2010
- “Major League Soccer’s Labor Issues,” MLS Talk podcast, February 2010
- “The Nature of the Sports Firm,” American Association of Law Schools Annual Meeting (January 2010, New Orleans)
- “Peer Effects in Affirmative Action,” American Law and Economics Association annual meeting (San Diego, May 2009)
- “The Influence of Gambling in Sports,” Fordham Law School, April 2009
- “Pete Rose and Baseball’s Rule 21,” Annual Conference of Baseball Historians (Tucson, Arizona, March 2009)
- “The Law of Sports Leagues,” University of Oregon (January 2009)
- “Public Funding For Private Sports Stadia,” Villanova Law School (October 2008)
- “Performance-Enhancing Drugs and the Regulation of the Athlete’s Body,” Willamette Law School (March 2008)
- “Owners, Brokers, Scalpers and Gamblers: The Theory of the Sports Firm,” Villanova Law School (February 2008)
- “Market Failures in Professional Sports,” Marquette Law School (September 2007)
- “The Beauty of Bets,” Duke Law School (November 2006)
same, Willamette University Law School (March 2006)
- “The USA Patriot Act,” (ACLU Conference, November 2003)
- “Theorizing Class Interests in Professional Regulation,” (Conference on Intersections Between Law and Public Policy, Cornell Law School, November 2002)
- “Some Conceptual Problems with Money Laundering,” (Conference on International Criminal Justice, Steamboat Springs, Colorado, February 2002)
- “Apprendi Appendum: The Rise and Fall of the Federal Sentencing Guidelines,” (Symposium titled “Legal Issues and Sociological Consequences of the Federal Sentencing Guidelines, University of Iowa, June 2001)
- “Professionalism After In Re Gatti,” (Skamania, Washington, July 2001)
- Televised Debate on Ballot Measure 94, sponsored by the Oregon State Bar, November 2000
- “Private Remedies for Public Purposes,” conference titled *Public Sanctions, Private Liability*, Willamette University College of Law, February 2000
- “The Exclusionary Rule and Damages,” presented to University of San Diego law faculty, Spring 1999
- “The Privatization of Federal Criminal Law and Its Aftermath,” conference titled *Toward a New Federal Criminal Code*, SUNY-Buffalo School of Law, November 1997
- “What Professionalism Might Mean: Loose Canons in Professional Responsibility,” conference titled *Movements in Legal Ethics*, Lewis and Clark School of Law, November 1997
- “How Honest Must Lawyers Be?,” Willamette University Tax Conference, June 1997
- “Moral Limits on Lawyers,” Baccalaureate Address to the Class of 1996, Willamette University College of Law, May 1996

- “The Utilitarian Foundation of the Lawyer’s Function,” Conference on Professional Ethics, Willamette University College of Law, March 1996
- “Should Washington, D.C. Become a State?,” American Bar Association Annual Meeting, Presidential Showcase Program, August 1995
- “Can the Wealthy Buy Justice?,” Guest on “Town Hall,” KABU TV, Portland, April 1995
- “The Ethical Law Student,” Willamette University College of Law, March 1995
- “The Particular Call of the Christian Lawyer,” Christian Legal Society meeting, Portland, Oregon, January 1995
- “The Simpson Case: Criminal Conviction by the Odds,” Seattle, Washington, October 1994
- “The Troubling Constitutional Case of the Packwood Diaries,” Willamette Tuesday Series, February 1994
- “Ambition and the Christian Lawyer,” Christian Legal Society, Lewis and Clark School of Law, January 1994
- “Attorney and Accountant Liability in the Formation of Businesses,” Willamette University Tax Conference, June 1993
- “Are There Too Many Lawyers?,” Lions Club International, October 1992
- “Prolegomenon to Corporate Punishment,” conference titled *Conference on Corporate Sentencing*, Cato Institute, Washington, D.C., October 1991

MEDIA INTERVIEWS AND PRESS QUOTATIONS

Frequently interviewed by print, electronic and radio media on sports law and gaming law issues, including ESPN, The New York Times, The Wall Street Journal, Slate, The Atlantic Magazine, Time Magazine, Forbes Magazine, Sports Illustrated, CNN, Fox, ABA Journal, XM Satellite Radio, Sirius Radio Networks, National Public Radio, Scotland on Sunday, Indianapolis Star, Baltimore Sun, The Oregonian, San Francisco Chronicle, Associated Press, The Washington Times, The Washington Post, BBC; frequent legal commentator on television channels KATU, Portland, Oregon; KGBW, Portland, Oregon. Interview guest on Fox News Network.

EDUCATION

University of Virginia School of Law, J.D., 1986
Editor, Virginia Law Review
Articles Editor, Virginia Tax Review
London School of Economics (1980-81)
Georgetown University, A.B. 1982, Political Theory, *cum laude*

OTHER EXPERIENCE

International Advisor, The Philippines Court of the Sandiganbayan (Anti-Corruption Court),
USAID Consultant
Lecturer, Oregon Barri Bar Review

MEMBERSHIPS

Sports Lawyers Association

AALS Section on Sports Law (Executive Committee)
Sports Fans Coalition
International Masters of Gaming Law
American Law and Economics Association
Oregon State Bar
Virginia State Bar
American Bar Association