

ROBERT M. LAWLESS

University of Illinois
College of Law
Champaign, Illinois 61820
(217) 244-6714 (office)
rlawless@illinois.edu (e-mail)

Professional Experience

University of Illinois College of Law

Professor of Law (2006 -) and Galowich-Huzienga Faculty Scholar (2007-09)
(Visiting Professor of Law, 2005; Visiting Assistant Professor of Law, 1992-93)

Courses Taught: Bankruptcy, Empirical Methods for Lawyers, Statutory Interpretation--
Consumer Law, Bankruptcy Reorganizations, Seminar on Consumer Credit

Other: Contributor, *Credit Slips: A Discussion on Credit and Bankruptcy*
(<http://www.creditslips.org>); Member, Consumer Bankruptcy Project

University of Nevada, Las Vegas

William S. Boyd School of Law,
Gordon & Silver, Ltd., Professor of Law, 2003 – 2006
(Professor of Law, 2002-03)

Courses Taught: Business Organizations I; Business Organizations II; Corporate
Governance (seminar); Bankruptcy; Business Bankruptcy; Law, Regulation & Ethics (in
Executive MBA program)

University of Missouri-Columbia School of Law

Earl F. Nelson Professor of Law, 2001 – 02
(Professor of Law, 2000-01, Assoc. Professor of Law, 1993-2000)

Courses Taught: Business Bankruptcy, Business Organizations, Legislation, Mergers &
Acquisitions (jointly listed with College of Business), Topics in Mergers & Acquisitions
(seminar), Estates & Trusts, and Modern Payment Systems

Interdisciplinary Activities: co-director, Contracting and Organizations Research
Initiative, 2000 - 2002

Washington University in St. Louis School of Law

Visiting Professor of Law, Sept. 2000 - Dec. 2000

The Ohio State University College of Law

Visiting Associate Professor of Law, Jan. 2000 - May 2000

Zuckert, Scoutt & Rasenberger (Washington, D.C.)
Associate, 1990-92

Hon. Harlington Wood, Jr., U.S. Court of Appeals for the Seventh Circuit (Springfield, IL)
Law Clerk, 1989-90

Publications

Published & Accepted Articles:

Squeeze Everyone: The Impact of the 2005 Amendments on Families in Trouble, forthcoming in the *American Bankruptcy Law Journal* (co-authored with nine other members of the Consumer Bankruptcy Project)

Bankruptcy in ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES, forthcoming 2008

Marquette National Bank v. First of Omaha Service Corp., in ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES, forthcoming 2008

La Ley Concursal estadounidense de 2005. Como llegamos a ella y hacia donde vamos, Revista de Derecho Concursal y Paraconcursal (La Ley), no. 8, at 99 (2008) (*The 2005 U.S. Bankruptcy Law: How We Got There and Where We Are Going*, J. INSOLVENCY & QUASI-INSOLVENCY LAW)

Derivative Lawsuits as a Corporate Governance Mechanism: Empirical Evidence on Board Changes Surrounding Filings, 42 J. FIN. & QUANT. ANAL. 143 (2007) (with Stephen P. Ferris, Tomas Jandik, & Anil K. Makhija)

Small Business and the 2005 Bankruptcy Law: Should Mom & Apple Pie Be Worried, 31 SO. ILL. UNIV. L.J. 585 (2007)

The Paradox of Consumer Credit, 2007 U. ILL. L. REV. 347

Los cambios de la normativa concursal estadounidense en 2005: Reduciendo parte de la red de seguridad, Revista de Derecho Concursal y Paraconcursal (La Ley), no. 6, at 405 (2007) (*Shrinking Part of the Safety Net: The 2005 Changes in U.S. Bankruptcy Law*, J. INSOLVENCY & QUASI-INSOLVENCY LAW) (with Elizabeth Warren)

The General Role Played by Specialty Law Journals: Empirical Evidence from Bankruptcy Scholarship 80 AM. BANKR. L.J. 523 (2006) (with Ira David)

The Influence of State Legal Environments on Firm Incorporation Decisions and Values, 2 J. L. ECON. & POL'Y 1 (2006) (with Stephen P. Ferris & Gregory Noronha)

Are Bankruptcy's Trials Vanishing? If So, Who Cares?, 79 AM. BANKR. L.J. 995 (2005)

Bankruptcy Filing Rates after a Major Hurricane, 6 NEVADA L.J. 7 (2005)

The Myth of the Disappearing Business Bankruptcy, 93 CAL. L. REV. 745 (2005) (with Elizabeth Warren) (reprinted at 47 CORPORATE PRACTICE COMMENTATOR 591 (2005))

Serial Plan Infeasibility or Just Plan Bad Luck?, 8 APPLIED ECONOMICS LETTERS 105 (2001) (with Karen C. Denning & Stephen P. Ferris)

Cyberspace Bankruptcy (reviewing Warren E. Agin, BANKRUPTCY AND SECURED LENDING IN CYBERSPACE (Bowne & Co. 2000)), 26 J. CORP. L. 125 (2000)

The Expenses of Financial Distress: The Direct Costs of Chapter 11, 61 U. PITT. L. REV. 629 (2000) (with Stephen P. Ferris)

"Warm with Sunny Skies": Disclosure Statement Forecasts, 73 AM. BANKR. L.J. 809 (1999) (with Brian L. Betker & Stephen P. Ferris)

Book Review (reviewing Karen Gross, FAILURE AND FORGIVENESS (Yale University Press 1997)), 15 BANKR. DEV. J. 409 (1999) (book review)

A Simple Suggestion for Overriding the Line-Item Veto, 63 MO. L. REV. 285 (1998)

The Influence of Legal Liability on Corporate Financial Signaling, 23 J. CORP. L. 209 (1998) (with Stephen P. Ferris & Bryan Bacon)

Professional Fees and Other Direct Costs in Chapter 7 Bankruptcies, 75 WASH. U. L.Q. 1207 (1997) (with Stephen P. Ferris)

An Empirical Analysis of Bankruptcy Certiorari, 62 MO. L. REV. 101 (1997) (with Dylan Murray)

Legisprudence Through a Bankruptcy Lens: A Study in the Supreme Court's Bankruptcy Cases, 47 SYRACUSE L. REV. 1 (1996)

Industry-Wide Effects of Corporate Bankruptcy Announcements, 12 BANKR. DEV. J. 293 (1996) (with Stephen P. Ferris, Narayanan Jayaraman, and Anil K. Makhija)

Economics and the Rhetoric of Valuation, 5 J. BANKR. L. & PRAC. 3 (1995) (with Stephen P. Ferris)

A Glimpse at Professional Fees and Other Direct Costs in Small-Firm Bankruptcies, 1994 U. ILL. L. REV. 847 (with Stephen P. Ferris, Narayanan Jayaraman, and Anil K. Makhija)

Realigning the Theory and Practice of Notice in Bankruptcy Cases, 29 WAKE FOREST L. REV. 1215 (1994)

Of Commas, Gerunds, and Conjunctions: The Bankruptcy Jurisprudence of the Rehnquist Court, 42 SYRACUSE L. REV. 823 (1991) (with Charles J. Tabb)

Note, *The American Response to Farm Crises: Procedural Debtor Relief*, 1988 U. ILL. L. REV. 1037

Working Papers and Works in Progress:

EMPIRICAL METHODS IN LAW (Aspen Pub., forthcoming 2008) (with Jennifer K. Robbennolt and Thomas S. Ulen)

Who Are the Self-Employed in Bankruptcy, working paper

The Cost of Bankruptcy After the 2005 Law, working paper (with Heather Miller)

Congressional Testimony:

Witness, *Short-change for Consumers and Short-shrift for Congress? The Supreme Court's Treatment of Laws that Protect Americans' Health, Safety, Jobs and Retirement*, United States Senate Committee on the Judiciary (June 2008) (testimony available at http://judiciary.senate.gov/testimony.cfm?id=3404&wit_id=7237)

Witness, *Oversight of the Implementation of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005*, United States Senate Subcommittee on Administrative Oversight and the Courts of the Senate Judiciary Committee (Dec. 2006) (testimony available at http://judiciary.senate.gov/testimony.cfm?id=2442&wit_id=5936)

Other:

Profs Say Bankruptcy Rule Change Would Imperil Tax Confidentiality, 106 TAX NOTES 1101 (Feb. 28, 2005) (with Stephen R. Johnson & Katherine Porter) (reprinted comments to bankruptcy rules committee)

Nevada's Position in the Market for Corporate Charters, NEVADA LAWYER, at 15 (Aug. 2002)
The Relationship Between Nonbusiness Bankruptcy Filings and Various Basic Measures of Consumer Debt, A Web-based "Paper," first published October 2000 <formerly available at <http://www.law.unlv.edu/faculty/rlawless/busbkr/filings.htm>, now at <http://ssrn.com/abstract=934798>>

The Hidden Costs of Bankruptcy Reform, CHRISTIAN SCI. MON., July 2, 1993, at 19.

Recent Academic Paper Presentations, Symposia, and Conferences:

Presenter, *The Self-Employed in Bankruptcy*, Law & Entrepreneurship Retreat, University of Arizona (Mar. 2008)

Presenter, *A Bankruptcy Symposium: Shredding the Safety Net*, Southern Illinois University School of Law (Feb. 2007)

Presenter, *Consumer Bankruptcy and Credit in the Wake of the 2005 Act*, University of Illinois College of Law (Apr. 2006)

Commentator, *Fiduciary Duties in the Zone of Insolvency*, University of Maryland School of Law (Nov. 2005)

Panelist, *Does Bankruptcy Law Matter?*, International Institute of Insolvency Professionals, (Sept. 2003)

Speaker, *Developing Your Scholarly Agenda*, Meeting of the Section for New Law Teachers of the Association of American Law Schools, Jan. 2003

Southeast Bankruptcy Institute Visiting Professor of Law, Georgia State University (Jan. & Oct. 2002)

Speaker, *Empiricism: Uses and Abuses of Data*, Association of American Law Schools Workshop on Bankruptcy (May 2001)

Speaker, *Simulations/Computer-Based Learning*, Association of American Law Schools Workshop on Bankruptcy (May 2001)

Chair, *The Politics of Bankruptcy*, Meeting of the Section on Debtors' and Creditors' Rights of the Association of American Law Schools (January 2000)

Speaker, various faculty workshops including Washington University in St. Louis, Indiana University-Indianapolis, Emory University, Georgia State University, University of Utah, University of Missouri

Education

Juris Doctor, summa cum laude, University of Illinois, Champaign, Illinois, 1989

Honors: *University of Illinois Law Review*, editor-in-chief 1988-89, member 1987-88; Order of the Coif; West Publishing Award for Outstanding Scholastic Achievement in Commercial Law

Bachelor of Science in Accountancy, highest honors, University of Illinois, Champaign, Illinois, 1986

Honors: Bronze Tablet (top 3%)

Professional Certifications & Licenses

Legal: Member of the District of Columbia Bar (inactive), member of the Illinois Bar (inactive)

Accounting: Passed Certified Public Accountant Exam, May 1986, received Elijah Watts Sells Award (top 123 scores out of 67,000 candidates nationwide)

Community & University Service

Selected Recent Speeches & Panels for Bar Organizations & Professional Groups

- Speaker, Federal Judicial Center's Workshop for Bankruptcy Judges I, July 2008
- Moderator, Financial Lawyers' Conference, Palm Springs, California, April 2006
- Lead writer, Professor's Amicus Brief in *MBNA Bank v. Hill*, No. 04-2086-bk (2d Cir. 2006)
- Speaker, *Recent Legislative Developments*, Plenary Session for the American Bankruptcy Institute's Southwest Bankruptcy Conference, September 2005
- Speaker, *Sarbanes-Oxley Meets Bankruptcy Practice*, American Bankruptcy Institute's Southwest Bankruptcy Conference, September 2003
- Speaker, *The Self-Employed in Bankruptcy*, Northern Nevada Bankruptcy Bar Association, August 2003
- Speaker, *An Overview of Asset & Enterprise Valuation in Distressed Markets*, Conference on Valuation of Assets in Bankruptcy, University of Nevada, Las Vegas, February 2003
- Speaker, *The NYSE and Nasdaq's New Corporate Governance Listing Requirements and Their Relationships to the Sarbanes-Oxley Act*, Northern Trust Bank, Las Vegas, Nevada, December 2002
- Speaker, *Defending My Relevance: Empiricism and the Bankruptcy Bar*, Board of the Southeast Bankruptcy Institute, Oct. 2002
- Speaker, *Post-Seminole Discharge*, Eighth Circuit Judicial Conference, Bankruptcy Judges Session, July 2001

Selected Board & Organizational Memberships

- Member, Advisory Board for the *American Bankruptcy Institute Law Review*, 2004-2008
- Member, Editorial Board for the *American Bankruptcy Law Journal*, 2000-2003
- Chair/Chair-Elect, Association of American Law Schools Section on Debtors' and Creditors' Rights, 1998-2000
- Member, American Law Institute, 1999-
- Member, Editorial Board for the *Financial Review*, 1997-2003
- Director, Center for Computer-Assisted Legal Instruction (CALI), 1996-2008
- Member, Advisory Board for the *Lincoln Legal Papers*, 1995-2004
- Member, American Bankruptcy Institute, 1999-
- Member, American Bar Association, 1989-
- Peer Reviewer
 - *American Bankruptcy Law Journal*
 - *Quarterly Review of Finance & Economics*
 - *Financial Review*

- *Law & Society*
- *Law & Social Inquiry*
- *Review of Law & Economics*

University & Law School Significant Committee Assignments

- University of Illinois
 - Executive Committee (elected), 2007-2008
 - Appointments Committee, chair, 2008-
 - Admissions Committee, chair, 2006-2008
- University of Nevada, Las Vegas
 - Dean's Advisory Committee (elected), 2004-05
 - Appointments Committee, 2002-05 (chair, 2003-05)
 - Retention, Promotion & Tenure Committee, 2003-05