

## **THERESA M. BEINER**

### **Education**

*Northwestern University School of Law*: J.D., 1989 (cum laude); Order of the Coif; Editor-in-Chief, Journal of Criminal Law & Criminology

*University of Virginia*: B.A. with highest distinction in Mathematics and Rhetoric & Communications Studies, 1986; graduation speaker at departmental graduation ceremony.

### **Work Experience**

- Spring 2005                      Visiting Professor of Law, University of Pittsburgh School of Law. Courses taught included Constitutional Law and Seminar on Sexual Harassment Law.
- August 2005 - present        Nadine H. Baum Distinguished Professor of Law  
July 2001 - August 2005      Professor of Law  
July 1998 - July 2001        Associate Professor of Law  
Aug. 1994 - July 1998        Assistant Professor of Law  
University of Arkansas at Little Rock, William H. Bowen School of Law, Little Rock, Arkansas. Courses taught include Civil Procedure, Constitutional Law, Employment Discrimination, Federal Jurisdiction, Gender & the Law, and Seminar on Sexual Harassment Law.
- Jan. 2000 - May 2000        Visiting Associate Professor of Law, University of California, Hastings College of the Law, San Francisco, California. Taught Employment Discrimination Law.
- Oct. 1990 - June 1994        Associate, Howard, Rice, Nemerovski, Canady, Falk & Rabkin, a professional corporation, San Francisco, California. General litigation practice, specializing in employment discrimination law, environmental law and antitrust.
- Aug. 1989 - Sept. 1990        Law Clerk to the Hon. John F. Grady, Chief Judge of the United States District Court for the Northern District of Illinois, Chicago, Illinois.

### **Publications**

*Insights into the Woes of a Profession*, Review of How Lawyers Lose Their Way: A Profession Fails Its Creative Minds by Jean Stefancic & Richard Delgado, 20 GEO. J. LEGAL ETHICS 101 (2007).

*Diversity on the Bench and the Quest for Justice for All*, 33 OHIO N. L. REV. 481 (2007).

*Sexy Dressing Revisited: Does Target Dress Play a Part in sexual Harassment Cases?*, 14 DUKE J. L. & GENDER POL'Y 125 (2007).

*When an Individual Finds Herself to be the Victim of Sex Discrimination*, in SEX DISCRIMINATION IN THE WORKPLACE 19 (Faye J. Crosby, Margaret S. Stockdale & S. Ann Ropp, eds. forthcoming 2007) (co-authored with Maureen O'Connor).

*Take What You Can, Give Nothing Back: Judicial Estoppel, Employment Discrimination, Bankruptcy, and Piracy in the Courts*, 60 MIAMI L. REV. 1 (2005) (co-authored with Robert Chapman).

*Female Judging*, 36 U. TOLEDO L. REV. 821 (2005).

*How the Contentious Nature of Federal Judicial Appointments Affects Diversity on the Bench*, 39 U. RICH. L. REV. 849 (2005).

GENDER MYTHS V. WORKING REALITIES: USING SOCIAL SCIENCE TO REFORMULATE SEXUAL HARASSMENT LAW (NYU Press 2005).

*The Elusive (But Worthwhile) Quest for a Diverse Bench in the New Millennium*, 36 U.C. DAVIS L. REV. 597 (2003).

*Let the Jury Decide: The Gap Between What Judges and Reasonable People Believe is Sexually Harassing*, 75 S. Cal. L. Rev. 791 (2002).

*Using Evidence of Women's Stories in Sexual Harassment Cases*, 24 UALR L. REV. 117 (2001).

*Introduction: The Impact of Science on Legal Decisions: What Can Social Science Tell the Courts and Lawyers?*, 24 UALR L. REV. 3 (2001).

*Sex, Science and Social Knowledge: The Implications of Social Science Research on Imputing Liability to Employers for Sexual Harassment*, 7 WM. & MARY J. WOMEN L. 273 (2001).

*The Misuse of Summary Judgment in Hostile Environment Cases*, 34 WAKE FOREST L. REV. 71 (1999).

*What Diversity on the Bench Could Mean for Justice*, 6 MICH. J. GEN. & L. 113 (1999).

*Feminist Legal Arguments and Sears: A Case Study*, in ARGUMENTS IN A TIME OF CHANGE: DEFINITIONS, FRAMEWORKS, AND CRITIQUES (James F. Klumpp, ed., 1998).

*An Overview of the Arkansas Civil Rights Act of 1993*, 50 ARK. L. REV. 165 (1997).

*Religious Harassment in the Workplace*, 19 UALR L.J. 577 (1997)(with John M. A. DiPippa).

*Do Reindeer Games Count as “Terms, Conditions, or Privileges of Employment” under Title VII?* 37 B.C. L. REV. 643 (1996).

Comment, *Due Process For All? Due Process, The Eighth Amendment and Nazi War Criminals*, 80 J. CRIM. L. & CRIMINOLOGY 293 (1989).

### **Presentations at Conferences and Professional Speaking Engagements**

Presentation, *Damages after the Civil Rights Act of 1991*, panel entitled Employment Discrimination 15 years after the Civil Rights Act of 1991, Southeastern Association of Law Schools, Amelia Island, Florida, July 31, 2007.

CLE Presentation, *Judicial Bias*, American Bar Association Equal Rights and Responsibilities Section, Ethics Subcommittee, Puerto Vallarta, Mexico, March 17, 2006; presentation repeated on October 11, 2006 as part of ABA teleconference best of CLE.

Dean’s Lecture, *Diversity on the Bench*, Ohio Northern University Law School, February 10, 2006.

CLE Presentation, *Sexual Harassment Law*, Arkansas Bar Association, Philander Smith College, Little Rock, Arkansas, September 13, 2005.

Author meets Reader Panel, Law & Society Association Annual Meeting, Las Vegas, Nevada, June 4, 2005.

Presentation, *Employment Discrimination and Bankruptcy*, University of Pittsburgh School of Law, Faculty Colloquium, March 31, 2005.

Presentation, *Reindeer Games*, University of Pittsburgh School of Law, Feminist Legal Forum, March 17, 2005.

Presentation, *The State of Sexual Harassment Law*, University of Pittsburgh, Women's Studies Working Group, March 2, 2005.

Presentation and Panel Participant on two panels as the Law & Society Association Annual Meeting, *The Implications of Psychology for Law and Dispute Resolution* and *Congress, Courts and Individual Rights*, Chicago, Illinois, May 27-30, 2004.

CLE Presentation, *Affirmative Action*, Joint Program of the ALCU of Arkansas and UALR William H. Bowen School of Law student chapter, April 9, 2004.

Presentation, *Diversity and the Federal Appointments Process*, Allen Chair Symposium, University of Richmond School of Law, April 16, 2004

Presentation and Panel Participant on two panels as the Law & Society Association Annual Meeting, *Ellerth and Faragher Five Years Later: The Disconnect between Social Science Research and Sexual Harassment Doctrine* and *The Courts and Workers: The Most Dangerous Branch?*, Pittsburgh, Pennsylvania, June 5-8, 2003.

Testimony before the ABA Commission on Women in the Legal Profession, Houston, Texas, April 11, 2003.

Panel Moderator, *Imagining the Law: Lawyers and Legal Issues in the Popular Culture*, UALR William H. Bowen School of Law, Ben J. Altheimer Symposium, October 31, 2002.

CLE Presentation, *Recent Eighth Circuit and Supreme Court Cases*, Arkansas Municipal League Annual Meeting, Little Rock, Arkansas, June 21, 2002.

Presentation and Panel Participant, *The Supreme Court's Shifting Paradigm of Discrimination*, Panel on Federalism and Civil Rights, Law & Society Annual Meeting, Vancouver, British Columbia, Canada, May 31, 2002.

Presentation, *Diversity on the Bench in the New Millennium*, University of California at Davis Symposium on Judicial Selection in the New Millennium, Davis, California, April 5, 2002.

Participant at Faculty Roundtable on Legal Implications of the September 11, 2001 Terrorist Attacks, UALR Law School, September 19 & 25, 2001.

Presentation, *Debunking the Myth of Ambiguity in Sexual Harassment Law*, 2001 Annual Law & Society Association Conference, Budapest, Hungary, July 7, 2001.

Presentation, *What Science Tells Us About Imputing Liability to Employers for Sexual Harassment Law*, at UALR Ben J. Altheimer Symposium “The Impact of Science on Legal Decisions,” March 2, 2001.

Speaker, *Evaluating and Litigating Harassment Cases in the 21<sup>st</sup> Century*, ABA National Conference on Employment Law, Chicago, IL, Nov. 10-11, 2000.

Panelist and Presentation on *The Misuse of Summary Judgment in Hostile Environment Cases and Using Social Science in Sexual Harassment Cases*, 2000 Annual Law & Society Association Meeting, Miami, Florida, May 26 & 27, 2000.

Presentation, Faculty Colloquia, University of California, Hastings College of the Law, April 2000.

Presentation, *The Misuse of Summary Judgment in Hostile Environment Cases*, at Wake Forest University School of Law’s Business Law Symposium entitled Balancing the Equities: The Evolving Law of Sexual Harassment, April 9, 1999.

Panel Moderator, *Racial Justice in the Twenty-First Century*, Symposium sponsored by the University of Arkansas at Little Rock School of Law, February 27, 1999.

Testimony on behalf of Arkansas Association of Women Lawyers before Arkansas Supreme Court Task Force on Race and Gender Fairness in the Arkansas Legal System, February 6, 1999.

“The Future of Affirmative Action,” CLE presentation for the American Civil Liberties Union, Little Rock, Arkansas, March 13, 1998.

Panel Moderator, *A Requiem for Religious Freedom?*, Symposium sponsored by the University of Arkansas at Little Rock School of Law, September 19, 1997.

“Feminist Legal Arguments and Sears: A Case Study,” presentation given at the 1997 joint conference on Argumentation sponsored by the Speech Communications Association and American Forensics Association, Alta, Utah.

“Law, Feminism, and Incremental Steps,” presentation given at the Radical Philosophy Association’s annual meeting, November 14, 1996, at Purdue University, West Lafayette,

Indiana.

“National Origin Discrimination,” presentation at Employer Conference on June 13, 1996 sponsored by Catholic Immigration Services, Little Rock, Arkansas.

“Arkansas’ Civil Rights Act of 1993,” Continuing Legal Education presentation sponsored by University of Arkansas at Little Rock Alumni Association on February 16, 1996.

### **Awards and Honors**

Recipient, University of Arkansas at Little Rock, William H. Bowen School of Law’s Faculty Excellence Award for Teaching, 2003.

Recipient, University of Arkansas at Little Rock, William H. Bowen School of Law’s Faculty Excellence Award for Scholarship, 1998, 2005.

### **University Committees and Service**

University of Arkansas at Little Rock School of Law Committees:

Faculty Appointments Committee (1997-1999 & 2002-2006; Chair, 1998-1999 & 2006-2008)

Faculty Development Committee (1994-1997, 1999-2001, 2003-2008, Chair, 2001-2002)

Faculty Excellence Award Committee (Chair, 2005-2006)

Promotion & Tenure Committee (1998-present)

Ad Hoc Committee to Develop Faculty Standards (2004)

Publications Committee (1994-1995, 1998-1999)

Admissions Committee (1995-1996, 2007-2008)

Readmissions Committee (2000-2001)

Ad Hoc Committee to Reformulate the Honor Code (2001-2002)

Dean Search Committee (1996-1997)

Moot Court Coach (Spring 1996, 1997, 1999)

Academic Integrity and Grievance Committee, Chair (1994-1995).

University of Arkansas at Little Rock, Campus-Wide Committees:

Faculty Roles and Rewards Committee (2005 - 2007)

### **Additional Law School Service**

Articles Editor, The Journal of Appellate Practice and Process, a UALR William H.

Bowen School of Law faculty-edited journal specializing in issues arising in appellate practice and theory.

Organizer of annual UALR Ben J. Altheimer Symposium, "The Impact of Science on Legal Decisions," UALR William H. Bowen School of Law, Little Rock, Arkansas, March 2, 2001.

Committee Member, UALR Ben J. Altheimer Symposium 2002, "Imagining the Law: Lawyers and Legal Issues in the Popular Culture," symposium upcoming on October 31, 2002.

Advisor, Arkansas Association of Women Lawyers - Student Division: Founded student organization dedicated to furthering the interests of women lawyers and law students.

Advisor, UALR William H. Bowen School of Law ACLU chapter: Helped found law school student branch of Arkansas ACLU.

### **Professional Affiliations and Activities**

Board Member (1995-1996), Arkansas Association of Women Lawyers: Responsible for the AAWL's Mentor Program, which matched law students with members of the practicing bar for one-on-one mentoring.

Inactive Member, State Bar of California (active, 1991-1994; inactive since 1991)

Board Member, ACLU of Arkansas (since 2000-2004):

Legal Committee Member, ACLU of Arkansas (since 2000)

Racial Justice Committee Member, ACLU of Arkansas (2001-2004), Chair, 2004

Annual Banquet Committee Member, ACLU of Arkansas (2002)

Member, American Bar Association

Member, American Association of University Women

Member, Arkansas Bar Association

Member, Law & Society Association

Member, NELA

Board Member, The ARC San Francisco (1994)