

curriculum vitae

Douglas A. Kysar

[Yale Law School](#)

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experience

Joseph M. Field '55 Professor of Law, Yale Law School, 2010-present

Deputy Dean, Yale Law School, 2011-2013, 2018-2020

Professor of Law, Yale Law School, 2008-2010

Professor, Yale School of the Environment (by courtesy), 2010-present

Professor, Yale School of Management (by courtesy), 2017-present

- Courses Taught: Torts; Climate Change Law & Policy; Constitutions and the Environment; Climate Change and the International Court of Justice; Climate, Animal, Food, and Environmental Law & Policy Lab; Law, Environment, and Religion; Law & Globalization; Products Liability; Advanced Torts; Environmental Protection Clinic; Animal Law

Visiting Professor, National University of Singapore Faculty of Law, January 2022

Cheng Yu Tung Visiting Professor, University of Hong Kong Faculty of Law,
February-March 2018

Lionel A. Sheridan Visiting Professor, National University of Singapore Faculty of
Law, January 2018

Class of 1941 Wells Scholars Visiting Professor, Indiana University

Shimizu Visiting Fellow, London School of Economics Department of Law, May 2015

Kwa Geok Choo Distinguished Visiting Professor, National University of Singapore
Faculty of Law, January 2014

Visiting Professor, NYU School of Law, Spring 2011

Professor of Law, Cornell University School of Law, 2005-2008

Associate Professor of Law, Cornell University School of Law, 2004-2005

Assistant Professor of Law, Cornell University School of Law, 2001-2003

- Courses Taught: Torts; International Environmental Law; Risk Regulation;
Law, Science, and Sustainability; Consumer Law; and Professional Responsibility

Visiting Professor, UCLA School of Law, Fall 2007

Visiting Professor, Yale Law School, Fall 2005

Visiting Associate Professor, Harvard Law School, Spring 2005

Visiting Scholar, Universitat Pompeu Fabra, Barcelona, Spain, May 2004

Associate, Foley, Hoag & Eliot LLP, 2000

Law Clerk, Chief Judge William G. Young, United States District Court, MA, 1999

education

Harvard Law School, J.D., *magna cum laude*, 1998

- Recipient, Sears Prize, 1996-97
- Member, Board of Student Advisors, 1996-98
- Teaching Assistant, Professor Jon Hanson, 1996-98

Indiana University, B.A. in Philosophy, *summa cum laude*, 1995

- Recipient, Herman B Wells Scholarship, 1991-95

publications: books

[The Torts Process](#) (10th ed., Aspen Publishers, 2022) (with James A. Henderson, Jr.)

[Climate Change Litigation in the Asia Pacific](#) (Cambridge University Press, 2020)
(with Jolene Lin, eds.)

Products Liability: Problems and Process (9th ed., Aspen Publishers, 2020) (with James A. Henderson, Jr., & Aaron Twerski)

The Torts Process (9th ed., Aspen Publishers, 2017) (with James A. Henderson, Jr., & Richard N. Pearson)

Products Liability: Problems and Process (8th ed., Aspen Publishers, 2016) (with James A. Henderson, Jr., & Aaron Twerski)

The Torts Process (8th ed., Aspen Publishers, 2012) (with James A. Henderson, Jr., & Richard N. Pearson)

[Regulating from Nowhere: Environmental Law and the Search for Objectivity](#) (Yale University Press, 2010) (Chinese translation 2022)

[Economics of Environmental Law](#) (Edward Elgar Publishing, 2009) (with Richard Brooks & Nathaniel Keohane, eds.)

The Torts Process (7th ed., Aspen Publishers, 2007) (with James A. Henderson, Jr., Richard N. Pearson, & John A. Siliciano)

publications: articles

Unimaginable: Hope and Duty in the Anthropocene (forthcoming)

Ephemeral Stream Water Contributions to United States Drainage Networks, __ Science __ (forthcoming) (with Craig B. Brinkerhoff, Colin J. Gleason, Matthew J. Kotchen, and Peter A. Raymond)

Ways Not to Think About Climate Change, 66 Nomos __ (forthcoming 2024)

State Public Morality Regulation and the Dormant Commerce Clause, 19 Duke J. Const. L. & Pub. Pol'y __ (2024)

The Duty of Climate Care, 73 DePaul L. Rev. 487 (29th Annual Clifford Symposium on Torts, 2024)

The Constitutional Claim to Individuation in Tort – A Tale of Two Centuries, Part 2, 18 Brook. J. Corp. Fin. & Com. L. 155 (Symposium Issue, 2024)

[Impacts of Climate Attribution Science on Tort Litigation](#), Environmental Law Institute (January 2023) (with Isabella Soparkar)

The Public Life of Private Law: Tort Law as a Risk Regulation Mechanism, 9 Eur. J. Risk. Reg. 48 (2018)

Courting Disaster: Climate Change and the Adjudication of Catastrophe, 93 Notre Dame L. Rev. 296 (2017) (with R. Henry Weaver)

Living with Owning, 92 Indiana L. J. 1 (2017) (with Matt Ampleman)

[Law, Environment, and the ‘Non-Dismal’ Social Sciences](#), 8 Ann. Rev. L. & Soc. Sci. 12.1 (2012) (with William Boyd & Jeffrey J. Rachlinski)

[Global Environmental Constitutionalism: Getting There from Here](#), 1 Transnational Env'tl. L. 83 (2012)

[Prods and Pleas: Limited Government in an Era of Unlimited Harm](#), 121 Yale L. J. 350 (2011) (with Benjamin Ewing)

[What Climate Change Can Do About Tort Law](#), 41 Env'tl. L. 1 (2011) (selected for inclusion in the 2012 Environmental Law and Policy Annual Review)

[Ecologic: Nanotechnology, Environmental Assurance Bonding, and Symmetric Humility](#), 28 UCLA Env'tl L. & Pol'y J. 201 (2010)

[Like a Nation State](#), 55 UCLA L. Rev. 1621 (2008, Symposium Issue: Changing Climates: Adapting Law and Policy to a Transforming World) (with Bernadette A. Meyler)

[The Jurisprudence of Experimental Law and Economics](#), 163 J. Institutional & Theoretical Econ. 187 (2007)

[Discounting...On Stilts](#), 74 U. Chi. L. Rev. 119 (2007, Symposium Issue: Intergenerational Equity and Intergenerational Discounting)

[*It Might Have Been: Risk, Precaution, and Opportunity Costs*](#), 22 J. Land Use & Envtl. L. 1 (2006)

[*Did NEPA Drown New Orleans? The Levees, the Blame Game, and the Hazards of Hindsight*](#), 56 Duke L. J. 179 (2006, 36th Annual Administrative Law Symposium) (with Thomas O. McGarity)

[*Medical Malpractice Myths and Realities: Why an Insurance Crisis Is Not a Lawsuit Crisis*](#), 39 Loy. L.A. L. Rev. 785 (2006, Symposium Issue: Economics of Civil Justice) (with Thomas O. McGarity & Karen Sokol)

[*Sustainable Development and Private Global Governance*](#), 83 Texas L. Rev. 2109 (2005, Symposium Issue: Of Waterbanks, Piggybanks, and Bankruptcy: Changing Directions in Water Law)

[*Preferences for Processes: The Process/Product Distinction and the Regulation of Consumer Choice*](#), 118 Harv. L. Rev. 525 (2004)

[*Climate Change, Cultural Transformation, and Comprehensive Rationality*](#), 31 Boston College Envtl. Affairs L. Rev. 555 (2004, Symposium Issue: Economic Dynamics of Environmental Law and Static Efficiency)

[*The Expectations of Consumers*](#), 103 Columbia L. Rev. 1700 (2003)

[*The Design of Products Liability: A Reply to Professors Henderson and Twerski*](#), 103 Columbia L. Rev. 1803 (2003)

[*Some Realism About Environmental Skepticism*](#), 30 Ecol. L. Q. 223 (2003)

[*Law, Environment, and Vision*](#), 97 Northwestern Univ. L. Rev. 675 (2003), reprinted in 35 Land Use & Envtl. L. Rev. (2004)

[*Environmental Tribalism*](#), 87 Minn. L. Rev. 1099 (2003, Symposium Issue: The Pragmatic Ecologist: Environmental Protection As A Jurisdynamic Experience) (with James Salzman), reprinted in *The Jurisdynamics of Environmental Protection: Change and the Pragmatic Voice in Environmental Law* (Jim Chen ed., 2003)

[*Sustainability, Distribution, and the Macroeconomic Analysis of Law*](#), 43 Boston College L. Rev. 1 (2001)

[*Taking Behavioralism Seriously: A Response to Market Manipulation*](#), 6 Roger Williams U. L. Rev. 259 (Fall 2000, Symposium Issue: Rational Actors or Rational Fools? The Implications of Psychology for Products Liability) (with Jon Hanson)

[Taking Behavioralism Seriously: Some Evidence of Market Manipulation](#), 112 Harv. L. Rev. 1420 (1999) (with Jon Hanson), partially reprinted in *Law & Ethics in the Business Environment* (Terry Halbert & Elaine Ingulli eds., 3rd ed. 2000) and reprinted in *The Legacy of Herbert Simon in Economic Analysis* (Peter E. Earl ed., 2001)

[Taking Behavioralism Seriously: The Problem of Market Manipulation](#), 74 N.Y.U. L. Rev. 630 (1999) (with Jon Hanson)

publications: chapters and other contributions to books

Weathering the 100-Year Life, in *Law and the 100-Year Life* (Anne L. Alstott, Abbe R. Gluck, and Eugene Rusyn, eds., Cambridge University Press, forthcoming) (with Eugene Rusyn)

Climate Change and Animal Production, in *Oxford Handbook of Global Animal Law* (Anne Peters, Kristen Stilt, and Saskia Stucki, eds., Oxford University Press, forthcoming) (with Jonathan Lovvorn)

“True” *Imprisonment*, in *Carceral Logics: Human Incarceration and Animal Captivity* (Lori Gruen and Justin Marceau, eds., Cambridge University Press, 2022)

Uncommon Law: Adjudicating in the Anthropocene, in *Climate Change Litigation in the Asia Pacific* (Douglas A. Kysar and Jolene Lin, eds., Cambridge University Press, 2020) (with Joshua Ulan Galperin)

Tort Law and Normative Rupture, in *Climate Disaster Law: Barriers and Opportunities* (Rosemary Lyster and Rob Verchick, eds., Edward Elgar, 2018) (with R. Henry Weaver)

Environmental Law, in *The Oxford Handbook of Behavioral Economics and the Law* (Eyal Zamir and Doron Teichman, eds., Oxford University Press, 2014) (with Adrian Kuenzler)

The Missing Market Instrument: Environmental Assurance Bonds and Nanotechnology Regulation, in *The Nanotechnology Challenge* (David Dana ed., Cambridge University Press, 2012)

“You Call, I Hammer!”: *Adversarial Legalism and Social Influence*, in *Ideology, Psychology, and Law* (Jon Hanson ed., Oxford University Press, 2012)

Fish Tales, in [Reforming Regulatory Impact Analysis](#) (Winston Harrington, Lisa Heinzerling, & Richard D. Morgenstern eds., 2009)

[Regulating from Nowhere: Domestic Environmental Law and the Nation-State Subject](#) in *The Impact of Globalization on the United States. Vol. 2, Law and Governance* (Beverly Crawford, Michelle Bertho, and Ed Fogarty eds., 2008) (with Ya-Wei Li)

[Are Heuristics a Problem or a Solution?](#), in *Heuristics and the Law* (Christoph Engel & Gerd Gigerenzer eds., 2005) (rapporteur's report)

A New Progressive Agenda for Public Health and the Environment (Christopher H. Schroeder & Rena Steinzor eds., 2005) (contributing author)

Feminism and Eutrophic Methodologies, in *Feminism Confronts Homo Economicus* (Martha A. Fineman & Terence Dougherty eds., 2005)

The Joint Failure of Economic Theory and Legal Regulation, in *Smoking: Risk, Perception, & Policy* (Paul Slovic ed., 2001) (with Jon Hanson)

publications: comments and book reviews

[An Eco-Pragmatic Approach to Inequality and Regulation](#), 3 *American Journal of Law & Inequality* 92 (2023)

Charles Reich's Unfinished Work, *Yale L.J. Forum*, Mar. 16, 2020

[Symposium Foreword: 'Go Ahead Without Us': Global Climate Change Policy in the Absence of Full Participation](#), 3 *Transnational Env'tl. L.* 7 (2014) (with Joanna Dafoe)

Mend It or End It?, *Environmental Law Forum* 29 (Nov./Dec. 2012)

New Genetics & Society (September 18, 2014) (reviewing *Reframing Rights: Bioconstitutionalism in the Genetic Age*, Sheila Jasanoff, ed. (2011)) (with Zachary Arnold)

[Politics by Other Meanings: A Comment on "Retaking Rationality Two Years Later"](#), 48 *Houston L. Rev.* 43 (2010)

[Introduction: Climate Change and Consumption](#), 38 *Env'tl. L. Rep.* 10825 (2008) (with Michael Vandenberg)

[Foreword: Making Sense of Information for Environmental Law](#), 86 *Tex. L. Rev.* 1347 (2008, Symposium Issue: *Harnessing the Power of Information for the Next Generation of Environmental Law*) (with James Salzman)

[The Consultants' Republic](#), 121 *Harv. L. Rev.* 2041 (2008) (reviewing Ted Nordhaus & Michael Shellenberger, *Break Through: From the Death of Environmentalism to the Politics of Possibility* (2007))

[Cost-Benefit Analysis: New Foundations on Shifting Sand](#), 3 *Regulation & Governance* 48 (2009) (reviewing Matthew D. Adler & Eric A. Posner, *New Foundations for Cost-Benefit Analysis* (2006)) (with Amy Sinden & David Driesen)

[121 Pol. Sci. Q. 364 \(Spring 2006\) \(reviewing Jennifer Clapp & Peter Dauvergne, Paths to a Green World \(2005\)\)](#)

[120 Pol. Sci. Q. 552 \(Spring 2005\) \(reviewing Richard J. Lazarus, The Making of Environmental Law \(2004\)\)](#)

[*Kids & Cul-De-Sacs: Census 2000 and the Reproduction of Consumer Culture*, 87 Cornell L. Rev. 853 \(2002\) \(reviewing U.S. Census Bureau, U.S. Dep't Of Commerce, Census 2000: Census Of Population And Housing \(2001\)\)](#)

publications: other

Climate, Changing, Global Constitutionalism Seminar Materials (Judith Resnik ed. 2022)

Courts, Climate Change, and the Global Pact for the Environment, Global Constitutionalism Seminar Materials (Judith Resnik ed. 2020)

Litigating Climate Change, Global Constitutionalism Seminar Materials (Judith Resnik ed. 2019)

Environmental Emergencies, Global Constitutionalism Seminar Materials (Judith Resnik ed. 2016)

Brief Amicus Curiae of Tort Law Scholars in Support of Respondents, American Electric Power Co., Inc. v. Connecticut, No. 10-174 (S. Ct. March 18, 2011)

[*Risk Regulation*](#), Background Paper prepared for the University of Washington Nanoethics Graduate Education Symposium, Seattle, Washington, September 9, 2009

Constitutional Dimensions of Environmental Law, Global Constitutionalism Seminar Materials (Robert Post ed. 2009)

[Brief for Economists Frank Ackerman et al. as Amici Curiae Supporting Respondents, Entergy v. EPA, No. 07-588 \(S. Ct. October 6, 2008\) \(with David Driesen\)](#)

Democratizing Knowledge Generation, Discussion Paper prepared for the Yale-UNITAR Conference on Environmental Governance and Democracy, New Haven, Connecticut, May 10-11, 2008

[*Biased Assimilation, Polarization, and Cultural Credibility: An Experimental Study of Nanotechnology Risk Perceptions*](#), Woodrow Wilson International Center for Scholars Project on Emerging Technologies Research Brief No. 3 (2008) (with Dan M. Kahan, Paul Slovic, Donald Braman, John Gastil, and Geoffrey Cohen)

selected lectures and presentations

Conference Closing, 2024 *Brooks Congress: Strategic Directions and Developments in the Practice, Teaching, and Scholarship of Animal Law*, Miami, Florida, February 4, 2024

Commenter, *Reasonableness and Risk: Right and Responsibility in the Law of Torts*, University of Southern California Gould School of Law, Los Angeles, California, January 22, 2024

Panelist, *Fifty Years of Peter Singer's Animal Liberation*, New York University, New York, New York, November 3, 2023

Tort as Regulation

S. J. Quinney College of Law, University of Utah, Salt Lake City, Utah, January 25, 2024

Yale Law School Faculty Workshop, Yale University, New Haven, Connecticut November 13, 2023

Climate Change Law and Policy Works-in-Progress Symposium, August 10-11, 2023, Boulder, Colorado

Unimaginable: Hope and Duty in the Anthropocene

Climate Justice: Climate Change and the Legal Tradition, Sciences Po Law School, Paris, France, September 29-30

New York University Animal Studies Public Lecture, New York, New York, March 26, 2021

Keynote Presenter (Law), NOMOS: The American Society for Political and Legal Philosophy, Princeton University Center for Human Values, Princeton, New Jersey, September 22, 2023

The Duty of Climate Care

29th Annual Clifford Symposium on Torts, DePaul University, Chicago, Illinois, June 8-9, 2023

Schell Center for Human Rights Workshop, Yale University, New Haven, Connecticut April 6, 2023

The Constitutional Claim to Individuation in Tort – A Tale of Two Centuries, Part 2, Festschrift for Professor Aaron Twerski, Brooklyn Law School, Brooklyn, New York, April 20-21, 2023

On Having an Impact, Brooks Congress 2023, Scottsdale, Arizona, March 3-5, 2023

Climate Change, Attribution Science, and Judging Responsibility

Conference on Complexity and the Public Role of Civil Courts in Health and Environmental Matters, Utrecht University, The Netherlands, April 22, 2022

Judicial Leaders in Climate Science Program, Woods Hole Oceanography Institute, September 13, 2022

Georgetown Environmental and Land Use Law Workshop, Georgetown University, Washington, D.C., October 11, 2022
Faculty Workshop, National University of Singapore Faculty of Law, Singapore, February 14, 2023
Faculty Workshop, University of Georgia Law School, Athens, Georgia, April 3, 2023

Panel Co-Organizer and Moderator, *Climate, Changing*, Global Constitutionalism Seminar, Yale University, New Haven, Connecticut, September 14-17, 2022

Being Careless in a Reckless World, Climate Change Law & Policy Workshop, UCSB Bren School of Environmental Science & Management, August 11, 2022

Dormant Confusion, Brooks Animal Workshop for Scholars, Colorado Springs, Colorado, July 11, 2022

Commentator, *Saving Animals, Saving Ourselves* Book Conference, New York University, New York, New York, April 25, 2022

Climate Change and Animal Productions, Global Animal Law Workshop, Harvard Law School, Cambridge, Massachusetts, April 3-4, 2022

Keynote Panel Moderator, *Property, Personhood, or Something New: Reimagining the Legal Status of Animals*, Canadian Animal Law Conference, October 1, 2021

Climate Change and Neoliberal Imagination
Brooks Institute Summer Academic Workshop, June 25, 2021
Yale Law School Faculty Workshop, Yale University, New Haven, Connecticut, November 9, 2020

Panelist, *The Grande-Synthe Decision: A Conversation about National Climate Commitments, Accountability, and the Role of Courts*, Yale Law School, New Haven, Connecticut, February 24, 2021

Featured Guest, "Facing the Anthropocene" Series, The Kenan Institute for Ethics at Duke University, Durham, North Carolina, February 11, 2021

It's Later Than We Think: Climate Change and the Coming Transformation, Yale School of Management, New Haven, Connecticut, November 20, 2020

Commentator, *Science and Democracy Seminar*, Harvard University Center for the Environment, Cambridge, Massachusetts, November 10, 2020

Panelist, *Sustainability in the Post-Covid Economy*, Center for Business & the Environment at Yale, New Haven, Connecticut, May 15, 2020

Discussant, *Pollution, Politics, and Power*, University of Texas at Austin Law School, Austin, Texas, March 6, 2020

Conference Speaker, *Charles A. Reich: A Commemoration of His Life and Legacy*, Touro College, Jacob D. Fuchsberg Law Center, Long Island, New York, January 30, 2020

“True” Imprisonment

Yale Law School Faculty Workshop, Yale University, New Haven, Connecticut, January 31, 2022

Against Cages & Carceral Logics Workshop, University of Denver Sturm College of Law, Denver, Colorado, November 21-22, 2019

Panelist, *Usable Climate Science and the Uses of History*, Whitney Humanities Center, Yale University, New Haven, Connecticut, November 7, 2019

Of Coase and Cherries: Risk Regulation Among Neighbors in Wasco County

James E. Rogers College of Law, University of Arizona, Tucson, Arizona, January 24, 2019

University of Connecticut School of Law, Hartford, Connecticut, May 1, 2019

Counterfactual Carbon and the Neoliberal Imagination, Multiple Carbons: Workshop, Harvard University, April 6, 2019

Animals and Climate Change, Natural Resources and Conservation Management Conference, University of Oklahoma College of Law, Norman, Oklahoma, April 5, 2019

Panelist, *Fire and Ice: The Shifting Narrative of Climate Change*, University of California-Irvine, Irvine, California, February 9, 2019

New Rules of International Climate Change Law, Yale-NUS College, Singapore, February 1, 2018

The Public Life of Private Law: Tort Law as a Risk Regulation Mechanism

Hong Kong University Department of Law, Private Law Research Series, Hong Kong S.A.R., February 28, 2018

State and Tribal Action on Climate Change in a Time of Federal Uncertainty Conference, University of Oregon School of Law, Portland, Oregon, October 26-27, 2017

University of Texas School of Law, Faculty Colloquium, Austin, Texas, September 28, 2017

Climate Change Law and Policy Works-in-Progress Symposium, August 10-11, 2017, Boulder, Colorado

Judge Made Risk Regulation Conference, Utrecht University, Utrecht, Netherlands, February 10, 2017

Are ‘They’ ‘We’?

Animal Law and Environmental Law: Building Collaboration, Yale Law School,
New Haven, Connecticut, November 5, 2016

It’s Later Than We Think: Understanding the Wickedness of Climate Change as a Policy Problem

Hutton Honors College, Indiana University, Bloomington, Indiana, April 7, 2016

Living with Owning: Property, Community, and the Zanesville, Ohio Animal Massacre

Harris Lecture, Indiana University Maurer School of Law, Bloomington, Indiana,
April 6, 2016

The Baldy Center for Law & Social Policy, SUNY Buffalo Law School, Buffalo,
New York, April 29, 2016

Legal Studies and Business Ethics Department Workshop, The Wharton School,
Philadelphia, Pennsylvania, September 15, 2016

Yale Environmental Humanities Initiative, New Haven, Connecticut, February
12, 2019

Making a Contribution in Environmental Law

Keynote Address, Future Environmental Law Professors Workshop, Pace Law
School, September 18, 2015

Who is Legally Responsible for Climate Change?

Shimizu Fellow Lecture, London School of Economics, Department of Law, May
22, 2015

Climate Change, Courts, and the Rule of Law

Kwa Geok Choo Distinguished Visitors Lecture, National University of
Singapore Faculty of Law, January 15, 2014

Behavioral Economics and Environmental Law

University of California-Los Angeles School of Law, Los Angeles, California,
January 10, 2013

Global Environmental Constitutionalism

The Clough Center for the Study of Constitutional Democracy, Boston College,
Boston, Massachusetts, September 25, 2012

Limited Government in an Era of Unlimited Harm

Annual Law Day Keynote Speaker, Mercer University School of Law, Macon,
Georgia, March 16, 2012

Climate Change, Courts, and the Common Law

Joseph M. Field ’55 Professor of Law Inaugural Lecture, Yale Law School, New
Haven, Connecticut, November 15, 2010

What Climate Change Can Do About Tort Law,
Climate Change Law and Policy: What Next? Works-in-Progress Symposium,
August 12-14, 2010, Boulder, Colorado
Lewis & Clark Distinguish Environmental Law Scholar Lecture, Portland,
Oregon, October 14, 2010
Loyola University New Orleans College of Law, New Orleans, Louisiana, March
10, 2011
Brooklyn Law School, Brooklyn, New York, January 13, 2011
New York University Law School, New York, New York, February 4, 2011

Regulating from Nowhere: Environmental Law and the Search for Objectivity
Carleton University, Ottawa, Ontario, March 1, 2011
Environmental Law and Policy Program Lecture Series, University of Michigan
Law School, February 9, 2011
American Constitution Society, Washington, D.C., November 4, 2010
Program on Regulation, University of Pennsylvania, September 28, 2010
Suffolk University School of Law, Boston, Massachusetts, April 15, 2009
University of Toronto, Toronto, Ontario, March 27, 2009
Third Conference on Law & Mind Sciences, Harvard Law School, Cambridge,
Massachusetts, March 6, 2009
University of British Columbia Faculty of Law, Vancouver, British Columbia,
January 28, 2008
University of California-Davis School of Law, Davis, California, January 17, 2007
University of Southern California Gould School of Law, Los Angeles, California,
November 15, 2007
Loyola Law School, Los Angeles, California, October 11, 2007
University of California-Los Angeles School of Law, Los Angeles, California,
October 15, 2007
Environmental Toxicology Seminar, Cornell University, Ithaca, New York,
November 11, 2006

Spilling Over: Economics and Ethics in Environmental Protection
The Donchian Ethics Symposium, University of Richmond, September 20, 2010

The Global Warming Crisis: Regulating Risk
AALS Mid Year Meeting Workshop on Property, New York, New York, June 12,
2010

Green Consumers, Green Citizens
Campus Greening and Social Responsibility Conference Keynote Presentation,
Housatonic Community College, Bridgeport, Connecticut, April 29, 2010

Thinking Outside the Cap: Next Steps for U.S. Climate Policy
Federalist Society Debate, Yale Law School, New Haven, Connecticut, April 8,
2010

Abnormally Dangerous: Inequality Dissonance and the Making of Tort Law

2010 Monsanto Lecture, Valparaiso University School of Law, Valparaiso, Indiana, March 19, 2010 (with Jon Hanson)

Cooperation After Copenhagen: Climate Change and World (Dis)Order

Panel Moderator and Organizer, Yale Law School, New Haven, Connecticut, March 2, 2010

Nanotechnology, Environmental Assurance Bonding, and Symmetric Humility

Environmental Capstone Colloquium, University of Florida College of Law, Gainesville, Florida, February 11, 2010

Working Conference on Nanotech Regulatory Policy, University of California-Los Angeles, Los Angeles, California, April 17, 2009

Complexity and Catastrophe

Administrative Law of Emergencies Conference, University of California-Berkeley, Berkeley, California, January 23, 2010

Climate Change and Legal Education: It's Getting Hot in Here,

Panel Moderator and Co-Organizer, AALS Annual Meeting, New Orleans, Louisiana, January 9, 2010

Other Forms of Life

Environmental and Land Use Research Workshop, Georgetown Law Center, Washington, D.C., October 15, 2009

New Thinking in Climate Change Law and Policy Works-in-Progress Seminar, University of Colorado Law School, Boulder, Colorado, August 6-7, 2009

Constitutional Dimensions of Environmental Law,

Session Organizer and Co-Chair, Global Constitutionalism Conference, Yale Law School, New Haven, Connecticut, September 24-26, 2009

Legal Issues Related to Nanotechnologies

Nanoethics Graduate Education Symposium, University of Washington, Seattle, Washington, September 9, 2009

Cost-Benefit Analysis and its Limits (and Market Based Instruments),

Session Co-Chair, The Regulatory State at the 21st Century, Bar Ilan University, Ramat Gan, Israel, May 17-18, 2009

International Legal Regimes

Environmental Norms, Institutions, and Policy Workshop, Stanford University, Palo Alto, California, April 30, 2009

Consumers and the Cultural Cognition of Risk

Energy and the Environment: Empowering the Consumer, Hofstra Law School,
Hempstead, New York, March 19-20, 2009

Fish Tales

Temple University Beasley School of Law, Philadelphia, Pennsylvania,
September 15, 2008

Climate Change and Consumption

Conference Introductory Speaker, Vanderbilt, Nashville, Tennessee, April 18-19,
2008

Harnessing the Power of Information for the Next Generation of Environmental Law

Conference Commentator, University of Texas-Austin School of Law, Austin,
Texas, February 1-2, 2008

Cultural Cognition and Nanotechnology

Nanotechnology: The New Generation, Embassy of France, Washington D.C.,
July 7-9, 2008

Center for Nanotechnology in Society, Arizona State University, Tempe,
Arizona, October 26, 2007

Cornell Nanoscale Science & Technology Facility 30th Anniversary Conference,
Cornell University, Ithaca, New York, June 14, 2007

It Might Have Been: Risk, Precaution, and Opportunity Costs

Syracuse University College of Law, Syracuse, New York, April 23, 2007

Illinois Program in Law and Economics Workshop, University of Illinois College
of Law, Champaign, Illinois, April 5, 2007

Behavioral Law and Economics Workshop, University of Minnesota Law School,
Minneapolis, Minnesota, April 4, 2007

University of Arizona Rogers College of Law, Tucson, Arizona, October 12, 2006

Florida State University College of Law, Tallahassee, Florida, March 20, 2006

University of Pennsylvania Law School, Philadelphia, Pennsylvania, March 13,
2006

Notre Dame Law School, Notre Dame, Indiana, March 3, 2006

Workshop on Governance, Georgetown University Law Center, Washington,
D.C., February 16, 2006

Legal Theory Workshop, University of California-Los Angeles School of Law,
Los Angeles, California, December 1, 2005

Yale Law School, New Haven, Connecticut, November 21, 2005

International Law Workshop, Harvard Law School, Cambridge, Massachusetts,
October 20, 2005

Midwestern Law and Economics Association, Annual Meeting, Chicago, Illinois,
October 14-15, 2005

Washington University School of Law, St. Louis, Missouri, September 26, 2005

University of Minnesota Consortium on Law and Values in Health, Environment
& the Life Sciences, Where Are Law, Ethics & the Life Sciences Headed?
Frontier Issues, Minneapolis, Minnesota, May 20, 2005
Law and Economics Workshop, Boston University School of Law, Boston,
Massachusetts, February 23, 2005
Stanford Law School, Palo Alto, California, November 15, 2004

Domestic Environmental Law and the Nation-State Subject
Globalization Comes Home Conference, University of California-Berkeley,
Berkeley, California, February 1, 2007

Risk, Litigation, and Disaster: Lessons from Katrina
2006 McGlinchey Lecture, Tulane University Law School, New Orleans,
Louisiana March 31, 2006

*Did NEPA Drown New Orleans? The Levees, the Blame Game, and the Hazards of
Hindsight*
Bovay Colloquium Series, Cornell University, Ithaca, New York, November 15,
2006
Thirty-Sixth Annual Duke Law Journal Administrative Law Conference, March
24, 2006

Ecologic: Complexity, Cognition, and Our Environmental Future
2006 Distinguished Lecture in Environmental Law, Florida State University
College of Law, Tallahassee, Florida, March 20, 2006

Sustainable Development and Private Global Governance
Harvard Law School, Cambridge, Massachusetts, April 25, 2005
Water Banks, Piggybanks, and Bankruptcy: New Directions in Water Law,
University of Texas-Austin School of Law, Austin, Texas, February 4-5, 2005

*Preferences for Processes: The Process/Product Distinction and the Regulation of Consumer
Choice*
Emory University School of Law, Atlanta, Georgia, October 20, 2004
Chicago-Kent College of Law, Illinois Institute of Technology, Chicago, Illinois,
September 14, 2004
2004 Howard H. Rolapp Distinguished Scholar Lecture, S.J. Quinney College of
Law at the University of Utah, Salt Lake City, Utah, April 12, 2004
Stanford Law School Environmental Workshop Seminar, Palo Alto, California,
March 29, 2004
University of Connecticut School of Law, Hartford, Connecticut, March 8, 2004
University of Indiana-Bloomington School of Law, Bloomington, Indiana,
January 23, 2004
Science Studies Reading Group Workshop, Cornell University Department of
Science and Technology Studies, Ithaca, New York, November 24, 2003

University of British Columbia Faculty of Law, Vancouver, British Columbia,
November 21, 2003
Harvard Law School Environmental Law Conference, Cambridge, Massachusetts,
November 6, 2003
University of Illinois College of Law, Champaign, Illinois, October 13, 2003

Are Heuristics a Problem or a Solution?

Rapporteur, Dahlem Workshop on Heuristics and the Law, Freie Universität
Berlin, Berlin, Germany, June 6-11, 2004

The Expectations of Consumers

Workshop on Recent Trends in Tort Law Theory, Universitat Pompeu Fabra,
Barcelona, Spain, May 3, 2004
American Law and Economics Association Annual Meeting, Toronto, Ontario,
September 20-21, 2003
Law and Society Association Annual Meeting, Pittsburgh, Pennsylvania, June 5-8,
2003
Indiana University School of Law-Indianapolis, Indianapolis, Indiana, April 17,
2003
Midwestern Law and Economics Association, Annual Meeting, Champaign-
Urbana, Illinois October 11-12, 2002
Canadian Law and Economics Association Annual Meeting, Toronto, Ontario,
September 27-28, 2002

Feminist Theory, Corporations and Capitalism

Panel Organizer and Presenter, Feminism and Legal Theory Project—The 20th
Summer Workshop, Madison, Wisconsin, June 26-28, 2003

Law, Environment, and Vision

Stanford/Yale Junior Faculty Forum, Yale University, New Haven, Connecticut,
May 30-June 1, 2002
University of California-San Diego and University of San Diego, Public Policy
Research/Law and the Behavioral Sciences Programs Workshop Series, San
Diego, California May 2, 2002
Canadian Law and Economics Association, Annual Meeting, Toronto, Ontario,
September 28-29, 2001

Sustainability, Distribution, and the Macroeconomic Analysis of Law

Cornell Law School, Ithaca, New York, November 2, 2001
Georgetown University Law Center, Environmental Research Workshop,
Washington, D.C., October 11, 2001
Baldy Center for Law & Social Policy, Buffalo, New York, April 20-21, 2001

The Joint Failure of Economic Theory and Legal Regulation

Northeastern University School of Law, Tobacco Products Liability Conference,
Boston, Massachusetts, June 4, 2000

Taking Behavioralism Seriously: A Response to Market Manipulation

Roger Williams University School of Law, Rational Actors or Rational Fools:
The Implications of Psychology for Products Liability, Bristol, Rhode Island,
April 21, 2000

media contributions

Invited Post, [Climate Change and the Neoliberal Imagination](#), LPE Blog, October 17, 2023

Editorial Column, [The Supreme Court's Ruling on Prop 12 is a Win against Factory Farming](#), Vox, May 12, 2023 (with Justin Marceau)

Editorial Column, [It's Time for Climate Change to Reach the International Court of Justice](#), The Hill, December 14, 2022

Podcast Guest, [Life on the Ark](#), November 3 & December 19, 2022

Podcast Guest, [Energy Tradeoffs](#), December 9, 2019

Podcast Guest, [When We Talk About Animals](#), November 19, 2019

Editorial Column, [The Closing Argument](#), Los Angeles Review of Books BLARB,
January 16, 2019

Editorial Column, [Fossil Fuel Industry's Tobacco Moment Has Arrived](#), Law360.com, July
28, 2017

Editorial Column, [In 'the Most Important Lawsuit on the Planet,' Who Exactly Should the Ninth Circuit Rein In?](#), The Recorder, June 23, 2017

Editorial Column, [Climate Victims Deserve a Hearing, Whether Here or in the Hague](#),
Huffington Post, October 3, 2012 (with Tian Huang)

Editorial Column, [Parlez-Vous Cap-and-Trade?](#), Huffington Post, May 23, 2012 (with
Webb Lyons)

Editorial Column, [Prods and Pleas: Limited Government in an Era of Unlimited Harm](#),
[Huffington Post](#), Huffington Post, November 30, 2011

Editorial Column, [Supreme Court Ruling is Good, Bad and Ugly](#), 474 Nature 421 (2011)

Editorial Column, [Kenneth Feinberg's Paper Chase](#), The Times-Picayune, December 23,
2010

Editorial Column, [Not Carbon Offsets, But Carbon Upsets](#), Guardian.co.uk, August 29,
2010

[Radio Appearance, *To the Point*](#), National Public Radio, June 10, 2010

Editorial Column, [Adam Smith Meets Climate Change](#), Slate, September 25, 2008 (with Ian Ayres)

Radio Appearance, *Marketplace*, National Public Radio, September 2, 2005

Editorial Column, *Tort Law, Texas Style*, Center for American Progress, October 20, 2004

Radio Appearance, *Marketplace*, National Public Radio, August 18, 2004

Editorial Column, *A Weighty Matter? Not This One*, Orlando Sentinel, March 17, 2004

selected university service

Faculty Co-Director, Yale Law School [Law, Ethics, and Animals Program](#)

Chair, President's Law School Decanal Review Committee 2021-2022

Deputy Dean, 2011-2013, 2018-2020

Law School Title-IX Coordinator, 2011-2013, 2016-2018

University-Wide Committee on Sexual Misconduct, 2014-2017

Co-Chair, Clinical Appointments Committee, 2015-2016

Co-Chair, Clinical Appointments Committee, 2014-2015

Chair, Calendar Reform Committee, 2013-2014

Acting Director, Yale Center for Environmental Law and Policy, 2011-2013

Appointments Committee, 2009-2010

University Budget Committee, 2009-2010

Dean Search Committee, 2009

Appointments Committee, 2006-2007

Co-Chair, Program Review Committee, 2006

President's Ad Hoc Faculty Committee on Environmental Sustainability, 2005-2006

Provost's Task Force on Sustainability in the Age of Development, 2005

Appointments Committee, Fall 2004

Entry Level Appointments Committee, 2003-2004

Admissions Committee, 2001-2005 (Chair, 2002-2003)

University Assembly, 2003-2005

Public Interest Working Group, 2001

professional memberships and service

Member, International Advisory Board, Global Observatory on Genome Editing

Member, Scientific Committee, "Legal Policy & Pandemics – The Journal of the Global Pandemic Network"

Member, AALS Nominating Committee for 2013 Officers and Members of the Executive Committee

Member, Climate Law Institute Advisory Board, Center for Biological Diversity,
2011-present
Member, Planning Committee, 2012 AALS Mid-Year Conference on Torts,
Environment and Disaster
Executive Committee, AALS Section on Environmental Law Association of
American Law Schools (Chair 2009)
Massachusetts Bar Association
Outside reviewer, Land Use and Environmental Law Review, Journal of Legal
Studies, Regulation and Governance, Transnational Environmental Law
Manuscript referee, MIT Press, NYU Press, Oxford University Press, University of
Arizona Press, Aspen Publishers, Cambridge University Press, American Bar
Association Book Publishing, Harvard University Press
Member, Advisory Board, Transnational Environmental Law, 2011-present

grants, awards, and distinctions

Yale School of Management, Executive MBA Program, Sustainability Cohort 2024
Teaching Award
Yale School of Management, Executive MBA Program, Sustainability Cohort 2023
Teaching Award
Secured ~\$4,800,000 in Grants and Gifts to Fund the [Law, Ethics, & Animals Program](#)
at Yale Law School
Conference Co-Organizer, [Climate Change and Animal Agriculture Litigation
Initiative Expert Workshop](#), Yale Law School, September 23-25, 2022
Yale School of Management, Executive MBA Program, Sustainability Cohort 2022
Teaching Award
Named Among Top Ten “Most Cited Younger Legal Scholars,” Fred R. Shapiro, The
Most Cited Legal Scholars Revisited, 88 U. Chi. L. Rev. 1595 (2021)
Yale School of Management, Executive MBA Program, Sustainability Cohort 2021
Teaching Award
Yale School of Management, Executive MBA Program, Sustainability Cohort 2020
Teaching Award
Yale School of Management, Executive MBA Program, Sustainability Cohort 2019
Teaching Award
Conference Co-Organizer, [Climate Change Litigation in the Asia Pacific](#), National
University of Singapore, June 7-8, 2018
Yale School of Management, Executive MBA Program, Sustainability Cohort 2017
Teaching Award
Indiana University Wells Scholars Program 25th Anniversary Distinguished Alumni
Award
Conference Organizer, [Global Climate Policy Without the United States: Thinking
the Unthinkable](#), November 9-10, 2012
Recipient, 2011-12 Yale Law Women Award for Outstanding Leadership
Societal and Ethical Issues Coordinator, National Nanotechnology Infrastructure
Network, 2006-2008
Selected to present at the 2004 Stanford/Yale Junior Faculty Forum
Elected Convocation Speaker by the Cornell University School of Law Class of 2004

Recipient, 2004 Dean Anne Lukingbeal Award
Co-Principal Investigator, \$1,200,000 N.S.F. Nanotechnology Grant NIRT
Selected to present at the 2002 Stanford/Yale Junior Faculty Forum
Elected Convocation Speaker by the Cornell University School of Law of 2002