

## **curriculum vitae**

**Douglas A. Kysar**

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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 Forestry & Environmental Studies (by courtesy), 2010-present

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

- Courses Taught: Torts; Products Liability; Climate Change Law & Policy; Constitutions and the Environment; Law & Globalization; Advanced Torts; Environmental Protection Clinic; Climate Change and the International Court of Justice; Law, Environment, and Religion; 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 (8<sup>th</sup> ed., Aspen Publishers, 2016) (with James A. Henderson, Jr., & Aaron Twerski)

The Torts Process (8<sup>th</sup> 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)

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

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

## **publications: articles**

*Impacts of Climate Attribution Science on Tort Litigation*, Environmental Law Institute (forthcoming) (with Isabella Soparkar)

*Of Coase and Cherries: Risk Regulation Among Neighbors in Wasco County* (forthcoming) (with Conor Dwyer Reynolds)

*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 & Env'tl. 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 Env'tl. 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 & Env'tl. 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., 3<sup>rd</sup> 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**

*Climate Change and the Neoliberal Imagination*, in *Multiple Carbons* (Sheila Jasanoff and Stefan Schaefer, eds., forthcoming)

*Climate Change and Animal Productions*, 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: book reviews**

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

[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)

[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))

[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**

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

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

[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)

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)

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

[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 \(S. Ct. October 6, 2008\) \(with David Driesen\)](#)

[Introduction: Climate Change and Consumption](#), 38 *Envtl. 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)

*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**

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

*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

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

*Climate Change and the Neoliberal Imagination*, Brooks Institute Summer Academic Workshop, June 25, 2021

*Unimaginable: Hope and Duty in the Anthropocene*, New York University Animal Studies Public Lecture, New York, New York, March 26, 2021

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

*False Imprisonment, 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 21<sup>st</sup> 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 30<sup>th</sup> 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**

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](#)

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**

Secured Over \$2,000,000 in Grants and Gifts to Fund the [Law, Ethics, & Animals Program](#) at Yale Law School  
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 25<sup>th</sup> 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