

# SUSAN P. KONIAK

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*Professor of Law, Emerita Boston University School of Law*

*President of Sarah's Place a nonprofit to fund research to help those minds work differently*

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## WRITING

### **Op-Eds and Magazine Pieces**

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David Dana & Koniak, Secret Court Settlements are a Scourge on Society, Op-ed Washington Post December 14, 2017

Koniak & George M. Cohen, David Dana, Thomas Ross, How Washington Abetted The Bank Job, Op-ed, NY Times, April 4, 2010

John D. Geanakoplos & Koniak, Matters of Principal, Op-Ed, NY Times, March 5, 2009

John D. Geanakoplos & Koniak, Mortgage Justice is Blind, Op-Ed, NY Times, October 30, 2008

Koniak, Opinion, Legal Affairs, Prudent Jurist Section, September/October 2003, at p 15

Koniak, Who Gave Lawyers a Pass, Forbes Magazine, August 12, 2002 at p 58

### **Profiles of and Conversations With**

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Profiled in Wall St Journal, May 8, 2002, Marketplace Section, at B1  
“Launching Broadships at the Bar” by Michael Gray

Profiled in Corporate Board Member, July/August 2003 annual “America’s Best Corporate Lawyers” Edition, Vol 6, # 4 at p 40, “Enemy of the (Shifty) Legal People,” by James Burnett

Profiled in American Lawyer, August 2002, at p 37, table of contents title “What’s Making Susan Koniak so Mad?”, “Professor Scold” by Paul Braverman

Harvard Business Review, November 22, 2002, Forethoughts Section: “Can you Trust your Law Firm?” conversation with Susan P Koniak at p 22

## Academic Articles

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Koniak, My Teacher, My Friend, 70 Hastings L. J. 1093 (2019), Tribute to Geoffrey C Hazard

Koniak, To All Government Lawyers, Roger Left You a Note, 103 Cornell L. Rev. 1329 (2019), Tribute to Roger C Cramton

Cristina Granziera & Ay, Koniak, & Krueger, Diffusion Tensor Imaging Shows Structural Remodeling of Stroke Mirror Regions: Results of a Pilot Study, 67 European Neurology 370 (2012) (peer reviewed journal)

Koniak & Roger C. Cramton and George M. Cohen, Legal and Ethical Duties of Lawyers After Sarbanes-Oxley, 49 Villanova L. Rev. 725 (2004).

Koniak, How Like a Winter? The Plight of Absent Class Members Denied Adequate Representation, 79 Notre Dame L. Rev. 1787 (2004)

Koniak and David A. Dana, Secret Settlements and Practice Restrictions Aid Lawyer Cartels and Cause other Harms, 5 Illinois. L. Rev. 1217 (2003)

Koniak, When the Hurlyburly's Done: The Bar's Struggle with the SEC, 103 Columbia L. Rev. 1236 (2003)

Koniak, Corporate Fraud: See Lawyers, 26 Harv. J.L. & Pub. Pol'y 195 (2003)

Koniak, Are Agreements to Keep Secret Information in Discovery Legal, Illegal or Something in Between, 30 Hofstra L Rev 78 (2002)

Koniak and George Cohen, In Hell There Will Be Lawyers Without Clients or Law, 30 Hofstra L Rev 129 (2001)

Koniak and David A Dana, Bargaining in the Shadow of Democracy, 148 U of Pennsylvania Law Review 473 (1999)

Koniak, The Other Way Round, 5 Roger Williams L Rev 145 (1999)

Koniak and George M Cohen, In Hell There Will Be Lawyers Without Clients or Law **ETHICS IN THE PRACTICE OF LAW**, Deborah Rhode, ed (Oxford Univ Press 2000)

Koniak Vita

Koniak, The Lawlessness in Our Courts, 28 Stetson L Rev 281 (1998)

Koniak, The Chosen People in Our Wilderness, 95 Michigan L Rev 1761 (1997) (book review of Dees, **GATHERING STORM** (1997) and Stock, **RURAL RADICALS** (1997))

Koniak and George M Cohen, Under Cloak of Settlement, 82 Virginia L Rev 1051 (1996)

Koniak, When Law Risks Madness, 8 Cardozo L & Lit 65 (1996)

Koniak and Roger C Cramton, Rule, Story and Commitment in the Teaching of Legal Ethics, 38 William & Mary L Rev 145 (1996)

Koniak, Class Action Against Class Counsel, 1 J Inst Study Legal Ethics 249 (1996)

Koniak, Principled Opinions: Response to Brickman, 65 Fordham L Rev 337 (1996)

Koniak and Geoffrey C Hazard, Jr, Paying Attention to the Signs, 58 Duke L & Contemp Prob 117 (1996)

Koniak, Law and Ethics in a World of Rights and No Wrongs, 9 Canadian Journal of Law & Jurisprudence 11 (1996)

Koniak, Feasting While the Widow Weeps: Georgine v Amchem Products 80 Cornell L Rev 1045 (1995)

Koniak, Through the Looking Glass of Ethics and the Wrong with Rights We Find There, 9 Georgetown JLeg Ethics 1 (1995)

Koniak, When Courts Refuse to Frame the Law and Others Frame it to their Will, 66 Southern California L Rev 1075 (1993)

Koniak, The Law Between the Bar and the State, 70 North Carolina L Rev 1390 (1992)

Koniak, Whose Law is it Anyway?, 9 Yale J on Reg 575 (1992) (book review of Sigler & Murphy, **CORPORATE LAWBREAKING & INTERACTIVE COMPLIANCE** (1991))

## **Books**

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Memoir, In Progress

Geoffrey C Hazard, Jr, Susan P Koniak, Roger C Cramton, George M Cohen & W Bradley

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Wendel, **THE LAW AND ETHICS OF LAWYERING**, 6<sup>th</sup> Ed (Foundation Press 2017)

Geoffrey C Hazard, Jr, Susan P Koniak, Roger C Cramton, George M Cohen & W Bradley Wendel, **THE LAW AND ETHICS OF LAWYERING**, 6<sup>th</sup> Ed (Foundation Press 2017), 5<sup>th</sup> (2010)

Geoffrey C Hazard, Jr, Susan P Koniak, Roger C Cramton & George M Cohen, **THE LAW AND ETHICS OF LAWYERING**, 4<sup>th</sup> Ed (Foundation Press 2005)

Koniak and George Cohen, **FOUNDATIONS OF THE LAW AND ETHICS OF LAWYERING** (Foundation Press 2004)

Geoffrey C Hazard, Jr, Susan P Koniak & Roger C Cramtion, **THE LAW AND ETHICS OF LAWYERING**, 3d Ed (Foundation Press 1999)

Geoffrey C Hazard, Jr, Susan P Koniak & Roger C Cramton, **THE LAW AND ETHICS OF LAWYERING**, 2d Ed (Foundation Press 1994)

Geoffrey C Hazard, Jr, & Susan P Koniak, **THE LAW AND ETHICS OF LAWYERING** (Foundation Press 1990)

Robert F Cushman with Susan P Koniak, **CASES IN CONSTITUTIONAL LAW**, 8<sup>th</sup> Ed (Englewood Cliffs: Prentice-Hall, 1994)

Robert F Cushman with Susan P Koniak, **LEADING CONSTITUTIONAL DECISIONS**, 17<sup>th</sup> Ed (Englewood Cliffs: Prentice-Hall, 1986)

## **Distinguished Lectures and Other Speaking Engagements**

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Robert Raven Annual Distinguished Lecture Series, Boalt Hall, U of California at Berkeley

Distinguished Lecture in Corporate Governance, Notre Dame Law School

Distinguished Lecture in Law of Lawyering and Ethical Responsibilities of Lawyers, Loyola University Law School

Participant as a principal speaker in symposia at invitation only events at universities and organizations including, but not limited to:

The Catholic University of Portugal in Porta

The CBS Broadcasting Network, one of the “Big Three” networks in the U.S.

Cornell Law School

Koniak Vita  
Georgetown Law Center,  
Harvard Law School,  
Hofstra Law School  
Yale Law School.

Invitational address to the 1<sup>st</sup> Circuit Court of Appeals Judges  
Presentation to the Circuit Judges of the United States Courts of Appeals  
Presentation to the state court Judges of Massachusetts, twice  
Various presentations to conferences of Securities Lawyers

### **PROFESSIONAL ACTIVITIES**

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Editor of grant proposals, peer reviewed medical journal articles and presentations for a top neuroscience researcher and neurologist, 2007-present

Editor of book length practice guide for California Commission on Access to Justice in 2019

Advisory Board of D & O Advisor, Corporate Governance Magazine appointed at its inception

Testified before the US Senate Judiciary Committee on Lawyer Involvement in, Responsibility for, and Reform Proposals arising out of collapse of Enron, Global Crossing, Worldcom etc... at the request of then Democratic Senator John Edwards, a member of the committee, February 6, 2002

Testified before US House Judiciary Committee's Subcommittee on Courts and Intellectual Property on Abuse in Class Actions, at the request of the Republican committee members March 5, 1998

Member of the Supreme Judicial Court of Massachusetts Ad Hoc Committee on the Rules of Professional Conduct, 1994 to 1996

Consultant to various entities, including US government agencies, and individual lawyers on the law and ethical standards governing lawyers and on securities law, 1989 to present

Co-principal investigator, Keck Project in Comparative Ethics, with Professor Geoffrey C Hazard, Jr, 1991-1996

Member of the Boston Bar Associations' Committee on Civil Litigation Standards, 1993-94

Member of the Executive Committee of the Amer Assn of Law Schools Section on Professional Responsibility, 1991-93

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Chairperson of Amer. Assn. of Law Schools' Section on Law and Community, 1989-90

National Reporter for the United States for the International Conference on Procedural Law and Ethics, 1991

Instructor in Corporate Ethics in Yale's Executive Management Program, 1990-1991

President, Phi Beta Kappa, University of Pittsburgh Chapter 1989-90

Consultant to four Presidents of the ABA, 1980-83, 1989

Managing Editor of Supreme Court Preview, 1983-84

#### **ACADEMIC APPOINTMENTS**

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Boston University Law School  
Professor of Law, appointed September 1993

Harvard University Law School  
Visiting Professor of Law, August 1998 to May 1999

Cornell Law School  
Visiting Professor of Law, August 1997 to May 1998

University of Pittsburgh School of Law  
Associate Professor of Law, Appointed September 1987; Granted Tenure May 1992

Yale School of Management  
Visiting Asst Prof of Ethics and Management, September 1990 to May 1992

Yale Law School, Lecturer in Law, Spring 1991

Yale Law School, Guest Lecturer, Legal Ethics Series  
Fall 1986, Fall 1990, Fall 1991, Fall 1992, Fall 1993

Georgetown University Law Center, Adjunct Professor in Legal Ethics  
Fall 1985, Fall 1986

Catholic Law School, Adjunct Professor in Legal Ethics, Fall 1984

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**EDUCATION**

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Yale Law School, JD 1978  
First Woman Finalist in Yale's Prize Trial  
Class Representative to the Faculty  
Class Secretary

New York University, BA 1975, magna cum laude

**EMPLOYMENT HISTORY (EXCLUDING VISITING PROFESSORSHIPS LISTED ABOVE)**

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Boston University, School of Law, Professor of Law, Appointed with Tenure, May 1993, Subjects: Law of Lawyering, Constitutional Law, Advanced Civil Procedure, Class Actions, Criminal Law

University of Pittsburgh, Assoc Professor of Law, Tenured 1992, Appointed 1987

Consultant to the law firm of Morrison and Foerster, 1985-87, writing and editing for Robert D Raven, incoming President of the American Bar Association

Georgetown University Law Center and the District of Columbia Bar, Executive Director, Continuing Legal Education, 1981-85

Greater Boston Legal Services, Director of Governance, 1980-81

American Bar Association, Assistant to the President, 1979-80

US Congress, Legislative Aide to former Senator, then-Congressman, Christopher J Dodd, 1978-79