

JASON JOSEPH CZARNEZKI

VERMONT LAW SCHOOL
ENVIRONMENTAL LAW CENTER
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EXPERIENCE

VERMONT LAW SCHOOL
SOUTH ROYALTON, VERMONT
Professor of Law, 2009— (*academic leave, 2009-2010*)
Faculty Fellow, Land Use Institute, 2008—
Associate Professor of Law, 2008-2009
Vermont Law School Research Grant, 2008

SUN YAT-SEN UNIVERSITY (ZHŌNGSHĀN DÀXUÉ)
中山大學
GUANGZHOU, CHINA
J. William Fulbright Scholar, 2009-2010

DEPAUL UNIVERSITY COLLEGE OF LAW
CHICAGO, ILLINOIS
Visiting Professor of Law, Spring 2008

MARQUETTE UNIVERSITY LAW SCHOOL
MILWAUKEE, WISCONSIN
Assistant Professor of Law, 2004-2008 (*academic leave, Spring 2008*)
Faculty Director, Environmental Law Program, 2004-2008
Outstanding Leadership Award, Wisconsin Department of Natural Resources,
Bureau of Legal Services
Dean's Fund Summer Research Grants, 2004-2007

JUDGE D. BROCK HORNBY
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MAINE
PORTLAND, MAINE
Law Clerk, 2003-2004

SIDLEY AUSTIN BROWN & WOOD
CHICAGO, ILLINOIS
Summer Associate, 2002-2003 (General Litigation and Environmental Groups)

THE UNIVERSITY OF CHICAGO
LAW, LETTERS, AND SOCIETY PROGRAM
Teaching Assistant, 2002 (Constitutional Law)

WISCONSIN DEPARTMENT OF NATURAL RESOURCES
BUREAU OF LEGAL SERVICES
Law Clerk, 2001 (Wetlands and Water Regulation and Jurisdiction)

UNIVERSITY OF WISCONSIN
POLITICAL SCIENCE DEPARTMENT
Teaching Assistant, 2001 (Constitutional Law)

EDUCATION

THE UNIVERSITY OF CHICAGO LAW SCHOOL
J.D. *with Honors*, June 2003
The D. Francis Bustin Prize for “Outstanding Paper which makes a Valuable and Important Contribution to the Improvement and Betterment of the Processes of Government”
The University of Chicago Law Review
Independent Research with Professors Cass Sunstein and Douglas Baird
Nominated for The Casper Platt Award for Outstanding Law Student Paper
Nominated for The Law & Society Association Student Paper Prize for Outstanding Socio-Legal Research

THE UNIVERSITY OF CHICAGO
A.B. *with General Honors*, June 2000
Concentrations: Environmental Studies and Public Policy Studies
College Honor Scholar (Full Tuition Merit Scholarship)
Dean’s List, 1996-2000

BOOKS

A GREENER MANIFEST DESTINY: FRONTIERS IN ENVIRONMENTAL LAW & POLICY (forthcoming 2010) (under contract with ENVIRONMENTAL LAW INSTITUTE PRESS)

ARTICLES

The Ideology of Legal Interpretation (with Sara C. Benesh), Symposium Issue on Empirical Research on Decision-making in the Federal Courts, 29 WASHINGTON UNIVERSITY JOURNAL OF LAW & POLICY ___ (forthcoming 2009)

Working Class Judges (with William Henderson & Christopher Zorn), 88 BOSTON UNIVERSITY LAW REVIEW 829 (2008)

An Empirical Investigation of Judicial Decisionmaking, Statutory Interpretation & the Chevron Doctrine in Environmental Law, 79 UNIVERSITY OF COLORADO LAW REVIEW 767 (2008)

An Empirical Investigation of the Confirmation Hearings of the Justices of the Rehnquist Court (with William K. Ford & Lori A. Ringhand), Symposium: The Rehnquist Court in Empirical and Statistical Retrospective, 24 CONSTITUTIONAL COMMENTARY 127 (2008) (faculty-edited journal)

Environmentalism & The Wisconsin Constitution, Symposium Issue on the Wisconsin Constitution Conference, 90 MARQUETTE LAW REVIEW 465 (2007) (invited submission), *reprinted in* ICFAI JOURNAL OF ENVIRONMENTAL LAW, ENVIRONMENTAL REGULATION AND POLICY (ICFAI University Press, India, 2008), and PUBLIC TRUST DOCTRINE: ISSUES AND PERSPECTIVES (ICFAI University Press, India, 2009)

Advancing the Rebirth of Environmental Common Law (with Mark L. Thomsen), 34 BOSTON COLLEGE ENVIRONMENTAL AFFAIRS LAW REVIEW 1 (2007), *reprinted in* ENVIRONMENTAL LAW: PRINCIPLES AND DOCTRINE and PUBLIC NUISANCE AND ENVIRONMENTAL LAW (ICFAI University Press, India, 2008, 2009)

The Phantom Philosophy? An Empirical Investigation of Legal Interpretation (with William K. Ford), 65 MARYLAND LAW REVIEW 841 (2006)

Shifting Science, Considered Costs, and Static Statutes: The Interpretation of Expansive Environmental Legislation, 24 VIRGINIA ENVIRONMENTAL LAW JOURNAL 395 (2006), *reprinted in* ENVIRONMENTAL REGULATION and POLICIES AND INTERPRETATION OF STATUTES (AMICUS Books, ICFAI University Press, India 2008)

Revisiting the Tense Relationship Between the U.S. Supreme Court, Administrative Procedure and the National Environmental Policy Act, 25 STANFORD ENVIRONMENTAL LAW JOURNAL 3 (2006), *reprinted in* ENVIRONMENTAL JURISPRUDENCE: COUNTRY PERSPECTIVES (ICFAI University Press, India, 2007)

An Empirical Analysis of Dissensus on the United States Courts of Appeals (with William K. Ford), Marquette Law School Legal Studies Paper No. 06-31, First Annual Conference on Empirical Legal Studies Paper, <http://ssrn.com/abstract=914409>

The Utility of Nonuse Values in Natural Resource Damage Assessments (with Adrienne K. Zahner), 32 BOSTON COLLEGE ENVIRONMENTAL AFFAIRS LAW REVIEW 509 (2005)

Voting and Electoral Politics in the Wisconsin Supreme Court, 87 MARQUETTE LAW REVIEW 323 (2003)

Defining the Project Purpose under NEPA: Promoting Consideration of Viable EIS Alternatives, 70 UNIVERSITY OF CHICAGO LAW REVIEW 599 (2003)

ESSAYS

The Dubitante Opinion, 39 AKRON LAW REVIEW 1 (2006)

A Call for Change: Improving Judicial Selection Methods, 89 MARQUETTE LAW REVIEW 169 (2005)

PRESENTATIONS

VERMONT LAW SCHOOL / SUN YAT-SEN PARTNERSHIP FOR ENVIRONMENTAL LAW IN CHINA, *An Overview of American Environmental Law & An Introduction to U.S. Natural Resources Law*, Sun Yat-sen University Law School, Guangzhou, China, May 2009

EARTHCAS 09 KEYNOTE ADDRESS, *Everyday Environmentalism*, April 2009

AALS SECTION ON NATURAL RESOURCES LAW PANEL, “*Sustainability and Natural Resources: The Law, the Law Curriculum, and the Law School?*,” AALS Annual Meeting, San Diego, California, January 200

RURAL VERMONT COLLOQUIM, *Farmers’ Market Insurance*, Moderator, Vermont Law School, December 2008.

VERMONT LAW SCHOOL FACULTY WORKSHOP, *Opportunities in Electronic Publishing: SSRN & Blogging*, South Royalton, Vermont, September 2008.

EARTH DAY KEYNOTE ADDRESS, “*A Greener Manifest Destiny*,” University School of Milwaukee, April 2008

DEPAUL INTERNATIONAL LAW SOCIETY LECTURE, “*A Greener Manifest Destiny: The International Climate Crisis*,” Chicago, Illinois, April 2008

WASHINGTON UNIVERSITY JOURNAL OF LAW & POLICY SYMPOSIUM—EMPIRICAL RESEARCH ON DECISION-MAKING IN THE FEDERAL COURTS, Paper Presentation, “*The Ideology of Legal Interpretation*,” St. Louis, Missouri, April 2008

NORTHWESTERN UNIVERSITY LAW SCHOOL SEARLE CENTER, *Research Roundtable on the Expansion of Liability under Public Nuisance*, Chicago, Illinois, April 2008

VANDERBILT UNIVERSITY LAW SCHOOL REGULATORY PROGRAM FACULTY WORKSHOP SERIES, Paper Presentation, “*An Empirical Investigation of Judicial Decisionmaking, Statutory Interpretation & the Chevron Doctrine in Environmental Law*,” Nashville, Tennessee, November 2007

CHICAGO JUNIOR FACULTY WORKSHOP, Paper Presentation, “*An Empirical Investigation of Judicial Decisionmaking, Statutory Interpretation & the Chevron Doctrine in Environmental Law*,” Chicago, Illinois, May 2007

SEVENTH CIRCUIT ANNUAL BENCH-BAR CONFERENCE, Panel Discussion, “*The Rise of Law Blogs & Their Impact on the Law and the Administration of Justice*,” Milwaukee, Wisconsin, May 2007

SETON HALL UNIVERSITY SCHOOL OF LAW FACULTY COLLOQUIUM, Paper Presentation, “*An Empirical Investigation of Judicial Decisionmaking, Statutory Interpretation & the Chevron Doctrine in Environmental Law*,” Newark, New Jersey, April 2007

MARQUETTE UNIVERSITY FACULTY WORKSHOP, Paper Presentation, “*An Empirical Investigation of Judicial Decisionmaking, Statutory Interpretation & the Chevron Doctrine in Environmental Law*,” Milwaukee, Wisconsin, April 2007

WISCONSIN HUMANITIES COUNCIL DISCUSSION SERIES—“A MORE PERFECT UNION: TO ESTABLISH JUSTICE,” Discussant, “*A Civil Action by Jonathan Harr*,” February 2007 and October 2006

NATIONAL SCIENCE FOUNDATION SUPREME COURT ORAL ARGUMENT WORKSHOP, Research Presentation, “*Elements of Argument in the United States Supreme Court*,” Carnegie Mellon University, Pittsburgh, Pennsylvania, December 2006

WISCONSIN HUMANITIES COUNCIL DISCUSSION SERIES—“A MORE PERFECT UNION: TO ESTABLISH JUSTICE,” Discussant, “*For Good and Country: Faith and Patriotism Under Fire by James Yee & Aimee Molloy*,” November 2006

FIRST ANNUAL CONFERENCE ON EMPIRICAL LEGAL STUDIES, Paper Presentation, “*An Empirical Analysis of Dissensus on the United States Courts of Appeals*,” University of Texas School of Law, Austin, Texas, October 2006 (selected for presentation from a competitive Call for Papers sponsored by NYU, Cornell and the University of Texas Law Schools)

FIRST ANNUAL CONFERENCE ON EMPIRICAL LEGAL STUDIES, Discussant, “*How are Patent Cases Resolved? An Empirical Examination of the Adjudication and Settlement of Patent Disputes*,” University of Texas School of Law, Austin, Texas, October 2006

RANDALL-PARK DISTINGUISHED SPEAKER, Paper Presentation, “*Revelations in Supreme Court Confirmation Hearings? An Empirical Analysis of the Rehnquist Court*,” University of Kentucky College of Law, Lexington, Kentucky, October 2006

WISCONSIN CONSTITUTION CONFERENCE: IS THE WISCONSIN CONSTITUTION OBSOLETE?, Paper Presentation, “*Environmentalism & The Wisconsin Constitution*,” Milwaukee, Wisconsin, October 2006

MARQUETTE UNIVERSITY UNITED STATES SUPREME COURT FIRST MONDAY EVENT, Moderator, “*Past, Present, and Future of the Roberts Court*,” Milwaukee, Wisconsin, October 2006

MIDWEST LAW & SOCIETY RETREAT, Panel & Paper Presentation, “*Environment, Regulation and the Law*,” University of Wisconsin, Madison, Wisconsin, September 2006

LAW & SOCIETY ANNUAL MEETING, Panel and Paper Presentation, “*How Judges Make Decisions*,” Baltimore, Maryland, July 2006

UPPSALA UNIVERSITET ENVIRONMENTAL LAW FACULTY WORKSHOP,
“*Allemansret and The Public Trust Doctrine*,” Uppsala Universitet, Uppsala,
Sweden, June 2006

MIDWEST POLITICAL SCIENCE ASSOCIATION NATIONAL ANNUAL CONFERENCE,
Panel and Paper Presentation, “*Disentangling Law & Politics in Judicial
Decisionmaking*,” Chicago, Illinois, April 2006

VIRGINIA ENVIRONMENTAL LAW JOURNAL 25TH ANNIVERSARY SYMPOSIUM:
THE NEXT 25 YEARS—AN INTERDISCIPLINARY PERSPECTIVE ON
ENVIRONMENTAL LAW, Lecture, “*The Interpretation of Expansive
Environmental Legislation & The Rebirth of the Common Law*,” University of
Virginia Law School, Charlottesville, Virginia, March 2006

MARQUETTE ENVIRONMENTAL LAW SOCIETY ANNUAL LECTURE, “*Expansive
Environmental Legislation & The Rebirth of the Common Law*,” Milwaukee,
Wisconsin, March 2006

CHICAGO JUNIOR FACULTY WORKSHOP, Paper Presentation, “*Interpreting
Expansive Environmental Legislation*,” Chicago-Kent College of Law, Chicago,
Illinois, March 2006

MARQUETTE UNIVERSITY UNITED STATES SUPREME COURT FIRST MONDAY
EVENT, Moderator, “*Forecasting October Term 2005*,” Milwaukee, Wisconsin,
October 2005

LAW & SOCIETY ANNUAL MEETING, Panel and Paper Presentation, “*Alternative
Accounts of Judging*,” Las Vegas, Nevada, June 2005

MARQUETTE UNIVERSITY LAW SCHOOL FACULTY WORKSHOP, Paper
Presentation, “*The Phantom Philosophy?*,” Milwaukee, Wisconsin, May 2005

THE UNIVERSITY OF CHICAGO LEGAL SCHOLARSHIP WORKSHOP, Paper
Presentation, “*Proposing the Phantom Philosophy?*,” Chicago, Illinois, May
2003

THE UNIVERSITY OF CHICAGO LEGAL SCHOLARSHIP WORKSHOP, Paper
Presentation, “*Electoral Politics in the Wisconsin Supreme Court*,” Chicago,
Illinois, April 2003

MEDIA
INTERVIEWS &
CITATIONS

WISCONSIN PUBLIC RADIO, Interview, *2007 Wisconsin Supreme Court Election*,
February 2007

WISN-CHANNEL 12 NEWS, *2008 Presidential Race*, February 2008

NEW YORK TIMES, *How to Judge a Would-Be Justice*, April 14, 2008

MARQUETTE TRIBUNE, *History of Earth Day*, April 2008

ABA JOURNAL, *Best of the Blogosphere*, December 20, 2008 (recognizing Empirical Legal Studies as a Top 100 Law Blog)

BLUE RIDGE PRESS, *The Public Trust Doctrine and Groundwater*, March 2009

FUNDED
RESEARCH
EXPERIENCE

ELEMENTS OF ARGUMENT IN THE U.S. SUPREME COURT

Co-Principal Investigator
Marquette University Law School & University of
Wisconsin-Madison, Department of Sociology, 2005

THE JUDICIAL DECISION-MAKING PROJECT

Co-Principal Investigator
Collaborative Project: Marquette University Law School & University of
Chicago Law School, 2004-2005

GREAT LAKES WATER INSTITUTE

Yellowstone Lake Researcher
National Science Foundation Research Experiences for Undergraduates Grant
Yellowstone National Park, 1999

PACIFIC CETACEAN GROUP / EARTHWATCH ORGANIZATION

Dolphin and Sea Otter Researcher
Baird Scholarship
Monterey Bay, California, 1995

COURSES

Environmental Law
Natural Resources Law
Property Law (First Year Course)
Administrative Law
Empirical Legal Studies in Judicial Decision-Making (Seminar)
Frontier Issues in Environmental Law & Policy (Seminar)

RESEARCH
INTERESTS

Environmental Law & Policy
Natural Resources Law & Policy
Empirical Legal Studies
Administrative Law
Courts & Judges
Judicial Selection
Legal & Statutory Interpretation
Property and Land Use
Constitutional Law
Wetlands Regulation and Jurisdiction
Public Trust Doctrine
Regulation of Individual Behavior
Food Law

PROFESSIONAL
SERVICE

Article Reviewer, *Law & Society Review*
Advisor, *Vermont Journal of Environmental Law*
Manuscript Reviewer, *Aspen Publishers*
Planning Commissioner, City of Montpelier, Vermont
Member, Science & Policy Advisory Committee, Vermont Natural Resources
Board Water Resource Panel
Executive Committee, Section on Natural Resources Law, Association of
American Law Schools
Advisor, *Marquette Law Review*, 2006-2007
Editor and Founder, *The Empirical Legal Studies Blog* (www.elsblog.org) (with
Michael Heise, Theodore Eisenberg, William Ford, William Henderson,
Frank Cross, Sara Benesh, David Stras, Carolyn Shapiro, and
Christopher Zorn)
Editorial Board, Law & Courts Research Paper Series, Social Science Research
Network
Secretary, Section on Law & Social Sciences, Association of American Law
Schools,
Editor and Founder, *Marquette University Law School Legal Studies Research
Paper Series*, 2006-2007
Editor, *Natural Resources Law & Policy Law Journal*, Social Science
Research Network

PROFESSIONAL
AFFILIATIONS

State Bar of Illinois, admitted 2003
American Bar Association (Section of Environment, Energy and Resources;
Section of Litigation; Committee on Environmental Litigation)
Law & Society Association
American Political Science Association (Law & Courts Section)
Midwest Political Science Association
Society for Empirical Legal Studies

INSTITUTIONAL
SERVICE

Vermont Law School:
Faculty Development Committee, 2008—
Visiting Scholars Mentor, VLS/Sun Yat-sen Partnership in China, 2008—
Chair, Environmental Scholarship Working Group, 2008

Marquette University Law School:
Academic Programs Committee, 2004-2008 (Chair, 2006-2007)
Faculty Supervisor and Founder, Wisconsin Department of Natural Resources
Supervised Fieldwork Program, 2004-2008
Faculty Supervisor, Midwest Environmental Advocates Supervised Fieldwork
Program, 2004-2008
Faculty Advisor, Environmental Law Society, 2004-2008
Transfer Student Advisor, 2004-2008
Faculty Advisor, Environmental Law Moot Court Team, 2004-2006
Ad Hoc Committee on Student Evaluation of Teaching, 2006-2007
Student Life Working Group in Facilities Program Process, 2005
Student Course Evaluation Working Group, *ex officio*, 2005

1L Student Advisor, 2004-2005
Community Service Committee, 2004-2005

COMMUNITY
SERVICE

Election Volunteer
Milwaukee Get Out the Vote Effort
Sierra Club Environmental Voter Education Campaign
Smoke-Free Milwaukee Project
Hawthorne Elementary School & South Royalton School

INTERESTS

Traveling, Hiking, Playing Softball and Basketball, and Cooking

LANGUAGES

English. Studies in Spanish and Chinese (Mandarin).

REFERENCES

References available upon request.

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