

BRUCE P. SMITH

Dean
University of Denver Sturm College of Law
Ricketson Law Building, Suite 215
2255 E. Evans Ave.
Denver, CO 80208
e-mail: bsmith@law.du.edu | telephone: (303) 871-6103

PROFESSIONAL EXPERIENCE

UNIVERSITY OF DENVER STURM COLLEGE OF LAW
Dean (2016-present) Denver, Colorado

UNIVERSITY OF ILLINOIS COLLEGE OF LAW
Professor of Law (2006-16) and Guy Raymond Jones Faculty Scholar (2009-16) Champaign, Illinois

Dean (2009-14)

Major Administrative Accomplishments:

- Led successful \$50 million capital campaign
- Launched innovative Chicago Program for third-year students
- Started three grant-supported clinics and public interest fellowship program

Associate Dean for Academic Affairs (2008-09)

Co-Director, Illinois Legal History Program (2004-09)

Associate Professor of Law and Richard W. and Marie L. Corman Scholar (2004-06)

Assistant Professor of Law (2001-04)

Instructor, International and Comparative IP Law Program (Summers 2003-07)

St. Peter's College, University of Oxford
University of Victoria

Oxford, England
Victoria, British Columbia

UNIVERSITY OF LUXEMBOURG
Faculté d'été de Droit Comparé (Summer 2013) Luxembourg City, Luxembourg

UNIVERSITY OF MICHIGAN LAW SCHOOL
Visiting Professor of Law (Winter 2009) Ann Arbor, Michigan

GEORGE WASHINGTON UNIVERSITY LAW SCHOOL
Visiting Professor of Law (Spring 2007) Washington, DC

COVINGTON & BURLING
Associate, Litigation Group (1996-2001) Washington, DC

EDUCATION

YALE UNIVERSITY, GRADUATE SCHOOL OF ARTS & SCIENCES New Haven, Connecticut
Ph.D., History (1996), M.Phil., History (1993), M.A., History (1993)
Honors: Mellon Fellowship in the Humanities; Distinction in General Examinations
Dissertation: “Circumventing the Jury: Petty Crime and Summary Jurisdiction
in London and New York City, 1790-1855”

YALE LAW SCHOOL New Haven, Connecticut
J.D. (1992)
Honors: *Yale Law Journal* (Member, 1990-92; Senior Editor, 1991-92)

UNIVERSITY OF CAMBRIDGE Cambridge, England
M.A., History (1992), B.A., History (1988)
Honors: Senior Exhibitioner; University Half-Blue Recipient (Ice Hockey and Lacrosse)

WILLIAMS COLLEGE Williamstown, Massachusetts
B.A., History (1986)
Honors: *summa cum laude*; Highest Honors in History; Phi Beta Kappa; Herchel Smith
Fellowship; Erastus C. Benedict (Class of 1821) Prize for Distinction in Historical Study
(First Prize); Arthur B. Graves (Class of 1858) Essay Prize for Distinction on Honors Thesis
(History); Dean’s List (all semesters)

UNIVERSITY AND COLLEGE SERVICE

UNIVERSITY OF ILLINOIS AT URBANA-CHAMPAIGN
Chair, Dean Evaluation Committee, College of Applied Health Sciences (2012-13)
Chair, Dean Evaluation Committee, School of Labor and Employment Relations (2010-11)
Chair, Evaluative Report on the Office of the VC for Institutional Advancement (2010)
Chair, Provost Search Committee (2009) (search suspended)
Member, Strategic Planning Committee, University of Illinois at Urbana-Champaign (2012-13)
Member, Search Committee, University of Illinois VP for Academic Affairs (2010-11)
Member, Task Force on Communicating the Value of an Illinois Degree (2010)
Member, Faculty Senate (2005-07)
Information Technology Committee (2006-07)
Member, Information Technology Advisory Board (2004-06)

UNIVERSITY OF ILLINOIS COLLEGE OF LAW
Executive Committee (2007-08) (elected)
Appointments Committee (Chair, 2007-08; Member, Fall 2015 & 2004-05)
Admissions Committee (2005-06)
Career Services Committee (Fall 2006)
Promotion and Tenure Committee (Spring 2016)
Technology Committee (Chair, Spring 2004; Member, 2001-04)
Faculty Secretary (2003-04)

EXTERNAL BOARD SERVICE

INSTITUTE FOR THE ADVANCEMENT OF THE AMERICAN LEGAL SYSTEM Member, Board of Advisors (2016-present)	Denver, Colorado
CENTER FOR LEGAL INCLUSIVENESS Member, Board of Directors (2016-present)	Denver, Colorado
UNIVERSITY OF LUXEMBOURG, RESEARCH UNIT IN LAW Member, External Advisory Board (2014-present)	Luxembourg City, Luxembourg
STATE FARM BANK, F.S.B. Independent Director (2015-present) Chair, Compensation Committee (2016-present) Member, Audit Committee (2015-present) Member, Risk Committee (2015-16)	Bloomington, Illinois

PUBLICATIONS

Books:

HISTORY OF THE COMMON LAW: THE DEVELOPMENT OF ANGLO-AMERICAN LEGAL INSTITUTIONS (with John H. Langbein and Renée Lettow Lerner) (Aspen Publishing, 2009)
Award: *Green Bag Almanac & Reader* Recognition for Exemplary Legal Writing (2010)

Journal Articles:

The Emergence of Public Prosecution in London, 1790-1850, 18 YALE JOURNAL OF LAW & THE HUMANITIES 29 (2006)

The History of Wrongful Execution, 56 HASTINGS LAW JOURNAL 1185 (2005)

Hacking, Poaching, and Counterattacking: Digital Counterstrikes and the Contours of Self-Help, 1 JOURNAL OF LAW, ECONOMICS & POLICY 171 (2005) (symposium)

The Presumption of Guilt and the English Law of Theft, 1750-1850, 23 LAW & HISTORY REVIEW 133 (2005)

Did the Presumption of Innocence Exist in Summary Proceedings?, 23 LAW & HISTORY REVIEW 191 (2005)

Book Chapters:

Legal Education in the Twentieth Century: Continuity, Change, Convergence?, in GLOBALIZATION AND THE U.S. LAW SCHOOL: COMPARATIVE AND CULTURAL PERSPECTIVES, 1906-2006 (Stephen C. Hicks & Kjell Å. Modéer eds., 2009)

The Myth of Private Prosecution in England, 1750-1850, in MODERN HISTORIES OF CRIME AND PUNISHMENT (Markus Dirk Dubber and Lindsay Farmer eds., 2007)

Negotiating Law on the Frontier: Potawatomi and Settler Responses to Accusations of Murder in Illinois, 1810-25, in THE BOUNDARIES BETWEEN US: NATIVES AND NEWCOMERS ALONG THE FRONTIERS OF THE OLD NORTHWEST TERRITORY, 1750-1850 (Daniel P. Barr ed., 2006)

Review Essays:

English Criminal Justice Administration, 1650-1850: A Historiographic Essay, 25 LAW & HISTORY REVIEW 593 (2007)

Plea Bargaining and the Eclipse of the Jury, 1 ANNUAL REVIEW OF LAW & SOCIAL SCIENCE 131 (2005)

Reviews and Comments:

Review of NORMAN S. POSER, LORD MANSFIELD: JUSTICE IN THE AGE OF REASON (2013), 88 JOURNAL OF MODERN HISTORY 443 (2016)

Lincoln and the Forms of Legal Rhetoric: A Response to Robert A. Ferguson, 21 AMERICAN LITERARY HISTORY 725 (2009)

The Fourth Amendment, 1789-1868: A Strange History, 5 OHIO STATE JOURNAL OF CRIMINAL LAW 663 (2008) (reviewing ANDREW E. TASLITZ, RECONSTRUCTING THE FOURTH AMENDMENT: A HISTORY OF SEARCH AND SEIZURE, 1789-1868 (2006))

Imperial Borrowing: The Law of Master and Servant, 25 COMPARATIVE LABOR LAW & POLICY JOURNAL 447 (2005) (reviewing MASTERS, SERVANTS, AND MAGISTRATES IN BRITAIN & THE EMPIRE, 1562-1955 (Douglas Hay & Paul Craven eds., 2004))

Review of LAW, CRIME AND ENGLISH SOCIETY, 1660-1830 (Norma Landau ed., 2002), 22 LAW & HISTORY REVIEW 648 (2004)

Other Works:

Legal Regulation of New Technologies: Reflections on Liberty, Control, and the Limits of Law, 2 UNIVERSITY OF ILLINOIS JOURNAL OF LAW, TECHNOLOGY & POLICY 281 (2002)

Cybersmearing and the Problem of Anonymous Online Speech, 18 COMMUNICATIONS LAWYER 3 (2000)

Misrepresentation and Concealment Defenses in Comprehensive General Liability Insurance Coverage Litigation (ABA Section of Litigation, 1997) (with John G. Buchanan, III)

Guidelines Fact-Finding: A Comparative Law Perspective, 7 FEDERAL SENTENCING REPORTER 44 (1994)

WORKS IN PROGRESS

Book, SUMMARY JUSTICE: MAGISTRATES, THEFT, AND THE LAW IN LONDON AND THE URBAN ATLANTIC WORLD, 1760-1860

Article, “Habitual Offenders and Jurisdictional Competition, c. 1880-1920”

Book Review, DAVID G. BARRIE AND SUSAN BROOMHALL, POLICE COURTS IN NINETEENTH-CENTURY SCOTLAND (2 vols., 2014), invited by *Law & History Review*

HONORS AND RECOGNITIONS

University of Illinois at Urbana-Champaign Campus Award for Excellence in Graduate and Professional Teaching 2008

- Awarded one of two all-campus prizes for excellence in graduate and professional teaching, recognizing overall teaching performance, impact on students, pedagogical innovation, and advancement of scholarship related to teaching and learning

Interdisciplinary Law & Humanities Junior Scholar June 2004

- Selected by paper competition to participate in seminar on interdisciplinary legal scholarship at UCLA School of Law, co-sponsored by Columbia Law School, Georgetown University Law Center, UCLA School of Law, USC Law School, and the USC Center for Law, History & Culture

J. Willard Hurst Fellow June 2003

- Selected to participate in J. Willard Hurst Summer Institute in Legal History at University of Wisconsin-Madison, co-sponsored by the American Society for Legal

History and the Institute for Legal Studies of the University of Wisconsin Law School

Yale Legal History Fellow 1992-93

- Appointed to direct Yale Legal History Program

Andrew W. Mellon Fellow in the Humanities 1990-92

- Received two-year award (full tuition and stipend) from Woodrow Wilson National Fellowship Foundation to support J.D./Ph.D. studies at Yale University

Herchel Smith Fellow 1986-88

- Received two-year award (full tuition and stipend) from Williams College to support postgraduate studies at Emmanuel College, University of Cambridge

GRANTS AWARDED

William Nelson Cromwell Foundation Research Grant Grantor: William Nelson Cromwell Foundation Project: "Cautions and Confessions before <i>Miranda</i> : Pretrial Interrogation in London and New York City, 1780-1860"	\$5,000	2004
William and Flora Hewlett International Research Travel Grant Grantor: University of Illinois at Urbana-Champaign Project: "Cautions and Confessions: Pretrial Interrogation in England, 1780-1860"	\$4,000	2004
State Historical Society of Iowa Research Grant Grantor: State Historical Society of Iowa Project: "Habitual Criminals and the Law in Iowa, c. 1880-1920"	\$1,000	2004
Mellon Dissertation-Year Fellowship Grantor: Woodrow Wilson National Fellowship Foundation	\$15,000	1994
Mellon Research/Travel Grant Grantor: Yale University	\$4,000	1994
Littleton-Griswold Grant for Research in American Legal History Grantor: American Historical Association	\$750	1994

ACADEMIC PRESENTATIONS

Invited Lectures and Papers:

"The Tread-Mill Debate in the British Atlantic World, 1818-40," Conference on *The World of Prisons: The History of Confinement in a Global Perspective, Late Eighteenth to Early Twentieth Century*, University of Bern, Bern, Switzerland (Sept. 8, 2016)

"Foundations and Structure of the Right to Appeal in the Common Law Systems," Conference on *Criminal Appeals in Europe*, University of Luxembourg, Luxembourg City, Luxembourg

"A New Verdict on Criminal Jury Trial in Antebellum America," University of Iowa College of Law, Iowa City, Iowa (Oct. 1, 2015)

"A New Verdict on the Criminal Jury in Antebellum America," Penn Legal History Consortium, University of Pennsylvania Law School, Philadelphia, Pennsylvania (Nov. 13, 2014)

"Explaining Summary Jurisdiction," Conference on *Criminal Justice in the British Atlantic World, 1500-1850*, Symposium on Comparative Early Modern Legal History, Newberry Library, Chicago, Illinois (Feb. 29, 2008)

"*Miranda's* Prehistory," University of Michigan Law School, Ann Arbor, Michigan (Jan. 31, 2008)

“Rethinking the Origins of Plea Bargaining in England,” American Society for Legal History Annual Meeting, Tempe, Arizona (Oct. 25, 2007)

“A New Verdict on Criminal Jury Trial in Antebellum America,” UCLA Legal History Workshop, Los Angeles, California (Mar. 7, 2007)

“*Miranda’s* Paradoxical Prehistory: Pretrial Interrogation in England, 1750-1850,” Conference on *Cautions and Confessions: Miranda v. Arizona (1966) after 40 Years*, Byron R. White Center for American Constitutional Law, University of Colorado Law School, Boulder, Colorado (Oct. 20, 2006)

“The History of Wrongful Execution,” Innocence Network Conference, University of Washington School of Law, Seattle, Washington (Mar. 18, 2006)

“*Miranda’s* Paradoxical Prehistory,” Yale Legal History Forum, Yale Law School, New Haven, Connecticut (Oct. 18, 2005)

“Cautions and Confessions: Pretrial Interrogation in Early Nineteenth-Century London,” North American Conference on British Studies Annual Meeting, Denver, Colorado (Oct. 8, 2005)

“*Miranda’s* Paradoxical Prehistory,” Center for Law and History, Washington & Lee University School of Law, Lexington, Virginia (Sept. 9, 2005)

“Metal Theft and the Law in England, 1750-1850,” Conference on *Prevention v. Detection*, European Centre for the Study of Policing, Open University, Milton Keynes, England (July 15, 2005)

“The Myth of Private Prosecution in England, 1790-1850,” Workshop on *Modern Histories of Crime and Punishment*, Baldy Center for Law & Social Policy, University at Buffalo Law School, Buffalo, New York (June 11, 2005)

“The Problem of Wrongful Execution,” Indiana University Robert H. McKinney School of Law, Indianapolis, Indiana (Feb. 25, 2005)

“The Transformation of the Preliminary Inquiry in England, 1800-1850,” American Society for Legal History Annual Meeting, Austin, Texas (Oct. 29, 2004)

“Hackers, Poachers, and Counterattackers,” George Mason University Tech Center Critical Infrastructure Protection Project, George Mason University School of Law, Arlington, Virginia (Sept. 10, 2004)

“The Myth of Private Prosecution in England,” University of Illinois College of Law Faculty Retreat, Champaign, Illinois (May 14, 2004)

“Wrongful Conviction and the Eighteenth-Century Law of Evidence,” Pacific Coast Conference on British Studies Annual Meeting, Berkeley, California (Mar. 26, 2004)

“The New Midwestern Legal History,” Association of American Law Schools Annual Meeting, Atlanta, Georgia (Jan. 6, 2004)

“Summary Proceedings and the Myth of Private Prosecution in England,” Toronto Legal History Group, University of Toronto, Toronto, Canada (Nov. 26, 2003)

“The ‘Campden Wonder’ and the Problem of the Missing Body,” American Society for Legal History Annual Meeting, Washington, DC (Nov. 15, 2003)

“Summary Justice and the Myth of Private Prosecution in England,” North American Conference on British Studies Annual Meeting, Portland, Oregon (Oct. 25, 2003)

“Summary Proceedings, Lawyerization, and Bounded Discretion,” Midwest Conference on British Studies Annual Meeting, Bloomington, Illinois (Oct. 18, 2003)

“Accounting for Possession: Petty Theft and Summary Proceedings in Late Eighteenth- and Early Nineteenth-Century London,” Institute of Historical Research, University of London, London, England (Mar. 12, 2003)

“The Presumption of Guilt and the English Law of Theft, 1740-1840,” Research Seminar Programme, University College Northampton, Northampton, England (Mar. 5, 2003)

“The Presumption of Guilt and the English Law of Theft, 1740-1840,” Northwestern University Pritzker School of Law, Chicago, Illinois (Nov. 21, 2002)

“Petty Crime and Criminal Procedure in Early Nineteenth-Century London,” American Society for Legal History Annual Meeting, Chicago, Illinois (Nov. 10, 2001)

“Circumventing the Jury: Petty Crime and Summary Jurisdiction in London and New York City, 1790-1860,” Yale Legal History Forum, Yale Law School, New Haven, Connecticut (May 7, 1996)

Additional Presentations:

“Magna Carta: Symbol of Freedom Under Law,” McLean County Bar Association Law Day Celebration, Normal, Illinois (May 6, 2015)

“Cultivate or Ask?: The Donor Cycle Revisited,” AALS Section on Institutional Advancement, AALS Annual Meeting, New Orleans, Louisiana (Jan. 5, 2013)

“The History of Criminal Jury Trial,” American History Teachers’ Collaborative, Urbana, Illinois (July 26, 2006)

“Cybercrime and Computer Security in the U.S.,” Faculty of Law, University of Palermo, Buenos Aires, Argentina (June 29, 2006)

“The Internet and Intellectual Property Law in the U.S.,” Faculty of Law, University of Palermo, Buenos Aires, Argentina (June 27, 2006)

“Computer Law,” Lecture to Beijing Municipality Delegation, University of Illinois at Urbana-Champaign, Champaign, Illinois (Jan. 23, 2006)

“The Ethics of e-Discovery,” Panel on “Doing Battle in the 21st Century: Avoiding and Exploiting the Litigation Landmines Created by Doing Business Electronically,” Conference on *Doing Business and Doing Battle in the Digital Age: Rewards and Risks of e-Advances in Transactions and Litigation*, Jenner & Block, Chicago, Illinois (May 20, 2005)

“Proof of Prior Convictions: Historical Reflections on the Roles of Judge and Jury,” Roundtable on *The Impact of Booker: A Dialogue Between Scholars and Practitioners*, University of Illinois College of Law, Champaign, Illinois (Apr. 28, 2005)

“Internet Law,” Bank of China Legal Department, University of Illinois at Urbana-Champaign, Champaign, Illinois (Sept. 21, 2004)

“Internet Law,” Beijing Municipality Delegation, University of Illinois at Urbana-Champaign, Champaign, Illinois (June 11, 2004)

“Copyright Law, the *Napster* Case, and Beyond,” University of Illinois Intensive English Institute, University of Illinois at Urbana-Champaign, Champaign, Illinois (Apr. 8, 2002)

Commentary:

“New Perspectives on the Rise of the Penitentiary in England,” Pacific Coast Conference on British Studies Annual Meeting, Las Vegas, Nevada (Mar. 6, 2015)

“Combatting the ‘Crime Wave’: Policing in Late Eighteenth-Century London,” North American Conference on British Studies Annual Meeting, San Francisco, California (Nov. 9, 2007)

“Setting the Historical Stage for the 20th Century: From Apprentices to Academics,” Conference on *Globalization & the U.S. Law School: Comparative and Cultural Perspectives*, Suffolk University Law School, Boston, Massachusetts (Jan. 25-26, 2007)

“Protecting the Vulnerable in Eighteenth- and Nineteenth-Century England,” American Society for Legal History Annual Meeting, Baltimore, Maryland (Nov. 19, 2006)

Conference on *Owning Knowledge: The History of Modern U.S. Intellectual Property Law*, University of Wisconsin Law School, Madison, Wisconsin (Nov. 13, 2004)

26th Annual UIUC Philosophy Graduate Student Conference, University of Illinois at Urbana-Champaign, Champaign, Illinois (Apr. 10, 2004)

Panels Chaired:

“New Perspectives on the Rise of the Penitentiary in England,” Pacific Coast Conference on British Studies, Las Vegas, Nevada (Mar. 6, 2015)

“The Framers and the Jury,” Conference on *Originalism and the Jury*, The Ohio State University Moritz College of Law, Columbus, Ohio (Nov. 17, 2009)

“Poor Relief and Marriage: Two Case Studies in Comparative Social and Religious Discipline,” Conference on *Law, Religion, and Social Discipline in the Early Modern Atlantic World*, Symposium on Comparative Early Modern Legal History, Newberry Library, Chicago, Illinois (Oct. 6, 2006)

“Widows and the Law,” American Society for Legal History Annual Meeting, Cincinnati, Ohio (Nov. 11, 2005)

“The Ideology of Citizenship: Strategic Identities,” Conference on *Membership in Communities and States in the Early Modern Atlantic World: Legal Rules, Social Judgments, and the Negotiation of Citizenship*, Symposium on Comparative Early Modern Legal History, Newberry Library, Chicago, Illinois (Oct. 14, 2005)

“Secretly Obtained Evidence and Dilemmas of International Cooperation,” Conference on *Undercover Policing and Emerging Enforcement Powers: Perspectives from Two Sides of the Atlantic*, University of Illinois College of Law, Champaign, Illinois (Mar. 11, 2005)

“Anti-Circumvention Measures, License Restrictions, and the Scope of IP Protection: Protection from Copying or Protection from Competition?,” Chicago International IP Conference, Chicago, Illinois (Oct. 3, 2002)

Workshops:

Invited Participant, Workshop on *Modern Histories of Crime and Punishment*, Baldy Center for Law & Social Policy, University at Buffalo Law School, Buffalo, New York (June 11, 2005)

Invited Participant, *Law and History Workshop*, Green College, University of British Columbia, Vancouver, Canada (May 26-29, 2002)

CONFERENCES AND CONFERENCE PANELS ORGANIZED

Conferences:

Criminal Justice in the British Atlantic World, 1500-1850, Symposium on Comparative Early Modern Legal History, Newberry Library, Chicago, Illinois (Feb. 29, 2008)

Cautions and Confessions: Miranda v. Arizona (1966) after 40 Years, Byron R. White Center for American Constitutional Law, University of Colorado Law School, Boulder, Colorado (Oct. 20-21, 2006) (co-organized with Carolyn Ramsey)

Chicago International IP Conference, Chicago, Illinois (Oct. 3-5, 2002) (co-organized with John Colombo and Phil McConnaughay)

Conference Panels:

“Punishment and the Law in Britain, c. 1650-1900,” American Society for Legal History Annual Meeting, Tempe, Arizona (Oct. 26, 2007)

“Law Reform in Nineteenth-Century England,” American Society for Legal History Annual Meeting, Austin, Texas (Oct. 29, 2004)

“Problems of Proof: Evidence Law in England and America, 1650-1900,” American Society for Legal History Annual Meeting, Washington, DC (Nov. 15, 2003)

“Summary Justice in Eighteenth- and Nineteenth-Century England,” North American Conference on British Studies Annual Meeting, Portland, Oregon (Oct. 25, 2003)

“Law, Crime, and Labor in England, 1800-1850,” Midwest Conference on British Studies Annual Meeting, Bloomington, Illinois (Oct. 18, 2003)

COURSES TAUGHT

American Legal History
Copyright Law
History of Anglo-American Criminal Procedure
Internet Law
Introduction to Law
The Legal Profession
Litigation Practicum
Professional Responsibility
Property
Trademarks and Unfair Competition

SERVICE TO PROFESSIONAL ASSOCIATIONS

North American Conference on British Studies
Member, Nominating Committee (elected) (2005-07)

American Society for Legal History
Local Arrangements Committee, Annual Meeting (1992)

SERVICE TO JOURNALS AND SCHOLARLY PUBLICATIONS

University of Illinois Journal of Law, Technology & Policy
Faculty Editor (2004-07); Faculty Management Committee (2002-04)

Referee

Law & History Review

Law and Social Inquiry

Law & Society Review

BAR ADMISSIONS

District of Columbia (admitted 1995; active)