

## RÉSUMÉ

### Charles Richard Calleros

#### Professor and Alan Matheson Fellow in Law

Sandra Day O'Connor College of Law, Arizona State University  
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**Professor of Law**, Arizona State University Sandra Day O'Connor College of Law, Tempe, Arizona 85287 (July 1981-present).

#### **Awards and Honors:**

2019 Section Award, AALS Sec. on Legal Writing, Reasoning, and Research (Jan. 4, 2019)  
Inducted into the Maricopa County Bar Association Hall of Fame (Sept. 13, 2018)  
Moot Court Coach of Year Award named after me (Mar. 2018, Exec. Moot Court Bd.)  
A.S.U. Col. Law Alumni Assoc. Outstanding Faculty Member Award (1996, 2017)  
Lifetime Achievement Award (Oct. 10, 2015, Los Abogados)  
College of Law Outstanding Faculty Award (May 2015, by vote of graduating class)  
Moot Court Faculty Coach of the Year (April 2015, Executive Moot Court Board)  
Mark Santana Law-Related Educ. Award (June 2015, Ariz. Found'n for Leg. Serv. & Educ.)  
First Recipient of the annual "Charles R. Calleros *Campeón de Justicia* Award" (Feb. 2015, created and named by the Chicano-Latino Law Students Assoc.)  
MLK Award for Education, Tempe City Council on Diversity (Jan. 20, 2014)  
ABA Spirit of Excellence Award (Feb. 12, 2011)  
AZ State Bar Committee on Women and Minorities in the Law Award for Outstanding Achievement Advancing Equal Opportunity in the Legal Profession (June 2010)  
Elected to American Law Institute (2007)  
Dondrell Swanson "Advocates of Social Justice" Award (2007, from ASU IRC)  
1997 A.S.U. President's Award for Team Excellence (shared with other members of a team that presented a workshop on law for A.S.U. administrators); 1997 A.S.U. President's Award for Innovation (shared with other team members); 1997 Governor's Award for Excellence (shared with other team members).  
Maricopa County Bar Assoc. Faculty Award (1994)  
A.S.U. Outstanding Faculty Award (1986)

**Courses and Academic Coaching:** Contracts; Civil Rights Leg.; Int'l Contracts; Legal Analysis.

**Selected College Service:** Director of Academic Success Program (2018 to present); Committee Organizing 2019 Global Legal Studies Int'l Conference (2018-19); Committee on Assessment (2017-18); Diversity Working Group (2016-18); Organizer for Youth Outreach and Mentoring (2006-present); Content Committee for "Our Courts" project for Justice O'Connor (2007 to 2010); Vis Int'l Commercial Arbitration Moot, Lead Faculty Coach (2009-18).

**Visiting Professor of Law** (Contracts or Comparative Contract Law), Stanford Law School (Fall 1991); Univ. Santa Clara Law School (1999-2000); Université Paris René Descartes (1 week each year, 2002 to present); Zhongnan Univ. of Economics and Law, Wuhan, China (June 2005).

**Law Clerk** to Circuit Judge Procter Hug, Jr., U.S. Court of Appeals (Oct. 1979 to April 1981); Central Staff, U.S. Court of Appeals for the Ninth Circuit (Aug. 1978 to Oct. 1979).

## **PUBLICATIONS and SELECTED PRESENTATIONS**

### **Books**

CONTRACTS: CASES, TEXT, AND PROBLEMS (2d ed. 2020) [sole author on all chapters except Ch. 13 & 14, which were primarily authored by co-author Stephen Gerst]

LEGAL METHOD AND WRITING, VOL. I & II (8th ed. Wolters Kluwer 2018) (with Kimberly Holst, co-author introduced for 8th ed.).

LAW SCHOOL AND EXAMS: PREPARING AND WRITING TO WIN (3d ed. Wolters Kluwer 2021).

### **Articles and Essays on International, Comparative, and U.S. Contract Law**

*Kirksey v. Kirksey*, 45 FLA. ST. U. L. REV. 967 (2018) (co-authored by Val Ricks), in “The Best and Worst of Contracts Decisions: An Anthology.”

*U.S. Unconscionability and Article 1171 of the New French Civil Code: Achieving Balance in Statutory Regulation and Judicial Intervention*, 45 GA. J. INT’L COMP. L. 259 (2017).

*U.S. Unconscionability and Article 1171 Of the Reformed French Civil Code*, 2 REVUE INTERNATIONALE DE DROIT COMPARÉ No. 4-2016, pg. 891 (2016).

*Cause, Consideration, Promissory Estoppel, and Promises Under Deed: What our Students Should Know about Enforcement of Promises in Historical and International Context*, XIII CHI-KENT J. INT’L & COMP. L. 84 (2013).

*Toward Harmonization and Certainty in Choice-of-Law Rules for International Contracts: Should the U.S. Adopt the Equivalent of Rome I?*, 28 WIS. INT’L L. J. 639 (2011).

*Punitive Damages, Liquidated Damages, and Clauses Pénales in Contract Actions: A Comparative Analysis of the American Common Law and the French Civil Code*, 32 BROOKLYN J. INT’L L. 67 (2006).

*The Reasonable Expectations of Consumers* (May 28, 2013) (invited essay for online symposium on BOILERPLATE by Margaret Jane Radin), available at [http://lawprofessors.typepad.com/contractsprof\\_blog/2013/05/boilerplate-symposium-part-xiii-charles-calleros.html](http://lawprofessors.typepad.com/contractsprof_blog/2013/05/boilerplate-symposium-part-xiii-charles-calleros.html); response by Prof. Radin available at [http://lawprofessors.typepad.com/contractsprof\\_blog/2013/06/boilerplate-symposium-conclusion-for-now-peggy-radin-responds-to-week-three.html](http://lawprofessors.typepad.com/contractsprof_blog/2013/06/boilerplate-symposium-conclusion-for-now-peggy-radin-responds-to-week-three.html) (posted June 3, 2013)

### **Articles on Discrimination Law and Free Speech**

*Advocacy for Marriage Equality: The Power of a Broad Historical Narrative during a Transitional Period in Civil Rights*, 2015 MICH. ST. L. REV. 1249 (2015), available at <http://digitalcommons.law.msu.edu/lr/> (for Symposium on Persuasion in Civil Rights Advocacy).

*Marriage Equality on the Arc of Civil Rights History: A Broad Historical Narrative*, 28 THE SECOND DRAFT 7 (Fall 2015), available at <http://lwionline.org/uploads/FileUpload/F2015SecondDraftMobile.pdf>.

*Hernandez v. Texas: A Milepost on the Road to Civil Rights for Latinos*, in Linda Edwards, BRIEFS THAT CHANGED THE WORLD (2012 Aspen).

*Speech and Education*, and *Student speech in Public Schools*, articles for the ENCYCLOPEDIA OF AMERICAN CIVIL LIBERTIES 1505, 1575 (Paul Finkelman, ed., 2006).

*Aguilar v. Avis: The California Supreme Court Takes a Divided Freeway to Content-Oriented Regulation of Workplace Speech*, 34 U.S.F.L. REV. 237 (2000).

*Same-sex Harassment, Textualism, Free Speech, and Oncale: Laying the Groundwork for a Coherent and Const'l Theory of Sexual Harassment Liability*, 7 GEO. MASON L. REV. 1 (1998).

*Title VII and the First Amendment: Content-Neutral Regulation, Disparate Impact, and the "Reasonable Person" Standard*, 58 OHIO ST. L.J. 1217 (1997).

*Preparing for the Worst—and Striving for the Best: Training University Employees to Respond Clearly, Constructively, and Constitutionally to Hateful Speech on Campus*, 26 J. L. & EDUC. 41 (1997).

*Conflict, Apology, and Reconciliation at Arizona State University: A Second Case Study in Hateful Speech*, 27 CUMBERLAND L. REV. 91 (1997).

*Title VII and Free Speech: The First Amendment is Not Hostile to a Content-Neutral Hostile Environment Theory*, 1996 UTAH L. REV. 227.

*Paternalism, Counterspeech, and Campus Hate-Speech Codes: A Reply to Delgado and Yun*, 27 ARIZ. STATE UNIV. L.J. 1249 (1995) (excerpt reprinted in F. Michael Higginbotham, RACE LAW (2d ed. 2005)).

*The Meaning of Sex: Homosexual and Bisexual Harassment under Title VII*, 20 VERMONT L. REV. 55 (1995).

*Reconciliation of Civil Rights and Civil Liberties after R.A.V. v. St. Paul: Antiharassment Policies, Free Speech, Multicultural Education, and Political Correctness at Arizona State University*, 1992 UNIV. UTAH L. REV. 1205.

*Reconciling the Goals of Federalism with the Policy of Title VII: Subject-matter Jurisdiction in Judicial Enforcement of EEOC Conciliation Agreements*, 13 HOF. L. REV. 257 (1985).

*Title VII and Rule 52(a): Standards of Appellate Review in Disparate Treatment Cases-- Limiting the Reach of Pullman-Standard v. Swint*, 58 TULANE L. REV. 403 (1983).

### **Articles, Essays, Book Chapters, and Videos Relating to Legal Education**

*Applying Elements of Legal Writing Pedagogy to a Contracts Casebook*, Book Chapter in LAWYERING SKILLS IN THE DOCTRINAL CLASSROOM (2021).

*Legal Method Exercises for Law Students*, THE LEARNING CURVE 25 (Winter/Spring 2019).

*Why Pyeatte v. Pyeatte Might be the Best Teaching Tool*, 45 FLA. ST. U. L. REV. 908 (2018), in "The Best and Worst of Contracts Decisions: An Anthology."

*The Robinson Case*, 9 FLA. INT'L UNIV. L. REV. 41 (2013) (in "Micro Symposium Articles" in Symposium on Stanley Fish's writings on academic freedom).

*Traditional Office Memoranda and E-mail Memos, in Practice and in the First Semester*, 21 PERSPECTIVES: TEACHING LEGAL RES. & WRITING 105 (West 2013).

*Enhancing the Pipeline of Diverse K-12 and College Students to Law School: the HNBA Multi-Tier Mentoring Program*, 58 J. Legal Educ. 327 (2008) (reprinted in THE EDUCATION PIPELINE TO THE PROFESSIONS: PROGRAMS THAT WORK TO INCREASE DIVERSITY (Sarah E. Redfield, ed., Carolina Acad. Press 2012)).

*Introducing Civil Law Students to Common Law Legal Method through Selected Issues in Contract Law*, 60 J. L. EDUC. 641 (2011).

*Diversity in the Legal Writing Curriculum, Fostered by Faculty with Color*, 25 THE SECOND DRAFT 2 (Fall 2011), available at <http://lwionline.org/uploads/FileUpload/SecondDraftFall2011.pdf>.

*Patching Leaks in the Diversity Pipeline to Law School and the Bar*, 43 CAL. WESTERN L. REV. 131 (2006).

*Law, Policy, and Strategies for Affirmative Action Admissions in Higher Education*, 43 CAL. WESTERN L. REV. 151 (2006).

Contributions (regarding teaching Contract Law) to *TEACHING THE LAW SCHOOL CURRICULUM*, (eds. Gerry Hess & Steven Friedland) (Carolina Acad. Press, 2004).

*Using Both Nonlegal Contexts and Assigned Doctrinal Course Material to Improve Students' Outlining and Exam-Taking Skills*, 12 PERSPECTIVES 91 (2004).

*Effective Use of Simulation in CD-Rom or DVD Format in Teaching Difficult Law Concepts*, PROC. OF THE WINTER INT'L SYMPOSIUM ON INFORMATION AND COMM. TECH. (2004).

*Demonstrations and Bilingual Teaching Techniques at the University of Paris: Introducing Civil Law Students to Common Law Legal Method*, 12 PERSPECTIVES 6 (2003).

*Introducing Students to Elementary Legislative Process and Statutory Analysis through Experiential Learning in a Familiar Context*, 38 GONZAGA L. REV. 33 (2003) (symposium).

*Using Demonstrations in Familiar Nonlegal Contexts to Teach Unfamiliar Concepts of Legal Method to New Students*, 7 LEG. WRITING 37 (2001).

*In the Spirit of Regina Austin's Contextual Analysis: Exploring Racial Context in Legal Method and Writing Assignments and Scholarship*, 34 JOHN MARSHALL L. REV. 281 (2000).

*A Winning Treatise*, <http://jurist.law.pitt.edu> (1999) (online book review of textbook).

*ESSAY - Reading, Writing, and Rhythm: A Whimsical, Musical Way of Thinking about Teaching Legal Method and Writing*, 5 LEGAL WRITING 1 (1999).

*Training a Diverse Student Body for a Multicultural Society*, 8 U.C. BERKELEY LA RAZA L.J. 140 (1995).

*Variations on the Problem Method in First-Year and Upper-Division Courses*, 20 U.S.F.L. REV. 455 (1986) (presented to Minority Law Professors' Conference, U.S.F., 1985).

**Classroom Teaching Videos:** *Rules for Monica* (2002) (legal method in nonlegal context; Japanese subtitles added 2004 for use in Kobe, Japan); *Rules for Lina* (2009) (update of *Rules for Monica*; files available at [https://www.facebook.com/rulesforlina/?ref=page\\_internal](https://www.facebook.com/rulesforlina/?ref=page_internal); videos accessible at [https://player.mediaamp.io/p/U8-EDC/ugJshkBkkcXf/feed/7x0wI7tm\\_oPH?form=html](https://player.mediaamp.io/p/U8-EDC/ugJshkBkkcXf/feed/7x0wI7tm_oPH?form=html)); *The Promise* (2002) (exploring reciprocal inducement and reliance; versions in English, French, and Chinese Languages).

### **Presentations on Selected Topics**

*Introducing Issues of Race into 1L Courses:* Contract Law Prof Blog posts, and Presentation in ALWD Front Porch Virtual Meeting, June 13-17, 2020.

*International and Comparative Contract Law:* Multiple presentations since 2007 at Annual International Conference on Contracts, Global Legal Skills Conferences, and *Instituto Tecnológico Autónomo de México*.

*Responding to Racially Offensive Speech with More Speech: The Arizona State University Anti-Harassment Policy and the First Amendment.* Presentation to Sports Lawyers Assoc. (regarding fan speech) (May 19, 2005); Nat. Assoc. of College and Univ. Attorneys, Tempe (March 3, 2005); Faculty Seminar at Stanford Law School (Dec. 11, 1991); Workshops for A.S.U. Administrators (1993-97) (earning the team awards described under **Awards** on pg. 1 of this resume); and several related presentations throughout the nation.

*Teaching Techniques:* Numerous presentations at national teaching workshops for the AALS, the Global Legal Skills Conference, the Society of American Law Teachers, the Legal Writing Institute, the Institute for Law School Teaching, Story-Telling Conference, Assoc. Legal Writing Directors, Professors of Color conferences, Global Legal Skills (GLS) conferences, and individual law schools, on various teaching techniques, including those for diverse student bodies.

*Specific Teaching Workshops:* “Teach to the Whole Class” - multi-hour workshop, with team that organized and led group discussion at the Institute for Law School Teaching, Spokane (July 1997) and at the AALS Annual Meeting, Section on Teaching Methods Workshop, (Jan. 1998); presented solo at John Marshall Law School (May 1999), Univ. of Nevada at Las Vegas School of Law (Nov. 1999), Vermont Law School (April 2002), and Loyola New Orleans (April 2012).

“A Musical, Whimsical Way of Thinking about Techniques for Teaching Law” - one-hour multi-media teaching seminar, presented to the LWI Summer Conference, Ann Arbor (June 1998) and subsequently in twelve other venues around the U.S. and in Verona and Melbourne.

*Free Speech and Multicultural Education.* Debate with Dinesh D'Souza, A.S.U., Tempe, Ariz. (January 29, 1992). Individual Presenter at National Conference on Racial & Ethnic Relations in American Higher Education, San Francisco, (June 7, 1992). Panel Presentation at National Art Educ. Assoc. Annual Convention, Phoenix, Ariz. (May 3, 1992). Workshop at Ohio State Univ. (May 25, 1993).

## **EDUCATION**

### *Law School*

University of California at Davis, Class of 1978  
Order of the Coif, Phi Kappa Phi Honors

### *College*

University of California at Santa Cruz, Class of 1975  
B.A., Economics, Highest Honors in Economics

## **ACTIVITIES RELATING to DIVERSITY in LEGAL EDUCATION or the COMMUNITY**

Leader of Los Abogados Prelaw Program for the Aguila Youth Leadership Institute (college-bound high school students) (2017 to 2020) (consultant, 2020 to present).

Hispanic National Bar Association:

- Chair of Pipeline and Mentoring Programs Committee (2018);
- Member of Committee on Hispanics for a Fair Judiciary (2018)
- Lead organizer of the HNBA four-tier mentoring program in Phoenix (2006-16);
- Public Interest CLE Committee (2010);
- Regional President and Member of Board of Governors, 2007-08;
- Member of Committee on National Mentoring Program (2006-08);
- Member of Strategic Planning and Programs Committee (2006-07);
- Amicus Committee (1999-2000);
- Co-chair of 1994 Convention Planning Committee;
- Producer of Prelaw Handbook on behalf of Hispanic National Bar Foundation
- Presenter to college and high school students at Youth Day activities at several annual HNBA meetings and HNBF Summer Law Camps.

C.L.E.O. Inst. 2008 - Presented 4-hour Workshop on Legal Method in Denver and San Diego.

Minority Affairs Committee, LSAC (2003-05), including member of the planning committee for the Nov. 2005 ABA/LSAC Diversity Pipeline Conference.

External Investigator in Discrimination Complaint against state agency (2005).  
A.A.L.S. Committee on Recruitment and Retention of Minority Faculty (Chair, 1996-97).  
Chair, A.S.U. Campus Environment Team (1990-91, 1995-96) (charged with combating discriminatory harassment while protecting campus free speech and academic freedom).  
Planning Committee, A.A.L.S. Workshops for Minority Law Prof. (1989, 1992).  
Planning Committee and Presenter, Introducing Issues of Diversity in the Legal Curriculum, S.A.L.T. Teaching Conferences (N.Y. 1992, Santa Clara 1993).  
Planning Committee and Presenter on Teaching Methods Panel; Minority Law Professors' Conference, University of San Francisco (1985).  
C.L.E.O. Institute, A.S.U. (Faculty, 1981) (Director, 1989).

**DECREE MONITOR** - Court-Appointed Monitor of Settlement Decree in Class Action Discrimination Suit (2001-02), with continuing employment as post-decree monitor (2003-04).

**ADMINISTRATIVE HEARING EXPERIENCE** - Chair, A.S.U. Board on Equal Opportunity (1982-85, 1987-88). Chair ruled on procedural motions and objections; presided over hearings; examined witnesses; led Board in fact-finding and in formulation of conclusions and recommendations to President of University; drafted opinion of the Board.

**PUBLIC INTEREST LAW** - Member of Planning Comm., SALT Public Interest Conf. (N.Y.U. 1990, Stanford 1991) and A.A.L.S. Mini-Workshop on Public Interest Law (Wash., D.C., 1991); Bd. Member and Chair of Litigation Comm. of AZ Center for Law in the Public Interest (1991-94).

**CONSULTING IN LEGAL WRITING** - Conducted Writing Programs in Phoenix law firms (1982-2008).

### **PROFESSIONAL AFFILIATIONS**

AALS Sec. on Legal Writing, Reasoning, and Research - Executive Committee (2011)  
Admitted to Practice in U.S. Ct. App. (9th Cir.), and U.S. Dist. Ct. (N.D. Cal., D. Ariz.)  
Advisory Board to the Institute for Law School Teaching (2001 to 2003, 2005-10)  
American Bar Association  
American Law Institute  
ACLU of AZ, Bd. of Dir. (2003-07); Member of Legal Panel (2003 to present)  
Education Law Association (1999 to present)  
Hispanic National Bar Association  
Inactive Member of California and Arizona state bars  
Journal of Law and Education Board of Editors (1998 to present)  
Journal of Legal Education Board of Editors (2005-07)  
Legal Writing Institute  
Los Abogados (local Hispanic Bar Assoc.)  
Phi Kappa Phi Honor Society  
Society of American Law Teachers Board of Governors (1983-1994)

### **ACTIVITIES AND HOBBIES**

Travel, Dining, and Salsa Dancing with my wife, Debbie  
Drummer in 12-piece soul, blues, and Latin rock band, *The Repeat Offenders* (1993 to 2020)

4/10/21