

CURRICULUM VITAE

JAMES ETIENNE VIATOR

Adams & Reese Distinguished Professor of Law.
Loyola University College of Law, New Orleans, LA 70118.

LEGAL EDUCATION

Juris Doctor, *magna cum laude* (May 1985), Louisiana State University Law Center.

Class Rank:

Number 4 out of 166 with an average of 80.63 (A-82, B-76, and 89 highest possible grade).

Honors and Awards:

Member, Order of the Coif (1985).

Selected on basis of class rank as Candidate for the *Louisiana Law Review*, 1983-1984.

Executive Editor, *Louisiana Law Review*, Volume 45, 1984-1985.

Am. Jur. Award, Torts and Criminal Law.

LSU Alumni Fund Scholarship, 1984-1985.

COLLEGE EDUCATION

Bachelor of Arts in English and American Literature, University of New Orleans, 1971.

Candidate for Doctor of Philosophy in American Constitutional History, Claremont Graduate School, 1975 to 1979.

Honors and Awards:

Award for Best Essay in Early American History, Colonial Dames' Society Competition, 1978.

CGS Fund Scholarship, 1976-1979.

EMPLOYMENT

Adams & Reese Distinguished Professor of Law, Loyola University College of Law, 2002-present.

Professor of Law, Loyola Law School, 2000-2002.

Lauro Cavazos, Sr., Distinguished Visiting Professor of Law, St. Mary's School of Law, San Antonio, Texas (2002 & 2006).

Associate Professor of Law, Loyola Law School, 1990-1999.

Associate Professor of Law, Texas Tech University School of Law, 1989-1991.

Assistant Professor of Law, Texas Tech University School of Law, 1986 to 1989.

Judicial Clerk, U.S. 5th Circuit Court of Appeals, Judge Henry A. Politz, 1985-1986.

Legal Research Assistant to Professor John Baker, LSU Law School, 1984-1985.

Legal Research Assistant to Professor Paul Baier, LSU Law School, 1983-1985.

Research Assistant to Dr. Leonard W. Levy (Chairman of the Graduate History Faculty, Claremont Graduate School), 1976-1979.

Instructor in American Literature and History, Harvey Mudd College, 1976-1979.

PUBLICATIONS

Book Review of Maxwell Bloomfield, *American Lawyers in a Changing Society*, 34 *Wm. & Mary Quarterly* 320 (1977).

Note, "When Cause-in-Fact Is More Than a Fact: The Malone-Green Debate on the Role of Policy in Determining Factual Causation in Tort Law," 44 *La. L. Rev.* 1519 (1984).

"Federal Jurisdiction in the Fifth Circuit, 1985-1986," 18 *Tex. Tech L. Rev.* 521 (1987).

"The Critical Technologies Approach: Controlling Scientific Communication for the National Security," 4 *B.Y.U. Journal of Public Law* 293 (1990) (coauthored)

Book Review of Richard Kilbourne, *A History of the Louisiana Civil Code*, 33 *Am. J. of Legal History* 368 (1989).

"A Course on the Constitution," 40 *J. of Legal Education* 530 (1990) (coauthored).

"Introduction: *The Federalist* -- A Symposium," 21 *Tex. Tech L. Rev.* 2317 (1990).

"Give Me That Old-Time Historiography: Charles Beard and the Constitution," 36 *Loyola L. Rev.* 981 (1990).

"Not Another Constitutional Law Course: A Proposal to Teach a Course on the *Constitution*," 76 *Iowa L. Rev.* 739 (1991) (coauthored), *excerpted in* S. Friedland & G.F. Hess, eds., *Teaching the Law School Curriculum* 95 (2004).

"The Fourth Amendment in the Nineteenth Century," *in* Eugene Hickok, ed., *The Bill of Rights: Original Meaning and Current Understanding* (Univ. of Virginia Press, 1991).

Book Review of Thomas A. Baker, *Rationing Justice on Appeal*, 12 *Fifth Circuit Reporter* 701 (1995).

Book Review of Robert J. Cottrol, *Gun Control and the Constitution*, 39 *Am. J. of Legal History* 245 (1995).

"The Original Understanding of the Veto Power," *in* *The Line-Item Veto*, Report of the Subcommittee on the Constitution of the Senate Judiciary Committee (Washington, D.C., 1996).

“Give Me That Old-Time Historiography: Charles Beard and the Constitution, pt. II,” 43 *Loyola L. Rev.* 311 (1997).

“The Losers Know Best the Meaning of the Game: What the Anti-Federalists Can Teach Us About Race-Based Congressional Districts,” 1 *Loyola J. Pub. Interest Law* 1 (2000).

“The Social Dimensions of Law,” in Kermit L. Hall et al. eds., *The Oxford Companion to American Law* (2002).

“*Marbury* and History: What Do We Really Know About What Really Happened?,” 37 *Revue Juridique Thémis* 329 (2003).

Book Review of Elizabeth W. Alexander, *Notorious Woman: The Celebrated Case of Myra Clark Gaines* (LSU Press, 2001), 23 *Law & History Review* 727 (2005).

“Expérience de la Créolité et Politiques Linguistiques à l’égard des Minorités Créoles et Cadjins de la Louisiane,” Paul Valéry University Press, Montpellier, France (forthcoming 2009).

SPEECHES AND PAPERS

“The Fourth Amendment in Its First Century, 1789-1889,” Paper presented to Center for Judicial Studies-Loyola University School of Law Joint Conference on “The Fourth Amendment and American Justice,” New Orleans, La., 4 Dec. 1986.

“The Tangled Paths of Standing and Mootness in the Federal Courts,” Speech to the El Paso Bar Association, Bicentennial Conference on the Federal Courts, 19 Sept. 1987.

“Louisiana Tort Law, 1809-1860: A Test Case for the Horwitz Thesis,” Paper for the Annual Meeting of the American Society for Legal History, Chicago, 19 Oct. 1990.

“The Americanization of Louisiana Law,” Paper presented to Annual Meeting of the La. Historical Assoc., Lafayette, 18 March 1992.

Chair, Panel on “Gun Control and the Second Amendment,” Annual Meeting of the American Society of Criminology, New Orleans, 5 Nov. 1992.

“The Classical and the Neoclassical in Louisiana Law, 1803-1850,” Paper for the Annual Meeting of the South Central Society for 18th-Century Studies, Houston, 18 Feb. 1994.

Commentator and Chair of Panel on “Natural Law in the 18th-Century Transatlantic World,” Annual Meeting of the South Central Society for 18th-Century Studies, Salt Lake City, Utah, 3 March 1995.

Commentator and Member of Panel on “Lawyer Solicitation and Advertising in Louisiana,” La. State Bar Assoc., Lafayette, La., 15 Sept. 1995.

Commentator, Southern Economic Association, Conference on “The Economics of Professional Education,” New Orleans, 22 Nov. 2002.

Commentator, Chapman University Law School Conference on the Privileges and Immunities Clauses of the Constitution, 27-28 Jan. 2003.

Chair, Panel on “Creoles of Color in Louisiana, 1803-1900,” Annual Meeting of La. Historical Association, 25 March 2003.

Commentator, Southern Economic Association, Conference on “Law and Economics,” New Orleans, 23 Nov. 2004.

Panelist, LSU Health Sciences Center, Conference on “Legal and Constitutional Responsibilities of the Federal Government in the Wake of Disasters,” 17 Sept. 2006.

“Huey P. Long and the Press: Louisiana’s Contribution to Modern Constitutional Law,” Paper for the Annual Meeting of the American Association of Law Libraries, New Orleans, 16 July 2007.

“Secession as a Contractual Right: The USA and EU Approaches Compared,” Paper for the University of South Carolina and the Association for Research on Ethnicity & Nationalism in the Americas Joint Conference on “Secession as an International Phenomenon,” Charleston, South Carolina, 8 Dec. 2007.

COMMITTEE AND UNIVERSITY SERVICE

Faculty Advisor, Minority Law Students’ Association, TTU, 1987-1990.

Coach, ABA Negotiation Team, TTU, 1988-1990 (2d place at National Convention, 1989).

Faculty Advisor, Loyola Federalist Society, 1993-present.

Member, Board of Directors, Louisiana Supreme Court Historical Society, 1993-present.

Lecturer, Tulane Bar Review, 1992-1994 (La. Obligations and Constitutional Law).

Faculty Advisor, *Loyola Law Review* (1994-1997), *Loyola J. of Public Interest Law* (1999-2001).

Director and Organizer, Loyola Conference on Race and American Constitutionalism, 13-15 March 1997.

Lecturer, LSU Bar Review, 2002-2003 (La. Obligations & Constitutional Law).

Faculty Coach, Loyola National Moot Court Team, 2006 & 2007 (advanced to final rounds at regional and national levels).

HONORS AND AWARDS

Elected to Membership in LSU Law School Hall of Fame, 1987.

Recipient in 1988 of a Bicentennial Award in Legal Education, granted by the Institute for Educational Affairs, Washington, D.C.

Recipient of Texas Tech Ex-Students Association Award for Best New Faculty Member in the University, 1988.

Best Professor Award, Loyola Student Bar Association, 1994 & 2002.

COURSES

Contracts, Common Law Property, Constitutional Law I, Criminal Procedure I, Civil Law Obligations & Sales, Civil Law of Persons, Entertainment Law, American Constitutional History, Torts, Professional Responsibility.

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