

KATHARINE TRAYLOR SCHAFFZIN

University of Memphis
Cecil C. Humphreys School of Law
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TEACHING EXPERIENCE & CERTIFICATIONS

UNIVERSITY OF MEMPHIS CECIL C. HUMPHREYS SCHOOL OF LAW, Memphis, TN

DIRECTOR OF FACULTY DEVELOPMENT, May 2012-present

ASSOCIATE PROFESSOR, August 2011-present

ASSISTANT PROFESSOR, August 2009-August 2011

Courses Taught:

- Civil Procedure I & II
- Evidence
- Trial Advocacy

Other Teaching Responsibilities:

- Coach, University of Memphis Trial Team (2009-2012)
- Note Advisor, University of Memphis Law Review
- Advisor, University of Memphis Mock Trial Competition

Service Responsibilities:

- Chair (2012-present), Member (2009-2010; 2011-present), Faculty Recruitment Committee
- Member, Strategic Planning Committee (2009-2011)
- Federal Clerkship Advisor (2010-present)
- Member, Admissions Committee (2010-2011)
- Member, University of Memphis Alumni Association, Cecil C. Humphreys School of Law Chapter Board (2010-present)
- Member, University Faculty Convocation Planning Committee (2009-present)

UNIVERSITY OF NORTH DAKOTA SCHOOL OF LAW, Grand Forks, ND

ASSISTANT PROFESSOR, July 2006-May 2009

Courses Taught:

- Evidence
- Professional Responsibility
- Trial Advocacy
- Constitutional Law II: Civil Rights & Civil Liberties

Other Teaching Responsibilities:

- Coach, UND Trial Team (National Trial Competition: 2008 National Finalists)
- Coordinator, Carrigan Cup Trial Competition

Service Responsibilities:

- Faculty Senator, University Senate (2008-2009)
- Co-Chair (2007-2008), Member (2006-2007), Faculty Selection Committee
- Member, Admissions Committee (2007-2009)
- Member, Promotions & Tenure Drafting Committee (2007-2008)

NATIONAL INSTITUTE OF TRIAL ADVOCACY, Louisville, CO

CERTIFIED TEACHER OF TRIAL ADVOCACY SKILLS, June 2006

Successfully completed NITA's Teacher Training Program in the art of teaching trial skills to practicing trial attorneys and student advocates.

TEMPLE UNIVERSITY BEASLEY SCHOOL OF LAW, Philadelphia, PA

HONORABLE ABRAHAM L. FREEDMAN FELLOW & LECTURER IN LAW, July 2004-May 2006

Courses Taught:

- Professional Responsibility
- Legal Research & Writing, a graded, two-semester course
- Evidence (in collaboration with Professor Louis Natali)
- Contracts I (in collaboration with Professor William Woodward, Jr.)
- Civil Procedure II (in collaboration with Professor Anthony Bocchino)

PUBLICATIONS

Katharine Traylor Schaffzin, *The Great and Powerful Oz Revealed: The Ethics and Wisdom of the SCOTUS Leaks in National Federation of Independent Business v. Sebelius*, 7 CHARLESTON L. REV. 317 (Winter 2012-13; by invitation).

Katharine Traylor Schaffzin, Associate Professor, University of Memphis Cecil C. Humphreys School of Law, William & Mary Law Review Symposium on the Restyled Federal Rules of Evidence (Oct. 28, 2011), in 53 WM. & MARY L. REV. 1435, 1435 (April 2012).

Katharine Traylor Schaffzin (contributing editor), Anthony J. Bocchino & David A. Sonenshein, *A Practical Guide to Federal Evidence* (10th ed. 2011).

Katharine Traylor Schaffzin (contributing editor), Anthony J. Bocchino & David A. Sonenshein, *Federal Rules of Evidence with Objections* (10th ed. 2011).

Katharine Traylor Schaffzin, *Out with the Old: An Argument for Restyling "Sacred Phrases" Retained in the Proposed Amendments to the Federal Rules of Evidence*, 77:4 TENN. L. REV. 1 (Summer 2010).

Katharine Traylor Schaffzin, *Eyes Wide Shut: How Ignorance of the Common Interest Doctrine Can Compromise Informed Consent*, 42:1 U. Mich. J.L. Reform 71 (Fall 2008).

Katharine Traylor Schaffzin, *Deference to a Hearing Panel?: Emerging Trends in the Disciplinary Decisions of the Supreme Court of North Dakota – 2004-2007*, 83:3 N.D. L. REV. 887 (2007; by invitation).

Katharine Traylor Schaffzin, *An Uncertain Privilege: Why the Common Interest Doctrine Does Not Work and How Uniformity Can Fix It*, 15 B.U. PUB. INT. L.J. 49 (2005).

Note, *A Reexamination of the Evidentiary Weight of Adverse Inferences Drawn from an Employee's Invocation of His Fifth Amendment Silence*, 73 TEMP. L. REV. 379 (2000).

SCHOLARLY PRESENTATIONS

TENNESSEE DISTRICT ATTORNEYS GENERAL CONFERENCE, University of Memphis Cecil C. Humphreys School of Law, Memphis, TN

2013 TRIAL ADVOCACY COURSE,

SPEAKER, March 14, 2013

Presented course on Prosecutorial Ethics in Closing Arguments.

ADVISORY COMMITTEE ON EVIDENCE RULES FALL MEETING, William & Mary Law School, Williamsburg, VA

SYMPOSIUM ON THE RESTYLED FEDERAL RULES OF EVIDENCE,

PANELIST, October 28, 2011

Presented results of empirical research on student reaction to restyled Federal Rules of Evidence, critique of Advisory Committee's failure to restyle "sacred phrases," and effect of restyled rules on reference to tacit admissions.

SOUTHEASTERN ASSOCIATION OF LAW SCHOOLS ANNUAL MEETING, Palm Beach, FL
WORKSHOP ON EVIDENCE: PROPOSED CHANGES TO THE FEDERAL RULES OF EVIDENCE,

SPEAKER, July 31, 2010

Presented research on the current project to rewrite the Federal Rules of Evidence into plain English and its implications.

THE UNIVERSITY OF KENTUCKY COLLEGE OF LAW, Lexington, KY

DEVELOPING IDEAS CONFERENCE, SPEAKER, May 12-14, 2010

Presented current research on the "state of mind" exception to the hearsay rule. Critiqued current research of junior legal scholars.

THE ASSOCIATION OF AMERICAN LAW SCHOOLS ANNUAL MEETING, New York, NY

NEW LAW PROFESSORS SECTION, PRESENTER, January 2-6, 2007

Presented poster entitled "Clickers for Conversation" at annual meeting.

STATE BAR ASSOCIATION OF NORTH DAKOTA, Grand Forks, ND

CONTINUING LEGAL EDUCATION: THE DISCIPLINARY PROCESS, TRUST ACCOUNTS &

RECENT NORTH DAKOTA DISCIPLINARY CASES, SPEAKER, February 2007

Presented Continuing Legal Education course to members of the State Bar Association of North Dakota.

LEGAL EXPERIENCE

CHAMBERS OF THE HONORABLE JAMES KNOLL GARDNER,

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LAW CLERK, January 2003 – July 2004

Performed legal research and drafted bench memoranda, orders, and opinions concerning a variety of federal and state issues, both civil and criminal. Made recommendations to and deliberated with the Judge regarding jurisdictional, discovery, and evidentiary disputes, as well as the disposition of motions, bench trials, sentencing, and other matters.

MAZUR, CARP & RUBIN, P.C., New York, NY

LITIGATION ASSOCIATE, CONSTRUCTION PRACTICE GROUP, April 2002-January 2003

Represented owners, contractors, and sub-contractors as plaintiffs and defendants in contract litigation, arbitration, mediation, and contract negotiation. Attended oral arguments, mediations, depositions, and settlement negotiations. Acted as second chair in state courts. Performed legal research, managed discovery, and drafted memoranda, motions, briefs, construction contracts, and surety bonds.

PEPPER HAMILTON LLP, Philadelphia, PA

LITIGATION ASSOCIATE, CONSTRUCTION PRACTICE GROUP, September 2000-March 2002

Represented owners, contractors, and sub-contractors in federal and state contract litigation and arbitration. Also represented defendants in products liability and commercial litigation. Performed legal research, managed discovery, and drafted memoranda, motions, and briefs. Successfully moved state court to enter summary judgment in defendant's favor in \$30 million construction dispute. Represented indigent property owner in *pro bono* premises liability matter from case inception through arbitration.

SUMMER ASSOCIATE, Summer 1999

Conducted research and drafted memoranda for various practice groups.

BAR MEMBERSHIP

Admitted in Pennsylvania (inactive), New Jersey (retired), and New York (inactive).

EDUCATION

TEMPLE UNIVERSITY BEASLEY SCHOOL OF LAW, Philadelphia, PA

LL.M. in Legal Education received May 2006

Honorable Abraham L. Freedman Fellowship

J.D. received May 2000

TEMPLE LAW REVIEW:

- Associate Managing, Articles, Research Editor (1999-2000): Performed the duties of a managing editor, articles editor, and research editor, including editing and managing articles submitted by staff members for publication, reviewing articles submitted by outside authors for publication, and incorporating cite-checks into galleys.
- Staff Member (1998-1999)

Temple University Scholarship Recipient (full tuition merit scholarship)

Dean's List

Barrister's Award Winner for Excellence in Trial Advocacy

LASALLE UNIVERSITY, Philadelphia, PA

B.A., *magna cum laude*, received May 1997

Major: Political Science

Minor: French

General University Honors

Christian Brothers Scholarship Recipient (full tuition merit scholarship)

Dean's List

CHESTNUT HILL COLLEGE, Philadelphia, PA

Diocesan Scholar, September 1992-May 1993 (full tuition merit scholarship)

- Attended college courses in the mornings during senior year of high school

PROFESSIONAL ORGANIZATIONS & COMMUNITY ACTIVITIES**MEMPHIS JEWISH FEDERATION, Memphis, TN**

MEMBER, BOARD OF DIRECTORS, July 2011-Present

Govern activities of Memphis Jewish Federation, an organization that raises funds and delivers services to local constituents in need, as well as promotes individual involvement in and travel throughout Israel.

MEMPHIS JEWISH COMMUNITY CENTER, Memphis, TN

MEMBER, EARLY CHILDHOOD CENTER COMMITTEE, August 2010-Present

Work with parents, administration, and teachers to plan and coordinate activities, fundraisers, and events related to preschool.

INSTITUTE FOR PHILOSOPHY IN PUBLIC LIFE, Grand Forks, ND

MEMBER, BOARD OF DIRECTORS, December 2008-August 2012

Govern activities of Institute established to relate philosophy to the daily lives of the public. The Institute brings regional, national, and international philosophers together with members of the public in various settings, including through the weekly public radio broadcast of "Why?"

SMITH MEMORIAL PLAYGROUND & PLAYHOUSE, Philadelphia, PA

MEMBER, BOARD OF DIRECTORS, October 2005-December 2009

Advised Board of Directors on legal matters concerning ongoing rehabilitative reconstruction of historic playground and playhouse.

STATE BAR ASSOCIATION OF NORTH DAKOTA, Grand Forks, ND

MEMBER, ASPIRATIONAL GOALS DRAFTING COMMITTEE, August 2008-May 2009

Drafted Aspirational Goals of attorney conduct for consideration and adoption by the State Bar Association of North Dakota.

U.S. SUPREME COURT HISTORICAL SOCIETY, Washington, DC

CHAIR, NORTH DAKOTA MEMBERSHIP COMMITTEE, August 2007-August 2008

Served to promote membership in the U.S. Supreme Court Historical Society in North Dakota.

FRANKLIN LEARNING CENTER HIGH SCHOOL, Philadelphia, PA

COACH, JOHN J. BRADWAY HIGH SCHOOL MOCK TRIAL COMPETITION, October 2001-April 2007

Instructed high school students on the rules of evidence and the skill of trial advocacy.