

BRETT GILBERT SCHARFFS

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TEACHING EXPERIENCE

BRIGHAM YOUNG UNIVERSITY, J. Reuben Clark School of Law

Francis R. Kirkham Professor of Law, September 2009 - present

Associate Director, International Center for Law and Religion Studies, September 2009 - present

Professor of Law, September 2003 - 2009

Associate Professor, September 1999 – August 2003

Assistant Professor, July 1997 - August 1999

XCourses:

- Business Associations (1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2007, 2009, 2010 (winter), 2010 (fall))
- International Business Transactions (1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010)
- Regulation of International Securities (1998, 2000, 2001)
- Regulation of Mutual Funds and Investment Advisors (1998)
- Fiduciary Duty in Law and Equity (2003 (co-taught with Professor John W. (Jack) Welch), 2005, 2008)
- Church and State in the United States (1999, 2001, 2003, 2005, 2007, 2008, 2010) (co-taught with Professor Cole Durham)
- International Protection of Religious Liberty (1999, 2001, 2003, 2005, 2007, 2008, 2010) (co-taught with Professor Cole Durham)
- Theories of Adjudication (1999)
- Adjudication Seminar: Law and Logic (2001, 2002, 2004, 2006, 2007, 2008, 2009)
- Adjudication Seminar: Rules and Balancing (2002, 2004)
- Professional Seminar (2000)

XLaw School Committee Assignments:

- Admissions Committee (1997-98, 2002-03, 2003-04)
- American Constitutional Society Faculty Advisor (2003-04)
- Appointments Committee (2004-05, 2005-06, 2006-07, 2007-08, 2008-09, 2009-10)
- Awards Committee (1999-2000 (chair), 2000-01 (chair))
- BYU Journal of Public Law Faculty Advisor (1998-99)
- BYU Law Review Faculty Advisor (2004-05, 2005-06, 2006-07, 2007-08)
- Clerkship Committee (1997-98)
- Curriculum Committee (2009-10, 2010-11 (chair))
- Dean Search Committee (2008-09)
- Discovery Committee / Diversity Committee (1998-99, 1999-2000)
- Guest Lectures and Visitors (2004-05, 2005-06, 2006-07, 2007-08 (chair))
- International Committee (1997-98, 1998-99, 1999-2000, 2000-01, 2001-02, 2002-03, 2003-04, 2004-05, 2005-06, 2006-07)
- Law School Youth Mentoring Program Faculty Advisor (1998-99, 1999-2000, 2000-01, 2001-02, 2002-03, 2003-04, 2004-05, 2005-06, 2006-07, 2007-08, 2008-09, 2009-10, 2010-11)
- Library Policy (2002-03 (chair), 2003-04 (chair), 2004-05 (chair), 2005-06 (chair), 2006-07

(chair))

- Moot Court Faculty Advisor (2001-02)

XUniversity Committee Assignments:

- Graduate Fellowship Application Committee / Faculty Coach for Rhodes and Marshall Scholarships (1997-98, 1998-99, 1999-2000, 2000-01, 2001-02, 2002-03)
- University Curriculum Committee (2010-11)
- University Council on Rank and Status (2011-present)

• Awards and Honors:

- Student Bar Association, Professor of the Year, 1999-2000

CENTRAL EUROPEAN UNIVERSITY LAW SCHOOL, BUDAPEST, HUNGARY

Visiting Professor of Law

Spring 2007

- International Protection of Religious Freedom (co-taught with W. Cole Durham, Jr.)
- Freedom of Religion in Comparative Perspective (co-taught with W. Cole Durham, Jr.)

Spring 2008

- Comparative Freedom of Religion

Spring 2009

- Comparative Freedom of Religion

Spring 2010

- Comparative Freedom of Religion

PEKING UNIVERSITY LAW SCHOOL, BEIJING, PRC

Trainer, Center for Constitutional and Administrative Law

August 2010

- Helped organize academic program and taught three-week course for Chinese professors, government officials and judges, Summer Program on Religion and the Rule of Law

UNIVERSITY OF ADELAIDE SCHOOL OF LAW

Scheduled Visiting Professor of Law

Summer 2012

GEORGE WASHINGTON UNIVERSITY, THE NATIONAL LAW CENTER

Associate Professorial Lecturer in Law, Spring 1997

XTaught advanced AInternational Business Transactions Seminar,@ Spring 1997

YALE UNIVERSITY

Visiting Lecturer, 1991-92

Visiting Fellow, Saybrook College, Yale University, 1991-92

XCo-taught undergraduate seminar, ALegal Formalism and its Critics,@ Spring 1992

XTaught undergraduate seminar, ATheories of Adjudication,@ Fall 1991

YALE UNIVERSITY

Teaching Fellow, Political Science Department, 1990-91

XTeaching Assistant to Professor Joseph Hamburger, AConservatism and its Critics,@ Spring 1991

XTaught weekly section for Professor Jean Schrodell, AIntroduction to American Government,@

Fall 1990

XTaught two weekly sections for Professor Phil Klinkner, APolitical Parties and Elections,@

Spring 1990

EDUCATION

YALE LAW SCHOOL, J.D., 1992

XSenior Editor, Yale Law Journal, 1991-92

XResearch Assistant, Professor Anthony T. Kronman, 1990-92

The Lost Lawyer, book on character and practical wisdom in the legal profession

XCurriculum Committee, Student Representative, 1991-92

XIntern, New Haven Office of State=s Attorney, Spring 1990

XLead Editor, Yale Journal of Law & the Humanities, 1989-90

XClaude Lambe Fellow, Institute For Humane Studies, 1990-91

OXFORD UNIVERSITY, University College, B. Phil. In Philosophy, 1989

XRhodes Scholar, 1987-89

XSubjects:

Moral Philosophy (David Wiggins tutor)

Political Philosophy (Joseph Raz tutor)

Aristotle (J.A. Ackrill tutor)

Thesis, Interpretation in Adjudication: Some Philosophical Aspects of a Current Debate (1989) (unpublished B.Phil. thesis, Oxford University) (John Finnis advisor)

XLanguage: Ancient Greek

GEORGETOWN UNIVERSITY, M.A. in Philosophy, 1987

XSumma Cum Laude, GPA: 4.0/4.0

XTopical exam passed: Moral philosophy

XLanguage exam passed: French philosophical translation

GEORGETOWN UNIVERSITY, B.S.B.A. in International Management, 1986

XMagna cum Laude, GPA: 3.851/4.0

XWalt Disney Foundation / Junior Achievement Scholarship: Single national recipient of four-year full-tuition scholarship to any U.S. university

XMinor: Theology

XLanguage: Japanese

EAST CHINA (JIAO TONG) UNIVERSITY, Shanghai, People=s Republic of China, Summer 1985

XIntensive Chinese language study

SKYLINE HIGH SCHOOL, Salt Lake City, Utah, 1981

XGeneral Sterling Scholar (selected single outstanding overall student), GPA: 3.95/4.0

LAW-RELATED EMPLOYMENT

SULLIVAN & CROMWELL

Associate, Washington, D.C., 1994-1997

- XInvestment company work: Helped establish World Equity Benchmark Shares (WEBS) foreign securities index fund, conducted rights offerings for closed-end investment companies, helped foreign investment companies prepare to register and offer shares in the United States, researched and advised clients on issues relating to advertising of performance data
- XSecurities transactions: IPOs, registered debt and equity offerings, Regulation S and Rule 144A offerings
- XProject finance: Non-recourse financing for international projects

IRAN-UNITED STATES CLAIMS TRIBUNAL, Judge George H. Aldrich

Legal Assistant, The Hague, The Netherlands, 1993-94

UNITED STATES COURT OF APPEALS, D.C. CIRCUIT, The Honorable David B. Sentelle

Law Clerk, Washington, D.C., 1992-93

OFFICE OF LEGAL COUNSEL, U.S. DEPARTMENT OF JUSTICE

Summer Intern, Washington, D.C., 1992

SUMMER ASSOCIATE

- XDavis Polk and Wardwell, New York City, Tokyo, Washington, D.C., 1991
- XJones, Day, Reavis & Pogue, Washington, D.C., 1991
- XVanCott, Bagley, Cornwall & McCarthy, Salt Lake City, Utah, 1990

OTHER EXPERIENCE / EMPLOYMENT

THE CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES (CSIS)

Assistant to the President, 1986-87

GEORGETOWN UNIVERSITY, OFFICE OF THE PRESIDENT

Student Assistant for Federal Relations, 1984-86

UNITED STATES TRADE REPRESENTATIVE (USTR), EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES, JAPAN/CHINA DESK

Intern, 1986

CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

Volunteer Missionary, Japan, 1982-84

PUBLICATIONS AND SCHOLARSHIP

Published Works

Brett G. Scharffs, *LAW AND THE LIMITS OF LOGIC* (forthcoming book to be published by Harvard University Press, 2011)

Brett G. Scharffs, *LAW AND RELIGION: NATIONAL, INTERNATIONAL AND COMPARATIVE LAW PERSPECTIVES, CHINESE VERSION*, (forthcoming 2011), (co-written with W. Cole Durham, Jr.), reprinted from Aspen Press / WoltersKluwer, 2009)

Brett G. Scharffs, *Four Views of the Citadel: The Consequential Distinction between Secularity and Secularism*, *RELIGION AND HUMAN RIGHTS* (forthcoming 2011)

Brett G. Scharffs, Roundtable Participant, *Conference on Laicite in Comparative Perspective*, St. Johns University School of Law, Paris, France, June 2010, conference proceedings forthcoming __ *ST. JOHN'S UNIVERSITY LAW SCHOOL JOURNAL OF CATHOLIC LEGAL STUDIES* ____ (forthcoming 2010)

Brett G. Scharffs, *Symposium Introduction: The Freedom of Religion and Belief Jurisprudence of the European Court of Human Right: Legal, Moral, Political and Religious Perspectives*, Program Chair, Program of the Law and Religion Section, Association of American Law Schools, XXVI *JOURNAL OF LAW AND RELIGION* No.1, 249-260 (2010-11) (symposium papers by Zachary R. Calo, Gerhard Robbers, Carolyn Evans, and Malcolm D. Evans, pgs 261-370)

Brett G. Scharffs, *Creation and Preservation in the Constitution of Civil Religion, Symposium*, "Civil Religion" in the United States and Europe: Four Comparative Perspectives, __ *THE GEORGE WASHINGTON INTERNATIONAL LAW REVIEW* ____ (forthcoming, 2010)

Brett G. Scharffs, *Comparative Models for Transitioning from Religious to Civil Marriage Systems*, (co-written with Suzanne Disparte), *CONFERENCE PROCEEDINGS, FAMILY LAW IN A MULTICULTURAL ENVIRONMENT: CIVIL AND RELIGIOUS LAW IN FAMILY MATTERS*, International Society of Family Law Regional Conference, Tel-Aviv, Israel, 2009; reprinted in 12 *JOURNAL OF LAW AND FAMILY STUDIES* 409-430 (2010) (University of Utah Law School).

Brett G. Scharffs, *Religious Monopolies and the Commodification of Religion*, *CONFERENCE PROCEEDINGS, CONFERENCE ON LAW AND RELIGION*, Peking University, Beijing, China, August 2010 (written with Shima Baradaran-Robison and Elizabeth A. Sewell), reprinted from 32 *PEPPERDINE LAW REVIEW* 885-943 (2005).

Brett G. Scharffs, *The Most Important Three Things in the World*, *CLARK MEMORANDUM*, Spring 2010, 2-9.

Brett G. Scharffs, *The Most Important Three Things in the World*, 2009-2010 *BYU SPEECHES* 13-29 (2010).

Brett G. Scharffs, *May a Public Law School Deny Recognition to a Religious Student Group Based on the School's Nondiscrimination Policy*, Christian Legal Society Chapter of the University of California, Hastings College of the Law v. Martinez et al., 37 *PREVIEW OF UNITED STATES SUPREME COURT CASES* 300-305, Issue No. 7, April 19, 2010.

Brett G. Scharffs, *Comparative Religion-State Systems*, Collected Papers from International Conference on Religion, Law and Governance in South East Asia, International Institute of Advanced Islamic Studies (IAIS) Malaysia (forthcoming 2010); published on conference web site and in collected conference materials

Brett G. Scharffs, *LAW AND RELIGION: NATIONAL, INTERNATIONAL AND COMPARATIVE LAW PERSPECTIVES* (co-written with W. Cole Durham, Jr.) (Aspen Press / WoltersKluwer, 2009)

Brett G. Scharffs, *From Identification to Secularism: Comparative Constitutional Law Approaches to Law and Religion* (co-written with W. Cole Durham, Jr.), *TRIBUHAVEN UNIVERSITY LAW REVIEW* (National University of Nepal, 2009)

Brett G. Scharffs, *Volunteerism, Charitable Giving, and Religion: The U.S. Example*, 7 *REV. FAITH & INT'L AFF'S*, No. 3 (pgs. 61-67) (Fall 2009)

Brett G. Scharffs, Official Welcome, *The Prospect of an Australian Constitutional Moment: The Debate About a Bill (or Charter) of Rights*, Conference on Cultural and Religious Freedoms under a Bill of Rights, Old Parliament House, Canberra, ACT, Australia, August 13-15, published electronically on CD of Collected Conference Papers,

Brett G. Scharffs, *Protecting Religious Freedom: Two Counterintuitive Dialectics in U.S. Free Exercise Jurisprudence*, Conference on Cultural Religious and Cultural Freedom under a Bill of Rights, Old Parliament House, Canberra, ACT, Australia, August 13-15, published electronically on CD of Collected Conference Papers, forthcoming in scheduled book of conference proceedings

Brett G. Scharffs, *A Proposal for Teaching Human Rights and Religious Freedom in High Schools* (co-written with Isabelle Kinnard, Vice President for Education, Council for America's First Freedom), Conference Proceedings, 16th Annual Education Law Conference, University of Southern Maine, University of Maine School of Law, published online by The West Education Network (TWEN), at <http://lawschool.westlaw.com>

Brett G. Scharffs, *Religion in the Schools: An Update on Current Issues and Landmines* (co-written with Frank S. Ravitch, Professor of Law, Michigan State University College of Law), Conference Proceedings, 16th Annual Education Law Conference, University of Southern Maine, University of Maine School of Law, published online by The West Education Network (TWEN), at <http://lawschool.westlaw.com>

Brett G. Scharffs, *Cyberspace and the Schoolhouse Gate: A Framework for Evaluating the Regulation of Sexting, Cyberbullying, Hate Speech and other Online Student Speech* (co-written with Kenneth R. Pike, J.D., BYU Law School, PhD Candidate Arizona State University), Conference Proceedings, 16th Annual Education Law Conference, University of Southern Maine, University of Maine School of Law, published online by The West Education Network (TWEN), at <http://lawschool.westlaw.com>.

Brett G. Scharffs, *Religion in the Schools: An Update on Current Issues and Trends* (co-written with Frank S. Ravitch, Professor of Law, Michigan State University College of Law), Conference Proceedings, SEVENTH COMMONWEALTH EDUCATION LAW CONFERENCE, CRITICAL ISSUES IN EDUCATION LAW AND POLICY 59-68 (LexisNexis, 2009)

Brett G. Scharffs, *Cyberbullying and the Schoolhouse Gate: A Framework for Evaluating the Regulation of Online Student Speech* (with Kenneth R. Pike, BYU Law School, J.D. 2009), Conference Proceedings, SEVENTH COMMONWEALTH EDUCATION LAW CONFERENCE, CRITICAL ISSUES IN EDUCATION LAW AND POLICY 127-135 (LexisNexis, 2009)

Brett G. Scharffs, *Response to Supana Malla Pradham, Member Constituent Assembly, Human Rights and Secularism Panel*, published on conference web site for International Conference on the Constitution Making of Nepal, [insert web cite], February 2009

Brett G. Scharffs, *Comparative Approaches to Legislation Concerning Law and Religion*, CONFERENCE PROCEEDINGS, RELIGION AND RULE OF LAW: THE LEGAL SYSTEM AND RELIGION IN A HARMONIOUS SOCIETY, 12-46 (Institute of World Religions, Chinese Academy of Social Sciences, 2008) (published in English and Chinese)

Brett G. Scharffs, *Responding to the Competing Claims of State Security and Religious Autonomy*, CONFERENCE PROCEEDINGS, RELIGIOUS LIBERTY AS A MEANS OF INCREASING RELIGIOUS TOLERANCE (Mongolian Council on Religious Affairs, 2008) (published in English and Mongolian)

Brett G. Scharffs, *Navigating the Treacherous Waters of Religion in the Schools: An Update* (co-written with Kristi L. Bowman, Assistant Professor of Law, Michigan State University College of Law), SIXTH COMMONWEALTH EDUCATION LAW CONFERENCE, CRITICAL ISSUES IN EDUCATION LAW AND POLICY (LexisNexis, 2008)

Brett G. Scharffs, *A Proposal for Teaching Human Rights and Religious Freedom in High Schools* (co-written with Isabelle Kinnard, Vice President for Education, Council for America's First Freedom), SIXTH COMMONWEALTH EDUCATION LAW CONFERENCE, CRITICAL ISSUES IN EDUCATION LAW AND POLICY (LexisNexis, 2008)

Brett G. Scharffs, *Footings of Mormon Conceptions of Law: Vantage Points for Understanding Constitutional Law and the Law of Religious Freedom*, (co-written with W. Cole Durham, Jr. and Michael K. Young, co-authored chapter in book, FAITH AND LAW: HOW RELIGIOUS TRADITIONS FROM CALVINISM TO ISLAM VIEW AMERICAN LAW (New York University Press, 2007)

Brett G. Scharffs, *Security, Religious Autonomy, and the Good Society*, 5 REV. FAITH & INT'L AFF'S, No. 3 (pgs. 3-10) (Fall 2007)

Brett G. Scharffs, *The Integration of Federal, State and Informal Mechanisms in the Regulation of Charities in the United States*, THESES COLLECTION OF THE INTERNATIONAL SYMPOSIUM ON CHARITY LEGISLATION OF CHINA (pgs. 140-153, Chinese version) (2007)

Brett G. Scharffs, *The Integration of Federal, State and Informal Mechanisms in the Regulation of Charities in the United States*, COLLECTED PAPERS OF THE INTERNATIONAL SYMPOSIUM ON CHARITY LEGISLATION OF CHINA (English version) (2007)

Brett G. Scharffs, *Charitable and Economic Activities of Religious Groups*, COLLECTED PAPERS OF INTERNATIONAL CONFERENCE ON RELIGION AND THE RULE OF LAW IN SOUTHEAST ASIA: CONTINUING THE DISCUSSION (English and Vietnamese versions) (2007)

Brett G. Scharffs, *School Reform, Diversity in Education and in the Profession: What ELA Can Do To*

Help, (co-written with Sarah Redfield), PROCEEDINGS OF THE EDUCATION LAW ASSOCIATION 53RD ANNUAL CONFERENCE, EDUCATION AND SOCIETY: ACCOUNTABILITY, SAFETY & CLIMATE (2007)

Brett G. Scharffs, *Responding to the Competing Claims of State Security and Religious Autonomy*, chapter in conference proceedings, SELECTED PAPERS FROM THE INTERNATIONAL CONFERENCE ON LAW AND RELIGION IN TRANSITIONAL SOCIETIES: COMPARATIVE APPROACHES TO THE RULE OF LAW, Oslo, Norway (published in English (pgs. 65-77) and Chinese (pgs. 216-222) (2006)

Brett G. Scharffs, *The State and Religious Communities in the United States: The Tension Between Freedom and Equality*, (co-written with W. Cole Durham, Jr.), co-authored chapter in book, CHURCH AND STATE: TOWARDS PROTECTION FOR FREEDOM OF RELIGION, PROCEEDINGS OF INTERNATIONAL CONFERENCE ON COMPARATIVE CONSTITUTIONAL LAW, 2005, Tokyo, Japan (published in Japanese (pgs. 317-361) and English (pgs. 362-406), The Japanese Association of Comparative Constitutional Law (2006))

Brett G. Scharffs, *Governance, Duty, and Accountability: Oversight of Nonprofit Organizations in the United States*, co-authored chapter in book, PROCEEDINGS OF THE FIRST NATIONAL TRAINING COURSE FOR SENIOR CHINESE CHARITY OFFICIALS 8-27 (English version) 28-42 (Chinese version) (2006).

Brett G. Scharffs, *Religion in Public Schools: An Update*, (co-written with Frank S. Ravitch), co-authored chapter in book, CRITICAL ISSUES IN EDUCATION LAW AND POLICY, FOURTH COMMONWEALTH EDUCATION LAW CONFERENCE 9-14 (2006 LexisNexis).

Brett G. Scharffs, *Student Aspiration and Achievement: Working in Partnership Along the Educational Pipeline From Preschool to Professional School*, (co-written with Sarah E. Redfield), co-authored chapter in book, CRITICAL ISSUES IN EDUCATION LAW AND POLICY, FOURTH COMMONWEALTH EDUCATION LAW CONFERENCE 45-60 (2006 LexisNexis).

Brett G. Scharffs, *The United States Law of Charities: A Summary*, (co-written with W. Cole Durham, Jr. and Michael Durham), co-authored chapter in book, PROCEEDINGS OF THE FIRST INTERNATIONAL CHARITY LAW COMPARATIVE SEMINAR 239-268 (Chinese version) 269-308 (English version) 2005.

Brett G. Scharffs, *Does the Government Have a Compelling State Interest in Prohibiting Sacramental Use of Hoasca Tea?* AMERICAN BAR ASSOCIATION PREVIEW OF UNITED STATES SUPREME COURT CASES 52-56 (5 pages, 0 footnotes) (Issue No. 2, October 31, 2005).

Brett G. Scharffs, *An Analytic Framework for Understanding and Evaluating the Fiduciary Duties of Educators*, (co-written with John W. Welch), 2005 BYU EDUCATION AND LAW JOURNAL 159-230 (71 pages, 214 footnotes) (Vol. 2005, No. 2); reprinted in Conference Proceedings, 2005 Main Education Law Conference.

Brett G. Scharffs, *Three Assumptions Lawyers Must Never Make*, THE CLARK MEMORANDUM 10-19 (fall 2005) (9 pages, 32 footnotes). Received Gold Medal, 2006 Case Circle of Excellence Awards Program, Council for Advancement and Support of Education.

Brett G. Scharffs, *How to Start and Manage a Collaborate Law School Youth Mentoring Program* (co-written with Betsy Fowler), co-authored chapter in book, CRITICAL ISSUES IN EDUCATION LAW AND POLICY 217-225, Conference Proceedings, Third Virginia Education Law Conference, LexisNexis (2005).

Brett G. Scharffs, *Religious Monopolies and the Commodification of Religion* (co-written with Shima Baradaran-Robison and Elizabeth A. Sewell), 32 PEPPERDINE LAW REVIEW 885-943 (2005) (58 pages, 338 footnotes)

Brett G. Scharffs, *Foreword* (co-written with W. Cole Durham, Jr.), co-authored foreword in book, RELIGIOUS FREEDOM IN CHINA: POLICY, ADMINISTRATION, AND REGULATION – A RESEARCH HANDBOOK v-xiii, (by Kim-Kwong Chan and Eric R. Carlson) (2005)

Brett G. Scharffs, *Do Displays of the Ten Commandments on Public Property Violate the Establishment Clause?*, AMERICAN BAR ASSOCIATION PREVIEW OF UNITED STATES SUPREME COURT CASES 298-307 (10 pages, 0 footnotes) (Issue No. 5, February 22, 2005).

Brett G. Scharffs, *What Constitutes “Loss Causation” in a Section 10(b) Securities Fraud on the Market Case?*, AMERICAN BAR ASSOCIATION PREVIEW OF UNITED STATES SUPREME COURT CASES 225-230 (5 pages, 0 footnotes) (Issue No. 4, January 10, 2005).

Brett G. Scharffs, *The Autonomy of Church and State*, 2004 BRIGHAM YOUNG UNIVERSITY LAW REVIEW 1217-1348 (2004) (132 pages, 452 footnotes), featured article in symposium with responses written by Ronald R. Garet and Mark Tushnet.

Brett G. Scharffs, *Introduction: One Nation Under God? Unity, Diversity, and Neutrality Under the Religion Clauses*, *Proceedings of the Annual Meeting of the Association of American Law Schools Section on Law and Religion*, 2004 BRIGHAM YOUNG UNIVERSITY LAW REVIEW 983-993 (2004) (11 pages, 41 footnotes).

Brett G. Scharffs, *The Character of Legal Reasoning*, 61 WASHINGTON AND LEE LAW REVIEW 733 (2004) (53 pages, 146 footnotes).

Brett G. Scharffs, *Reconceptualizing the Fiduciary Duties of Educators*, co-authored chapter in book, CRITICAL ISSUES IN EDUCATION LAW AND POLICY, CONFERENCE PROCEEDINGS, SECOND VIRGINIA EDUCATION LAW CONFERENCE, LexisNexis (2004) (co-written with John W. (Jack) Welch) (19 pages, 110 footnotes)

Brett G. Scharffs, *Emerging International Efforts to Combat Corruption: Sea Change or Passing Squall*, chapter in book, CONFERENCE PROCEEDINGS, BYU INTERNATIONAL SOCIETY 14TH ANNUAL CONFERENCE, THE GOSPEL, PROFESSIONAL ETHICS, AND CROSS-CULTURAL EXPERIENCE (2004) (19 pages, 118 footnotes)

Brett G. Scharffs, *Is the Pledge of Allegiance an Unconstitutional Establishment of Religion?*, AMERICAN BAR ASSOCIATION PREVIEW OF UNITED STATES SUPREME COURT CASES 304-311 (8 pages, 0 footnotes) (Issue No. 6, March 15, 2004)

Brett G. Scharffs, *Is an Investment Contract that Promises a Fixed Rate of Return a “Security” Under Federal Law?*, AMERICAN BAR ASSOCIATION PREVIEW OF UNITED STATES SUPREME COURT CASES 90-93 (4 pages, 0 footnotes) (Issue No. 2, October 31, 2003)

Brett G. Scharffs, *The Autonomy of Church and State: The Case of Religion in Public Schools*, 2003 VIRGINIA EDUCATION LAW JOURNAL 33 (2003)

Brett G. Scharffs, *Does California Unconstitutionally Pursue Its Own 'Foreign Policy' by Requiring Insurance Firms to Disclose the Status of Holocaust-Era Policies?*, AMERICAN BAR ASSOCIATION PREVIEW OF UNITED STATES SUPREME COURT CASES 409-414 (6 pages, 0 footnotes) (Issue 7, April 18, 2003)

Brett G. Scharffs, *Is a Corporation that is Indirectly Owned by a Foreign State Immune From Suit?*, AMERICAN BAR ASSOCIATION PREVIEW OF UNITED STATES SUPREME COURT CASES 196-200 (5 pages, 0 footnotes) (Issue 4, January 6, 2003)

Brett G. Scharffs, *Applicability of Human Rights Standards to Private Corporations: An American Perspective*, 50 THE AMERICAN JOURNAL OF COMPARATIVE LAW 531-566 (35 pages, 231 footnotes) (co-written with Stephen G. Wood) (2002)

Brett G. Scharffs, *Review Essay: The Impertinent Student and Stealth Prosecutor. The Genesis of Justice: Ten Stories of Biblical Injustice that Led to the Ten Commandments and Modern Law*, by Alan M. Dershowitz, XVII THE JOURNAL OF LAW AND RELIGION (Nos. 1 & 2) 427-434 (8 pages, 3 footnotes) (2002)

Brett G. Scharffs, *The Lawyer as Composer: Composing Law (Part II of II)*, THE CLARK MEMORANDUM 30-41 (12 pages, 81 footnotes) (Fall 2002)

Brett G. Scharffs, *The Lawyer as Composer: Composing Conflict (Part I of II)*, THE CLARK MEMORANDUM 2-9 (7 pages, 47 footnotes) (Spring 2002)

Brett G. Scharffs, *Hot-Deck Imputation in the Decennial Census: What Counts As a Count? Case at a Glance: State of Utah v. Evans*, AMERICAN BAR ASSOCIATION PREVIEW OF UNITED STATES SUPREME COURT CASES 322-26 (5 pages, 0 footnotes) (Issue 6, March 13, 2002)

Brett G. Scharffs, *Starting a Law School Youth Mentoring Program*, 2002 BYU EDUCATION AND LAW JOURNAL 233-254 (22 pages, 2 footnotes) (2002)

Brett G. Scharffs, *Law as Craft*, 54 VANDERBILT LAW REVIEW 2244-2347 (103 pages, 550 footnotes) (2001). A preliminary version of this article was published as, Brett G. Scharffs, *The Judicial Craft*, online at Stanford/Yale Junior Faculty Forum, Paper No.01-16, Social Science Research Network Electronic Library (102 pages), <http://papers.ssrn.com/sol3/papers>

Brett G. Scharffs, *Adjudication and the Problems of Incommensurability*, 42 WILLIAM AND MARY LAW REVIEW 1367-1435 (68 pages, 172 footnotes) (2001)

Brett G. Scharffs, *Can Lawyers Follow Christ?* THE BYU COLLEGIATE POST 5, 8 (2 pages, 0 footnotes) (Vol. 1 Issue 7, 12 September 2001)

Brett Scharffs, *Is it Possible to Be a Lawyer and a Christian, Book Review: Joseph G. Allegretti, The Lawyer's Calling: Christian Faith and Legal Practice*, THE CLARK MEMORANDUM 26-32 (7 pages, 0 footnotes) (Spring 2000)

Brett Scharffs, *The Role of Humility in Exercising Practical Wisdom*, 32 UNIVERSITY OF CALIFORNIA DAVIS LAW REVIEW 127-199 (73 pages, 184 footnotes) (1998)

Brett Scharffs, *Centering on Humility*, THE CLARK MEMORANDUM 2-13 (12 pages, 28 footnotes) (Winter 1998)

Works in Progress that have been Accepted for Publication

Brett G. Scharffs, *Religious Liberty as an Article of Faith: An LDS Perspective on Freedom of Religion and Belief* (working title) (co-written with W. Cole Durham, Jr.), to be included as a chapter in a book, THE FAITH OF FREEDOM: THEOLOGICAL PERSPECTIVES ON FREEDOM OF RELIGION AND BELIEF (Joseph K. Brieboski, ed.), Institute on Religion and Public Policy, Washington, D.C.

Works in Progress that have Not Yet been Accepted for Publication

Brett G. Scharffs, *A General Theory of Fiduciary Relativity* (working title) (co-written with John W. (Jack) Welch)

Brett G. Scharffs, *My Mentors: Lessons in Life and Law from my Greatest Teachers*, collection of fifty short essays

Brett G. Scharffs, *Three Degrees of Charity*

SELECT SCHOLARLY PRESENTATIONS

Scheduled Presenter, Law and Religion Conference, Univeristy of Melbourne Law School, Melbourne, Australia, July 2011.

Scheduled Presenter, Equality in Sheep's Clothing: The Implications of Anti-discrimination Norms for Religious Autonomy, conference on Religion and International Law, Santa Clara University, February 18-19, 2011, proceedings to be published in SANTA CLARA JOURNAL OF INTERNATIONAL LAW.

Scheduled Respondent, 2011 Symposium on Belonging, the Family and Family Law, Brigham Young University Law School, January 28, 2011

Scheduled Moderator, Session on Comparative Law and Religion, Religious Legal Theory Conference: Religion in Law, Law in Religion, St. John's University School of Law, November 4-5, 2010

Moderator, Legal Dimensions of Human Trafficking, Fifth Annual Social Work Conference, Assisting Victims of Human Trafficking through Research, Policy and Practice, BYU, October 29, 2010.

Speaker, On Being Agents Unto Ourselves, Annual Dinner, J. Reuben Clark Law Society, Kansas City Chapter, University of Missouri Kansas City, October 22, 2010

Lecture, Equality in Sheep's Clothing: The Implications of Anti-Discrimination Norms for Religious Autonomy, University of Missouri Kansas City Law School, October 22, 2010 (sponsored by The Federalist Society, The Christian Legal Society, and the UMKCLS JRCLS)

Moderator, Religion in Contemporary Legal Systems, Seventeenth Annual International Law and Religion Symposium, Brigham Young University Law School, October 3-5, 2010, plenary session, regional session on China

Presenter, Emerging International Approaches to Teaching About Religion, International Religious Liberty Association 12th Meeting of Experts, Teaching Respect for Religion, Amman, Jordan, September 6-8, 2010.

Presenter, Religious Monopolies, Oligopolies and the Transition to a Religious Market Economy, Conference on Law and Religion, Peking University, Beijing, China, August 21-22, 2010, published in Conference Proceedings, reprinted from 32 PEPPERDINE LAW REVIEW 885-943 (2005).

Roundtable Participant, Conference on Laicite in Comparative Perspective, St. Johns University School of Law, Paris, France, June 2010, __ ST. JOHN'S UNIVERSITY LAW SCHOOL JOURNAL OF CATHOLIC LEGAL STUDIES ____ (forthcoming 2010)

Presenter, Four Views of the Citadel: The Consequential Distinction Between Secularity and Secularism, Conference on Law and Religion, Oxford University, United Kingdom, June 7-9, 2010, publication pending

Presenter, Protecting Religious Freedom: Two Counterintuitive Dialectics in U.S. Free Exercise Jurisprudence, conference on U.S. Constitutionalism in Decline? An International Perspective, Session on Freedom of Religion and Belief, Rothermere American Institute, Oxford University, United Kingdom, April, 2010, publication pending.

Chair and Moderator, 2010 Conference of Religiously Affiliated Law Schools, Brigham Young University Law School, March 2010.

Presenter, Bills of Rights: Justiciability, Responsibilities and Democratic Dialogue, Conference on Accountability Under Democratic Constitutions, Wilton Park, Wiston House, West Sussex, United Kingdom, February 10-13, 2010.

Presenter, Comparative Religion-State Systems, Plenary Session, Religion and the State: Mutual Autonomy, Permissible Regulation, International Conference on Religion, Law and Governance in South East Asia, International Institute of Advanced Islamic Studies (IAIS) Malaysia, Kuala Lumpur, Malaysia, January 31, 2010, posted on conference web site and in collected conference materials, to be published in journal of conference proceedings and book.

Chair and Speaker, An Introduction and History of the Freedom of Religion or Belief Jurisprudence of the European Court of Human Rights, Panel Chair, [Title], Program of the Law and Religion Section, Annual meeting of the Association of American Law Schools, New Orleans, Louisiana, proceedings to be published in the Journal of Law and Religion (forthcoming, Fall 2010)

Respondent, Work in Progress by Noel Reynolds, Political Science Department, Brigham Young University, November 2009

Panelist, "What Role Should Religious Beliefs Play in the Judicial Decision-making Process?" Orrin G. Hatch Distinguished Trial Lawyer Lecture Series, BYU Law School, Provo, Utah, August 27, 2009 (co-panelists Justice Carol Corrigan, Judge Randy N. Smith, Judge Dee Benson; moderator, Justice Douglas P. Miller)

Chair, The Proposed Bill of Rights in Australia, Annual Conference, International Center for Law and

Religion Studies, J. Reuben Clark Law School, Brigham Young University, Provo, Utah, October 2009

Lecture, Protecting Religious Freedom: Two Counterintuitive Dialectics in U.S. Free Exercise Jurisprudence, University of Adelaide School of Law, Adelaide, Australia, Sponsored by the Research Unit for the Study of Society, Law and Religion (RUSSLR) August 17, 2009 (Prof. W. Cole Durham, Jr. presented joint lecture on Constitutional Models for Church-State Relationships; The Honorable Judge J. Clifford Wallace, Senior Circuit Judge and Chief Judge Emeritus, United States Court of Appeals for the Ninth Circuit, offered a response)

Official Welcome, The Prospect of an Australian Constitutional Moment: The Debate About a Bill (or Charter) of Rights, Opening Dinner, Conference on Cultural and Religious Freedoms under a Bill of Rights, Old Parliament House, Canberra, ACT, Australia, August 13-15 (published electronically on CD of Collected Conference Papers) (conference organizer Paul Babie, Director of the Research Unit for the Study of Society, Law and Religion (RUSSLR), Associate Dean (Research), AdelaideLaw School also gave an introduction; after dinner speaker, Sir Anthony Mason, AC, KBE, QC, former Chief Justice of Australia)

Panelist/Paper Presentation, Session Two: North American Perspectives on Religious and Cultural Freedoms under Bills and Charters of Rights, Protecting Religious Freedom: Two Counterintuitive Dialectics in U.S. Free Exercise Jurisprudence, (Chair, Dr. Paul Babie, co-panelists: Frank Ravitch, Michigan State University College of Law; Associate Professor Robert Blitt, College of Law, University of Tennessee), Conference on Cultural Religious and Cultural Freedom under a Bill of Rights, Old Parliament House, Canberra, ACT, Australia, August 13-15 (published electronically on CD of Collected Conference Papers)

Panel Chair, Fifth Session, Parallel Paper Session B, Constitutional Issues Conference on Religious and Cultural Freedom under a Bill of Rights, Canberra, ACT, Australia, August 2009 (Panelists: Meg Wallace, Renae Barker, Neil Foster, Rocco Mimmo)

Presenter, A Proposal for Teaching Human Rights and Religious Freedom in High Schools, 16th Annual Education and Law Conference, University of Southern Maine, University of Maine School of Law, Portland, Maine, July 2009 (published online by the The West Educaiton Network (TWEN))

Moderator and Presenter, Cyberspace and the Schoolhouse Gate: A Framework for Evaluating the Regulation of Sexting, Cyberbullying, Hate Speech and Other Online Student Speech (with Kenneth R. Pike, J.D. BYU Law School, PhD candidate Arizona State University), Keynoter Workshop, 16th Annual Education and Law Conference, University of Southern Maine, University of Maine School of Law, Portland, Maine, July 2009 (published online by The West Education Network (TWEN))

Moderator, Oh What a Tangled Web, Keynote Roleplay on Student Speech Issues (with Peggy McAllister, Executive Director, new Hampshire School Principals Association, Concord, N.H.; Peter D. Lowe, Esq., Brann & Isaacson, Lewiston, M.E.; Kenneth R. Pike, J.D. BYU Law School, candidate PhD in Philosophy, Arizona State University; Kristen Blanchette, Franklin Pierce Law Center), 16th Annual Education and Law Conference, University of Southern Maine, University of Maine School of Law, Portland, Maine, July 2009

Devotional Speaker, The Most Important Three Things in The World, BYU Campus Devotional, Provo, Utah, May 2009 (published online by BYU, in the Clark Memorandum, and in BYU Speeches 2009-10)

Presenter, Comparative Models for Transitioning from Religious to Civil Marriage Systems in Light of International Human Rights Norms, Family Law in a Multicultural Environment: Civil and Religious Law in Family Matters, International Society of Family Law Regional Conference, Bar-Ilan University School of Law, Centre for the Rights of the Child and the Family, Sha-arei Mishpat Law College, Tel-Aviv, Israel, June 2009 (article, co-written with Suzanne Disparte, ICLRS, to be published in the Journal of Law and Family Studies, University of Utah, 2010)

Scheduled Presenter, Religion in the Schools: An Update on Current Issues and Trends (with Frank S. Ravitch, Professor of Law, Michigan State University College of Law), Seventh Commonwealth Education Law Conference, Critical Issues in Education Law and Policy, Norfolk, Virginia, April 2009 (article published in conference proceedings by LexisNexis, 2009, forthcoming)

Scheduled Presenter, Cyberbullying and the Schoolhouse Gate: A Framework for Evaluating the Regulation of Online Student Speech (with Kenneth R. Pike, BYU Law School, J.D. 2009), Seventh Commonwealth Education Law Conference, Critical Issues in Education Law and Policy, Norfolk, Virginia, April 2009 (article published in conference proceedings, by LexisNexis, 2009, forthcoming)

Presenter, Creation and Preservation in the Constitution of Civil Religion, Symposium, Conference on “Civil Religion” in the United States and Europe: Four Comparative Perspectives, J. Reuben Clark Law School, Brigham Young University, Provo, Utah, March 2009 (to be published in forthcoming conference proceedings, The George Washington International Law Review, 2010)

Lecture, From Identification to Secularism: Comparative Constitutional Law Approaches to Law and Religion, Tribhuvan University Faculty of Law, Kathmandu, Nepal, February 2009 (article co-written with W. Cole Durham, Jr. in TRIBUHAVEN UNIVERSITY LAW REVIEW (National University of Nepal, 2009)

Response, Human Rights and Secularism Panel, International Conference on the Constitution Making of Nepal, Park Village Hotel and Resort, Kathmandu, Nepal, February 2009 (published on conference web site)

Co-Chair (with Mohan Banjade), Federalism Panel, International Conference on the Constitution Making of Nepal, Park Village Hotel and Resort, Kathmandu, Nepal, February 2009

Co-Chair (with Chitra Lekha Yadav, General Human Rights Issues Panel, International Conference on the Constitution Making of Nepal, Park Village Hotel and Resort, Kathmandu, Nepal, February 2009

Presenter, Collaborations in Law and Religion Scholarship, Advisory Board Meeting, International Center for Law and Religion Studies, First ICLARS Congress on “Relations Between States and Religions: Patterns in the 21st Century,” University of Milan, Milan, Italy, January 2009

Presenter, The Value of Religious Freedom, Pacific Futures Law, Culture and Religion Symposium, National University of Samoa, Apia, Samoa, December 2008

Presenter, The Human Rights Framework for Freedom of Religion and Belief, Pacific Futures Law, Culture and Religion Symposium, Le Lagon Resort, Port Vila, Vanuatu, December 2008

Moderator, Panel Discussion, U.S. Foreign Policy on International Religious Freedom, Law and Religion Symposium, Washington, D.C., October 2008

Moderator, Second Plenary Session, Emerging Challenges: Regional Perspectives, International Protection of Religious Freedom: National Implementation, 15th Annual Law and Religion Symposium, BYU Law School, Provo, Utah, October 2008

Presenter, A Framework for Evaluating Fiduciary Duties, Utah Appellate Judges Conference, Park City, Utah, June 2008

Presenter, Comparative Approaches to Legislation Concerning Law and Religion, Conference on Religion and the Rule of Law: The Legal System and Religion in a Harmonious Society, The Institute of World Religions, Chinese Academy of Social Sciences, Beijing, China, May 30 – June 1, 2008 (published in conference proceedings)

Presenter, Responding to the Competing Claims of State Security and Religious Autonomy, Conference on Religious Liberty as a Means of Increasing Religious Tolerance, The Mongolian Counsel on Religious Affairs, International Religious Liberty Association, Ulaanbaatar, Mongolia, May 2008 (to be published in Mongolia)

Presenter, Forging Cooperative Relationships, Delegation of Chinese Judges, BYU Law School, April 2008

Presenter, A Proposal for Teaching Human Rights and Religious Freedom in High Schools (with Isabelle Kinnard, Vice President for Education, Council for America's First Freedom), Sixth Commonwealth Education Law Conference, Richmond, Virginia, April 2008 (published in conference book)

Presenter, Navigating the Treacherous Waters of Religion in the Schools: An Update (with Kristi L. Bowman, Michigan State University College of Law), Sixth Commonwealth Education Law Conference, Richmond, Virginia, April 2008 (published in conference book)

Panelist/Presenter, The Freedom and Equality Dialectic in the Domain of Law and Religion: U.S. and International Perspectives, The Williamsburg Charter Revisited: Significant Developments in Law and Religion in the Past Twenty Years, William & Mary University Law School, Williamsburg, Virginia, April 2008 (to be published in William & Mary Bill of Rights Journal)

Presenter, Freedom and Equality Orientations in the Domain of Law and Religion, State Religion and Law In and Beyond South Asia: Comparative Perspectives, New Delhi, India, February 2008 (to be published in India in book of conference proceedings)

Presenter, International Human Rights Norms Governing Religious Freedom, Visiting Delegation From Tajikistan, Brigham Young University Law School, December 2007

Presenter, Education Law Association, 53rd Annual Conference, Education and Society: Accountability, Safety, and Climate, San Diego, California, November, 2007

Presenter, School Reform, Diversity in Education and in the Profession: What ELA Can Do To Help, Education Law Association, Education and Society: Accountability, Safety & Climate, 53rd Annual Conference, San Diego, California, November 2007

Presenter, Charitable and Economic Activities of Religious Groups, International Conference on Religion and the Rule of Law in Southeast Asia: Continuing the Discussion, Hanoi, Vietnam, November 2007

Panelist, Expert's Meeting, Chinese Ministry of Civil Affairs Delegation on Chinese Charity Law, Workshop on the Drafting of China's First Charity Law, Yale Law School, New Haven, Connecticut, October 2007

Participant/Panelist, China Ministry of Civil Affairs Expert Working Group Conference, Meetings at International Center for Not-For-Profit Law (ICNL), Caplin & Drysdale, Internal Revenue Service, Washington, D.C., October 2007

Panelist, Disposition of Assets Upon Dissolution of Charitable Organizations, China Ministry of Civil Affairs Expert Working Group Conference, Salt Lake City, Utah, October 2007

Panelist, Relationships Between Religion and Charitable Giving, China Ministry of Civil Affairs Expert Working Group Conference, BYU Law School, October 2007

Chair, Japan and Mongolia Panel, Religion, Identity and Stability: Legal Challenges of Religious Difference, International Law and Religion Symposium, Brigham Young University, Provo, Utah, October 2007

Moderator/Presenter, Elementary School Mentoring Programs, Wingspread VIII Pipeline Conference, Texas Wesleyan University School of Law, Fort Worth, Texas, October 2007

Lecture, The Rising Tide of Educator Duties, Continuing Legal Education Conference, Portland, Maine, July 2007

Presenter, The Rising Tide of Educator Duties, Education Law Conference, Portland, Maine, July 2007

Presenter, Religion Goes to School, Education Law Conference, Portland, Maine, July 2007

Panelist, Plenary Session, Supreme Court Update, Education Law Conference, Portland, Maine, July 2007

Panelist, Collaborative Mentoring Programs, Wingspread VII, University of Hawaii Law School, Honolulu, Hawaii, June 2007

Presenter, The Integration of Federal, State and Informal Mechanisms in the Regulation of Charities in the United States, International Symposium on Charity Legislation of China, The Legislative Affairs Office of the Ministry of Civil Affairs, Beijing, China, June 2007

Group Reporter, General Session, International Symposium on Charity Legislation of China, The Legislative Affairs Office of the Ministry of Civil Affairs, Beijing, China, June 2007

Presenter, Fiduciary Duties of Educators, Commonwealth Education Law Conference, Williamsburg, Virginia, April, 2007

Presenter, Religion in Public Schools: An Update, Commonwealth Education Law Conference,

Williamsburg, Virginia, April 2007

Presenter, Responding to the Competing Claims of State Security and Religious Autonomy, Session 4, Balancing State Security and Religious Autonomy, 2006 Conference on Law and Religion in Transitional Societies: Comparative Approaches to the Rule of Law, Holmenkollen Park Hotel Rica, Oslo Norway, December, 2006 (published in English and Chinese in book of conference proceedings; powerpoint in English and Chinese provided electronically to conference participants).

Foreign Co-Chair, Internal Governance Issues, International Expert Consultation on Charity Law, International Charity Law Comparative Seminar, Zhongmin Plaza Hotel, Beijing, Peoples Republic of China, October, 2006

Initial Foreign Respondent, Volunteerism, International Expert Consultation on Charity Law, International Charity Law Comparative Seminar, Zhongmin Plaza Hotel, Beijing, Peoples Republic of China, October, 2006

Foreign Co-Chair, Recognizing Charitable Organizations, International Expert Consultation on Charity Law, International Charity Law Comparative Seminar, Zhongmin Plaza Hotel, Beijing, Peoples Republic of China, October, 2006

Presenter, Collaborate Strategies for Addressing the Crisis of Minority Under-Representation in the Legal Profession, Education Law Association 52nd Annual Conference, Accountability and Equal Opportunity on the Line, Paradise Island, Bahamas, October, 2006 (published on conference CD and in online conference proceedings)

Panelist, The 1981 U.N. Declaration on Religious Tolerance and Non-Discrimination: Implementing Its Principles After 25 Years, New York City, New York, October, 2006

Panel Chair, Japan and Korea, The 1981 U.N. Declaration on Religious Tolerance and Non-Discrimination: Implementing Its Principles After 25 Years, Provo, Utah, October, 2006

Presenter, Historical Perspectives on Religion and the Rule of Law in Southeast Asia, Session 1, Historical Experiences of Southeast Asian Countries, Beginning the Conversation: Religion and the Rule of Law in Southeast Asia, An International Academic Conference, Hanoi, Vietnam, September, 2006 (power point presentation in English and Vietnamese provided digitally to conference participants).

Presenter, The Intelligent Design Debate: Religious Expression in Public Schools: An Update, Maine Education Law Conference, Concord Maine (with Professor Frank Ravitch, Michigan State University Law School) (published in online conference proceedings), July, 2006

Presenter, It's All About the Pizza: Mentoring Works (with Professor Sarah Redfield, Franklin Pierce Law Center), 13th Annual Education Law Conference, University of Southern Maine, Concord Maine (published in online conference proceedings), July 2006

Representative, J. Reuben Clark Law School, Annual Meeting of the American Society of Comparative Law, Utrecht University, Utrecht, The Netherlands, July 2006

Representative, XVIIth Congress of the International Academy of Comparative Law, University of

Utrecht, Utrecht, The Netherlands, July 2006

Consultation, Charity Law, Ministry of Civil Affairs, China Charity Federation, Beijing University, Beijing, China, June, 2006

Lecture, Law and Logic for Appellate Advocates, Continuing Legal Education Seminar, Appellate Litigation Section, Utah State Bar, Salt Lake City, Utah, June, 2006

Roundtable Leader, Mentoring Strategies, Wingspread IV, Engaging Law Schools, Bench and Bar for Greater Diversity in the Legal Profession, Cleveland-Marshall College of Law, Cleveland State University, Cleveland, Ohio, May, 2006

Roundtable Participant, We are All a Religious Minority: Implications of Acting as if We Really Believed this Truth, Panel Three: Law, Constitutions, and Rights: Local Utah Issues, in conjunction with Massachusetts Supreme Court Chief Justice Margaret H. Marshall's Tanner Lecture in Human Values, "Tension and Intention: The American Constitutions and the Shaping of Democracies Abroad," University of Utah, Salt Lake City, Utah, March, 2006

Presenter, Student Aspiration and Achievement: Working in Partnership Along the Pipeline from Preschool to Professional School, 4th Commonwealth Education Law Conference, Commonwealth Educational Policy Institute and Franklin Pierce Law Center, Charlottesville, Virginia (with Professor Sarah Redfield, Franklin Pierce Law Center) (published in book of conference proceedings), March, 2006

Presenter, Religion in Public Schools: An Update, 4th Commonwealth Education Law Conference, Commonwealth Educational Policy Institute and Franklin Pierce Law Center, Charlottesville, Virginia (with Professor Frank Ravitch, Michigan State University Law School) (published in book of conference proceedings), March, 2006

Scheduled Presenter/Panelist, The Ideologies of Separation of Church and State, Law, Culture and Humanities Conference (with Professor Frank Ravitch, Michigan State University Law School), March, 2006 (trip canceled due to illness).

Lecture, Governance, Duty, and Accountability: Oversight in Non-Profit Organizations in the United States, First National Training Course for Senior Chinese Charity Officials, Xinchang, Zhejiang, China (published in book of conference proceedings), February, 2006

Welcome Address, First National Training Course for Senior Chinese Charity Officials, Xinchang, Zhejiang, China, February, 2006

Panelist, Mentoring, AALS Executive Committee Program, K-20 Educational Pipeline Initiatives, Annual Meeting, Association of American Law Schools, Washington, D.C., January, 2006

Chair, Section on Law and Religion, Association of American Law Schools Annual Meeting, Washington, D.C., January, 2006

Panelist, It's all about the Pizza: Strategies for Youth Mentoring by Law Schools, Education Law Association Annual Meeting, Memphis, Tennessee (with Professor Sarah Redfield, Franklin Pierce Law Center), November, 2005

Panelist, The Challenges of our Constitutional Framework in Resolving Religious Conflict, Utah State Bar Section on Constitutional Law, Workshops on Civic Learning and Engagement, Utah State Bar Law and Justice Center, Salt Lake City, Utah, November, 2005

Presenter, Law and Logical Error, 13th Annual CLE and Professional Responsibility Seminar, State of Utah Office of the Attorney General, Salt Lake City, Utah, November, 2005

Presenter, Law and Logical Error, Central State Association of Law Schools Annual Meeting, Michigan State University, East Lansing, Michigan, November, 2005

Participant, 2005 Annual Meeting, American Society of Comparative Law, Honolulu, Hawaii, October 2005

Participant, Law and Religion in the United States: Perspectives for an International Audience, The Fifteenth Annual International Law and Religion Symposium, Columbus School of Law, The Catholic University of America, Washington, D.C., October, 2005

Presenter, The State and Religious Communities in the United States, Third International Comparative Law Conference, Tokyo, Japan, September 2005 (with W. Cole Durham, Jr.); published in book of conference proceedings

Presenter, Educators' Fiduciary Duties, Maine Education Law Conference, Maine, July 2005; published in book of conference proceedings

Presenter, Facilitating Freedom of Religion in China: The New Regulations on Religious Affairs; Briefing before the U.S. Commission on International Religious Freedom, Salt Lake City, Utah, June 2005 (with W. Cole Durham, Jr.)

Presenter, Creating Collaborative Programs for Mentoring Youth, Virginia Education Law Conference, Commonwealth Educational Policy Institute and Franklin Pierce Law Center, Richmond, Virginia, April 2005 (with Betsy Fowler)

Presenter, The Competing Claims of Rules and Balancing, Utah Appellate Judges Conference, Moab, Utah, April 2005

Lecture, A Comparative Analysis of the Philosophical Basis of Rules and Balancing in the Law, Nanjing Agricultural University School of Law, Nanjing, Peoples Republic of China, October 2004

Lecture, The Competing Claims of Rules and Balancing, Anhui University of Finance and Economics, 45th University Anniversary Lecture, Bengbu City, Anhui Province, Peoples Republic of China, October 2004

Lecture, The Competing Claims of Rules and Balancing, Su Qian Court, Su Qian Province, Peoples Republic of China, October 2004 [canceled day before lecture due to Peoples Republic of China national government imposition of restrictions on all judicial exchanges in response to U.S. legislation regarding China]

Co-Chair, Comparative Structures: Types of Legal Entities for Charities, Plenary Session of the First

International Charity Law Comparative Seminar, Beijing, Peoples Republic of China, October 2004

Panelist, Comparative Governance and Accountability of Charitable Entities, Plenary Session of the First International Charity Law Comparative Seminar, Beijing, Peoples Republic of China, October 2004

Co-Chair, Foreign Models of Charity Law and Identification of Key Issues for Discussion, Discussion Group, the First International Charity Law Comparative Seminar, Beijing, Peoples Republic of China, October 2004

Co-Chair, Governance, Regulation, and Accountability, and Identification of Additional Needs and Collaboration, Discussion Group, the First International Charity Law Comparative Seminar, Beijing, Peoples Republic of China, October 2004

Presenter, Church and State Update 2004, What is China's Attitude Toward Tolerance of Religious Freedom?, J. Reuben Clark Law Society, Honolulu, Hawaii, October 2004

Panelist, Faculty Round Table, The Future of Religion in China, Delegation of Chinese Academy of Social Sciences Scholars and Department of Religious Affairs Officials, BYU-Hawaii, La'ie, Hawaii, October 2004

Presenter, Law and Logical Error: Why Lawyers Must Be Illogical, BYU-Hawaii, Pre-Law Society, La'ie, Hawaii, October 2004

Moderator, Third Plenary Session: "Regional Approaches to Religion in the Public Sphere," The Eleventh Annual International Law and Religion Symposium, Religion in the Public Sphere: Challenges and Opportunities, BYU Law School, Provo, Utah, October 2004

Lecture, Appellate Decision Making: An Individual or Collective Craft, 28th Annual Seminar of the Council of Appellate Staff Attorneys, Park City, Utah, July 2004

Presenter, Reconceptualizing the Fiduciary Duties of Educators, Virginia Education Law Conference, Commonwealth Educational Policy Institute and Franklin Pierce Law Center, Richmond, Virginia, April 2004 (with John W. Welch)

Presenter, Key Terminology for Transnational Legal Dialogue About Religion, Conference on Religion and Traditional Culture in China, Brigham Young University Hawaii, La'ie, Hawaii, March 2004

Lecture, The Relationship of Practical Wisdom, Rhetoric, and Craft: An Aristotelean Account of the Character of Legal Reasoning, Brigham Young University Hawaii Pre-Law Society, La'ie, Hawaii, March 2004

Lecture, Is The Pledge of Allegiance an Unconstitutional Establishment of Religion?, Brigham Young University Hawaii, La'ie, Hawaii, March 2004

Moderator, Panel Discussion, The Future of Religion in China, Honors Forum, Brigham Young University Hawaii, La'ie, Hawaii, March 2004

Presenter, Law and Logical Error, Utah Appellate Judges Conference, St. George, Utah, March 2004

Program Chair/Moderator, One Nation Under God? Unity, Diversity, and Neutrality Under the Religion Clauses, Law and Religion Section, 2004 Annual Meeting of the Association of American Law Schools, Atlanta Georgia, January 2004

Lecture and Panel Discussion, Appellate Judging as a Craft, Joint Canadian – United States Appellate Judges Association, featured presentation, small group discussions, and panel discussion, Victoria, British Columbia, October 2003

Panelist, Research Handbook on Law and Policy on Religious Freedom in China, Conference on Globalization and Chinese Popular Culture, Center for Social Development, Fudan University, Shanghai, Peoples Republic of China, September 2003.

Lecture, A Philosophical Analysis of Legal Reasoning, Nanjing Agricultural University Law School, Nanjing, Peoples Republic of China, September 2003.

Lecture, The Character of Judicial Reasoning, Visiting Delegation of PRC Higher Appellate Court Judges, Brigham Young University, August 2003

Presenter, The Character of Judicial Reasoning, Utah Appellate Judges Conference, Salt Lake City, Utah, May 2003

Presenter, The Autonomy of Church and State: The Case of Public and Parochial Schools, Virginia Education Law Conference, Commonwealth Educational Policy Institute and Franklin Pierce Law Center, Williamsburg, Virginia, April 2003

Lecture, Law and Logical Error, University of South Africa (UNISA) Law School, February 2003

Lecture, Towards an Aristotelean Conception of Legal Reasoning, Rand Afrikaans University (RAU) Law School, Johannesburg, South Africa, February 2003

Lecture, Law as Craft, Stellenbosch Law School, Stellenbosch, South Africa, January 2003

Lecture, The Autonomy of Church and State: A Comparative Analysis of the Religious Liberty Jurisprudence of the European Court of Human Rights and the United States Supreme Court, University of Stellenbosch, Stellenbosch, South Africa, January 2003

Presenter, The Protection of Religious Liberty by the European Court of Human Rights and the United States Supreme Court: A Comparative Analysis, Oxford Round Table, Lincoln College, Oxford University, August 2002 (forthcoming as chapter in book on human rights to be published by McGill University Press)

Presenter, National Report, Applicability of Human Rights Standards to Private Corporations: An American Perspective, Quadrennial Congress of the International Academy of Comparative Law, University of Queensland, Brisbane, Australia, July 2002 (published in THE AMERICAN JOURNAL OF COMPARATIVE LAW)

Presenter, The Right Under International Law to Engage in Religious Persuasion, United States Library of Congress Conference on Religious Liberty, BYU, June 2002

Presenter, Law and Logical Error, work-in-progress presentation to faculty of the U.C. Davis Law School, March 2002

Chair, Panel Discussion, Religious Liberty Issues, International Law and Religion Conference, BYU, October 2001

Presenter, Law as Craft, Institute for Humane Studies, day-long work-in-progress seminar devoted to my paper, George Mason University Law School, July 2001 (published in VANDERBILT LAW REVIEW)

Presenter, The Judicial Craft, Stanford-Yale Junior Faculty Forum, Stanford Law School, June 2001 (published as *Law as Craft* in VANDERBILT LAW REVIEW; also published on-line as *The Judicial Craft* on the Social Sciences Research Network)

Presenter, Proselytism and Religious Liberty, Library of Congress Conference on Religious Liberty, BYU, July 2000

Lecture, Ethical Lawyering, Eighteenth Annual State and Local Government Conference, Provo, Utah, March 2000

Presenter, The Significance of Religious Liberty as a Fundamental Human Right, Visiting Russian Delegation, BYU, September 1999

Convenor of Lecture, American Society of International Law Conference, Washington, D.C., March 1999

Panel Chair, International Church-State Symposium, BYU, October 1999

Panel Chair, International Perspectives on Religious Liberty During the Fiftieth Anniversary of the Universal Declaration of Human Rights, BYU, October 1998

SELECT PRESENTATIONS AT BYU

Scheduled Guest Lecturer, International Legal Issues Affecting Engineers, Department of Mechanical Engineering, BYU, March, 2006

Introduction and Host, Anthony T. Kronman, Sterling Professor of Law and former Dean, Yale Law School, BYU Law School First Annual Distinguished Lecture, Is the Meaning of Life Academic?, J. Reuben Clark Law School, BYU, February, 2006

Moderator, Concurrent Regional Session on Asia, The Twelfth Annual International Law and Religion Symposium, Religion and the World's Legal Traditions, J. Reuben Clark Law School, BYU, October 2005

Guest Lecturer, Transnational Lawyering in Japan and China, Department of Mechanical Engineering, BYU, April 2005

Presenter, Three Assumptions Lawyers Must Never Make, Spirit of the Law, BYU Law School (published in THE CLARK MEMORANDUM), March 2005

Presenter, Microenterprise and the Law: The Increasing Risks of Flying Under the Radar, BYU Center for Economic Self-Reliance, Marriott School of Business (with Aaron Miller), January 2005

Panelist, Practicing Corporate Law, BYU Law Fair, October 2004

Presenter, The Autonomy of Church and State: Theoretical Foundations of Church Autonomy, BYU Law School Conference on Religious Group Autonomy (published in BYU LAW REVIEW), February 2004

Moderator, Plenary Session on Regional Issues in Law and Religion, Tenth Annual International Law and Religion Symposium, Religious Pluralism, Difference, and Social Stability, Brigham Young University, October 2003

Panelist, Emerging International Efforts to Combat Corruption: Sea Change or Passing Squall?, BYU International Society Panel Presentation, Legal and Ethical Considerations in an International Setting (published in book of conference proceedings), August 2003

Panelist, International Law and Laying the Groundwork for War in Iraq: United Nations Security Council Resolution 1441, David M. Kennedy Center for International Studies, Countdown Iraq: A Spectrum of Informed Opinion, November 2002

Presenter, Mentoring and Being Mentored, Spanish Fork Rotary Club, November 2002

Lecture, In Praise of Advocacy, Regional Moot Court Competition, Keynote Dinner Speaker, BYU Law School, November 2002

Lecture, Three Degrees of Charity: Serving the Best Interests of Your Clients, Continuing Legal Ethics Presentation, Continuing Legal Education Conference, BYU Law School, October 2002

Moderator, The British Commonwealth, New Impulses in the Interaction of Law and Religion, BYU

International Center for Law & Religion Studies, BYU Law School, October 2002

Presenter, Truth and Paradox, Spirit of the Law Gospel Discussion Series, BYU Law School, October 2002

Session Leader, Reagan II Panel (Charles Fried, Donald B. Ayer, Thomas W. Merrill), Rex E. Lee Conference on the Office of the Solicitor General of the United States, BYU, September 2002

Lecture and Discussion, We are All a Minority: Religious Liberty on the Anniversary of 9/11, Visiting Delegation of Shinto Priests and Students from Meiji Jingu Shrine, Meiji Jingu Shinto Research Institute, Tokyo, Japan, BYU International Center for Law & Religion Studies, September 2002

Presenter, As Natural as Breathing: Lawyering and Community Service, J. Reuben Clark Law Society, Meeting of Chapter Chairs, BYU, September 2002

Presenter, Three Degrees of Charity, Spirit of the Law Presentation, BYU Law School, September 2001

Panelist, Supreme Court Jurisprudence, Panel Discussion, Federalist Society, BYU Law School, October 2000

Presenter, Faith and Reason, Spirit of the Law Presentation, BYU Law School, September 2000

Presenter, Mediating Pride and Despair, Spirit of the Law Presentation, BYU Law School, February 2000

Respondent, Doing the Megamerger, Board of Visitors Presentation by David Colton, General Counsel, Phelps Dodge Corporation, BYU Law School, January 2000

Co-presenter (with Deirdre M. C. Scharffs), He said / She Said: Perspectives on Making the Most of Law School, Law Partners Association, BYU Law School, September 1998

Panelist, The Rule of Law, Science Fiction Symposium, BYU, March 1998

SERVICE ACTIVITIES

Rhodes Scholarship Selection Committee

Wyoming State Committee Member, 1998, 1999, 2000

Utah State Committee Member, 2003, 2004

Association of American Law Schools

Section on Law and Religion

Program Chair, 2002-03

Secretary and Chair-Elect, 2003-04

Section Chair, 2004-05

Nanjing Agricultural University, Nanjing, China

International Advisor for the Department of Law, College of Humanities and Social Sciences

September 2003 – present

Church of Jesus Christ of Latter-day Saints

BYU First Stake

First counselor, BYU 51st Ward, 1997-98

Bishop, BYU 130th Ward, 1998-2003

Hobble Creek Stake,

Gospel Doctrine Teacher, Hobble Creek 11th Ward, 2004-present

PERSONAL

Married: Deirdre Mason Crane Scharffs

Children: Elliot Woodrow (age 10)

Sophelia Fielding (age 8)

Ella Mason (age 4)

ACTIVITIES AND INTERESTS

Sculpting, reading and writing children=s literature, playing golf, skiing, poetry and Japanese cooking