

# William J. Woodward, Jr.

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*Current Positions* Senior Fellow, Santa Clara University School of Law; Professor of Law, Emeritus, Temple University, James E. Beasley School of Law (Professor 1987-2012; Associate Professor 1984-87).

*Courses:* Contracts, Remedies, Advanced Contracts, Drafting. *Other courses taught:* Commercial law (Bankruptcy, Sales, Secured Transactions), Business Torts, Torts. *Overseas courses:* International Business Transactions (Rome and Athens), International Dispute Resolution (Athens); Bankruptcy, Contracts, Secured Credit, Torts (Beijing). *Other teaching interests:* Transactional Professional Responsibility, E-Commerce, Payment Systems, Alternative Dispute Resolution.

*Committees and Service (Illustrative) - Temple University:* University Faculty Handbook Committee, Chair, (1990-92 and since 2010); Editorial Board, *Faculty Herald* (1992-2002 and since 2006); University Senate Personnel Committee Chair, (1992-98); University Faculty Senate President (1988-89) and Vice President (1987-88. *Temple Law School:* *Chaired:* Law School's Career Planning, Curriculum, Faculty Selection, Library, and Student Awards Committees. *Drafted:* Temple Law School Faculty Bylaws (2002); *Founded:* Temple Business Law Society; Temple Chapter, American Constitution Society.

*Leadership and Professional Appointments (Illustrative)* *Led groups that created Temple's Pro Bono Bankruptcy Clinical* (2010), Business Law Certificate, three-year JD/MBA, and International JD/MBA (2006), established Philadelphia LawWorks (Philadelphia's business law pro bono program)(2002), negotiated Temple Post-Retirement Health Benefit for faculty (1994), and redrafted much of the University Faculty Handbook (1990-92). *Selected to serve on* ABA Standing Committee on Public Education (2007-10), Editorial Board, *Business Law Today* (2002-06), AAUP Committee on Governance (1996-2002), UCC Article 1 Drafting Committee (1997-2001), Merit Selection Committee for E.D. Pa. Bankruptcy Judges (2000), ABA Coordinating Committee for Legal Education (1995-97), Pennsylvania Uniform Fraudulent Transfer Act Task Force (1990-94). *Elected to* American Law Institute (1994), Fellows of the American Bar Foundation (2009).

*Work in Process* SKILLS AND VALUES - CONTRACTS, Second Edition

*Other Professional and Community Work (Illustrative)* American Law Institute (since 1994): Members' Consultative Groups on UCC Articles 1, 2, 2B, and 9, Restatement of Restitution, Restatement of Employment Law, Principles of Software Contracting, and Principles of Aggregate Litigation. American Bar Association Section of Business Law (since 1987): Chair, Relation to Other Law, UCC Committee; Chair, Task Force on Consumer Involvement; Chair, Business Law Education Committee; Co-Chair, Law School Initiative; Vice Chair, Pro Bono Committee. American Association of University Professors: Committee on Governance, Member and

Consultant (1996-2006)

Association of American Law Schools: Executive Committee, Debtor-Creditor Section (1995-98); Chair, Commercial and Related Business Law Section (1995).

Pennsylvania Bar Association: UCC Article 1 and 7 Task Force (2005-08); UCC Article 9 Task Force (1998-2001); Insolvency Task Force (1994-2000).

Philadelphia Bar Association: Steering Committee, Philadelphia LawWorks (since 2002); Ad Hoc Committee on Law Student Involvement (2005-09); Ad Hoc Committee on Delivery of Pro Bono Business Law Services (Co-chair 2001-03).

Eastern District of PA Bankruptcy Conference: Board of Directors, Consumer Bankruptcy Assistance Project (since 1993).

*Published Work*    *Restitution Without Context: An Examination of the Losing Contract Problem in the Restatement (Third) of Restitution* in REVISITING THE CONTRACTS SCHOLARSHIP OF STEWART MACAULAY: ON THE EMPIRICAL AND THE LYRICAL (Hart 2011).

SKILLS & VALUES: CONTRACTS (Lexis-Nexis 2011)(with Candace Zierdt)

*Bankruptcy Reorganizations in China and the United States: Cautions for the Comparativist*, 8-2 Sun Yat Sen University Law Review 201 (2010) (Chinese Publication)

*Legacy: Professor Lawrence P. Wilkins*, 43 Ind. L. Rev. 281 (2010)

*The Third Way: Mediation of Products Claims in the Piper Aircraft Trust*, 17 Am. Bankr. Inst. L. Rev. 463 (2009)

*"Control" in Reorganization Law and Practice in China and the United States: An Essay on the Study of Contrast*, 22 Temple Int'l & Comp. L. J. 141 (2008)

*Saving the Hague Choice of Court Convention*, 29 U.Pa. J. Int'l L. 657 (2008)

*Constraining Opt-Outs: Limiting the Reach of Adhesive Choice of Law and Forum Provisions*, 40 Loyola L.A. L. Rev. 9 (2006)

*Finding the Contract in Contracts for Law, Forum, and Arbitration*, 2 Hastings Bus. L. J. 1 (2006)

*Contractual Choice of Law Under the Microscope* in CHINESE YEARBOOK OF PRIVATE INTERNATIONAL LAW AND COMPARATIVE LAW 2006 (Peking University Press 2006) 209-220

*Economic Torts: The Current United States Controversy over the Tort of Interference with Contract* in QINQUAN XINGWEIFA YANJU [Treatise on Torts Law] (Democracy and Legal System Press of China 2004).

*Book Review: The Academic Marketplace by Theodore Caplow and Reese J. McGee*, 105 Teachers College Record 73 (2003)

*UCITA'S Imperialism*, 22 Licensing Journal 1 (March 2002)

- Neoformalism in a Real World of Forms*, 2001 *Wis. L. Rev.* 971
- Contractual Choice of Law: Legislative Choice in an Era of Party Autonomy*, 54 *S.M.U. Law Rev.* 697 (2001)
- Private Legislation in the United States: How the Uniform Commercial Code Becomes Law*, 72 *Temple L. Rev.* 451 (1999)
- Evaluating Bankruptcy Mediation*, 1999 *Univ. of Mo. J. Dispute Res.* 1 (1999)
- Clearing the Underbrush for Real-Life Contracting*, 24 *Law & Soc. Inquiry* 99 (1999)
- The Realist and Secured Credit: Grant Gilmore, Common Law Courts, and the Article 9 Reform Process*, 82 *Corn. L. Rev.* 1511 (1997)
- The Carve-Out Proposal and Its Critics: A Response*, 30 *UCC L.J.* 32 (1997)
- Sale of Law and Forum and the Widening Gulf Between Consumer and Nonconsumer Contracts in the UCC*, 75 *Wash. U. L. Q.* 243 (1997)
- Contracts for Grown-Ups*, 47 *J. Legal Educ.* 139 (1997)
- Empiricists and the Collapse of the Theory-Practice Dichotomy in the Large Classroom: A Review of LoPucki and Warren's Secured Credit: A Systems Approach*, 74 *Wash. U. L. Q.* 419 (1996)
- Contractarians, Community, and the Tort of Interference with Contract*, 80 *Minn. L. Rev.* 1103 (1996)
- Legislative Process and Commercial Law: Lessons from the Copyright Act of 1976 and the Uniform Commercial Code*, 48 *Bus. Law.* 437 (1993)(with Weinberg)
- Chapter 37A of DEBTOR - CREDITOR LAW (Prof. Theodore Eisenberg, Editor-in-Chief; Matthew-Bender, publisher) entitled Collecting Money Judgments: Priorities and Procedure (1988, revised 1993)
- Easing Transfer and Security Interest Transactions in Intellectual Property: An Agenda for Reform*, 79 *Ky. L. J.* 61 (1991)(with Weinberg)
- Update on UCC - Other Law Conflicts*, 45 *Consumer Fin. L.Q. Rep.* (1991)(with Harrell and Miller)
- One State's Answer to the UCC Article 9 Trade Name Issue and A Glimpse at the Non-Uniform Amendment Process*, 95 *Comm. L. J.* 338 (Fall 1990)(with Harrell)
- Uniformity and Efficiency in the Uniform Commercial Code: A Partial Research Agenda*, 45 *Bus. Law.* 2519 (1990) (with Knippenberg)

- New Judgment Liens on Personal Property: Does Efficient Mean Better*, 27 Harv. J. Legis. 1 (1990) (award the first Temple's Friel-Scanlon award for legal research, 1990)
- Chapter 37 of DEBTOR - CREDITOR LAW (Prof. Theodore Eisenberg, Editor-in-Chief; Matthew-Bender, publisher) entitled Enforcement of Money Judgments: Objectives and Restrictions (1987, revised 1990)
- Annual Survey, Scope of the UCC: Computer Contracting Cases*, 44 Bus. Law. 1671 (1989) (with Boss and Weinberg)
- Annual Survey, Scope of the UCC: Computer Contracting Cases*, 43 Bus. Law. 1513 (1988) (with Boss)(reprinted at 10 Computer Law Reporter 50 (Sept. 1989))
- "Passing-On" the Right to Restitution, 39 U. Miami L. Rev. 873 (1985)
- Exemptions as an Incentive to Voluntary Bankruptcy: An Empirical Study*, 57 Am. Bankr. L. J. 53 (1983) (reprinted at 88 Comm. L.J. 309 (1983)) (with R. Woodward)
- Exemptions, Opting-Out, and Bankruptcy Reform*, 43 Ohio State L.J. 335 (1982)
- Role of a Child Advocate in the Selection of Donors for Pediatric Bone Marrow Transplantation*, 98 J. Pediatrics 874 (May 1981) (with Serota, August, O'Shea, and Koch)
- Comment*, 5 Rutgers-Camden L.J. 319 (1974)
- Alternative Dispute Resolution Work* *Board of Mediators, U.S. District Court for the Eastern District of Pennsylvania, U.S. Bankruptcy Court for the Eastern District of Pennsylvania, U.S. Bankruptcy Court, District of Delaware, Philadelphia Commerce Court, Philadelphia Mortgage Foreclosure Diversion Program, and Philadelphia Bar Association Lawyer-Client Fee Dispute Resolution Program.*
- Education* *Legal: Rutgers-Camden School of Law, J.D. (magna cum laude) 1975; Executive Editor, Rutgers-Camden Law Journal. Undergraduate: University of Pennsylvania, B.A. Psychology, 1968.*
- Prior Experience* *Assistant and Associate Professor, Indiana University School of Law-Indianapolis (1980-84). Trial Lawyer, Dechert Price & Rhoads, Philadelphia (1975-80). Student Law Clerk, Hon. James Hunter III, US Court of Appeals for the Third Circuit (1974-75). U.S. Navy (Officer, 1969-72).*
- Other Interests* *Motorcycling; furniture building and design; digital video and photography; piano.*

**William J. Woodward, Jr.**  
**WWoodward@scu.edu**  
**ADR Background and Experience**

Professor Woodward has resolved litigated cases through arbitration and mediation while teaching and writing in the areas of contracts, torts, remedies, and business law for over thirty years.

**Background**

Senior Fellow, Santa Clara University School of Law (2012-present)  
Professor of Law, Temple University Beasley School of Law (1984-2012) (now Emeritus)  
Associate Professor of Law, Indiana University (1980-84)  
Trial Lawyer, Dechert Price & Rhoads (1975-1980)  
Published work in torts (interference with contract), contracts, bankruptcy, remedies, conflict of laws, ADR, and Uniform Commercial Code.

**ADR Credentials**

Arbitrator, Compulsory Arbitration Program, Philadelphia Court of Common Pleas (1975-1980)  
Board of Arbitrators, American Arbitration Association (1975-present)  
Board of Mediators, U.S. District Court for the Eastern District of Pennsylvania (1994-2012)  
Board of Mediators, Eastern District of Pennsylvania Bankruptcy Court (1994-2012)  
Judge Pro Tem, Philadelphia Commerce Court Division of Court of Common Pleas (2008 - 2012)  
Judge Pro Tem, Philadelphia Mortgage Foreclosure Diversion Program (2009 - 2012)  
Mediation Training, Eastern District of PA Bankruptcy Conference (trainer, 2006)  
Mediation Training, Eastern District of PA Bankruptcy Conference (2002)  
Mediation Training, American Arbitration Association (1993)

Has handled cases involving personal injury, numerous bankruptcy issues, contracts, and insurance, and served as an expert witness in cases involving fraud, banking practices, employment contracts, lawyer fee-splitting contracts, and University governance.

**Professional Activities**

*American Law Institute* (Participated in Members' Consultative Groups on UCC Articles 1, 2, 2B, and 9, Restatement of Restitution, Principles of Software Contracting, Principles of Aggregate Litigation)

*American Bar Association, Section of Business Law* (Chair, Pro Bono Committee; Section Representative to UCC Article 1 Drafting Committee; Co-chair, Committee on Business Law Education and Special Committee on Law School Initiative); Uniform Commercial Code Committee (Co-chair, Task Force on Consumer Involvement; Member, UCC Article 1 and 9 Subcommittees, Subcommittee on Scope of the UCC and Subcommittee on Membership; Vice-Chair, Pro Bono Committee)

*Association of American Law Schools* (Chair, Section on Commercial and Related Consumer Law, 1995)

*Philadelphia Bar Association* (Co-chair, Ad Hoc Committee on Delivery of Pro Bono Business Law Services (2001 - 2003))

*Eastern District of Pennsylvania Bankruptcy Conference* (Chair and Co-Chair, Committee on Court Sponsored Mediation (to 2011))

*Fellow, American Bar Foundation*

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Education: B.A. University of Pennsylvania; J.D. *magna cum laude*, Rutgers School of Law - Camden  
Member, Pennsylvania Bar

US Navy, 1969-72

**Compensation:** \$550 / hour plus travel expenses as of 8/14/2012.

Full CV and other information at [www.law.scu.edu](http://www.law.scu.edu), search "william woodward"