

## CURRICULUM VITAE

**PROFESSOR JOSÉ FELIPÉ ANDERSON**  
**UNIVERSITY OF BALTIMORE SCHOOL OF LAW**  
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### **PROFESSIONAL HISTORY:**

*Professor of Law*, University of Baltimore School of Law 2001- present

*Founding Director*, Stephen L. Snyder Center for Litigation Skills and *Professor of Law*, University of Baltimore School of Law 2001-2008- Established an elite “Litigation Fellows” training program in cooperation with the American College of Trial Lawyers (Maryland Chapter) for select law school students in accord with the highest ethical and professional standards.

*Adjunct Professor of Legal Studies and Business Ethics*, University of Pennsylvania, The Wharton School 2002-present – Multi-year affiliated faculty appointment by the University Of Pennsylvania Board Of Trustees

*Director*, Litigation Skills Programs, University of Baltimore School of Law 1999-present

*Associate Professor of Law*, University of Baltimore School of Law 1998-2001 (awarded tenure 1998)

*Assistant Professor of Law*, University of Baltimore School of Law 1994-1998

*Visiting Assistant Professor of Law*, University of Baltimore School of Law 1993-1994.

*Legal Writing and Appellate Advocacy Professor*, University of Baltimore School of Law 1989-1993.

*Adjunct Professor*, Dundalk Community College Paralegal Program 1986-1989

**Classes:** Advanced Trial Advocacy, Criminal Law, Constitutional Criminal Procedure, Litigation Process, Criminal and Appellate Practice Clinics, Recent Supreme Court Decisions, Torts, Race, Racism and American Law, Legal Analysis Research and Writing Program, Senior Fellow, Center for International and Comparative Law.

### **Professional Honors:**

Elected Member, American Law Institute

Fellow Maryland Bar Foundation

Who's Who in American Law

Maryland Bar Foundation Professional Excellence Award for the representation of capital inmate Eugene Colvin-el and obtaining executive clemency from the Governor of Maryland (2000). (Foundation's Highest Honor).

University System of Maryland Board of Regents Award for teaching/mentoring. (State Higher Education System's highest honor for developing the "Litigation Fellows Program" public/private Partnership for elite training of select law students with the Maryland chapter of the American College of Trial Lawyers)(2006).

Chair, American Association of Law School Section on Defamation and Privacy, 2007-2008.

Executive Committee, American Association of Law Schools Litigation Section. January 2010 - Present

Black Law Students Association Distinguished Faculty Award, 1992, 1993, 2002.

### **Non-Academic Professional Background:**

*Special Assistant Public Defender*, Maryland State Public Defender's Office, 1992-1993- Counsel to Stephen E. Harris Public Defender for Maryland. Developed and directed statewide complex litigation strategies, developed litigation policy, evaluated legislation for impact on staff resources.

*Supervising Attorney, Appellate Division*, Maryland State Public Defender's Office, supervised appellate staff attorneys. Engaged in training, hiring, and performance evaluation . 1991-1992.

*Assistant Public Defender, Appellate Division*, Maryland State Public Defender's Office, 1985-1991- Conducted extensive appellate litigation in Maryland appellate courts and the United States Supreme Court primarily major felony and capital litigation some including trial level litigation on complex legal issues having agency wide impact. Several hundred appeals litigated resulting in over 75 reported decisions, 35 Maryland Court of Appeals appearances, and 23 such occasions resulting in favorable relief.

### **Bar Membership**

Maryland, United States Court of Appeal for the Fourth Circuit, United States Supreme Court

**United States Supreme Court Litigation (as appellate public defender):**

***Booth v. Maryland***, 482 U.S.496 (1987) (holding victim impact statements unconstitutional in death penalty case, participated in the brief).

***Gorman v. Maryland***, 480 U.S. 913 (1987)(vacating judgment of the Maryland Court of Special Appeals affirming jury selection procedure that violated equal protection, lead counsel, relief granted on the briefs).

***Gorman v. Maryland***, 499 U.S. 971 (1991)(vacating the judgment of the Maryland Court of Appeals because of its failure to apply equal protection to a white criminal defendant complaining about the exclusion of Black jurors, lead counsel, relief granted on the briefs).

***Mills v. Maryland***, 486 U.S. 367 (1988) holding Maryland death penalty jury form and instructions unconstitutional, co-counsel on the brief).

***Baltimore City Department of Social Service v. Bouknight***, 493 U.S. 549 (1990)(Fifth Amendment challenge to court order requiring mother to produce her child, co-counsel on the brief).

**Private Law Practice Experience:**

***José F. Anderson***, *Attorney at Law*, 1985-1990, engaged in the private practice of law, civil litigation, personal injury, real estate and civil appeals.

***Law Clerk / Associate*** - Russell and Thompson, P.A., Attorneys at Law (Now merged with DLA Piper USA) 1983-1985.

***Law Clerk***, Office of the Attorney General for Maryland, Licensing and Regulation Division. Summer 1982.

***Corporate Internship Program*** - The General Electric Company Summer 1978, 1979, 1981.

***Legal Intern*** - Legal Aid Bureau of Baltimore, Housing Law Center January. Spring Semester 1979.

**BOOKS AND ARTICLES:**

**Books or book chapters:**

***Genius for Justice: Charles Hamilton Houston and the Reform of American Law*** (Under contract anticipated publication 2010).

***Criminal Law: Cases, Commentary and Questions***, Carolina Academic Press (with Patricia Mell, Former Dean of the John Marshall School of Law in Chicago, Illinois), (2007).

***Perspective on the economic and cultural effects of obesity litigation: lessons from Pelman v. McDonalds***, published in “Obesity, Business and Public Policy”, Editors Zoltan J. Acs and Alan Lyles, Edward Elger Publisher (Northampton, Mass) p. 206 (2007).

**Articles:**

***Freedom of Association, the Communist Party and the Hollywood Ten: The Forgotten First Amendment Legacy of Charles Hamilton Houston***, 40 McGeorge L. Rev. 25 (2009).

***“Standing on shaky ground: Short sighted Supreme Court jurisprudence in a high technology world.”*** 34 no. 4, Search and Seizure Law Report p. 25 (2007)(West/Thomson, publisher).

***The Criminal Justice Principles of Charles Hamilton Houston: Lessons in Innovation***, 35 University of Baltimore Law Rev. 313 (2006).

***Reflections on Standing: Challenges to Searches and Seizures in a High Technology World***, 75 Miss. L. J. 1099 (2006).

***New Secretary of State Stands on the Shoulders of Ralph Bunch***, The Daily Record, February 5, 2005.

***Disappearing Acts: The Loss of Political Power in Post-Reconstruction America***: National Black Law Student Association Magazine. March 2004 p.25.

***Marshall’s Marbury v. Madison: 200 Years in the Balance***, The Daily Record, February 22, 2003.  
***The Politics of Voting Rights and the Legacy of Baker v. Carr***, The Daily Record, March 26, 2002.  
***The Burdens and Benefits of the American Jury***, 34 Md. Bar Journal 30 (2001).

***Accountability Solutions in the Consent Search and Seizure Wasteland***, 79 NEBRASKA LAW REVIEW 711 (2000).

***When the Wall Has Fallen: Decades of Failure in the Supervision of Capital Juries***, (Symposium on Capital Punishment) 26 OHIO NORTHERN LAW REVIEW, 741 (2000) (LEAD ARTICLE).

***A Tribute to Judge A. Leon Higginbotham; Who Will Carry the Baton?*** (with F. Michael Higginbotham, as part of a symposium), 33 LOYOLA L.A. L. REV. 1015 (2000).

***Catch Me If You Can! Resolving the Ethical Tragedies in the Brave New World of Jury Selection***, 32 NEW ENGLAND LAW REVIEW 343 (1998) (Lead article).

*Will the Punishment Fit the Victims? The Case for Pre-Trial Disclosure, and the Uncharted Future of Victim Impact Information in Capital Jury Sentencing*, 28 RUTGERS LAW JOURNAL 367 (1997).

*Perspectives on Missouri v. Jenkins: Abandoning the Unfinished Business of Public School Desegregation With All Deliberate Speed*, 39 HOWARD LAW JOURNAL 693 (1996).

*Criminal Jury Reform in the United States: Assisting the Search for Truth or an Escalating Attack on the Role of the Citizen Juror?* 2 JOURNAL OF CONTEMPORARY LEGAL ISSUES OF LAW 33 (1996).

*The Residual Hearsay Exceptions: Maryland's Lukewarm Welcome* (with The Honorable Howard Chasanow) 24 U. BALT. L. REVIEW 1 (1994)(Lead article).

### **SELECTED PROGRAMS AND PRESENTATION:**

*Charles Hamilton Houston, "The father of the civil rights movement,"* University of the Pacific McGeorge School of Law Sacramento, California (February 12, 2008).

**American Association of Law Schools Joint Program of Sections on Defamation and Privacy, and Law and Computers, Protecting Data Protecting Privacy**, New York, New York, January 6, 2008.

*National Judicial College*, Reno, Nevada, Fourth Amendment Training for Appellate and Trial Judges. 2003-2008

*Reflections on Standing: Challenges to Searches and Seizures in a High Technology World*, National Center for Justice and the Rule of Law, Oxford, Mississippi. October 18, 2002.

Testimony in the Maryland House of Delegates, Judiciary Committee, relating to the Power of Judges at Sentencing, on behalf of the Maryland State Bar Association Board of Governors. March 13, 2002.

**"Criminal Discovery and a Supreme Court Update"**, Thursday June 14, 2001, Maryland State Bar Association Annual Meeting.

**"Testimony in Support of Maryland Senate Bill 208 on Racial Profiling"**, Maryland General Assembly, Senate Chamber March 13, 2001 (testifying as Chairman of the Maryland State Bar Criminal Law Section Council).

**"Ethics & Professionalism in Practice: The Case of the Silent Alarm"**, December 14, 2000, Maryland Institute for Continuing Professional Education of Lawyers.

New York University School of Law, Guest lecturer, **"Perspectives on the Criminal**

**Justice System"**, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2008..

Maryland Judiciary and Maryland State Bar Association Joint Bench Bar Conference June 2000. Jury Reform: Who Needs It?

**"A Discussion of the Death Penalty Clemency Process for Eugene Colvin-el."** Maryland Criminal Defense Attorney's Association. June 2000.

University of Pennsylvania, Guest Panelist, **"Transcending Tradition: African/Afro-American Diaspora Studies in the 21st Century"**. April 20-21, 2000 Topic: Incorporating African American History in Legal Scholarship.

**Program Chair**, Maryland State Bar Association Annual Meeting: Hot Topics in Criminal Law: Perspectives on Sentencing, Restitution and a Supreme Court Update. June 10, 1999.

**"The Triumph and Challenge of Implementing Alternative Dispute Resolution in Litigation Burdened Judicial Systems"**, Brazil-U.S. Law Initiative, Rio de Janeiro. December 1998.

**"Unsettling Settled Criminal Law: A Discussion of Recent Trends that Make The Practice of Criminal Law Less Predictable."** June 1997, Maryland State Bar Association Annual Meeting.

**"Artful Advocacy - Appellate Advocacy at Its Best"**, Bar Association of Baltimore City Annual Meeting. June 3, 1997.

Judicial Institute of Maryland, **"Criminal Law Potpourri: Hearsay, Confrontation, and Cross-Examination: Land Mines for Judges and Justice"**. March 20, 1997.

**"Using Mental Health Professionals in Case Planning and Presentation"** Maryland State Bar Association Annual Meeting June 13, 1997.

**"Advice to New Law Teachers"** American Association of Law Schools 1996 Workshop for New Law Teachers. July 1997.

**"How Much Can They Take? The Present and Future of State and Federal Asset Forfeiture"** 5th Annual Alan Goldstein Memorial Program. May 4, 1996.

**"Program honoring Victor L. Crawford with the Robert C. Heeney Award presented by the Maryland State Bar Association of Criminal Law and Practice"**. May 15, 1996.

**"Trial With Style: What's Hot, What's Not in the Supreme Court"** Maryland Public

Defender's Association/Maryland Criminal Defense Attorney's Association Joint Conference. October 1995.

**"Constitutional Criminal Law Update"** Baltimore City Bar Association Criminal Law Committee Educational Program. October 5, 1995.

**Guest Speaker**, "Jury Selection in the 1990s", Allegany/ Garrett County Criminal Defense Attorney's Association. July 7, 1995.

**"Evidence, New Rules, New Ways"**, Maryland Criminal Defense Attorney's Annual Meeting. June 3, 1995.

**"When Less is More! A Criminal Defense Practitioner's Guide to Success in Criminal Appellate Practice; Beginning the Literary Brief: Issue Spotting Selection, and Framing"**. National Legal Aid and Defender Association Appellate Defender Training, New Orleans Louisiana. April 15-17, 1993.

**"The Changing Face of Jury Selection in the 1990's"** Maryland Institute for Continuing Professional Education of Lawyers. May 4, 1995.

**"Mid-Atlantic People of Color Legal Scholarship Conference: Perspectives on Race in Capital Jury Selection."** Howard University School of Law. February 16-18, 1995.

**"New Perspectives on Sentencing and Forfeiture"**, Correctional Reform Section of the Maryland State Bar Association. April 23, 1994.

**"The ABC's of CDS: Taking the Offense in Drug Defense"** Fourth Annual Maryland Criminal Defense Attorney's Conference. November 5 -7, 1993.

**"Criminal Discovery in Maryland"**, 2nd Annual Alan Goldstein Memorial Program, Maryland Institute for Continuing Professional Education of Lawyers. May 8, 1993.

**"New Wrinkles on an Old Face: What's Important for the Criminal Defense Attorney to Know in 1992"** (Search and Seizure), Maryland Trial Lawyer's Association. November 20, 1992.

**"Stop, Search and Seize in the Name of Love: The Supremes Remake New Law From Old Songs."** A Review and Preview of the 1996 -1997 Term of the Supreme Court of the United States. June 1, 1996.

**EDUCATION:**

University of Maryland School of Law, Juris Doctor 1984

Editor-in-Chief, MARYLAND LAW FORUM; Myerowitz Moot Court Competition; Highest Grade Employment Discrimination 1984; Outstanding Young Men of America - 1984.

University of Maryland Baltimore County, Political Science Bachelor of Arts - 1981

Omicron Delta Kappa National Honor Society, Editor in Chief, "UMBC" *Retriever* weekly campus newspaper; Academic Honors List; Black Student Union Academic Achievement Award. Varsity Track and Field Team Captain 1980-1981; Conference Medalist 1978-1980; Outstanding Senior Athlete 1981; Inducted Athletic Hall of Fame. 1985.



## **BAR ASSOCIATION AND RELATED PROFESSIONAL ACTIVITIES:**

American Law Institute, Model Penal Code Consultant Group - Sentencing Revision; Restatement of Torts, 3rd., Principles of the Law, Aggregate Litigation 2002-Present.

Chair, Criminal Law and Practice Section Council, Maryland State Bar Association, 2000-2001. Educational Committee Chair. 1995-2002.

*The Daily Record*, Editorial Advisory Board (1999-Present).

Member, Maryland Criminal Pattern Jury Instruction Committee (1996-2001).

Maryland Annotated Code Revision Committee (Criminal Law Article). (1998-2001).

Maryland State Bar Association Professionalism Task Force. (1997-1998).

Consultant, Committee on the Future of the Maryland Courts. (1996-1997).

Member, Section Council on Legal Education and Admission to the Bar. (1997-2001).

Director Emeritus, Baltimore Museum of Industry

Provided expert witness consultation in State and Federal Courts

Often cited as an expert by national and local media outlets on a range of legal issues

## **SELECTED MARYLAND LITIGATION:**

### **Maryland Court of Appeals (State's highest court, favorable relief):**

**Colvin-el v. State**, 359 Md. 49, 753 A.2d 13 (2000)(Appeal for stay of execution, denied with dissents, Maryland Governor granted clemency shortly after decision).

**Powers v. State**, 329 Md. 321, 619 A. 2d 538 (1993)(argued and briefed case invalidating Baltimore City drug free zone loitering ordinance).

**State v. Raines**, 326 Md. 582, 606 A.2d 265 (1992)(argued and briefed case resulting in reversal of first degree murder conviction because of insufficient evidence).

**Zaal v. State**, 326 Md. 54, 602 A. 2d 1247 (1992)(argued and briefed case of first impression in the nation recognizing a sixth amendment right to discovery of school records in prosecution for allegations of child abuse).

***State v. Gorman***, 324 Md. 124, 596 A.2d 629 (1991)(argued and briefed case remanded by the U.S. Supreme Court for review of race based jury selection challenge).

***Biggus v. State***, 323 Md. 339, 593 A.2d 1060 (1991)(argued and briefed case reversing imposition of a second sentence based on a single criminal act).

***Williams v. State***, 323 Md. 312, 593 A.2d 671 (1991)(argued and briefed case vacating sentence for assault with intent to murder when it should have merged with attempted murder).

***Williams v. State***, 322 Md. 35, 585 A.2d 209 (1991)(argued and briefed case reversing homicide conviction because judge declined to give specific instructions on the presumption of innocence).

***Snowden v. State***, 321 Md. 612 572, 583 A.2d 1056 (1991)(argued and briefed case that held when judge's sentencing rationale was not clear, defendant received benefit of the doubt).

***Binnie v. State***, 321 Md. 572, 583 A.2d 1037 (1991)(argued and briefed case reversing theft conviction when judge failed to instruct jury about the "honest belief" defense).

***Spence v. State***, 321 Md. 526, 583 A.2d 715 (1991)(argued and briefed case holding a trial judge erred in calling a witness for the purpose of eliciting prejudicial hearsay).

***Marshall v. State***, 320 A.2d 1183 (1990)(lower court should have merged convictions for distribution of two illegal substances that had been combined into a single illegal substance).

***Riddick v. State***, 319 Md. 180, 571 A.2d 1239 (1990)(argued and briefed case invalidating search by police in train station using questionable profiling procedures).

***State v. Lemmon***, 318 Md. 365, 318 Md. 365, 568 A.2d 48 (1990)(argued and briefed case invalidating police pursuit and arrest of defendant not based upon adequate reasons).

***Ferrell v. State***, 318 Md. 365, 568 A.2d 48 (1990)(argued and briefed case voiding a robbery conviction based on double jeopardy principles).

***Allen v. State***, 318 Md. 166, 567 A.2d 118 (1989)(argue and briefed case where defendant was unfairly prejudiced by the court calling a witness it knew would take the fifth amendment in front of the jury).

***State v. Gorman***, 315 Md. 402, 554 A.2d 1203 (1989)(argued and briefed case holding that prosecutor striking two black males from a white defendant's jury did not violate equal protection, judgment reversed by the U.S. Supreme Court).

***Wiggins v. State***, 315 Md. 231, 554 A.2d 356 (1989)(argued and briefed case which held that trial court abused its discretion in permitting guards to escort defendant suspected of having AIDS before the jury with rubber gloves).

***In Re: Maurice M.*** 314 Md. 391, 550 A.2d 1135 (1989) (public's right to protect children did not outweigh mothers Fifth Amendment right).

***Harris v. State***, 312 Md. 225, 539 A.2d 637 (1988)(argued and briefed case vacating death sentence on the basis of improper sentencing evidence).

***In Re: John P.***, 311 Md. 225, 539 A.2d 637 (1988) (argued and briefed case finding trial court had the power to reconsider its finding that a child was in need of assistance).

***State v. Maus***, 311 Md. 85, 532 A.2d 1066 (1987)(argued and briefed case establishing rights on appeal for person's charged with violation of probation).

***Turner v. State***, 307 Md. 618, 516 A.2d 579 (1986)(argued and briefed case that established principle that probation could not be violated when an indigent who made a bona fide but unsuccessful effort to find work failed to pay a fine).

***Cherry and Jackson v. State***, 307 Md. 618, 516 A.2d 579 (1986)(argued and briefed case establishing the principle that a defendant had the right to make a closing argument in a non-jury case).

#### **REFERENCES AVAILABLE UPON REQUEST**