Michael P. Moreland

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EMPLOYMENT

Villanova University School of Law	Villanova, Pennsylvania
Vice Dean	2012-present
Professor of Law	2012-present
Associate Professor of Law	2009-2012
Assistant Professor of Law	2006-2009
The White House	Washington, D.C.
Associate Director for Domestic Policy	2005-2006
Williams & Connolly LLP	Washington, D.C.
Associate	2003-2005
United States Court of Appeals for the Tenth Circuit	Santa Fe, New Mexico
Law Clerk to the Honorable Paul J. Kelly, Jr.	2002-2003

FELLOWSHIPS

Princeton University	Princeton, New Jersey
Forbes Visiting Fellow	2010-2011
James Madison Program, Department of Politics	
Some Institutes for Advanced Studies (SIAS)	Berlin, Germany
Fellow	Ann Arbor, Michigan
Summer Institute on Comparative Federalism and Separation of Powers	2009-2010

EDUCATION

Boston College Chestnut Hill, Massachusetts

M.A. (1997) and Ph.D. (2009) in Theological Ethics

Dissertation: "Subsidiarity and the Safeguards of Federalism"
Dissertation Committee: David Hollenbach, SJ (Director), Lisa Sowle Cahill, John H. Garvey
Doctoral Comprehensive Examinations Passed with Distinction
University Fellowship Recipient
Instructor, Bioethics, Rivier College (Nashua, New Hampshire), Spring 1999
Teaching Assistant, Introduction to Christian Theology, 1997-98
Research Assistant to Professors Michael J. Buckley, SJ, and Stephen J. Pope

University of Michigan Law School Ann Arbor, Michigan
J.D., *cum laude* (2002)
Award for Highest Grade in Class, Constitutional Law (Fall 1999)
Award for Best Oral Argument, Legal Practice II (Winter 2000)
Quarterfinalist, Campbell Moot Court Competition (2000-01, 2001-02)
Teaching Assistant, Development of Modern Political Thought (Arlene W. Saxonhouse) (2002)
Research Assistant to Professors Daniel Halberstam, Roderick M. Hills, Jr., and Carl E. Schneider

University of Notre Dame Notre Dame, Indiana
B.A., *cum laude* (1993) in Philosophy
College of Arts and Letters Dean's Honor List (every semester)
Notre Dame London Program (Spring 1992)
Mock Trial Team (President, 1991-93)

PUBLICATIONS

Articles

"Preemption as Inverse Negligence Per Se," 88 *Notre Dame Law Review* (forthcoming, 2012).

"Mistakes about Intention in the Law of Bioethics," 75 *Law and Contemporary Problems* (forthcoming, 2012).

"Moral Absolutes and John Finnis: Response to Candace Vogler," 57 *Villanova Law Review* (forthcoming, 2012).

"Practical Reason and Subsidiarity: Response to Robert K. Vischer, *Conscience and the Common Good*," 49 *Journal of Catholic Legal Studies* 319 (2010).

"Circulatory Arrest in a Brain Dead Organ Donor: Is it Ethical to Provide Cardiac Compression?" 24 *Journal of Intensive Care Medicine* 389 (2009) (with Brian Cummings, MD, Natan Noviski, MD, and John Paris, SJ).

"Universalism and Particularism in Bioethics: Lessons from Theological Ethics," 21 *Law & Literature* 415 (2009) (refereed journal).

"Institutional Conscience and Religious Freedom," 7 *Georgetown Journal of Law & Public Policy* 217 (2009).

"Parental Refusal of Medical Treatment for a Newborn," 28 *Theoretical Medicine and Bioethics* 427 (2007) (refereed journal) (with John Paris, SJ and Michael D. Schreiber).

"Religious Free Exercise and Anti-discrimination Law," 70 *Albany Law Review* 1417 (2007).

"Tort Reform by Regulation: FDA Prescription Drug Labeling Rules and Preemption of State Tort Claims," 1 *Journal of Health and Life Sciences Law* 39 (2007) (refereed journal).

Howe v. MGH and *Hudson v. Texas Children's Hospital*: Two Approaches to Resolving Family–Physician Disputes in End-of-Life Care," 26 *Journal of Perinatology* 726 (2006) (refereed journal) (with JJ Paris, JA Billinngs, and B Cummings).

"Subsidiarity, Localism and School Finance," 2 *Journal of Catholic Social Thought* 369 (2005).

Book Chapters

"Implications of the Genetic Information Nondiscrimination Act (GINA) of 2008," in *Mendel in the 21st Century: The Scientific, Social, and Ethical Impact of Genetics in Our World* (Royal Society of Chemistry, forthcoming) (with James McCartney, OSA).

"Ethical and Legal Issues in Assisted Ventilation," in *Assisted Ventilation of the Neonate* 94, 5th ed., eds. Jay Goldsmith and Edward Karotkin (Saunders Elsevier, 2011) (with John Paris, SJ, and Michael Schreiber, MD).

"A Legal Revolution? The Bush Administration's Effect on the Judiciary and Civil Justice Reform," in *Judging Bush* 136, eds. Robert Maranto, Tom Lansford, and Jeremy Johnson (Stanford University Press, 2009) (with Lori A. Johnson).

"Jacques Maritain, Thomism, and the Liberal-Communitarian Debate," in *The Failure of Modernism: Maritain and the Tradition*, ed. Brendan Sweetman (The Catholic University of America Press, 1999).

"A Catholic Perspective on Assisted Suicide," in *Physician Assisted Suicide: Expanding the Debate*, eds. Margaret P. Battin, Rosamond Rhodes, and Anita Silvers (Routledge, 1998): 324-333 (with John Paris, SJ).

Reviews and Proceedings

Review of Jason Brennan, *The Ethics of Voting* (Princeton University Press, 2011), *Commonweal* (forthcoming).

Review of William F. Storrar, Peter J. Casarella, and Paul Louis Metzger, *A World for All?: Global Civil Society in Political Theory and Trinitarian Theology* (Eerdmans, 2011), *Theological Studies* (forthcoming).

"Out of the Shallows," Review of Steven D. Smith, *The Disenchantment of Secular Discourse* (Harvard University Press, 2010), *Commonweal*, March 25, 2011, at 28.

"Silence Is Not Always Golden in Medical Decision-Making," 7 *American Journal of Bioethics* 39 (2007) (refereed journal) (with John Paris, SJ).

Review of Mark G. Kuczewski, *Fragmentation and Consensus: Communitarian and Casuist Bioethics* (Georgetown University Press, 1997), 109 *Ethics* 482 (1999).

"Assisted Suicide, Liberalism, and Law in the United States," 12 *Proceedings of the World Congress on Medical Law* 461 (1998).

Work in Progress

The Liberty of Society: Religious Freedom and the Origins of the Liberal State (book manuscript)

ACADEMIC PRESENTATIONS

"Ethical Issues in the Affordable Care Act," 2012 Ethos Lecture, SUNY Downstate Medical Center (Brooklyn, New York), April 23, 2012

"Augustine and Law," Association for the Study of Law, Culture, and the Humanities, Fort Worth, Texas, March 17, 2012

"Freedom of the Church and the Origins of Liberalism," Nootbaar Institute on Law, Religion, and Ethics, Pepperdine University School of Law, February 25, 2012

"Mistakes about Intention in the Law of Bioethics," University of Notre Dame, Notre Dame Center for Ethics and Culture, November 11, 2011

"Institutional Conscience: From Free Exercise to Freedom of Association and Church Autonomy," University of Chicago, Lumen Christi Conference on God, Freedom, and Public Life, October 7, 2011

"Moral Absolutes and John Finnis: Response to Candace Vogler," Villanova University School of Law, John F. Scarpa Conference, September 30, 2011

"Mistakes about Intention in the Law of Bioethics," Duke University School of Law, "Theological Argument in Law: Engaging with Stanley Hauerwas," September 9, 2011

"Institutional Conscience: From Free Exercise to Freedom of Association and Church Autonomy," Witherspoon Institute (Princeton, New Jersey), The Protection of Institutional Religious Conscience, June 4, 2011

Response to Steven D. Smith's *The Disenchantment of Secular Discourse*, Conference on Catholic Legal Theory, University of Oklahoma College of Law, May 19, 2011

"The Ministerial Exception and the Pluralist State," Princeton University, James Madison Program in American Ideals and Institutions, April 15, 2011

"Preemption as Inverse Negligence Per Se," Faculty Workshop, Marquette University Law School, November 5, 2010

"Technology and *Caritas in Veritate*: A Reflection on Bioethics and the Law," Fordham Law School, Institute on Religion, Law & Lawyer's Work, September 21, 2010

Response to Nicholas Wolterstorff, *Justice: Rights and Wrongs*, Conference on Catholic Legal Theory, Loyola University-Chicago School of Law, May 25, 2010

"Catholic Social Thought and Legal Theory," Seminar on Christian Perspectives on Law (Professor David A. Skeel), University of Pennsylvania Law School, October 23, 2007, September 30, 2008, and October 27, 2009

“Conscience and the Common Good,” University of Notre Dame, Notre Dame Center for Ethics and Culture, November 14, 2009

“Immigration, Citizenship, and Subsidiarity,” Catholic Theological Society of America, Halifax, Nova Scotia, June 6, 2009

“Killing and Letting Die: Some Lessons from the Law of Torts,” Colloquium on Dignity and Suffering at the End of Life, Blackfriars Hall, University of Oxford, March 14, 2009

“Killing and Letting Die: Some Lessons from the Law of Torts,” University of St. Thomas (Minnesota) School of Law Faculty Workshop, March 9, 2009

“A Legal Revolution? The Bush Administration’s Effect on the Judiciary and Civil Justice Reform,” Judging Bush Conference, Villanova University, November 22, 2008

Education Policy and the 2008 Election, Saint Joseph’s University, October 28, 2008

Domestic Policy and the 2008 Election, Loras College (Dubuque, Iowa), October 16, 2008

Urban Policy and the 2008 Election, University of Pennsylvania Institute for Urban Research, October 6, 2008

“Institutional Conscience and the First Amendment,” Georgetown University Law Center, Conference on Church Autonomy, March 14, 2008

“Institutional Conscience and the First Amendment,” Loyola University Chicago Stritch School of Medicine, Catholic Health Care Ethics: Clinical, Global and Social Concerns, February 28, 2008

“Preemption and the Political Economy of Tort Reform,” Notre Dame Law School Faculty Colloquium, February 8, 2008

“Preemption and the Political Economy of Tort Reform,” SMU Dedman School of Law Faculty Forum, January 24, 2008

“Preemption and the Political Economy of Tort Reform,” Hofstra University School of Law Faculty Workshop, January 14, 2008

“John Courtney Murray and Natural Law in American Catholic Social Thought,” University of Notre Dame, Notre Dame Center for Ethics and Culture, December 1, 2007.

Respondent to James R. Stoner, Jr., “Determination and Deduction: How Aquinas Might Distinguish the Work of the Legislator from the Work of the Judge,” Villanova University School of Law, John F. Scarpa Conference on Law, Politics, and Culture, October 16, 2007

“Religion, Society, and the State in the U.S.,” Institute for Ecumenical Research, Strasbourg, France, July 5, 2007

"Bioethics and the Inversion of the Establishment Clause" (with William R. Dailey, C.S.C.), University of Portland, Garaventa Center for Catholic Intellectual Life and American Culture, The American Experiment: Religious Freedom Conference, April 12-14, 2007

"Religious Free Exercise and Anti-discrimination Law," Panel on the First Amendment and Freedom of Religion, Albany Law School, Albany Law Review Symposium, "A Second-Class Constitutional Right?: Free Exercise and the Current State of Religious Freedom in the United States," March 29, 2007

"Matters of Life and Death: Religion and Law at the Crossroads," Boston College Law School, March 20, 2007

"Immigration and the Rule of Law," Catholic Common Ground Initiative (Jacksonville, Florida), March 9-11, 2007

"Bioethics and Public Policy," University of Pennsylvania Center for Bioethics, November 13, 2006

Respondent to Susan S. Stabile, "'Poor' Coverage: The Preferential Option for the Poor and Access to Health Care," Villanova University School of Law, Symposium on Catholic Social Thought and Law, October 27, 2006

Panel on Stem Cell Research, "An Unknown Future: The Body, Biotechnology, and Human Nature," Boston College Winston Center for Leadership and Ethics, October 14, 2006

"*Gonzales v. Oregon* and the Future of Assisted Suicide," University of Pennsylvania Law School, Bioethics, Law & Public Policy Society, September 21, 2006

Respondent to Amelia J. Uelmen, "Reconciling Evangelization and Dialogue through Love of Neighbor," Villanova University School of Law, John F. Scarpa Conference on Law, Politics, and Culture, September 15, 2006

"Subsidiarity and School Finance," Symposium on Catholic Social Teaching and the Law, Villanova University School of Law, October 2004

"*Homo Economicus* and Catholic Social Thought," Conference of Young Catholic Moral Theologians, University of Notre Dame, July 2002

"Assisted Suicide and the Dilemmas of Federalism," Notre Dame Center for Ethics and Culture, University of Notre Dame, December 2001

Response to Jean Porter, "Natural Law and Moral Discernment," Catholic Theological Society of America (Miami, Florida), June 1999

"Legal and Moral Aspects of Genetic Discrimination in Health Insurance," Ethics and Technology Conference, Boston College, June 1999

"Assisted Suicide, Liberalism, and Law in the United States," World Congress on Medical Law (Síofok, Hungary), July 1998

"Competing Conceptions of Autonomy in the Assisted Suicide Debate," College Theology Society, Saint Louis University, May 1998

"Assisted Suicide, Liberalism, and Law," New England Regional Meeting of the American Academy of Religion, Andover Newton Theological School (Newton Centre, Massachusetts), April 1998

"Damned If You Do, Damned If You Don't: Thomas Aquinas on Moral Dilemmas," Theology Graduate Student Conference, Boston College, March 1998

"John Milbank's Post-Modern Augustinianism and Biblical Interpretation" New England Regional Meeting of the American Academy of Religion, Wheaton College (Norton, Massachusetts), April 1997

"Jacques Maritain, Thomism, and the Liberal-Communitarian Debate," American Maritain Association, Arizona State University, October 1996

MEDIA

"To the Point," Public Radio International, February 10, 2012 (discussing HHS mandate)

"NBC10 @ Issue," January 22, 2012 (discussing *Hosanna-Tabor v. EEOC*)

"Michael Kinsley's Confusion" (with Patrick McKinley Brennan), *First Things: On the Square*, December 1, 2011

"American Law Journal: The 2011-12 Supreme Court Term," October 3, 2011

"American Law Journal: The Supreme Court and the 2008 Election," November 3, 2008

Blog: Mirror of Justice (http://mirrorofjustice.blogs.com)

COURSES TAUGHT

Torts (2006-07, 2007-08, 2008-09, Fall 2009, Fall 2011)
Advanced Torts (Fall 2009, Spring 2012)
Bioethics and the Law (Spring 2007, Spring 2009, Fall 2011)
Justice and Rights (1L Elective) (Spring 2010, Spring 2012)
Evidence (Fall 2007, Fall 2008)
Catholic Social Teaching and the Law (Spring 2008, Spring 2010)
Law, Politics, and Human Nature (Spring 2009)
Ethical Traditions and Contemporary Life (College of Liberal Arts and Sciences Ethics Program) (Fall 2009, Spring 2010)
Ethical Traditions and Contemporary Life (Villanova University Honors Program) (Fall 2011)

SERVICE

Villanova University School of Law

Co-Chair, Faculty Committee (2011-present)
Law School Strategic Planning Task Force (2011-present)

Dean Search Committee (2009-10)
Appointments Committee (2008-10)
Curriculum Reform Committee (2007-2010)
Co-Coordinator, Program on Legal Analysis and Reasoning, 1L Orientation (2009, 2011)
Convenor, Symposium on McCullen Symposium on Catholic Social Thought and the Law (2007-present)
Faculty Moderator, Saint Thomas More Society (2006-present), Federalist Society (2011-present), Republican Club (2011-present)
Faculty Speaker, 1L Brunch (2008)
Faculty Speaker, Admitted Students' Open House (2007)
Public Interest Fellowship Program, Fellowship Selection Committee (2006-10)
Clerkship Committee (2006-2010)
Building Committee (2006-07)

Villanova University

Social Responsibility Proxy Committee (2008-present)

Editorial Board, *Journal of Catholic Social Thought* (2006-present)

"Legal Issues in Church Management," Villanova University Center for the Study of Church Management, Church Management Institute (October 7, 2009, July 10, 2008, and July 10, 2007)

"The Role of the Church in Public Life," Villanova University Office for Mission Effectiveness, Faculty Workshops on Catholic Social Teaching (June 10, 2011, May 10, 2011, June 11, 2010, May 11, 2010, June 12, 2009, May 14, 2009, June 3, 2008, May 15, 2008, and May 14, 2007)

Catholic Social Teaching and the 2008 Election: Immigration, Villanova University Office for Mission Effectiveness, October 21, 2008

"Implications of the Genetic Information Nondiscrimination Act (GINA) of 2008" (with James J. McCartney, O.S.A.), Mendel in the 21st Century Symposium, Villanova University, September 23, 2008

"Medical Liability Reform and Access to Health Care," Villanova University Office for Mission Effectiveness, Catholic Social Teaching and Access to Health Care Conference, March 27, 2008

Panel on Immigration Policy, Villanova University, Saint Thomas of Villanova Symposium, September 21, 2007

Professional

Consultant on Bioethics, Mission of the Holy See to the United Nations (2011-present)
Witherspoon Institute (Princeton, New Jersey) Task Force on Conscience Protection (2009-present)
Saint Thomas More Society of Philadelphia, Board of Governors (2007-present)
Federalist Society, Religious Liberties Practice Group Executive Committee (2001-present)
Peer Reviewer: Harvard University Press, Aspen Publishers, *Journal of Law and Religion*, *Journal of Catholic Social Thought*, *Journal of the American Academy of Religion*

Lecture on Pennsylvania Torts and Pennsylvania Evidence, Themis Bar Review (February 3, 2012, January 21, 2011, December 9, 2009, April 14, 2009)

Conferences Attended

AALS Annual Meeting, Washington, DC, January, 2012

Law and Religion Roundtable, Northwestern University, June 23-24, 2011

AALS Annual Meeting, San Francisco, California, January 2011

Law and Religion Roundtable, Brooklyn Law School, June 24-25, 2010

AALS Annual Meeting, New Orleans, Louisiana, New York, January 2010

Conference on Catholic Legal Theory, The Catholic University of America, Columbus School of Law, June 2009

Conference on Catholic Social Thought and Legal Education, University of Saint Thomas, Minneapolis, Minnesota, November 2008

Conference on Catholic Legal Theory, Seattle University, May 2008

AALS Annual Meeting, New York, New York, January 2008

Conference on Catholic Legal Theory, University of St. Thomas, Minneapolis, Minnesota, June 2007

International Colloquium of Catholic Bioethicists, London, England, July 1-5, 2007

Conference on Immigration Policy, Woodstock Theological Center (Georgetown University), Fairfield University, July 19-20, 2007

Bradley Foundation Symposium, "Who Are We Today?: American Character and Identity in the Twenty-First Century," Washington, D.C., May 2007

AALS Annual Meeting, Washington, D.C., January 2007

BAR ADMISSIONS

District of Columbia (2003)
Iowa (2002) (inactive)
Minnesota (2005) (inactive)
U.S. Court of Appeals for the Tenth Circuit (2002)