

**COOLEY R. HOWARTH, JR.**

University of Dayton School of Law  
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**EMPLOYMENT:** Professor of Law  
University of Dayton School of Law  
August 1976 - Present

Current Duties: Full-Time Classroom Instruction: I teach Administrative Law, Legislation, Family Law and the Family Law Capstone Course.

Significant Past Responsibilities:

Director of Graduate Programs: I designed and am director of the graduate law programs in Intellectual Property and Technology Law for lawyers and non-lawyers from the U.S. and abroad. (May 2007 – 2010)

Past teaching responsibilities have also included: State & Local Government Law; Environmental Law; Civil Procedure; Juvenile Law; Legal Research & Writing/Appellate Advocacy, Family Law Seminar.

Faculty Advisor: University of Dayton Law Review (1994-2002)

Faculty Advisor: National Administrative Law Moot Court Competition (1979-99)

Program Director: CAP-CAN (Child Advocacy Program - Child Abuse and Neglect): Clinical Program involving law students, medical students, and social work students acting as interdisciplinary guardian *ad litem* teams in Juvenile Court proceedings (1978-1981)

Clinical Instruction: Faculty supervisor in University of Dayton Legal Clinic: Clinical and classroom instruction of licensed student interns representing clients in a variety of civil matters, with an emphasis on domestic relations and juvenile law (1984)

Program Director: Legal Research & Writing/Appellate Advocacy Program: Instruction and administration of the first- year program

for 180 students (1976-1979)

Significant Committee Work: ; Academic Affairs Committee (2004-present)(current chair); Promotion, Retention and Tenure Committee (1985-present); Dean's Faculty Advisory Committee/Law School Executive Committee (1980-82,86-88, 2001-02, 2009); Strategic Planning/Long-Term Planning Committee (1986-88, 2001-2003);

Program Coordinator: Symposium on Law, Ethics And Morality, University of Dayton, 1993

**PUBLICATIONS:** Restoring the Applicability of the APA's Adjudicatory Procedures, 56 Admin. L. Rev. 1043 (2004)

United States v. Mead: More Pieces for the Chevron/Skidmore Deference Puzzle, 54 Admin. L. Rev. 699 (2002).

Teaching Administrative Law: Can "Less" Be "More?" 38 Brandeis L. J. 365 (2000).

Interstate Family Support: Ohio's Version of the Uniform Interstate Family Support Act, 10 Dom Rel. J. of Ohio 49 (1998)

United States Administrative Law: An Overview (USAID 1996)[with H. Fenton]

Federal Licensing and the Administrative Procedure Act: When Must Formal Adjudicative Procedures Be Used?, 37 Admin. L. Rev. 317 (1985).

Informal Agency Rulemaking and the Courts: A Theory for Procedural Review, 61 Wash. U.L.Q. 891 (1984).

Environmental Law: Ohio Environmental Council v. EPA: Revising State Clean Air Plans Through Administrative Enforcement Orders, 1980 Det. C.L.R. 255, 264 (with Ziegler).

Handbook on Citation in Legal Memoranda and Appellate Briefs (1979)

**UNPUBLISHED WRITING:**

Practice & Procedure of the Georgian Ministry of Justice concerning the Acquisition, Establishment, Withdrawal, Loss and Restoration of Georgian Citizenship (2002)

Interstate Family Support: Proposed Federal and Uniform Legislation on Spousal and Child Support (1995)

National Administrative Law Moot Court Competition: Problem Designer and Author of the Bench Memoranda used to judge the Competitions (annually from 1979-1989, 1994)

Cases and Materials on Child Abuse and Neglect: An Interdisciplinary Approach (1980) (teaching materials)

#### **SELECTED PRESENTATIONS:**

“Current Proposals for the Amendment of the federal Administrative Procedure Act,” Administrative Law Discussion Forum, University of San Diego School of Law, May 2004.

“Domestic Violence and Other Legal Issues Affecting Women,” Georgian Young Lawyers Association, Tbilisi, Republic of Georgia, June 2002.

“A Comparative Overview of U.S. and Georgian Administrative Law,” Georgia Institute of Public Administration, Tbilisi, Republic of Georgia, June 2002.

“Judicial Review of Non-Legislative Rules,” Administrative Law Discussion Forum, University of Louisville School of Law, November 2001.

“The Administrative Law Curriculum,” Administrative Law Discussion Forum, University of Louisville School of Law, November 1999.

“United States Administrative Law and the Role of an Independent Judiciary in Reviewing Executive Action,” Supreme Court of Ohio/U.S.AID “Rule of Law” Program for the Ukrainian Judiciary, Kiev, Ukraine, March 1996.

#### **CONSULTING ACTIVITIES:**

Consultant, The Center for Institutional Reform & the Informal Sector (IRIS), “Republic of Georgia Rule of Law Program” (2002) [Report on the administrative practice and procedure of the Division of Citizenship and Immigration of the Ministry of Justice of the Republic of Georgia with suggestions for reforms.]

Consultant, The Republic of Ukraine (1996-1998). [Legal advisor on constitutional structure, comparative administrative law and proposed legislation concerning administrative law and the judicial structure of the Republic. Activities included consultations in Kiev, Ukraine with the Constitutional Drafting Committee and government officials in 1996 and the preparation of extensive written comments from 1996-98 on proposed Ukrainian legislation.]

Consultant, Montgomery County Legal Aid Society, State & Federal Administrative Law (1990-1995)

Legal Advisor, Consumer Advisory Board of the Dayton City Commission (1979-1982)

Member, Board of Directors, Montgomery County Family Law Forum (1997-present)

Legal Advisor, Child Abuse Review and Evaluation (CARE) Team, Children's Medical Center, Dayton, Ohio (1978-1983)

**BAR ADMISSION:** Ohio 1976-present

**BAR ASSOCIATIONS:** American Bar Association (1976-present)  
Administrative Law Section  
Ohio Bar Association (1976-1981)  
Dayton Bar Association (1998 - present)  
Family Law Committee (2000 - 2002)

## **EDUCATION**

Legal: University of Denver College of Law  
Juris Doctor, June 1976

Administrative Law Review of the American Bar Association, Managing Editor (1974-1976)

Denver Journal of International Law and Policy, Staff Member

Assistant to the Project Director for the Department of Transportation Report to Congress on the Administrative Adjudication of Traffic Offenses, Center for Administrative Justice, American Bar Association; Project Director: John H. Reese

Undergraduate: Michigan State University, East Lansing, Michigan  
B.A. (with high honors) June 1971 (Political Science/Philosophy)  
Phi Beta Kappa

**PERSONAL:** Born: Bethlehem, Pennsylvania, November 7, 1949.