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WILLIAM B. FISCH

Curriculum Vitae

Born Cleveland, Ohio, May 11, 1936. Attended public schools in Cleveland Heights, Ohio, and Urbana, Illinois, 1942-53.

Education:

Harvard College, 1953-57
A.B. *cum laude* in Philosophy, 1957.
Honors thesis: Charles Peirce's Theory of the Nature of Thought (unpub.)
University of Illinois College of Law, 1957-60
LL.B. 1960
University of Chicago Law School, 1960-62
Foreign Law Fellow (under Prof. Max Rheinstein)
Master of Comparative Law, 1962
Albert-Ludwigs-Universität, Freiburg i.Br., Germany
U. of Chicago Foreign Law Fellow, 1961-62
Alexander von Humboldt-Stiftung Research Fellow, 1968-69
J.U.D. 1972 (under Prof. Dr. Ernst von Caemmerer)

Professional Employment:

Associate Attorney, Kirkland and Ellis, Chicago, 1962-65
University of North Dakota School of Law, 1965-70
Visiting Assistant, Assistant, Associate Professor of Law
University of Missouri-Columbia School of Law, 1970 -
Associate Professor, Professor, Isador Loeb Professor of Law, Isador Loeb
Professor Emeritus (2003 -)
Fulbright-Hays Senior Research Fellow, Max Planck-Institut für ausländisches
und internationales Privatrecht, Hamburg, Germany, 1980-81
Project: study of German civil procedure reforms of 1970's
Alexander von Humboldt and Fulbright-Hays Senior Research Fellow, Max
Planck-Institut für ausländisches und internationales Privatrecht,
Hamburg, Germany, 1989-90; Max Planck Society Fellow, summer 1992
Project: comparative study of law governing contracts for
professional services (lawyer-client, doctor-patient)

Publications

Books and Book Chapters

- Die Vorteilsausgleichung im amerikanischen und deutschen Recht (Frankfurt, A. Metzner Verlag, 1974), Arbeiten zur Rechtsvergleichung vol. 63
- Problems, Cases and Materials in Professional Responsibility (St. Paul, West Publishing Co., 1985)(with Aronson and Devine); *Id.*, 2d Edition (1995); *Id.*, 3d ed. (2004) (with Devine and Easton)
- "Constitutional Law of the United States", in Ansay & Clark, eds., Introduction to American Law 49-90 (Deventer, Kluwer, 1992); *id.*, 53-96 (2d ed. 2002)
- Contracts for Professional and other independent Services, vol. VIII
INTERNATIONAL ENCYCLOPEDIA OF COMPARATIVE LAW ch. 9 (Tübingen, Mohr Siebeck, 1999)

Articles, Essays and Papers

- "A Legal Aid Program for North Dakota", 42 North Dakota Law Review 293-305 (1966)
- "The Dakota Civil Code: Notes for an Uncelebrated Centennial", 43 No.Dak.L.Rev. 485-517 (1967)
- "The Dakota Civil Code: More Notes for an Uncelebrated Centennial", 45 No.Dak.L.Rev. 9-55 (1968)
- "Taxes and Damages for Lost Earnings: Three Systems at Work", in II Ius Privatum Gentium (Festschrift für Max Rheinstein) 591-623 (1969, Tübingen, J.C.B. Mohr (Paul Siebeck))
- "Notice, Costs, and the Effect of Judgment in Missouri's New Common-Question Class Action", 38 Mo.L.Rev. 173-218 (1973)
- "Forms of Verdict -- Questions from the Jury and the Unusual Jury Verdict", in Contending with MAI (Univ. of Missouri 1975) pp. 46-56
- "State Regulation of Alien Land Ownership", 43 Mo.L.Rev. 407-30 (1978)
- "European Analogues to the Class Action: Group Action in France and Germany", 27 American Journal of Comparative Law 51-79 (1979)
- "The Role of the Judiciary in the Process of Change", in Societies in Transition: The Social Impact of Economic Change (Univ. of Hamburg 1981)
- "Recent Reforms in German Civil Procedure: The Constitutional Dimension", [1982] Civil Justice Quarterly (Eng.) 33-51
- "Recent Developments in West German Civil Procedure", 6 Hastings International and Comparative Law Journal 221-282 (1983)
- "Constitutional Issues in Civil Procedure: Recent Developments in the United States", [1984] Civ.Just.Q. 202-228
- "Coercive Appointments of Counsel in Civil Cases In Forma Pauperis: An Easy Case Makes Hard Law", 50 Mo.L.Rev. 527-562 (1985)
- "Judicial Knowledge", 34 Am.J.Comp.L.(Supplement) 237-254 (1986)
- "Emergency in the Constitutional Law of the United States", 38 Am.J.Comp.L. (Supplement) 389-420 (1990)
- "The Influence of German Civil Procedural Thinking and of the ZPO in the United States", in Habscheid, et al., eds., Das Deutsche Zivilprozessrecht

- und seine Ausstrahlung auf andere Rechtsordnungen 400-415 (Bielefeld, Giesecking, 1991)
- "New Missouri Rules on the Lawyer Disciplinary Process", 47 J. Mo. Bar 616-22 (1991)
- "Adolf Homburger", in Lutter, et al., eds., Der Einfluss deutscher Emigranten auf die Rechtsentwicklung in den USA und in Deutschland, pp. 145-53 (Tübingen, Mohr, 1993)
- "The Legitimacy of the Constitutional Judge and the Theory of Interpretation" (with R.S. Kay), 42 Am.J.Comp.L. (Supplement) 517-553 (1994)
- "Associations of Lawyers in the U.S.A.", in Schlosser, ed., Integritätsprobleme im Umfeld der Justiz (Proceedings of the Association for International Procedural Law, vol. 7) 35-57 (1994)
- "Varieties of Professional Independence", in Barcelò and Cramton, eds., Lawyers' Practice & Ideals: A Comparative View 363-375 (1999)
- "Constitutionalization of Law in the United States" (with R.S. Kay), 46 Am.J.Comp.L. (Supplement) 437-462 (1998)
- "Recent Tendencies in the Position of the Lawyer: Common Law Countries and Scandinavia", General Report for XIth World Congress of Procedural Law, Vienna, Austria, 1999; pub. in Rechberger, ed., Procedural Law on the Threshold of a New Millenium (Manz, Vienna, 2002)
- "Hate Speech in the Constitutional Law of the United States", 50 Am. J. Comp. L. (Supp.) 463-492 (2002)
- "Encouraging Courage: Law's Response to Fear and Risk", 69 Missouri Law Review 1115-1122 (2004)
- "Constitutional Referendum in the United States of America", 54 Am. J. Comp. L. (Supp.) 485-504 (2006)
- "Plurality of Political Opinion and the Concentration of Media in the United States", 58 Am. J. Comp. L. (Supp.) 505-531 (2010)

Reviews

- Simon, The Jury and the Defense of Insanity, 44 No.Dak.L.Rev. 580-585 (1968)
- Christensen, Lawyers for People of Moderate Means, 36 Missouri Law Review 602-09 (1971)
- Friendly, Federal Jurisdiction: A General View, 39 Mo.L.Rev. 481-7 (1974)
- Perry, The Constitution, the Courts, and Human Rights, 48 Mo.L.Rev. 837-46 (1983)
- Kaplan, Clermont, et al., Ordinary Proceedings in First Instance (ch. 6 of vol. XVI, INTERNATIONAL ENCYCLOPEDIA OF COMPARATIVE LAW), 36 American Journal of Comparative Law 168-174 (1988)
- de Falkeneer and Dehan, eds., L'Exercice en société des professions libérales, 1990 RabelsZeitschrift 814-818
- Ring, Wettbewerbsrecht der freien Berufe and Werberecht der Rechtsanwälte, 18 International Journal of Legal Information 232-4 (1990)
- Hirte, Berufshaftung, 46 Am.J.Comp.L. 202-210 (1998)

Courses Taught: European Union Law, International Law, International Business Transactions, Professional Responsibility, Constitutional Law, International Protection of Human Rights, Comparative Law, Civil Procedure, Conflict of Laws, Federal Courts, Evidence, Property

Professional Organizations:

Admitted to Illinois bar, 1961; Missouri bar, 1982

American Society of Comparative Law

member, board of directors

executive committee, 1998-2000

program committee, chair 2000 - 2010

International Academy of Comparative Law (associate member, elected 1996)

American Law Institute, 1976 - ,

Members' Consultative Group on Restatement of Law Governing Lawyers, 1987-1999

Life Member, 2001 -

American Bar Association, Sections on International Law, Individual Rights and Liberties

Association of American Law Schools

Section on Comparative Law (Chair 1995-6)

Planning Committee, faculty development conference on Private International Law, held in Barcelona, Spain, June 2003 (joint project with European Law Faculties Association)

Wissenschaftliche Vereinigung für Internationales Verfahrensrecht (German Association for International Procedural Law)

University Committees (current)

School of Law

Student International Law Society, adviser 1970- , Jessup International Moot Court teams 1975 -