

Roy D. Simon
Distinguished Professor of Legal Ethics Emeritus
Hofstra University School of Law
Roy.Simon@Hofstra.edu

Education

1977 J.D., NEW YORK UNIVERSITY SCHOOL OF LAW, New York, New York.

Editor-in-Chief, *New York University Law Review*, 1976-1977.
Winner of John Norton Pomeroy Prize, 1975 (awarded to top 15 students in the first year class).

1973 B.A., WILLIAMS COLLEGE, Williamstown, Massachusetts.
Major in English.
Graduated Cum Laude and Phi Beta Kappa.

Academic Employment

1992-2011 HOFSTRA UNIVERSITY SCHOOL OF LAW, Hempstead, New York.
Professor of Law (1992-2003); Howard Lichtenstein Distinguished Professor of Legal Ethics (2003-2011); Distinguished Professor of Legal Ethics Emeritus (beginning September 1, 2011).

Courses taught at Hofstra: (1) Ethics & Economics of Law Practice (or Lawyers' Ethics) (1992-2009); (2) Civil Procedure (1997-2006); (3) Antitrust (2001-2004); (4) Insurance Law (1999, 2000, & 2003); (5) Contracts (2006-2010); (6) Disabilities Law Clinic (Director from 1992-1997); and (7) Law & Economics (2007-2009).

1983-1992 WASHINGTON UNIVERSITY SCHOOL OF LAW, St. Louis, Missouri.
Assistant Professor, 1983-1986; promoted to Associate Professor on July 1, 1986; promoted to full professor, with tenure, on July 1, 1989.

Courses I taught at Washington University: (1) Legal Profession (1985-1992); (2) Pretrial Litigation (1983-1991); (3) Agency and Partnership (1992); (4) Trial Practice (1990-1991); (5) Complex Litigation (1990-1991); and (6) Clinical Courses, supervising law students handling actual cases in various government offices, including the United States Attorney's Office (Civil and Criminal Divisions), Legal Services of Eastern Missouri, and the Public Defender's Office (1983-1991).

Books, Articles, and Other Publications

A. Books.

SIMON'S NEW YORK RULES OF PROFESSIONAL CONDUCT ANNOTATED – 2009 EDITION (West). This book, now in its thirteenth edition, annotates and explains the New York Rules of Professional Conduct and related authorities. (From 1995 to 2009, the book was entitled SIMON'S NEW YORK CODE OF PROFESSIONAL RESPONSIBILITY ANNOTATED.)

REGULATION OF LAWYERS: STATUTES AND STANDARDS (Aspen Law & Business, 22nd ed. 2011) (co-authored with Professor Stephen Gillers of N.Y.U. School of Law and Professor Andrew Perlman of Suffolk University Law School). This annual volume compiles and annotates the ABA Model Rules of Professional Conduct and various statutes, court rules, and other sources governing lawyers.

LAWYERS AND THE LEGAL PROFESSION (LexisNexis, 4th ed. 2009) (co-authored by Professors Carol Needham and Burnele Powell). This is a textbook for law school courses on professional responsibility. I am the lead co-author of this edition and was the lead co-author of the previous edition.

B. Law Review Articles.

Forward, *Symposium: The Ethics of Lawyers in Government*, 38 Hofstra L. Rev. 825 (2010).

Forward, *Like Gravity*, 34 Hofstra L. Rev. 635 (2006).

Forward, *Conference on Legal Ethics: What Needs Fixing?*, 30 Hofstra L. Rev. 685 (2002).

Legal Ethics Advisors and the Interests of Justice: In an Ethics Advisor a Conscience or a Co-Conspirator?, 70 Fordham L. Rev. 1869 (2002).

The 1999 Amendments to the Ethical Considerations in New York's Code of Professional Responsibility, 29 Hofstra L. Rev. 265 (2000).

Gross Profits? An Introduction to a Program on Legal Fees, 22 Hofstra L. Rev. 625 (1994).

Fee Sharing Between Lawyers and Public Interest Groups, 98 Yale L. J. 1069 (1989).

The New Meaning of Rule 68: Marek v. Chesny and Beyond, 14 N.Y.U. Rev. of Law & Social Change 475 (1986) (lead article in symposium on attorneys' fees).

The Riddle of Rule 68, 54 Geo. Wash. L. Rev. 1 (1985) (selected by AALS Section on Civil Procedure as one of fifteen "particularly noteworthy" articles on civil procedure for 1986).

Rule 68 at the Crossroads: The Relationship Between Offers of Judgment and Statutory Attorneys' Fees, 53 U. Cin. L. Rev. 889 (1984) (cited by Justice Brennan, dissenting, in *Marek v. Chesny*, 473 U.S. 1, 34 n.50 (1985)).

Clinical Programs That Allow Both Credit and Compensation: A Model Program For Law Schools, 61 Wash. U. L.Q. 1015 (1984) (with Tom Leahy).

C. Book Chapters.

Attorney Fees and Conflicts of Interest, a chapter in a six-volume set entitled ENVIRONMENTAL LAW PRACTICE GUIDE (Matthew Bender 1992).

Rule 68 in Civil Rights Litigation, a chapter in 3 J. Lobel & B. Wolvovitz, eds., CIVIL RIGHTS LITIGATION AND ATTORNEY FEES ANNUAL HANDBOOK (Clark Boardman 1987).

D. Miscellaneous Publications.

Chief Editorial Advisor and lead writer, *New York Professional Responsibility Report*, a monthly newsletter focusing on professional responsibility issues for lawyers practicing in New York. The newsletter began publication in April of 1998. I have contributed an article to virtually every monthly issue (more than 160 articles).

Developments in the Regulation of Lawyers, a column each Spring and Fall since 1991 in the Newsletter of the AALS Section on Professional Responsibility (distributed to approximately 800 law professors who teach professional responsibility).

New York Law Journal “Back Page,” quarterly column on ethics issues August 2001 – November 2004.

The Ethical Patchwork -- The Rules in Federal Court, Federal Bar Council News, June 1997.

Lawsuit Syndication: Selling Stock in Justice, Business & Society Review No. 69 (Spring 1989).

Current Practice Under Rule 68: A Guide to the Existing Rule (Practising Law Institute 1984).

The 1984 Proposal to Amend Rule 68: A Line-by-Line Analysis (Practising Law Institute 1984).

Previous Legal Employment

1976 Summer Associate, DAVIS POLK & WARDWELL, New York, New York. (Received but declined permanent offer.)

1977-78 Law Clerk, HON. ROBERT R. MERHIGE, JR., United States District Court for the Eastern District of Virginia, Richmond, Virginia.

1978-82 Associate, JENNER & BLOCK, Chicago, Illinois.

1982-83 Associate, HANNAFAN & HANDLER, LTD. Chicago, Illinois.

Professional Activities

Chief Reporter and Vice-Chair, New York State Bar Association Committee on Standards of Attorney Conduct (“COSAC”). This Committee drafted proposed New York Rules of Professional Conduct from 2003 to 2008, monitors the New York Rules of Professional Conduct as adopted by the Courts, and comments on other existing and proposed standards and guidelines for lawyers.

Member (1995-present) and Immediate Past Chair (2008-2011) of the New York State Bar Association Committee on Professional Responsibility. This Committee responds to ethics inquiries from attorneys regarding the New York Rules of Professional Conduct, and the Committee comments on proposals affecting regulation of lawyers.

Member, Association of the Bar of the City of New York Committee on Professional Responsibility, September 2005 – August 2008 (three year term).

Member, Association of the Bar of the City of New York Committee on Professional and Judicial Ethics, 2002-2005 (three year term).

Member (1993-present) and former Chair (1996-1998) of the Nassau County Bar Committee on Professional Ethics.

Member, Association of the Bar of the City of New York Task Force on the Role of the Lawyer in Corporate Governance from inception to completion, 2005 to 2006.

Member, Association of the Bar of the City of New York Ad Hoc Ethics 2000 Committee. This seven-member committee, which was appointed by the President of the Association, spent two years reviewing and commenting on the work of the American Bar Association’s Ethics 2000 Commission.

Member, Association of the Bar of the City of New York Committee on Professional Discipline, 1995-1998 (three-year term). Chair of Subcommittee on Ethics Rules in Federal Courts.

Chair, AALS Section of Professional Responsibility, 1993. Member of the Section’s Executive Committee from 1990 through 1994.

Chair, AALS Section of Litigation, 1994.

Active member of the New York, Illinois, and Missouri Bars. Admitted to practice before the United States Courts of Appeals for the First, Second, Fourth, and Seventh Circuits, as well as several Federal District Courts.

Testified before the Advisory Committee on Civil Rules about a pending proposal to amend Fed. R. Civ. P. 68, Washington, D.C., February 1, 1985.

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