

CAROLE SILVER

Georgetown University Law Center
Center for the Study of the Legal Profession
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TEACHING AND RESEARCH EXPERIENCE

Georgetown University Law Center

Executive Director, Center for the Study of the Legal Profession, 2008-present
Visiting Professor of Law, 2008-present

Northwestern University School of Law

Senior Lecturer, 1998 – 2008

Director, Executive LL.M. for Global Business Lawyers (under development), 2007-2008

Courses taught: Business Associations, Securities Regulation, International Securities Regulation and Comparative Corporate Governance, Conflict of Laws, Professional Responsibility/Legal Ethics, Globalization and the Legal Profession, Research Methods in Law & Social Science, International Team Project - Singapore

Northwestern University Center for Legal Studies

Associate Director for Graduate Studies (formerly Co-Director, Certificate Program in Law & Social Science), 1998-2005

American Bar Foundation

Senior Research Associate, 1993-97

Research on international commercial arbitration and alternative dispute resolution

IIT Chicago-Kent College of Law

Assistant Professor of Law, 1982-86

EDUCATION

Indiana University School of Law, Bloomington

J.D. 1980, *summa cum laude*

Order of the Coif

Articles Editor, Indiana Law Journal

University of Michigan

B.A. 1977 in History (with High Honors in History)

Phi Beta Kappa

OTHER PROFESSIONAL EXPERIENCE

City of Chicago, Assistant Corporation Counsel, Appeals Division, 1997-98

Honorable Jesse E. Eschbach, Seventh Circuit Court of Appeals, Law Clerk,
1981-82

Sidley & Austin, Associate, corporate and securities group, 1980-81 and summer 1979

ARTICLES and BOOK CHAPTERS

“Globalization and the Business of Law: Lessons for Legal Education” (with David Van Zandt and Nicole De Bruin Phelan), 28 Northwestern Journal of International Law & Business 399 (2008)

“Transnational Legal Practice: 2006-07 Year-in-Review,” with Laurel Terry, Ellyn Rosen, Carol Needham, Robert Lutz and Peter Ehrenhaft, International Lawyer (forthcoming 2008)

“Flattening the World of Legal Services? The Ethical and Liability Minefields of Offshoring Legal Services” (with Mary Daly), 38 Georgetown Journal of International Law 401 (2007)

“Local Matters: Internationalizing Strategies for U.S. Law Firms,” 14 Indiana University Journal of Global Legal Studies 67 (2007)

“Internationalizing U.S. Legal Education: A Report on the Education of Transnational Lawyers,” 14 Cardozo Journal of International & Comparative Law 143 (2006)

“Translating the U.S. LLM Experience: The Need for a Comprehensive Examination,” (with Mayer Freed) 101 Northwestern University Law Review Colloquy 23 (2006), available at <http://www.law.northwestern.edu/lawreview/colloquy/2006/3/>

“Winners and Losers in the Globalization of Legal Services: Situating the Market for Foreign Lawyers,” 45 Virginia Journal of International Law 897 (2005)

“Regulating International Lawyers: The Legal Consultant Rules,” 27 Houston Journal of International Law 527 (2005)

“Transnational Legal Practice: A Survey of Developments,” with Peter Ehrenhaft, Jonathan Goldsmith, Clifford Hendel, Robert Lutz, Masahiro Shimojo, Laurel Terry and Philip Von Mehren, 39 International Lawyer 619 (2005)

“Regulatory Mismatch in the International Market for Legal Services,” 23 Journal of International Law & Business 487 (2003)

“Cross-Border Legal Services: 2002 Year-in-Review,” with Philip Von Mehren, Robert Lutz, Peter Ehrenhaft, and Laurel Terry, 37 International Lawyer 987 (2003)

“The MDP Challenge in the Context of Globalization,” with Bryant Garth, 52 Case Western Reserve Law Review 903-942 (2002)

“The Case of the Foreign Lawyer: Internationalizing the U.S. Legal Profession,” 25 Fordham Journal of International Law 1039-1084 (2002)

“Of Brain Surgeons and Barber Shops: The Economic Consequences of MDPs on the Legal Profession,” with Bryant Garth, in Stephen McGarry, ed., Multi-Disciplinary Practices and Partnerships: Lawyers, Consultants and Clients (American Lawyer Media 2002), pp. 10-1—10-38

“Studying Singapore: Internationalizing the U.S. Law School Curriculum,” Journal of Legal Education, 51 J. Legal Education 75-90 (2001)

“Lawyers on Foreign Ground,” in Mark Janis and Salli Schwarz, eds., Careers in International Law (ABA 2001), pp. 1-21

“Globalization and the U.S. Market in Legal Services – Shifting Identities,” 31 Journal of Law & Policy in International Business 1093-1150 (2000)

“Models of Quality for Third Parties in Alternative Dispute Resolution,” 12 Ohio State Journal of Dispute Resolution 37-93 (1996)

“Penalizing Insider Trading: A Critical Assessment of the Insider Trading Sanctions Act of 1984 and Some Thought on Curing its Shortcomings,” 1985 Duke Law Journal 960-1025

“Fair Dealing Comes of Age in the Regulation of Going Private Transactions,” 94 Journal of Corporation Law 385-454 (1984)

“Federal Regulation of Tender Offers: Does It Depend upon Nondisclosure?” 1984-1985 Preview of United States Supreme Court Cases 301 (review of Schreiber v. Burlington Northern, Inc.)

“Are Targets of SEC Investigations Entitled to Notice of Subpoenas Issued to Third Parties?” 1983-1984 Preview of United States Supreme Court Cases 531 (review of SEC v. O'Brien)

Closely Held Corporations, 1981 supplement (contributor) (Illinois Institute for Continuing Legal Education 1981)

“Taxation of Foreign-Earned Income In Kind: Henry Taxpayer Goes to Japan,” 54 Indiana Law Journal 481-504 (1979)

WORK IN PROGRESS

“Agents of Globalization in Law” – a grant-supported empirical project investigating the careers of graduates of U.S. LLM programs

“Global (and Glocal) Strategies of U.S. Law Firms” (with Nicole De Bruin Phelan) – an empirical project examining the ways in which U.S. law firms embrace globalization; selected as part of the Law Firms Working Group of the American Bar Foundation, Indiana University School of Law, and ALM Media

PRESENTATIONS

“Global Innovation and the Shifting Regulatory Environment - International Frameworks,” presentation at symposium on Globalization of the Legal Profession, Harvard Law School Program on the Legal Profession and American Society of International Law, November 2008

“Glocalization: Going Global by Going Local,” presentation at panel, Senior Practitioners Perspectives on the Emerging Global Lawyer, opening ceremony for the Center for Transnational Legal Studies of Georgetown University Law Center, London, October 2008

“Ethical Issues in Outsourcing Legal Services Offshore,” presentation at IQPC conference on Legal Process Outsourcing, Chicago, October 2008

“Global Human Capital,” panel presentation and moderator, presented at the annual meeting of The Law Firm Working Group (ABF/IU/American Lawyer) Conference, Chicago, October 2008

“Ethical Issues in Offshoring and Outsourcing Legal Services and Negotiating Sourcing Deals,” presentation at PLI conference on outsourcing, Chicago, September 2008

“Agents of Globalization in Law,” panel presentation at Law & Society Annual Meeting, Montreal, May 2008

“Variations on a Theme: Global Strategies of U.S. Law Firms,” panel presentation at Law & Society Annual Meeting, Montreal, May 2008

“Off-shoring Legal Services,” presenter and chair, Association of Professional Responsibility Lawyers Annual Meeting, May 2008

“Globalization of Routine Legal Work: Emerging Trends and Issues” (moderator), symposium on The Future of the Global Law Firm, Georgetown University Law School, April 2008

“Cross Border Practice Rules: Remedies in Search of a Problem?,” presented at the ABA Section of International Law, Spring Meeting, April 2008

“Ethical Risks of Outsourcing Legal Services,” CLE telephone conference presentation for Strafford Publications, Inc., December 2007

With Nicole De Bruin, “Global Strategies, Local Approaches: Passages, Assimilation and Barriers for US Law Firms,” The Law Firm Working Group (ABF/IU/American Lawyer) Conference, Chicago, October 2007

“Crossing Borders in Legal Services: Asia,” presented at the Asian Summit on Legal Services, ABA Task Force on International Trade in Legal Services, San Francisco, August 2007

“Crossing Borders in Legal Services: Europe,” presented at the Fourth Annual EU-US Summit on Legal Services, ABA Task Force on International Trade in Legal Services, San Francisco, August 2007

“Flattening the World of Legal Services,” presented at Global Sourcing symposium, Georgetown University, January 2007 (sponsored by Georgetown Journal of International Law)

“Careers of International Lawyers,” presented at Law & Society Association Annual Meeting, Baltimore, Maryland, July 2006

“Local Matters: Internationalizing Strategies for U.S. Law Firms,” presented at Conference on Globalization and the Legal Profession, Indiana University School of Law, Bloomington, Indiana, April 2006

Presented Report and Proposals on behalf of the Illinois GATS Task Force to Illinois Bar Board of Governors, November 2005 in Clayton, Missouri, and to the Illinois Bar Assembly in December, 2005

“Globalizing Legal Services,” presented to the Shanghai In-House Counsel Forum, November 2005

“The Traffic in Legal Services: Perspectives from the EU and US,” Transnational Legal Practice Committee Summit II, Chicago, Illinois, August 2005

“States and GATS: Who’s In Charge?” ABA Section of International Law Spring Meeting, panel participant, Washington, D.C., April 2005

Panel on Ethics and Globalization, ABA Bar Leadership Institute, Chicago, Illinois, March 2005

Submitted written comment letter to Texas Board of Law Examiners on proposed revisions to the Texas rule on foreign legal consultants, November 2004

Interview with Lisa Sylvester, CNN, “Lou Dobbs Tonight” report on international outsourcing of legal services (aired November 23, 2004)

“Ethical Implications of Outsourcing Legal Services Internationally,” presented at the International Law Association’s International Law Weekend, New York, New York, October 2004

“Offshoring Legal Services: Local meets Global in the International Legal Services Market,” presented at the Annual Meeting of the Law & Society Association, Chicago, Illinois, May 2004

“Globalization of Legal Services: Should we have an FLC Regulation?” presented to Colorado State Bar Association Section on International Law, Denver, Colorado, June 2004

“Internationalizing US Legal Education: A Report on the Education of Non-US Lawyers,” presented at the AALS Meeting, Section on Graduate Education for Foreign Lawyers, Atlanta, Georgia, January 2004

“Regulating Lawyers in the Shadow of GATS: Federalism and Globalization,” presented at the Law & Society Annual Meeting, Pittsburgh, Pennsylvania, May 2003

“Regulatory Mismatch in the International Market for Legal Services,” presented at the Law & Society Annual Meeting, Pittsburgh, Pennsylvania, May 2003

National Conference on Professional Responsibility, Chicago, Illinois, May 2003, participated in panel: GATS - A New Regulation of Lawyers

Case Western Reserve University School of Law, The Jonathan M. Ault Symposium: Professional Responsibility and Multi-Discipline Practice Conference, Cleveland, Ohio, November 2001, presented “The MDP Challenge in the Context of Globalization”

American Bar Association Annual Meeting, Chicago, Illinois, August 2001, participated in panel: Careers in International Law

“Internationalization and Integration: The Case of Foreign Lawyers,” presented at the Law & Society Annual Meeting, Budapest, Hungary, July 2001

American Bar Association Section of International Law Spring Meeting, Washington, D.C., March 2001, participated in panel: Careers in International Law

Corporation Law Committee Meeting, Chicago Bar Association, December 1983, presented “Fair Dealing After Weinberger v. UOP, Inc.”

SELECTED BOARDS AND COMMITTEES

Co-chair, Transnational Legal Practice Committee, American Bar Association Section of International Law and Practice, fall 2008-present, formerly Vice-Chair, 2003 - 2008

Advisor, ABA GATS Task Force (now ABA Task Force on International Trade in Legal Services), 2006 - present

Advisory Committee Member and local organizer, Back to Business Law Chicago, 2007-present

Member, Illinois State Bar Association Section on Legal Education, 2006-present

Member, Illinois GATS Task Force, 2004-05

GRANTS

Law School Admission Council, in support of “Agents of Globalization in Law,” 2004-2008