

# Michael T. Cahill

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## CURRENT POSITION

BROOKLYN LAW SCHOOL, Brooklyn, NY 2019 – present  
President, Joseph Crea Dean, and Professor of Law

## OTHER EMPLOYMENT

RUTGERS LAW SCHOOL, Camden, NJ 2016 – 2019  
Co–Dean (2016–18) and Professor of Law  
*Courses taught:* Criminal Sentencing Law and Policy; Property.

BROOKLYN LAW SCHOOL, Brooklyn, NY 2003 – 2016  
Professor of Law (2009–16); Associate Professor (2006–09); Assistant Professor (2003–06).  
Vice Dean (2013–15); Associate Dean for Academic Affairs (2010–13).  
*Courses taught:* Criminal Law; Criminal Procedure 2; Criminal Sentencing Law and Policy; Health Care Law; Property.  
Comparative Criminal Law (Bologna Summer Program 2009).

CHICAGO-KENT COLLEGE OF LAW, Chicago, IL 2002 – 2003  
Visiting Assistant Professor  
*Courses taught:* Health Care Law; Legal Research and Writing.

KENTUCKY CRIMINAL JUSTICE COUNCIL, Frankfort, KY 2001 – 2003  
Consultant, Penal Code Reform Project

ILLINOIS CRIMINAL CODE REWRITE & REFORM COMMISSION, Chicago, IL 2000 – 2003  
Staff Director

NORTHWESTERN UNIVERSITY SCHOOL OF LAW, Chicago, IL Spring 2001  
Adjunct Professor  
*Course taught:* Criminal Law Theory Seminar (with Paul H. Robinson).

U.S. COURT OF APPEALS FOR THE EIGHTH CIRCUIT, Minneapolis, MN 1999 – 2000  
Law Clerk, Chambers of The Honorable James B. Loken

## EDUCATION

UNIVERSITY OF MICHIGAN LAW SCHOOL, J.D., 1999.

*Magna cum laude*; Order of the Coif.

*Michigan Law Review*: Associate Editor, Volume 95; Note Editor, Volume 96.

UNIVERSITY OF MICHIGAN SCHOOL OF PUBLIC POLICY, M.P.P., 1999.

YALE UNIVERSITY, B.A. with distinction in Ethics, Politics & Economics, 1993.

## PUBLICATIONS

### **Books:**

CRIMINAL LAW: CASE STUDIES AND CONTROVERSIES (Wolters Kluwer, 4th ed. 2016) (with Paul H. Robinson and Shima Baradaran Baughman).

CRIMINAL LAW (Aspen Treatise Series, 2d ed. 2012) (with Paul H. Robinson).

LAW WITHOUT JUSTICE: WHY CRIMINAL LAW DOESN'T GIVE PEOPLE WHAT THEY DESERVE (Oxford University Press 2006) (with Paul H. Robinson).

### **Articles and Book Chapters:**

*The Meaning(s) of Punishment* (work in progress).

*Mistake of Law as Nonexculpatory Defense* (work in progress).

*Inchoate Offenses*, in THE OXFORD HANDBOOK OF CRIMINAL LAW (Markus Dubber & Tatjana Hörnle eds., Oxford University Press 2014).

*Punishment Pluralism*, in RETRIBUTIVISM: ESSAYS ON THEORY AND POLICY (Mark D. White ed., Oxford University Press 2011).

*Competing Theories of Blackmail: An Empirical Research Critique of Criminal Law Theory*, 89 TEX. L. REV. 291 (2010) (with Paul H. Robinson and Daniel M. Bartels).

*Attempt by Omission*, 94 IOWA L. REV. 1207 (2009).

*Retributive Justice in the Real World*, 85 WASH. U. L. REV. 815 (2007).

*Attempt, Reckless Homicide, and the Design of Criminal Law*, 78 U. COLO. L. REV. 879 (2007).

*Punishment Decisions at Conviction: Recognizing the Jury as Fault-Finder*, 2005 U. CHI. LEGAL F. 91 (solicited for symposium).

**Articles and Book Chapters (continued):**

*The Accelerating Degradation of American Criminal Codes*, 56 HASTINGS L.J. 633 (2005) (with Paul H. Robinson).

*Pegram's Regress: A Missed Chance for Sensible Judicial Review of Managed Care Decisions*, 27 AM. J.L. & MED. 421 (2001) (with Peter D. Jacobson).

*The Five Worst (and Five Best) American Criminal Codes*, 95 NW. U. L. REV. 1 (2000) (with Paul H. Robinson and Usman Mohammad).

*Applying Fiduciary Responsibilities in the Managed Care Context*, 26 AM. J.L. & MED. 155 (2000) (with Peter D. Jacobson) (solicited for symposium).

**Essays and Shorter Works:**

*Extortion and Blackmail*, in ENCYCLOPEDIA OF CRIMINOLOGY AND CRIMINAL JUSTICE (Jay S. Albanese ed., Wiley-Blackwell 2014).

*Politics and Punishment: Reactions to Merkel's Political Retributivism*, 1 VA. J. CRIM. L. 167 (2012) (solicited response).

*Defining Inchoate Crime: An Incomplete Attempt*, 9 OHIO ST. J. CRIM. L. 751 (2012) (peer-evaluated journal; solicited for symposium).

*Grading Arson*, 3 CRIM. L. & PHIL. 79 (2009) (peer-evaluated journal; solicited for symposium).

*A Fertile Desert?*, in CRIMINAL LAW CONVERSATIONS 43 (Paul H. Robinson et al. eds., Oxford University Press 2009).

*Criminal Law's "Mediating Rules": Balancing, Harmonization, or Accident?*, 93 VA. L. REV. IN BRIEF 199 (2007) (discussing Richard A. Bierschbach & Alex Stein, *Mediating Rules in Criminal Law*, 93 VA. L. REV. 1197), available online at <http://www.virginialawreview.org/sites//virginialawreview.org/files/cahill.pdf>.

*Introduction: Three Perspectives on Criminal Justice*, 13 J.L. & POL'Y 181 (2005).

*Offense Grading and Multiple Liability: New Challenges for a Model Penal Code Second*, 1 OHIO ST. J. CRIM. L. 599 (2004) (peer-evaluated journal).

*Can a Model Penal Code Second Save the States from Themselves?*, 1 OHIO ST. J. CRIM. L. 169 (2003) (with Paul H. Robinson) (peer-evaluated journal; solicited for symposium).

Book Notice, *CARING FOR JUSTICE*, by Robin West, 96 MICH. L. REV. 1884 (1998).

SELECTED SPEAKING APPEARANCES

Panelist, Symposium on Leo Zaibert's *Rethinking Punishment*, Rutgers Law School, Sep. 21, 2018.

Presented "The Meaning(s) of Punishment" at Vanderbilt Law School, Nov. 4, 2015; Suffolk University Law School, Oct. 29, 2015; Criminal Law Colloquium, SUNY Buffalo Law School, Feb. 27, 2015.

Commentator, Conference, "Emerging Voices in Latin American & European Criminal Theory," SUNY Buffalo Law School, May 15, 2015.

Panelist, Symposium on Alon Harel's *Why Law Matters*, Rutgers School of Law – Newark, Oct. 25, 2014.

Moderator, "Town Hall Meeting: Transforming Health Care in Brooklyn," Brooklyn Law School, Nov. 19, 2013.

Commentator, Works-in-Progress Panel, AALS Mid-Year Conference on Criminal Justice, San Diego, June 12, 2013.

Moderator/Discussant, Criminal Theory Panel, Law & Society "Shadow" Conference on Criminal Justice, Boston, June 1, 2013.

Commentator, Junior Scholars' Conference, University of Florida Levin College of Law, Mar. 21-22, 2013.

Presented "Mistake of Law as Nonexculpatory Defense" at NYC Criminal Law Theory Colloquium, NYU School of Law, Feb. 25, 2013.

Presented "Defining Inchoate Crimes" at Florida State University College of Law Faculty Enrichment Workshop, Feb. 1, 2012; Pace Law School Faculty Colloquium, Nov. 16, 2011; and NYC Criminal Theory Colloquium, Brooklyn Law School, Aug. 30, 2011.

Presented "Punishment Pluralism" at Conference, "The Retributivist Tradition and Its Future," St. John's University School of Law, Nov. 4, 2011; and "Prawfsfest" conference, Brooklyn Law School, July 6, 2010.

Commentator, Conference, "Vice and Crime," Rutgers School of Law – Newark, Sep. 16, 2011.

Commentator, "Questions about Markel's Political Retributivism," University of Virginia School of Law, Apr. 7, 2011.

Lecture, "Introduction to Law and Medicine," Mt. Sinai School of Medicine, Nov. 10, 2010. (Delivered similar lectures at MSSM each year from 2006–09.)

SELECTED SPEAKING APPEARANCES (CONTINUED)

Co-Organizer and Moderator, David G. Trager Public Policy Symposium, "Sharing the Blame: The Law and Morality of Punishing Collective Entities," Brooklyn Law School, Feb. 5, 2010.

Commentator, Conference, "Philosophical Foundations of Criminal Law," Rutgers School of Law – Newark, Sep. 25-26, 2009.

Moderator/Discussant, Conference, "Is Morality Universal, and Should the Law Care?," Brooklyn Law School, Sep. 26, 2008.

Presented "Attempt by Omission" at "Prawfsfest" conference, Hofstra Law School, July 24, 2008; and Fordham Junior Faculty Colloquium, Apr. 28, 2008.

Presented "Grading Arson" at Conference, "The Evolution of Criminal Law Theory," Rutgers Institute for Law and Philosophy, May 31, 2008.

Panelist, "Disclosure of Medical Errors," Mt. Sinai School of Medicine, Apr. 3, 2008. (Participated on similar panels at MSSM in 2006 and 2007.)

Presented "Retributive Justice in the Real World" at Faculty Workshop, Brooklyn Law School, Mar. 8, 2007; and Second Junior Criminal Faculty Conference, George Washington University Law School, Aug. 11, 2006.

Presented "Punishment Decisions at Conviction: Recognizing the Jury as Fault-Finder" at Faculty Workshop, Seton Hall School of Law, Feb. 4, 2005; and University of Chicago Legal Forum 19th Annual Symposium, "Punishment and Crime," Nov. 12, 2004.