

## DAVID DORFMAN

### EMPLOYMENT

#### **ELISABETH HAUB SCHOOL OF LAW AT PACE U., White Plains, NY**

Supervising Attorney, Barbara Salken Criminal Justice Clinic, August 2012 to present. Teach and supervise two semester, twelve credit criminal defense clinic for third year students; ten student attorney/ interns represent indigent misdemeanor clients in the Bronx criminal courts. Also conduct two seminars per week on various topics of practice, procedure and doctrine relevant to clinical criminal practice.

Assistant Professor of Law August 1995 to present  
Taught Criminal Law, Analysis and Writing to first year students from 1995-2009 ; taught mini-seminars in Spring, 2009 on civil rights lawyering and its ethical implications, as well as on the work of Dr. Cornel West; teach Criminal Procedure-Investigation from Fall, 2006-present; teach New York Criminal Procedure from 2014 to present; taught Professional Responsibility from 2009 to 2013; taught Civil Procedure II, summer 2013; taught Criminal Law, summer 2014; teach Criminal Law, 2018 to present; taught the Criminal Justice Clinic at John Jay Legal Services in 2003-04; teach and supervise the Criminal Justice Clinic, 2012 to present; taught the Prisoners' Rights seminar in Fall, 2003; taught Advanced Appellate Advocacy to upper level students, 1995-1998; taught Interviewing, Counseling and Negotiating to upper level students, 1997 to 2013; taught legal analysis and writing to Masters of Comparative law candidates, July 2000; past Faculty Advisor to Pace Criminal Justice Society; former director of the Moot Court Board and the Pace Unified Moot Court Competition; Acting Associate Dean of Graduate Studies, Spring 2002; Associate Dean of Graduate Studies, Fall 2002-Fall 2004; present faculty advisor to the student chapter of the National Lawyers Guild; faculty representative on the Law School's Board of Visitors, 2001 to 2007; served on Curriculum Committee, Fall 2004 to 2006; have served on Admissions Committee regularly from 1995 to present, and have helped conduct recruitment events and forums for prospective students; serve as Chair of the Admissions Committee, 2018 to present; served on Admissions Committee for the Graduate Programs, 2001 to 2006; served on the Academic Standing Committee, Fall 2003 to Spring 2005; served as Honor Board Investigator from 2012-2014; served on promotion subcommittee (under the auspices of the Promotion and Tenure Committee) for Prof. Darren Rosenblum, 2006; served on promotion subcommittee (under the auspices of the Promotion and Tenure Committee) for Prof. Bridget Crawford, Spring 2007; served as chair of tenure subcommittee (under the auspices of the Promotion and Tenure Committee) for Prof. Bridget Crawford, Fall 2007; served on promotion committees for Prof. Robert F. Kennedy Jr. in 2008 and 2010; served as member of Middle States Group 2 Committee for Pace University, evaluating and reporting on University Planning and Resources,

2008; served on the Westchester Bar Association/ Pace Law School Fellowship in Public Interest Law Selection Committee; serve on the Pace Criminal Justice Center Board of Directors, 2012- present; served on the Pace Community Law Practice Selection Committee, 2013- 2015; serve as President of the Law School's Advocacy Chapter of the AAUP, 2018 to present.

**NEW YORK LAW SCHOOL**, New York, NY

Adjunct Professor of Law 2010-2019

Taught Criminal Law, Criminal Procedure/ Investigation and Criminal Procedure/ Adjudication to NYLS students.

**NEW YORK UNIVERSITY LAW SCHOOL**, New York, NY

Lawyering Program Instructor August 1993 to July 1995

Taught a wide variety of lawyering skills and techniques to first year students, including legal writing and research, negotiation, counseling, interviewing, oral advocacy, and witness examination through simulated exercises and critiques; sat on program's Faculty Recruitment Committee, Fall 1994 to Spring 1995.

NYU Trial Lawyers Coach/ Advisor December 1994 to July 1995

Instructed and coached a team of students in trial advocacy in preparation for American Trial Lawyers Association national trial competition.

**LEGAL AID SOCIETY**, Brooklyn, NY

Criminal Defense Trial Attorney September 1987 to June 1993

Brought more than twenty cases to jury verdict, two cases to bench verdict; defended approximately sixty cases through pre-trial hearings; represented thousands of clients through final disposition; researched and wrote numerous motions, briefs and memoranda.

**CHICAGO/ KENT COLLEGE OF LAW**, Chicago, IL.

Research Assistant August 1986 to April 1987

Researched and wrote in areas of First Amendment, Constitutional Theory and Aesthetic Philosophy for Professor Sheldon Nahmod.

**ACLU, ILLINOIS AFFILIATE**, Chicago, IL.

PILI Summer Associate/ Intern Summer of 1986

Conducted legal research and analysis, composed memoranda on a variety of civil liberties issues including reproductive rights, First Amendment law, and government entitlements for the indigent.

**LAWYERS COMMITTEE FOR BETTER HOUSING**, Chicago, IL.

Kent Justice Foundation Summer Intern Summer of 1985

Conducted legal research and analysis, composed memoranda and education materials on fair housing and homelessness issues.

**FREE LANCE WRITER** (self-employed) New York, NY 1976-1980  
Wrote both for publication and grants, specifically on art criticism and aesthetic theory topics.

## **EDUCATION**

**CHICAGO/ KENT COLLEGE OF LAW**, Chicago, IL.

J.D. received June 1987; GPA: 3.35 (top 13%)

Honors:           Dean's List, 1984-87  
Henry Horner Scholarship 1987  
Public Interest Law Internship (PILI) 1986  
Chicago/ Kent Merit Scholarships 1984-85  
Kent Justice Foundation Internship 1984  
Webster Burke First Year Fellowship 1984  
Law Students Civil Rights Research Council 1984

**UNIVERSITY OF CHICAGO**, Chicago, IL.

Masters/ Ph. D. candidate in History of Culture, 1978-80

Honors:           Fellowship in Cultural History 1979-80

**QUEENS COLLEGE (CUNY)**, Flushing, NY

IBA in English and Philosophy. received 1977

## **AWARDS**

**NATIONAL ENDOWMENT FOR THE ARTS**, Washington, DC

Received art critics grant, 1978

## **WRITINGS**

New York Criminal Procedure: Cases and Materials (unpublished manuscript, used for teaching course in New York Criminal Procedure)

"Tribute to Al Bronstein," 27 Correctional Law Reporter 69 (2016) (with Michael Mushlin)

"Federal Sentencing from Booker to Gall/Kimbrough: is the Sixth Amendment a 'Head Fake'?" (work incomplete)

"Loss of the Ritual: the Secularization of Criminal Sentencing" (work incomplete)

"Proving the Lie: Litigating Police Credibility" 25 Am. J. of Crim. Law 455 (1999)

“Fictions, Fault And Forgiveness: Jury Nullification in a New Context” 28 U. Mich. J. of Law Reform 861 (1995)

Out of the Picture: A Biography of Milton Resnick (unpublished co-authored book with Geoffrey Dorfman written for NEA in 1981)

“Milton Resnick and the Search for the Whole” ArtForum Magazine XVI (April 1978) pp. 42-45

“Re-Affirming Painting: A Critique of Structuralist Criticism” ArtForum Magazine XVI/2 (October 1977) pp. 59-65

### **PROFESSIONAL ACTIVITIES**

Served as a Director on the Legal Aid Society of Westchester Board of Directors from 2016-2021.

Was a guest lecturer at Marist College on the topic of Criminal Defense Practice on May 3, 2021.

Was a panelist in an on-line discussion entitled “What Am I Watching?” analyzing the Derek Chauvin trial at Pace University on April 14, 2021.

Was a member of the Transition Committee, Defense Counsel Advisory Group for Westchester County DA-elect Mimi Rocah, drafted a summary document/ working paper on suggested reforms, from November 10, 2020 to January 4, 2021.

Represented one defendant pro bono from arraignment through final disposition in People v. Torres, et al. in Yonkers City Court (2021) (FEW protest).

Represented twelve defendants pro bono from arraignment through final disposition in People v. Bergman, et al. in Brooklyn Criminal Court (2020-21) (North Brooklyn Pipeline protests).

Represented twenty-nine defendants pro bono from arraignment through final disposition in People v. Hunken, et al. in Dover Justice Court (2019-2021) (Cricket Valley Gas Plant protests)

Conducted “Know Your Rights” and Legal Observer training, then consulted for a Westchester County “Protect the Results” demonstration for the day after the Presidential election in Tarrytown, NY on November 4, 2020.

Interviewed on TV News 12 re the end of the US Attorney’s investigation of conditions of confinement at the Westchester County Jail on October 16, 2020.

Organized and moderated a panel presentation on Criminal Defense Practice in the New York area at Haub Law School on October 14, 2020.

Conducted oral argument pro bono on the case of People v. Berlin, et al. before the Second Dept. Appellate Term (Necessity Defense) on September 17, 2020.

Was interviewed and then extensively quoted in the “City and State” on-line journal article by journalist Gabriel Ponce De Leon on the “progressive prosecutor” phenomenon and the work of Brooklyn DA Eric Gonzalez on September 9, 2020.

Taught as a Hot Topic Lecturer on Criminal Procedure and Advanced Police Investigatory Technology at Pace U.'s pre-law program on July 21, 2020.

Taught as a Hot Topic Lecturer on Prisoners’ Rights in the Era of COVID at Pace U.’s pre-law program on July 17, 2020.

Lectured on the Climate Necessity Defense at the Haub Environmental Law Colloquium, February 6, 2020.

Commentator on the New York State Bail Reform laws on WAMC radio, January 10, 2020.

Taught as special guest lecturer in a Lawyering and Science class at Haub Law School on the topic of presenting expert scientific witness testimony, January 10, 2020.

Lectured on the Necessity Defense at the “Water Law for Activists” Symposium, hosted by the Sierra Club at Cornell U. on March 22, 2019

Participated in a Pace Law Federalist Society debate on the topic of the Carpenter case and Cell Phone Locational Investigation Technology with Ilya Shapiro on March 20, 2018.

Represented twelve defendants pro bono from arraignment through final disposition in People v. Hutchinson, et al. in Cortlandt Justice Court (2017) (Mississippi Stand/ Spectra Pipeline protests)

Represented five defendants pro bono from arraignment through final disposition in People v. Eyster, et al. in Cortlandt Justice Court (2017) (Spectra Pipeline protests)

Represented eight defendants pro bono from arraignment through trial in People v. Berlin, et al. in Cortlandt Justice Court (2016-2019) (Spectra Pipeline protests; Climate Necessity Defense)

Instructor (team-taught with Prof. Lissa Griffin) for New Directions CLE Program on topic of Counseling, ADR and Negotiating, 2009 to 2016.

Instructor on topic of New York Criminal Procedure for Pace Continuing Legal Education program, June, 2014

Instructor and panel moderator on the ABCs of New York Criminal Defense Practice, November, 2013

Debated Prof. Ralph Stein on the topic of the Death Penalty, sponsored by the Pace Federalist Society and the American Constitution Society, February 10, 2009

Instructor for Pace Continuing Legal Education program on State and Federal Sentencing, April 26, 2008

Moderator and co-organizer of Panel Discussion “Racial Profiling—Real or Imagined,” sponsored by Pace Federalist Society, November 15, 2007

Instructor (team-taught with Prof. Lissa Griffin) Bridge the Gap Negotiations Skills for Pace Continuing Legal Education program, October 14, 2007

Instructor for Pace Continuing Legal Education program in Interviewing and Counseling skills, April 2005

Arbitrator at Twelfth Annual Willem C. Vis International Commercial Arbitration Moot Competition, Vienna, Austria, Spring 2005 and 2006

Delivered opening address at Eleventh Annual Willem C. Vis International Commercial Arbitration Moot Competition, Vienna Austria, April 2004

Lectured on “Corporate Crime” at Libera Universita Santa Maria Assunta (LUMSA) both in Palermo and Rome, Italy, November 2002

Monitor and Reporter for First Department Appellate Division, NY Indigent Defender Organization Oversight Committee (IDOOOC), 1998-2002

Lectured on “the Judge’s Role in Sentencing” at Pace Law School, March 2001

Frequent Guest Commentator on criminal trials for Court TV, 1998 to 2001

Panelist for program on Federal Sentencing at Pace Law School, October 2000

Lectured at N.Y. State Judicial Training Institute on “the Admissibility of a Defendant’s Prior Convictions in Criminal Trials,” summer of 2000

Lectured on Police Witness Testimony at Pace Law School, March 1998

Lectured on Independent Civilian Oversight of New York City Police Department at Pace Law School, November 1997

Instructor for Pace Continuing Legal Education program in interviewing and counseling skills, 1997-98

Instructor for Association of the Bar of the City of New York “Bridge the Gap” program in criminal law practice, 1996

Panelist for program on “Police Testilying” for Association of the Bar of the City of New York, 1996

Delegate of the Association of Legal Aid Attorneys, 1991-92

### **AFFILIATIONS**

**AMERICAN BAR ASSOCIATION** (Criminal Justice section)

**NEW YORK STATE BAR ASSOCIATION**

**AMERICAN ASSOCIATION OF LAW SCHOOLS** (Criminal Law section)

**LEGAL AID SOCIETY OF WESTCHESTER**