

JOHN CLARK O'BRIEN

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EDUCATION

Harvard Law School, J.D., 1967

Yale University, B.A., 1964 -Major in Psychology

EMPLOYMENT

1975-2012 Assistant Professor of Law (1975-1977), Associate Professor of Law (1977-1980), Professor of Law (1980-2012), Saint Louis University School of Law.

Subjects Taught:

Administrative Law

Civil Clinic

Civil Practice

Client Counseling

Evidence

Torts

Legal Writing, (as part of the Law School's Summer Institute, a program designed to identify and admit promising applicants for admission from minority and disadvantaged groups).

Legal Profession

Public Utility Regulation

Trial Advocacy

Other Activities:

Director of Clinical Programs, Saint Louis University School of Law (1980-1982).

Volunteer Lawyer and Consultant, Legal Services of Eastern Missouri and Land of Lincoln Legal Assistance Foundation (1975 - present).

Trainer, New Lawyer Training Program, Legal Services of Eastern Missouri (1976).

Trainer, Paralegal Evidence Training Program, Legal Services of Eastern Missouri (1977).

Trainer, Trial Skills Training Program, Legal Services of Eastern Missouri (1979).

Paper and Address, "Recent Developments in Evidence Law," Annual Meeting of the Missouri Bar -1976, 1978, 1982, 1985, 1988, and 1997.

Paper and Address, "Missouri Objections at Trial", Missouri Bar CLE Program on Objections at Trial-1994, 1997,2000, 2009.

Paper and Panelist on Missouri Bar CLE Program on Expert Testimony in Civil Rights Cases -2000.

Paper and Address, "Ethical Issues in Negotiation", presented at CLE Programs on Legal Ethics in Missouri – 2007, 2008, 2010.

Paper and Address, "Crawford v. Washington and the Right to Confrontation", CLE Program on Criminal Practice – Kansas City – 2007.

University Faculty Senator (1985-1988); Member, Faculty Senate Executive Committee (1987-1988).

Chair, University Ad Hoc Judicial Committee (2005)

Committees:

Academic Leave Committee
Academic Standards Committee (2006-2007)
Ad hoc Clinic Committee (2002-2003)
Admissions Committee (2004-2006)
Advisor to University ad hoc Judicial Committee (2002)
Appointments Committee
Clinic Hiring Committee (2006-2007)
Curriculum Committee (Chair 1999-2001)
Dean Search Committee (1979)
DeLine Ethics Committee (2006-2007)
Ethics Committee (Chair 1998-1999)
Ethics Investigator (2005-2007)
Library Committee (Chair 1981-1982)
Planning Committee
Retention Committee

Retreat Planning Committee (1999-2000)
Student-Faculty Relations Committee

Publications:

Article "Protecting the Consumer in Utility Service Terminations," published in Volume 21 (1977) of the Saint Louis University Law Journal; reprinted in Volume IV of the Public Utilities Law Anthology.

Article, "Judicial Responses When A Civil Litigant Exercises a Privilege: Seeking The Least Costly Remedy," published in Volume 31 (1987) of the Saint Louis University Law Journal.

Article, "The Meanings of Hearsay," published in Volume 50 (2006) of the Saint Louis University Law Journal.

Article, "The Hearsay Within Confrontation", published in Volume 29 (2010) of the Saint Louis University Public Law Review.

Article, "How a Powerful Right Can Be Lost: Criminal Defense Counsel and the Loss of the Confrontation Right to Exclude Testimonial Hearsay" (Not yet published)

Book, Missouri Law of Evidence, (1984) (co-author) (with annual supplements 1987-1988).

Book, Missouri Law of Evidence, 2d ed. (1989) (with annual supplements 1990-1995).

Book, Missouri Law of Evidence, 3d ed. (1996) (with annual supplements 1997-2001).

Book, Missouri Law of Evidence, 4th ed. (2002). (with 2004 and 2005 annual supplements).

Book, Federal Criminal Trial Evidence, (1989) (co-author with Roger Goldman). (Received the Thompson and Mitchell Award for the best faculty publication for 1989-1990).

Book, Illinois Objections at Trial, (1992) (co-author with Bright, Carlson, and Chapman).

Book, Missouri Objections at Trial, (1993) (co-author with Bright and Carlson).

Book, Missouri Evidentiary Foundations, (1994) (co-author with Imwinkelried, Buckley, and Hamilton) (with annual supplements 1995 -1999).

Book, Missouri Evidentiary Foundations, 2d ed. (2000) (co-author with Imwinkelried, Buckley, and Hamilton) (with 2001,2002 and 2003 annual supplements).

Book, Missouri Evidentiary Foundations.3d ed. (2012) (co-authored with Imwinkelried, and Stewart) (publication scheduled for September 2012).

PREVIOUS EMPLOYMENT

1973-1975 Directing Attorney, Land of Lincoln Legal Assistance Foundation, East St. Louis, Illinois.

In charge of the legal aid offices serving St. Clair County. Supervised office of five attorneys working in areas of housing, consumer, employment, welfare, juvenile and domestic relations. Personally handled a number of cases, including three major utility rate proceedings and a rule making proceeding on customer service regulations.

1970-1973 Neighborhood Legal Services Program, Washington, D.C. Began as Assistant Director of joint George Washington University VISTA Master Laws in Poverty Law Project, supervising the field work of VISTA Volunteer lawyers. Later became Staff Attorney and ultimately Managing Attorney of nine neighborhood law offices. Represented clients on a wide variety of cases, including landlord-tenant, consumer, domestic relations, and juvenile matters. Counsel for consumer groups in several major utility rate cases, including a case where significant rate restructuring was achieved.

1968-1969 VISTA Volunteer Lawyer, Mercer County, West Virginia.

Involved in developing a new legal aid program in two rural counties. Counseled community groups, conducted welfare rights classes, and trained community workers to be lay advocates for welfare appeals and Justice of the Peace Court. Served as Counsel for several cooperatives in their formative stages. Represented clients successfully in a number of matters before the West Virginia Public Service Commission.

1967-1968 Staff Attorney, Federal Communications Commission, Washington, D.C.

Advised the Commission on matters relating to the regulation of the Communications

Satellite Corporation (COMSAT). Participated in the development of staff proposals for the establishment of a domestic communications satellite program.

BAR MEMBERSHIPS

State: New York (1967), District of Columbia (1970), Illinois (1974), Missouri (1976).

Federal: United States Supreme Court (1973), United States Courts of Appeals for the D.C. Circuit (1970), Fourth Circuit (1969), and Seventh Circuit (1974), United States District Courts for the Northern District of New York (1967), District of Columbia (1970), and Eastern District of Illinois (1974).

AWARDS

Thompson and Mitchell Award for best faculty publication, 1989-1990.

Associated Students of Saint Louis University Faculty Excellence Award (2004).