

**MARY E. BERKHEISER**  
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## **PROFESSIONAL EXPERIENCE**

**University of Nevada Las Vegas, William S. Boyd School of Law, Las Vegas, Nevada.**  
Founding Faculty Member. Professor and Director, Criminal Appellate Clinic, August 2007-present; Director, Juvenile Justice Clinic, 2000-06; Associate Professor and Director, Thomas & Mack Legal Clinic, 1998-2002.

### Teaching

- ▶ Direct criminal appellate clinic: supervise student lawyers in the representation of indigent prisoners as appointed counsel for state post-conviction appeals; teach seminar on post-conviction law and procedures.
- ▶ Teach non-clinical courses: advanced legal analysis, advanced issues in criminal law and procedure, criminal law, criminal procedure, legal education and assistance to prisoners.

### Service to the Boyd School of Law

- ▶ Admissions Committee Chair, 2003-06; Member, 2001-03, 1998-99
- ▶ Appointments Committee Member, 2000-01
- ▶ Building Committee Member, 1998-2001
- ▶ Clinic Committee Chair, 1998-2001; Member, 2001-present
- ▶ Community Service Committee Chair, 2006-07; Member, 2007-present
- ▶ Curriculum Committee Member, 2005-06
- ▶ Service Learning Planning Initiative, Committee Member, 2006-present
- ▶ Society of Advocates Coach, American Bar Association Appellate Advocacy Team, 2004; Negotiation Team, 2000-03
- ▶ Society of Advocates Coach, Black Law Students Association Thurgood Marshall Mock Trial Competition, 2008
- ▶ Society of Advocates Competition Judge, National Appellate Advocacy Team, 2000-01; Negotiations Team, 2001-03
- ▶ Lawyering Process Oral Argument Judge, 1999-2001, 2004
- ▶ Faculty Advisor, Part-Time Association of Law Students, 1998-2001
- ▶ Faculty Advisor, Boyd School of Law Chapter of the American Civil Liberties Union, 1998-2001.

### Service to the University

- ▶ Center for Social Work Research and Public Service, Board Member, 2007-present
- ▶ President's Research Award Interdisciplinary Faculty Team Member, "Co-occurring Disorders Among Juvenile Delinquents: Service Planning for Youth Suffering with Mental Disturbances and Substance Dependence," 2007-present
- ▶ Graduate Council, Law School Representative, 2005-present
- ▶ Faculty Senate, Elected Law School Representative, 2003-06
- ▶ Admissions Committee Member, 2004-06

- ▶ Committee to Revise Student Conduct Code, Member and Principal Draftsperson, 1999-2000, 2003-04
- ▶ Grievance Committee Member, 2003-06
- ▶ Master's Degree Committee, Outside Faculty Representative, Psychology, Nina Brathwaite, 2006-present; Computer Science, Donald Castle, 2002; Percussion, Gabriel Lugo, 2001; Thomas Nevill, 2001; Terri Haley, 2000

#### Service to the Community

- ▶ Clark County Department of Juvenile Justice Services Girls Initiative, Study Group Member, 2006-07
- ▶ Clark County Public Defenders Office, Co-Planner, Presenter, and Moderator for September 2006 Statewide Juvenile Defender Training, 2005-06
- ▶ Western Regional Juvenile Defender Center, Board Member, 2004-07
- ▶ Clark County Department of Juvenile Justice Services Working Group for Juvenile Delinquency and Detention Issues, 2000-05
- ▶ Eighth Judicial District Self-Help Center Advisory Board, 1998-2000; Member, Ethics Subcommittee, 1998-2000
- ▶ Interfaith Council for Worker Justice, Board Member, 2002-04; Secretary, 2003-04
- ▶ Nevada Chapter, American Civil Liberties Union, Board Member and Secretary, 2000-02

**Arizona State University College of Law, Law School Clinic**, Tempe, Arizona.  
Visiting Clinical Professor, 1995-98.

Taught clinical courses and supervised students in a civil practice clinic in which students represented clients in federal and state courts and before administrative agencies in matters concerning unemployment insurance benefits, wage claims, domestic violence, landlord tenant disputes, consumer claims, and related issues. Coached negotiation and closing argument teams.

**Meyer Hendricks Victor Osborn & Maledon, P.A.**, Phoenix, Arizona.  
Member, 1993-95; Associate, 1988-93.

Practiced appellate litigation, employment law, and professional liability defense. Prosecuted and defended appeals in the United States Court of Appeals for the Ninth Circuit, Arizona Supreme Court, and Arizona Court of Appeals. Represented employers in all aspects of employment counseling and litigation of sexual harassment, wrongful termination, and discrimination suits in state and federal court. Member of litigation team defending large law firms in professional negligence actions.

**Harrison & Lerch, P.C.**, Phoenix, Arizona.  
Associate, 1985-88. Appellate, commercial, and mass tort litigation.

**Arizona Supreme Court**, Justice Stanley G. Feldman.  
Law Clerk, 1984-85. Researched civil and criminal issues and drafted memoranda and opinions.

## **Education**

J.D., *magna cum laude*, University of Arizona, 1984  
Arizona Law Review, Editor-in-Chief  
Order of the Coif  
Outstanding Senior Award

B.A., *magna cum laude*, University of Arizona, 1971  
English, Psychology, and Secondary Education

## **Court Admissions**

U.S. Court of Appeals for the Ninth Circuit, 1987

U.S. District Court, District of Arizona, 1985

Arizona Supreme Court, 1984

Nevada Supreme Court, Limited Practice (Clinical Law Faculty), 2000

## **Publications**

*Justice Miriam Shearing: Nevada's Trailblazing Minimalist*, 6 NEV. L.J. 156 (2005).

*Capitalizing Adolescence: Juvenile Offenders on Death Row*, 59 MIAMI L. REV. 135 (2005).

*Report of Death of Juvenile Death Penalty Not Premature*, LAS VEGAS REV.-J., Jan. 25, 2004.

*The Fiction of Juvenile Right to Counsel: Waiver in the Juvenile Courts*, 54 FLA. L.REV. 577 (2002).

*The William S. Boyd School of Law Juvenile Justice Clinic*, 9 NEV. LAW., Aug. 2001, at 30.

*Update on Boyd School of Law Clinical Programs*, COMMUNIQUE, May 2001, at 18.

SUPREME COURT OF NEVADA, ADMINISTRATIVE OFFICE OF THE COURTS, NEVADA DOMESTIC VIOLENCE RESOURCE MANUAL (Legal ed. 2000).

*Frasier Meets CLEA: Therapeutic Jurisprudence and Law School Clinics*, 6 PSYCHOLOGY, PUB. POL. & L. 1147 (1999).

*But What If You're Not Dealt All of the Cards? A Response to Judge Hardcastle's On Playing Pinochle*, COMMUNIQUE, Nov. 1999, at 14.

*Pro Bono Service at the William S. Boyd School of Law*, 7 NEV. LAW., Apr. 1999, at 16 (with Christine Smith).

*Limited Representation: Helping Clients While Protecting Yourself*, 7 NEV. LAW., Feb. 1999, at 18.

*Hard Calls Concerning Sexual Harassment: Recognizing It and Determining a Legally Appropriate Response*, ARIZ. LABOR LETTER, 1993.

*Where Were the Lawyers?* 18 LITIGATION, No. 4, 1992 (with Ed Hendricks).

*Dissolution: Good Faith, Bad Faith - Who Gets the Fee*, in WITHDRAWAL, RETIREMENT AND DISPUTES: WHAT YOU AND YOUR FIRM NEED TO KNOW (Edward Berger ed. 1986) (with the Honorable Stanley G. Feldman).

*Medical Dependency in Arizona*, 25 ARIZ. L. REV. 769 (1983).

*Norris v. Arizona Governing Committee: Title VII's Applicability to Arizona's Deferred Compensation Plan*, 24 ARIZ. L. REV. 1032 (1982).

### **Professional Presentations**

Presenter, Nevada Statewide Juvenile Defender Training, "*Roper v. Simmons*: Limited Impact or a Brave New World?," September 15, 2006.

Presenter, AALS Clinical Conference, "The Intersection of Teaching in Clinics and Legal Writing Programs," April 2006.

Presenter, Nevada Juvenile Justice Commission, Update on Indigent Juvenile Defense in Clark County, February 2006.

Presenter, Clark County Juvenile Justice Administration, Clark County Juvenile Prostitution Research Project, March 2006.

Presenter, Nevada Juvenile Justice Commission, May 19, 2005. Juvenile defender best practices and training.

Presenter, Clark County Public Defenders Office, Juvenile Division Training, February 27, 2004. Parental conflicts of interest and competency issues affecting representation of child and adolescent clients.

Presenter, Washington University College of Law Multi-Disciplinary Conference, March 18, 2004. Juvenile death penalty and current juvenile offender population on death row, mental health, socio-psychological developmental factors and related issues.

Presenter, AALS Clinical Conference, "When We're Not All in it Together: Ethical Issues in Case Settlements," May 2003.

Presenter, Testimony before Nevada Legislative Commission Subcommittee to Study the Death Penalty and Related DNA Testing, April 18, 2002, concerning juvenile death penalty.

Presenter, "The Impact of 'Place' on Practice," Rocky Mountain Clinical Education Conference, October 2001.

Presenter, Testimony before Nevada Senate Judiciary Committee, May 2, 2001, concerning AB 308, Juvenile Right to Counsel.

Presenter, Testimony before Nevada Assembly Judiciary Committee, March 22, 2001, concerning AB 308, Juvenile Right to Counsel.

Panelist, People's Law (videotaped for Nevada public television), June 1998.

Panelist, "Dealing Effectively With Fact and Expert Witnesses," Maricopa County Bar Association, Continuing Legal Education Seminar, 1995.

Panelist, "Just When You Thought It Was Safe . . .," State Bar of Arizona, Labor and Employment Section, Continuing Legal Education Seminar, 1995.

Speaker, "Sexual Harassment: What It Is and How to Deal With It," Arizona Association of Health Care Lawyers, 1994.

Speaker, "Hard Calls Concerning Sexual Harassment," Arizona Labor Seminar, 1993.

Speaker, "The Impact of the Americans with Disabilities Act on Small Employers," Arizona Multi-housing Association, 1992.

Speaker, "Legal Research and Writing for Paralegals," Arizona Paralegal Association, 1988.

Speaker, "Updating Your Legal Research and Writing Skills," Arizona Statewide Legal Services Project Conference, 1988.

### **Professional and Civic Associations**

American Association of Law Schools, Section on Clinical Legal Education, 1995-

present.

American Bar Association, Section on Criminal Justice, 2000-present.

Arizona Human Rights Fund, Chair, 1997-98; Board Member, 1991-98; Member, 1998-present.

Clinical Legal Education Association, 1995-present.

Nevada Attorneys for Criminal Justice, 2000-present; Legislative Committee, 2000-present.

Nevada Coalition Against the Death Penalty, 2001-present.