

THOMAS P. GALLANIS

N. William Hines Chair in Law and Professor of History

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Permanent Academic Employment

University of Iowa

N. William Hines Chair in Law (primary appt) and Professor of History (secondary appt), 2009-present.

University of Minnesota

Associate Dean for Research and Faculty Development, 2009.

Julius E. Davis Professor of Law, 2008-2009; Professor of Law, 2007-2008.

Washington and Lee University

Professor of Law and Professor of History, 2004-07. (Associate Professor with tenure, 2003-04.)

Founding Director, W&L Center for Law and History, 2003-07.

Ohio State University

Assistant Professor of Law to Associate Professor of Law and History, 1997-2003. Tenured in 2001.

Honors and Major Appointments

General

Visiting Fellow, All Souls College, Oxford, 2012-13.

Fellow, American Bar Foundation, 2011-present.

Who's Who in America, 2009-present.

CIC Academic Leadership Program Fellow, 2008-09.

Mason Ladd Distinguished Visiting Professor of Law, University of Iowa, Fall 2008.

Herbert Smith Visiting Professor, Faculty of Law, University of Cambridge, May-August 2007.

Trusts and Estates / Law Reform

Reporter, Uniform Act on Powers of Appointment, 2011-present.

Adviser, ALI Principles of the Law of Nonprofit Organizations, 2009-present.

Associate Reporter, Restatement Third of Trusts, 2008-present.

Fellow, American College of Trust and Estate Counsel, 2008-present.

Reporter, Uniform Real Property Transfer on Death Act, 2006-2009; Act approved 2009.

Associate Executive Director, Joint Editorial Board for Uniform Trust and Estate Acts, 2005-present.

Elected Member, American Law Institute, 2004-present.

Legal History

Mellon Fellowship in Historical Studies, Institute for Advanced Study, Princeton, 2000-01.

One of two such full-salary fellowships; awarded after nationwide search and interview.

David Yale Prize, Selden Society, 1999.

Awarded for my article, *The Rise of Modern Evidence Law*, 84 IOWA LAW REVIEW 499 (1999).

Prize of £1,000 given every two years for a 'distinguished contribution to the history of the laws and legal institutions of England and Wales'.

Education

Ph.D., University of Cambridge (St John's College), 1997.

Thesis title: 'Aspects of the Common Law of Evidence, 1754-1824, With Special Reference to the Rule Against Hearsay'

Advisors: Professor Sir John Baker, Professor John Spencer.

Extract from thesis awarded 1996 Mansergh Prize for best historical essay.

Benefactors' Studentship (full tuition and fees, plus stipend), plus awards from the Cambridge Overseas Trust, the Committee of Vice-Chancellors and Principals (ORS Award), and the Wright Rogers Scholarship Fund.

LL.M. with First Class Honours, University of Cambridge (St John's College), 1993.

Specializations: Comparative law and English legal history.

Class rank: 2nd out of 133.

Hamson Prize for Distinction in Comparative Law.

Wright and Hughes Prizes for excellent academic performance.

J.D., University of Chicago Law School, 1990.

Estimated class rank: Top 20%.

Bradley Fellow in Legal History.

Senior Comment Editor, University of Chicago Legal Forum, volume 1990.

B.A. *summa cum laude* in History, Yale University, 1987.

Diploma awarded with Distinction in History.

Areas of concentration: medieval Europe, medieval & early modern England.

Other Employment

Attorney, Trusts & Estates Group, Mayer Brown & Platt (Chicago), 1991-92.

Law Clerk, Hon. David A. Nelson, U.S. Court of Appeals for the Sixth Circuit, 1990-91.

Subjects for Teaching

Law

Property

Trusts and Estates

Advanced Trusts and Estates

Estate, Gift and GST Taxation

Elder Law (includes pension law/ERISA)

History

English Legal History

Development of the Western European Legal Tradition
(combines English and Continental European
legal history)

Books

BLACKSTONE'S COMMENTARIES: VARIORUM EDITION, VOL. 3 (forthcoming; general editor Wilfred Prest; under contract with Oxford University Press).

RESTATEMENT THIRD OF TRUSTS, VOL. 4 (American Law Institute, forthcoming 2012) (with Edward Halbach and Randall Roth).

UNIFORM TRUST AND ESTATE STATUTES (Foundation Press, 2011-2012 ed.).

FAMILY PROPERTY LAW: CASES AND MATERIALS ON WILLS, TRUSTS, AND FUTURE INTERESTS (Foundation Press, 5th ed. 2011) (sole author).

ESTATES, FUTURE INTERESTS, AND POWERS OF APPOINTMENT (West Nutshell Series 4th ed. 2010) (with Lawrence Waggoner).

UNIFORM TRUST AND ESTATE STATUTES (Foundation Press, 2010-2011 ed.) (formerly compiled by John Langbein and Lawrence Waggoner).

FAMILY PROPERTY LAW: CASES AND MATERIALS ON WILLS, TRUSTS, AND FUTURE INTERESTS (Foundation Press, 4th ed. 2006) (with Lawrence Waggoner, Gregory Alexander, and Mary Louise Fellows).

ESTATES AND FUTURE INTERESTS (West Nutshell Series 3d ed. 2005) (with Lawrence Waggoner).

ELDER LAW: READINGS, CASES, AND MATERIALS and ELDER LAW: STATUTES AND REGULATIONS (LexisNexis 2d ed. 2003) (with Kimberley Dayton and Molly Wood).

FAMILY PROPERTY LAW: CASES AND MATERIALS ON WILLS, TRUSTS, AND FUTURE INTERESTS (Foundation Press, 3d ed. 2002) (with Lawrence Waggoner, Gregory Alexander, and Mary Louise Fellows).

ELDER LAW: READINGS, CASES, AND MATERIALS and ELDER LAW: STATUTES AND REGULATIONS (Anderson 2000) (with Kimberley Dayton and Molly Wood).

Articles, Essays and Chapters in Books

The Contribution of Fiduciary Law, in Lionel Smith ed., THE WORLDS OF THE TRUST (Cambridge University Press, forthcoming 2012).

SSRN Top Ten download list for Wills, Trusts & Estates Law

SSRN Top Ten download list for International: Political and Legal Issues

SSRN Top Ten download list for Corporate Governance: Actors & Players

Family Caregiving and the Law of Succession: A Proposal, 45 UNIVERSITY OF MICHIGAN JOURNAL OF LAW REFORM ____ (2012) (co-authored with Josephine Gittler) (symposium on The Uniform Probate Code: Remaking American Succession Law).

Articles, Essays and Chapters in Books (continued)

The New Direction of American Trust Law, 97 IOWA LAW REVIEW 215 (2011).

Making Sense of Blackstone's Puzzle: Why Forbid Defense Counsel?, in Austin Sarat, ed., STUDIES IN LAW, POLITICS, AND SOCIETY, no. 53 (2010).

Victorian Reform of Civil Litigation, in C.H. Van Rhee, ed., WITHIN A REASONABLE TIME: THE HISTORY OF DUE AND UNDUE DELAY IN CIVIL LITIGATION (Comparative Studies in Continental and Anglo-American Legal History, 2010).

The Flexible Family in Three Dimensions, 28 LAW & INEQUALITY 291 (2010) (symposium on Law and the Modern American Family).

Featured on JOTWELL [the Journal of Things We Like (Lots)], June 16, 2011

see <http://trustest.jotwell.com/the-family-as-an-economic-unit/>

Death by Disaster: Anglo-American Presumptions, 1766-2006, in R.H. Helmholz & D. Sellar, eds., THE LAW OF PRESUMPTIONS (Comparative Studies in Continental and Anglo-American Legal History 2009).

Featured on JOTWELL [the Journal of Things We Like (Lots)], July 1, 2010

see <http://trustest.jotwell.com/inheritance-and-presumptions/>

SSRN Top Ten download list for Wills, Trusts & Estates Law

SSRN Top Ten download list for Family & Children's Law

Reasonable Doubt and the History of the Criminal Trial, 76 UNIVERSITY OF CHICAGO LAW REVIEW 941 (2009).

SSRN Top Ten download list for Law & Humanities

Frontiers of Succession, 43 REAL PROPERTY, PROBATE AND TRUST JOURNAL 419 (2008).

现代证据法的兴起 (Chinese translation of *The Rise of Modern Evidence Law*), 16 EVIDENCE SCIENCE, a journal of the China University of Political Science and Law (2008).

The Trustee's Duty to Inform, 85 NORTH CAROLINA LAW REVIEW 1595 (2007).

Reprinted in the WEALTH STRATEGIES JOURNAL (May 2009), at www.wealthstrategies.com

Reprinted in A. Sabitha, ed., FIDUCIARY RELATIONSHIPS: POLICIES AND PRACTICES (Ifcai University Press [India] 2008).

The Mystery of Old Bailey Counsel, 65 CAMBRIDGE LAW JOURNAL 158 (2006).

Domestic Partners and Inheritance: Past, Present, Future, in 39TH ANNUAL HECKERLING INSTITUTE ON ESTATE PLANNING 17-1 (Matthew Bender 2005).

Inheritance Rights for Domestic Partners, 79 TULANE LAW REVIEW 55 (2004).

ERISA and the Law of Succession, 65 OHIO STATE LAW JOURNAL 185 (2004).

Articles, Essays and Chapters in Books (continued)

The Future of Future Interests, 60 WASHINGTON AND LEE LAW REVIEW 513 (2003).

Adversarial Culture, Adversarial Doctrine: Cross-Examination and Leading Questions in the 'State Trials on CD-ROM', 24 JOURNAL OF LEGAL HISTORY 86 (2003).

Aging and the Nontraditional Family, 32 UNIVERSITY OF MEMPHIS LAW REVIEW 607 (2002)
(solicited for AALS symposium issue on Defining the Family in the Millennium).

Evidence Law and the Evidentiary Objection: A View from the 'British Trials' Collection,
in R.A. Melikan, ed., DOMESTIC AND INTERNATIONAL TRIALS, 1700-2000: THE TRIAL IN HISTORY, VOL. 2
12 (University of Manchester Press, 2003).

The Rule Against Perpetuities and the Law Commission's Flawed Philosophy, CAMBRIDGE LAW JOURNAL
284 (July 2000).

Default Rules, Mandatory Rules, and the Movement for Same-Sex Equality, 60 OHIO STATE LAW JOURNAL
1513 (1999).

The Rise of Modern Evidence Law, 84 IOWA LAW REVIEW 499 (1999).

Awarded the 1999 David Yale Prize by the Selden Society

Cited by the U.S. Supreme Court in *Crawford v. Washington* (2004)

Write and Wrong: Rethinking the Way We Communicate Health-Care Decisions, 31 CONNECTICUT LAW
REVIEW 1015 (1999).

La Preuve en "Common Law": Wigmore Aujourd'hui, 23 DROITS 79 (1996)

Entries in Reference Works

In THE OXFORD INTERNATIONAL ENCYCLOPEDIA OF LEGAL HISTORY (Oxford University Press 2009):

Courts: English (vol. 2, pp. 249-251)

Evidence: English Common Law (vol. 3, pp. 3-7)

Ordeal: English Common Law (vol. 4, pp. 262-263)

Trial by Battle: English Common Law (vol. 6, pp. 6-7)

Common Law and Trust in J. Michie, ed., READER'S GUIDE TO THE SOCIAL SCIENCES (Fitzroy Dearborn
2001).

Short Reviews

Fiduciary Obligations: Why and When?, <http://jotwell.com> (May 23, 2011), reviewing James Edelman,
When Do Fiduciary Obligations Arise?, 126 Law. Q. Rev. 302 (2010).

Short Reviews (continued)

Whose Trust is It?, <http://jotwell.com> (March 13, 2010), reviewing John H. Langbein, Burn the Rembrandt? Trust Law's Limits on the Settlor's Power to Direct Investments, 90 B.U. L. REV. 375 (2010).

Book review of Clive Emsley, Crime, Police, and Penal Policy: European Experiences 1750-1940, 23 CONTINUITY AND CHANGE 366 (2008).

Book review of George Garnett, Conquered England: Kingship, Succession, and Tenure 1066-1166, 29 JOURNAL OF LEGAL HISTORY 287 (2008).

Book review of Peter King, Crime and Law in England, 1750-1840: Remaking Justice from the Margins, 26 LAW & HISTORY REVIEW 197 (2008).

The Old Bailey Proceedings Online, 26 JOURNAL OF LEGAL HISTORY 105 (2005).

Book review of Barbara J. Shapiro, A Culture of Fact: England, 1550-1720, 21 LAW & HISTORY REVIEW 625 (2003).

Book review of Chantal Stebbings, The Private Trustee in Victorian England, 35 ALBION 520 (2003).

Book review of David Ibbetson, A Historical Introduction to the Law of Obligations, 44 AMERICAN JOURNAL OF LEGAL HISTORY 441 (2000, published 2003).

Legal History With 21st-Century Tools: The English Reports on CD-ROM and Bracton on the Web, 20 JOURNAL OF LEGAL HISTORY 109 (December 1999).

Book review of R.H. Helmholz et al., The Privilege Against Self-Incrimination, 3 JOURNAL OF EARLY MODERN HISTORY 408 (November 1999).

Book review of Cynthia Herrup, A House in Gross Disorder: Sex, Law, and the 2nd Earl of Castlehaven, published on H-LAW, 6 August 1999.

Book review of Christopher Allen, The Law of Evidence in Victorian England, 62 MODERN LAW REVIEW 483 (1999).

The Chadwyck-Healey "British Trials" Collection, 19 JOURNAL OF LEGAL HISTORY 84 (April 1998).

Book review of J.P. Eigen, Witnessing Insanity: Madness and Mad-Doctors in the English Court, CAMBRIDGE LAW JOURNAL 643 (November 1995).

Presentations Made and Panels Chaired

“Family Caregiving and the Law of Succession,” Symposium on The Uniform Probate Code: Remaking American Succession Law, University of Michigan Law School, October 2011.

“The Evolution of the Common Law,” British Legal History Conference, July 2011.

“The Evolution of the Common Law,” Donald W. Sutherland Memorial Lecture in Legal History, University of Iowa, March 2011.

Chair, panel on “Creating and Recreating the Ideal Law School,” Symposium on The Future of Legal Education, University of Iowa, February 2011.

“The New Direction of American Trust Law,” Shirley A. Webster Lecture on Wealth Transfer Law, University of Iowa, October 2010.

“Making Sense of Blackstone’s Puzzle,” University of Chicago Law School, April 2010.

“The New Direction of American Trust Law,” Invited Lecture, University of Florida, April 2010.

“The Flexible Family in Three Dimensions,” Symposium on Law and the Modern American Family, University of Minnesota Law School, March 2010.

“New Uniform Laws on Family Property,” American Bar Association Section of Real Property, Trust & Estate Law Spring Symposium, May 2009.

Chair, panel on “The English Law of Torts in the 19th Century,” American Society for Legal History annual meeting, November 2008.

“Real Property Transfer on Death: A Uniform Act in Progress,” American Bar Association Section of Real Property, Trust & Estate Law Spring Symposium, May 2008.

“Why Not Defense Counsel?,” Symposium on Crime and Justice in the Early Modern Atlantic World, Newberry Library, Chicago, February 2008.

“Frontiers of Succession (With Examples from Domestic Partnerships),” UCLA Symposium on Succession Law in the 21st Century, February 2008.

“Why Not Defense Counsel?: English Practice from the Eighteenth to Thirteenth Centuries,” University of Minnesota Center for Medieval Studies, November 2007.

Commentator, panel on “Crime and Punishment in Britain, 1550-1800,” American Society for Legal History annual meeting, October 2007.

“Why Not Defense Counsel?: English Practice from the Eighteenth to Thirteenth Centuries,” Chicago Legal History Seminar, American Bar Foundation, September 2007.

Presentations Made and Panels Chaired (continued)

“Why Not Defense Counsel?,” Cambridge Legal History Seminar, Cambridge University, July 2007.

“The Mystery of Misdemeanor,” Oxford Legal History Seminar, Oxford University, June 2007.

Chair, panel on “Market Cultures in the Early Modern Atlantic World,” American Society for Legal History annual meeting, November 2006.

“Is There a Transfer-on-Death Real Property Act in Your Future?,” Southeastern Association of Law Schools annual meeting, July 2006.

“Indian Probate: A Perspective from Uniform Law,” Conference on Understanding the American Indian Probate Reform Act, Seattle University, March 2006.

“The Mystery of Old Bailey Counsel: A Hypothesis,” British Legal History Conference, July 2005.

“Domestic Partners and Inheritance: Past, Present, Future,” Invited Lecture, 39th Annual Heckerling Institute on Estate Planning, University of Miami, January 2005.

“Inheritance Rights for Domestic Partners,” University of Illinois College of Law, September 2004.

Chair, panel on “New Tricks for Finding Old Law,” American Society for Legal History annual meeting, November 2003.

Chair, panel on “Supreme Court and Legislative Preview,” Southeastern Association of Law Schools annual meeting, July 2003.

“ERISA and the Law of Succession,” Ohio State Law Journal symposium, April 2003.

“Employee Benefits Throughout the Curriculum: Trusts & Estates and Elder Law,” AALS annual meeting, January 2003.

“Aging and the Nontraditional Family,” Law and Society Association annual meeting, May 2002.

Chair and organizer, panel on “Elders in the Criminal Justice System,” AALS annual meeting, January 2002.

“Criminal Defense Counsel and the Leading Questions Doctrine,” American Society for Legal History annual meeting, November 2001.

“Selected Topics in Elder Law,” guest lecturer in Gerontology for the Health Professions, Ohio State University, November 2001.

“Adversarial Culture, Adversarial Doctrine,” British Legal History Conference, July 2001.

“Aging, Incapacity, and the Right to Vote,” Ohio State University College of Law, June 2001.

Presentations Made and Panels Chaired (continued)

“Aging and the Nontraditional Family,” AALS Workshop on the Definition of the Family in the Millennium, March 2001.

“A Solution to the Mystery of Old Bailey Counsel,” University of Pennsylvania Law School, February 2001.

“Did Old Bailey Lawyers Matter?,” Samford University, October 2000.

“Being a New Law Teacher,” AALS New Law Teachers Workshop, July 2000.

“Same-Sex Equality and the Need for Default-Rule Reform,” Law and Society Association annual meeting, May 2000.

“Solving the Mystery of Criminal Counsel in London,” Tulane Law School, January 2000.

“Do We Need a Rule Against Perpetuities?” Ohio State University College of Law, December 1999.

“Default Rules and the Movement for Same-Sex Equality,” Ohio State University College of Law, May 1999.

Chair and organizer, panel on “Substance and Procedure in the Premodern English Trial,” American Society for Legal History annual meeting, October 1998.

“Domestic Partnerships and Background Rules,” University of Michigan Law School, October 1998.

“Rethinking Advance Directives,” Ohio State University College of Law, May 1998.

“The Rise of the Evidentiary Objection,” American Society for Legal History annual meeting, October 1996.

“La Preuve en ‘Common Law’: Wigmore Aujourd’hui,” Invited Lecture, delivered in French at the University of Paris II (Panthéon-Assas), January 1995.

Service to the Academic and Professional Community (see also Honors and Appointments, on first page)

ABA Section on Real Property, Probate and Trust Law (member, 1997-present)

Non-Tax Estate Planning Considerations Group, Co-Vice Chair, 2011-present.

Uniform Laws Committee, Co-Chair, 2008-2011; Vice-Chair, 2006-2008 (member, 2003-present).

Associate Articles Editor, *Probate & Property*, 2006-present.

Association of American Law Schools

Section on Trusts and Estates

Chair, 2007; Chair-elect and Program Chair, 2006; Executive Committee, 2004-2008.

Section on Aging and the Law

Chair, 2002; Chair-elect and Program Chair, 2001; Secretary, 2000.

Service to the Academic and Professional Community (continued)

ABA/AALS Site Evaluation Visits

Indiana University Law School, Bloomington (2010).

Tulane Law School (2009).

University of Wisconsin Law School (2006).

American Law Institute (elected in 2004)

Adviser, Principles of the Law of Nonprofit Organizations, 2009-present.

Associate Reporter, Restatement Third of Trusts, 2008-present.

Member, consultative group for Restatement Third of Property, 2004-present.

Member, consultative group for Principles of the Law of Nonprofit Organizations, 2004-2008.

American Society for Legal History

Chair, Finance Committee, 2010-present.

Secretary, 2007-2009 (elected; three-year term).

Board of Directors (an elected position), 2005-07; Executive Committee of the Board, 2006-07.

Co-Chair, Program Committee for 2005 annual meeting, 2004-05.

Chair, Sutherland Prize Committee, 2003, 2004.

Future of the Society Committee, 2007-present.

Nominating Committee, 2000-03 (an elected position); Chair, 2003.

Membership Committee, 1998-2005.

Program Committee for 2010 annual meeting, 2009-10.

Brill Publishers (Netherlands)

Advisory Board, Book Series on *Studies in the History of Private Law*

Continuity and Change

Editorial Board, 2012-present.

Journal of Legal History

Editorial Committee, 2001-present.

Law and History Review

Editorial Board, 2005-present.

American Journal of Legal History

Book Review Editor, 1999-2002.

Referee: *Journal of Legal History*, *Law and History Review*, Oxford University Press, Aspen Publishers, Cambridge University Press, Foundation for Polish Science (Fundacja na rzecz Nauki Polskiej)

University and Law School Service

University of Iowa Program in Law and History, Founder and Organizer, 2009-present.

University of Iowa Law Committees

- 2011-12: Appointments (chair of committee; entry-level and lateral);
Member, search committee for Executive Law Librarian.
- 2010-11: Appointments (entry-level and lateral); Speakers.
- 2009-10: Appointments (entry-level and lateral); Post-tenure Review.

University of Minnesota

Steering Committee, Program in Law and History, 2007-09.

Law Committees

- 2008-09: Appointments; Faculty Recognition (chair); International and Graduate Programs;
Post-Tenure Review; Self-Study and Strategic Planning; Solomon Amendment (chair);
Workshop Coordination (chair).
- 2007-08: Admissions; International & Graduate Programs.

University: Advisory Board, Schochet Endowment, 2007-09.

Executive Committee, Center for Medieval Studies, 2008-09.

Washington and Lee University

Advisory Committee, University Program in Medieval and Renaissance Studies, 2003-07.

Appointments Committee, Kenan Chair in European History, 2004-05.

Law Committees: Overseas Exchange/LL.M. Program, 2007; Appointments, 2005-06; Curriculum, 2005-06;
Tenure Standards, 2005; Lectures and Awards, 2003-04; Library, 2003-04; Technology, 2004.

Ohio State University

Board of Directors, University Center for Medieval and Renaissance Studies, 2000-03.

University Committee for the Graduate Specialization in Aging, 1998-2003.

Chair, Law Faculty Workshop Committee, 1999-2003.

Co-chair, Legal History Workshop Committee, 1997-2003.

Law Committees: Academic Affairs, 2001-03; Minority Affairs, 1999-2000; Admissions, 1997-99.