

## **Curriculum Vitae**

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Randall P. Bezanson  
David H. Vernon Professor of Law  
University of Iowa College of Law

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### **Education**

B.S.B.A., 1968, Northwestern University  
J.D., summa cum laude, 1971, University of Iowa College of Law

### **Academic and Professional Experience**

1970-71, Editor-in-Chief, Iowa Law Review  
1971-72, Law Clerk to Judge Roger Robb, United States Court of Appeals for the District of Columbia Circuit  
1972-73, Law Clerk to Justice Harry A. Blackmun, United States Supreme Court  
1973-76, Assistant Professor of Law, University of Iowa College of Law  
1976-79, Associate Professor of Law, University of Iowa College of Law  
1976-77, Assistant to the President, University of Iowa  
1979-88, Professor of Law, University of Iowa College of Law  
1979-84, Vice President for Finance and University Services, University of Iowa  
1988-94, Dean, Washington and Lee University School of Law  
1994-96 Professor of Law, Washington and Lee University School of Law  
1994-95 Visiting Professor of Law, University of Iowa College of Law  
1996-98 Professor of Law, University of Iowa  
1998- 06 Charles E. Floete Distinguished Professor of Law, University of Iowa  
2004 Visiting Scholar, Univ. Arizona Law School  
2006- David H. Vernon Professor of Law

## **Professional Memberships and Community Organizations**

### **Professional:**

American Bar Association

Iowa Bar Association

Virginia State Bar Association (member, 1988-96)

Member, Board of Governors, Section on the Education of Lawyers, Virginia State Bar Association, 1993-95

Member, Iowa Supreme Court Advisory Council, 1973-76

Commissioner, National Conference of Commissioners on Uniform State Laws, 1983-88

Member, Drafting Committee on the Uniform Status of Children of Assisted  
Reproduction Act

Member, Review Committee on Model Health Records and Privacy Act

Member, Drafting Committee on Rights of the Terminally Ill Act

Reporter, Uniform Rights of the Terminally Ill Act

Reporter, Uniform Rights of the Terminally Ill Act Amendments (1989)

Reporter, Uniform Correction or Clarification of Defamation Act (1993)

Member, Order of the Coif

Member, Beta Alpha Psi Honorary

Fellow, American Bar Foundation

Member (ex officio), American Law Institute, 1988-94

Hon. Member, Omicron Delta Kappa, 1992- ; Washington & Lee University

Fellow, Open Society Institute, New York

### **Community:**

President, Iowa City Public Library Board of Trustees, 1977-80

Member, Iowa City Public Library Foundation Board, 1980-88

President, Iowa City Public Library Foundation Board, 1987-88

Co-chair, Iowa City Public Library Endowment Campaign, 1986-88

Member, Steering Committee, Hancher Auditorium Endowment Campaign, 1984-87

Member, Campus Campaign Committee, University of Iowa Endowment 2000

Member, Executive Council of the Hawkeye Area Boy Scouts, 1978-86

President, Rockbridge County Public Library Foundation Board of Directors, 1991-94;  
member, 1991-94; 1995-97

## **University Boards, Committees, and Awards**

Member, President's Advisory Committee, Washington & Lee University (1988-94)

Member, University of Iowa Faculty Senate 1978-79

Member, Editorial Board, University of Iowa Press 1978-79

Recipient, Murray Award, University of Iowa, 1971

Member, University of Iowa Research Foundation Board, 1979-84

Member, Board in Control of Athletics, 1984-88 (University of Iowa)

Chair, University of Iowa Library Automation Oversight Committee, 1986-88

Recipient, 1987 Burlington Northern Award for Outstanding Teaching, University of Iowa

Co-recipient, Society of Professional Journalists, Sigma Delta Chi, National Research Award,  
1988

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## **Bibliography**

### **Books and Monographs**

- R. Bezanson, HOW FREE CAN RELIGION BE? (U. Illinois Press 2006)
- R. Bezanson, HOW FREE CAN THE PRESS BE? (U. Illinois Press 2003)
- R. Bezanson, G. Cranberg & J. Soloski, TAKING STOCK: JOURNALISM AND THE PUBLICLY TRADED NEWSPAPER COMPANY (ISU Press summer 2001).
- R. Bezanson, SPEECH STORIES: HOW FREE CAN SPEECH BE? (NYU Press 1998).
- R. Bezanson, TAXES ON KNOWLEDGE IN AMERICA: EXACTIONS ON THE PRESS FROM COLONIAL TIMES TO THE PRESENT (University of Pennsylvania Press, 1994).
- J. Soloski & R. Bezanson, eds., REFORMING LIBEL LAW (The Guilford Press [Guilford Communication Series], New York, London, 1992).
- R. Bezanson, G. Cranberg, & J. Soloski, LIBEL LAW AND THE PRESS: MYTH AND REALITY (The Free Press, Macmillan & Co.: New York, 1987). Awarded National Research Award, Society of Prof. Journalists, Sigma Delta Chi, 1988.
- R. Bezanson, G. Cranberg & J. Soloski, LIBEL LAW AND THE PRESS: SETTING THE RECORD STRAIGHT, Monograph published by the Silha Center, University of Minnesota (June 1985).
- R. Bezanson, ADMINISTRATIVE LAW: FEDERAL AND IOWA (1976) (revised 1979, 1983) (published by the Iowa Bar Association).

### **Chapters in Books**

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- Privacy and the Science and Security of Geocoding Health Care Information: A Privacy Matrix, in GEOCODING: ASSESSING FITNESS FOR USE (forthcoming 2007-08).
- The Structural Attributes of Press Freedom: Private Ownership, Public Orientation, and Editorial Independence, paper presented at the Inaugural Program of the Northwestern University Center for the Advanced Study of Free Expression, April 2000, published as a chapter in JOURNALISM AND THE DEBATE OVER PRIVACY, C. LeMay, ed., at 17-57 (2003).
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- Writing: The Indispensable Practicum, in The History of the Iowa Law School (forthcoming some day (with W. Boyd).
- Resolving Libel Disputes Out of Court: The Libel Dispute Resolution Program (with Wissler, Cranberg, Soloski, Murchison), in REFORMING LIBEL LAW, (J. Soloski & R. Bezanson, eds.) (1992).
- The Uniform Defamation Act, in REFORMING LIBEL LAW, (J. Soloski and R. Bezanson, eds.) (1992).
- The Economics of Libel: An Empirical Perspective, with Cranberg & Soloski, in THE COST OF LIBEL 21 (Dennis & Noam eds., Columbia University Press, 1989).

## Articles and Other Publications

Taking Stock of Newspapers and Their Future, 2 Fla. Int'l U. L. Rev 23 (2007).

The Foundations of Federalism: An Exchange, 7 Journal of Philosophy, Science, and Law (2007).

A Salute to Ned Henneman, 62 Washington & Lee Law Review 1411 (2006).

Ninety Years of the Iowa Law Review: The Personalities, Policies, and Events that Shaped a Tradition in Iowa Legal Education, 91 Iowa Law Review 101 (2006) (with W. Boyd).

Introducing a New Concept into Libel Law: Institutional Liability, Nieman Center Report, Vol. 57, no. 2, at 45 (Summer 2005) (with Cranberg).

"The End of Separationism?" Book Review of THE FOURTH R: CONFLICTS OVER RELIGION IN AMERICAN'S PUBLIC SCHOOLS, 71 Congress Monthly No. 4, at 20 (Am. Jewish Congress) (July-Aug.. 2004).

Institutional Reckless Disregard for the Truth in Public Defamation Actions Against the Press, 89 Iowa Law Review 819 (2005)(with Cranberg)

Speaking Through Others' Voices: Authorship, Originality, and Free Speech, 38 Wake For. L. Rev. 983-1110 (2004).

Speaking Out of Thin Air: A Comment on Hurley v. Irish-American Gay, Lesbian and Bisexual Group of Boston, 25 COMM/Ent 149-188 (2003) (with M. Choe) [Hastings Journal of Communication and Entertainment Law].

Remembering David Vernon, 87 Iowa Law Review 809 (2002) (Eulogy).

Profits and Press Freedom: The New Business of News, 28 Human Rights 20 (No. 4, Fall 2001); also published in abbrev. form as Profits and Press Freedom, Iowa Advocate 22 (Fall/Winter 2001).

The Many Faces of Government Speech, 80 Iowa L. Rev. 1377-1511 (2001) (with W. Buss)(reprinted in First Amendment Anthology 2002 (West Publishing Company)).

Artifactual Speech, 3 U. Penn. Const. Law Journal 819 (May 2001)(reprinted in First Amendment Anthology, 2001 (West Publishing Company))

The Developing Law of Editorial Judgment, 78 U. Nebr. L.Rev. 754-857 (2000) (in symposium honoring Harvey Perlman).

The Government Speech Forum: *Forbes* and *Finley* and Government Speech Selection Judgments, 83 Iowa L. Rev. 953-94 (1999)

Means and Ends and *Food Lion*: The Tension Between Exemption and Independence in Newsgathering by the Press, 47 Emory L. J. 101-133 (1998) (Thrower Symposium on Media and the Law, Feb. 1998, Emory Law School)

The Quality of First Amendment Speech, 20 Hastings Communication & Entertainment Law Journal 275-391 (1998)

The Atomization of the Newspaper: Technology, Economics, and the Coming Transformation of Editorial Judgments About News, 3 Commun. Law & Policy Journ.175-230 (1998).

The "Meaning" of First Amendment Speech, 54 ETC: Review of General Semantics 133 (Summer

1997).

Institutional Speech, 80 Iowa Law Review 735 (1995).

Sullivan's Paradox: The Emergence of Judicial Standards of Journalism, 73 N. Carol. L. Rev. 7 (1994) (with Murchison, Soloski, Cranberg & Wissler).

Self-Reliance, in Symposium on Justice Blackmun's Tenure on the Supreme Court, 71 N. Dak. L. Rev. 29 (1995).

Emancipation as Freedom in Roe v. Wade, in Symposium on Justice Blackmun and the 20th Anniversary of Roe v. Wade, 97 Dick. L. Rev. 485 (1993).

The Right to Privacy Revisited: Privacy, News, and Social Change, 1890-1990, 80 Calif. L. Rev. 1133 (1992).

Resolving Libel Cases Out of Court: How Attorneys View the Libel Dispute Resolution Program, 75 Judicature 329 (April-May 1992) (with Wissler, et al.).

The Future First Amendment, 37 S. Dak. L. Rev. 11 (1992), based on paper presented at Program celebrating the 200th Anniversary of the Bill of Rights, Annual Meeting of the Iowa Bar Association (June, 1991).

Legislative Reform and Libel Law, 10 Commun. Lawyer 1 (Spr. 1992), republished at 338 PLI/Pat 629 (1992).

A Tribute to Justice Harry A. Blackmun, 1990 Ann. Survey of Am. Law xxvii (1991).

Privacy, Personality, and Social Norms, 41 Case W. Res. L. Rev. 681 (1991) (paper presented at Privacy Symposium, Case Western Reserve Law School, Nov. 17, 1990).

The Three Voices of Libel, 47 Wash. & Lee L. Rev. 213 (1990) (with Murchison).

The Libel Tort Today, 45 Wash. & Lee L. Rev. 535 (1989).

Reflections on the Iowa Law Review, Past and Future, 75 Iowa L. Rev. 829 (1990).

"The Bonfires of Our Vanities": Reflections on Ideology, Humanity, and Tolerance, 27 Iowa Advocate 26 (1988); selected portions reprinted in Syllabus, American Bar Ass'n. (1988).

Solomon Would Weep: A Comment on In the Matter of Baby M and the Limits of Judicial Authority, 16 Law, Medicine and Health Care 126 (1988).

Political Agnosticism, Editorial Freedom, and Government Neutrality Toward the Press, 72 Iowa Law Review 1359 (1987).

Alternative Strategies for Resolving Libel Claims Quickly, 5 Commun. Lawyer, No. 4, at 8 (Fall 1987) (with Wissler, Cranberg & Soloski).

Related Works:

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Why Current Libel Law Doesn't Work and What Judges Can Do About It, 27 Judges Journal No. 2, at 28 (1988) (with Wissler, Cranberg & Soloski).

An Alternative Solution to the Problems of Libel Litigation, 1988 Entertainment Publishing and the Arts 99 (1988) (with G. Cranberg, J. Soloski, R. Wissler).

The Economics of Libel: An Empirical Perspective, Gannett Center, Columbia University, New York (R. Bezanson, G. Cranberg & J. Soloski) (presented June 13, 1986), also published in the Cost of Libel 21 (Dennis & Noam eds., Columbia University Press, 1989).

The Ethics of Libel: Part III, in Ethics and the Media (M. Sagen ed., 1987).

The Libel Dispute in Retrospect: What Plaintiffs Want and What Plaintiffs Get, 74 Calif. L. Rev. 789 (1986).

What Libel Litigation Tells Us About Nonlitigation Alternatives, presented to the American Bar

Association/American Newspaper Publishers Association Task Force Conference (New York, March 21, 1986).

The Libel Litigation Process: What the Parties Want and What the Parties Get, presented at symposium on the Iowa Libel Research Project (Bezanson, Cranberg & Soloski, princ. investigators), sponsored by the Bill of Rights Institute, College of William and Mary (June 5-6, 1986).

Plato's Cave Revisited: The Epistemology of Perception in Contemporary Defamation Law, in National Libel Symposium, 90 Dick. Law Rev. 585 (1986) (with K. Ingle).

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Fault, Falsity and Reputation in Public Defamation Law: An Essay on Bose Corporation v. Consumers Union, 8 Hamline Law Review 105 (1985).

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Public Disclosures As News: Privacy Invasions and Injunctive Relief Against the Press, 64 Iowa Law Review 1061-1109 (1979).

Herbert v. Lando, Editorial Judgment, and Freedom of the Press: An Essay, 1978 U. Ill. L. Forum 605-631 (1978).

Toward Revision of Iowa's Juvenile Commitment Laws: Thoughts on the Limits of Effective Government Intervention, 63 Iowa Law Review 561-607 (1978).

The New Free Press Guarantee, 63 Virginia Law Review 731-788 (1977).

Involuntary Treatment of the Mentally Ill in Iowa: The 1975 Legislation, 61 Iowa Law Review 261-396 (1975).

Abstention: The Supreme Court and Allocation of Judicial Power, 27 Vanderbilt Law Review 1107 (1974).

Some Thoughts on the Emerging Irrebuttable Presumption Doctrine, 7 Indiana Law Review 644 (1974).

Judicial Review of Administrative Action in Iowa, 21 Drake Law Review 1 (1971).

### **Other Publications and Legislative Drafting**

Model Assisted Reproductive Technology Act, Journ. Gender, Race & Justice (forthcoming 2005)(consultant/professor with S. Kurtz, statute drafted in special seminar, Iowa Law School 2003-04).

Model Act for Genetic Privacy and Control, 88 Iowa Law Review 121 (2002) (consultant/professor with S. Kurtz, statute drafted in special seminar, Iowa Law School 2001-02).

Model Health Information Disclosure Act, 25 Journ. Corp. Law 119 (1999)(consultant/professor with S. Kurtz, statute drafted in special seminar, Iowa Law School).

Uniform Correction or Clarification of Defamation Act, with comments (1993) (Reporter), National Conference of Commissioners on Uniform State Laws, \_\_\_ Uniform Laws \_\_\_ (Chicago, 1994).

Model Human Reproductive Technologies and Surrogacy Act, 72 Iowa Law Review 943 (1987)

(consultant/professor with S. Kurtz, statute drafted in special seminar, Iowa Law School 1986-87).

Uniform Defamation Act, with comments, tent. committee draft, Feb. 1992; National Conference of Commissioners on Uniform State Laws (Reporter).

Uniform Rights of the Terminally Ill Act, with comments, adopted August 1985, National Conference of Commissioners on Uniform State Laws, \_\_\_ Uniform Laws \_\_\_ (Chicago 1986).

Uniform Rights of the Terminally Ill Act (1989), (extending original 1985 Act) adopted Aug. 1989, NCCUSL, with Comments, \_\_\_ Uniform Laws \_\_\_ (1989).

An Act Relating to Hospitalization of the Mentally Ill, Ch. 229, 66th G.A. of Iowa, 1st Sess. §§ 1-82 (1975).

Rules of Procedure Governing Civil Commitment in Iowa, adopted by the Iowa Supreme Court and Iowa Legislature, 1978, 1979.

## **Reports**

The Business of News in the Publicly Traded Newspaper Company, Report to the Open Society Institute, Dec., 1999 (with Cranberg & Soloski) (also published in book form).

Judicial Creation of Standards of Journalism, Report to the Knight Foundation (1993) (with Cranberg, Murchison, Soloski, & Wissler).

Report on the Libel Dispute Resolution Program, submitted to the John & Mary R. Markle Foundation (May 31, 1991) (with Wissler, Cranberg, Soloski, Murchison).

Forward, The Model Reproductive Technologies and Surrogacy Act (with S. Kurtz and B. Hovenkamp), 72 Iowa Law Review 943 (1987).

Eugenic Sterilization in Iowa (Bezanson & Corzatt), (Report, 1975).

## **Selected Speeches, Editorials, and Magazine Articles**

A Memo to Sam Zell: Keep in mind that your main product is news, Nieman Watchdog (Apr. 2007)(with Cranberg) ([www.niemanwatchdog.org](http://www.niemanwatchdog.org)).

Free Speech, Art, and the Flag, Free Speech and Art Program, U. Of Iowa School of Art, Old Capitol, March 23, 2007.

Institutional recklessness: Staff Cuts May Make Owners Vulnerable in Libel Cases, *Nieman Watchdog*, fall 2006, (with Cranberg)

[Http://www.niemanwatchdog.org/index.cfm?fuseaction=background.view&backgroundid=00127](http://www.niemanwatchdog.org/index.cfm?fuseaction=background.view&backgroundid=00127)

With Newspaper Cuts Come New Libel Concerns, Editor & Publisher, Nov. 30, 2005 (with Cranberg)

([http://www.editorandpublisher.com/eandp/columns/shoptalk\\_display.jsp?vnu\\_content\\_id=1001612385](http://www.editorandpublisher.com/eandp/columns/shoptalk_display.jsp?vnu_content_id=1001612385)).

Enterprise Liability in Libel Suits Against the Press, presented at the University of Arizona Law School, Nov. 2004.

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Faith-Based Initiatives and the Religion Guarantees, presented to faculty-staff colloquium, May 7, 2004, University of Iowa.

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The Privacy Matrix, speech presented at the Specialists' Meeting on Prostate Cancer Geocoding,: Assessing Fitness for Use, sponsored by the UI College of Public Health and Center for Health Policy and Research supported by grants from CDC\ASPH, March 31- April 1, 2004, Iowa City, Iowa.

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Taking Stock from Directors: GE Sets a Corporate Standard, with Cranberg, Op Ed, Herald-Tribune, Sarasota, Fla, January 26, 2003.

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Stock Options are a Corrupting Allure (Enron), Op. Ed., Des Moines Register, p. 7A, Feb. 12, 2002 (with G. Cranberg).

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Faith-Based Charities and the First Amendment, CLE presentation for "Iowa Nonprofit Corporations" program, Iowa Law School & Iowa Nonprofit Resource Center, Oct. 19, 2001.

First Amendment Limits on Public Support for Private Social Services by Religious Organizations, panel presentation, public program on faith-based services, Department of Religion, University of Iowa, May 7, 2001.

The Theory and Practice of Free Speech, dialogue conducted with honors seminar, College of Communication, Ball State University, Jan. 25, 2002.

Profits and Press Freedom, Iowa Advocate 22 (Fall/Winter 2001).

Neutral Reportage Reconsidered, panel discussion, Amer. Bar Association Forum on Communications Law Annual Conference, Boca Raton, Fla, Feb 15, 2002.

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The Structure of Press Freedom: Independence and Exemption, delivered at Northwestern University April 7, 2000, in program of the Northwestern University Center for the Advanced Study of Free Expression.

Impeachment Deja Vu, Iowa Advocate, Fall/Winter 1998, at 28-36, with R. Clinton.

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Means and Ends and Food Lion, speech presented in Thrower Symposium on Media and Law at Emory Law School, February 1998 (15 pp.), published in Iowa Advocate, Summer/Fall 1998.

The Atomization of News, paper presented at Univ. Of Illinois, Urbana/Champagne, in Symposium, "*The Hutchins Commission 50 Years Later: Freedom and/or Responsibility of the Press*," Oct. 10-12, 1997 (12 pp).

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Speech Selection Judgments: The Puzzle of Editorial Freedom, Presented to School of Journalism and Mass Communication, University of Iowa, Ph.D Seminar, April 9, 1997.

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Commercial Speech and the First Amendment, presentation and panel discussion, symposium on Commercial Speech, The Thomas Jefferson Institute on Freedom of Expression (University of Virginia), Hollins College, Nov. 1995.

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Why Newspapers Should Support the Uniform Correction or Clarification of Defamation Act, presented to the annual meeting of the American Society of Newspaper Editors (ASNE), Washington, D.C., March 1994.

The Uniform Correction or Clarification of Defamation Act, presented to the Torts and Insurance Practice Section, American Bar Ass'n Midyear Meeting, Feb. 5, 1994.

The Dark Side of New York Times v. Sullivan, News, Inc., March 1992.

The Case for Libel Reform, speech presented to the Defamation and Privacy Section, Association of American Law Schools, Annual Meeting, Jan. 1992.

Is Legislative Reform of Libel Law Appropriate?, Libel Defense Resource Center Midyear Meeting (Wash., D.C., Sept. 26, 1991).

The Future First Amendment, Iowa Bar Association Annual Meeting, Symposium on Bill of

Rights (June 1991).  
Privacy and Personality, A Response to Robert Post, Case Western Reserve College of Law (Nov. 1990).  
The Right to Privacy Revisited, paper presented at Symposium on the Right to Privacy 100 Years after Warren & Brandeis, Univ. of California, Berkeley, 1990.  
"The Bonfires of Our Vanities": Reflections on Ideology, Humanity, and Tolerance, Commencement Speech, University of Iowa Law School, May 1988.  
Punitive Damages: Muzzled Press?, *New York Times*, 1988, with G. Cranberg (Op-ed. June 13, 1988, p. 23).  
The Legal Issues Surrounding AIDS Testing, AIDS Seminar, University of Iowa College of Law (1988).

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The Senate's Role in the Confirmation Process: Misbehavior Past and Present, Drake University, November 19, 1987.  
Means and Ends and Mr. Bork, guest editorial, *Des Moines Register* (October 8, 1987).  
Alternatives to Litigation, presented at the 1987 Libel Defense Resource Center Conference, Denver, Colorado, August 1987.  
Resolving Libel Disputes Out of Court, presented to the Media Law Conference of the Florida Bar Association, Tampa, Florida, February 1987.

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Straight Talk About Libel and the Press, delivered to the Iowa Press Association, October 1986, and the Wisconsin Press Association, November 1986, published *Iowa Advocate*, vol 25, at 49 (F/W 1987).  
Libel, Slander and Related Torts, University of Iowa College of Law, Continuing Education Program, September 1986.  
The Ethics of Libel, Iowa Humanities Lecture, May 1, 1986.  
Libel Law and the Press: Setting the Record Straight, 1985 Silha Lecture, University of Minnesota (May 1985).  
The Iowa Life-Sustaining Procedures Act, College of Nursing, Continuing Education Program, March 1986.  
The Living Will in Iowa, Continuing Legal Education, November 1985.  
Treatment of the Terminally Ill, Iowa Humanities Board Lecture, May 1985.  
On the Justifications for Civil Commitment, presented to the Iowa Psychiatric Association, 1975.  
The Strength of Humility, Honors Speech, Washington High School, Cedar Rapids, Iowa, 1984.  
The Library Trustee as Advocate, Iowa Library Association Annual Meeting, November 1983; Wisconsin Library Association Annual Meeting, May, 1985; in XXII Iowa Library Quarterly 2 (1984).  
Hoover's Appointments to the Court, unpublished paper presented at Hoover Library Conference, Iowa City, 1974.  
The First Amendment Religion Dilemma, paper presented to Iowa Humanities Conference, November 1978.  
Watergate: Constitutional Thresholds, (Bezanson & Clinton) 22 Iowa Alumni Review #2, at 10 (1974).