

SHELDON F. KURTZ



*Percy Bordwell Professor of Law, University of Iowa College of Law
Professor of Surgery, UI Carver College of Medicine*

I. PERSONAL

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College of Law
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II. EDUCATION

Education: William Nottingham High School (1956-1960), Syracuse, New York
Syracuse University (1960-1964) B.A. (History)
Syracuse University (1964-1967) LL.B. (J.D.) (summa cum laude)

Law School Honors
and Major Activity: Managing Editor, Syracuse Law Review
Order of the Coif
Justinian Honor Society
Summa cum laude

III. EMPLOYMENT

Law Practice: Mudge, Rose, Guthrie & Alexander
(then Nixon, Mudge, Guthrie, Alexander & Mitchell)
20 Broad Street
New York, New York
1967-1969 (July 1967 - December 1969)

Cleary, Gottlieb, Steen & Hamilton
One State Street Plaza
New York, New York 10004
(January 1970 - 1973)

Teaching Experience: University of Iowa
College of Law
Iowa City, Iowa
Associate Professor 1973-1976
Professor 1976-to date
Iowa Law School Foundation Distinguished Professor of Law 1982-1985
Percy Bordwell Distinguished Professor of Law 1985-to date

Professor of Surgery, Carver College of Medicine

Florida State University
Dean and Foundation Distinguished Professor, 1989-91

University of Virginia
School of Law
Charlottesville, Virginia
Visiting Professor of Law 1979-1980

University of North Carolina
School of Law
Chapel Hill, North Carolina
Visiting Professor, Summer 1983

University of Durham
Law Department
Durham, England
Visiting Professor, Fall 1983

University of Miami
School of Law
Coral Gables, Florida
Adjunct Professor, Graduate Estate
Planning Program, 1984-1989; 1994-1995

IV. TEACHING

Teaching Awards: 1987 Burlington Northern Best Teacher Award at the University of Iowa

1989, 2004 University of Iowa Best Teacher Award, Law School Nominee

Courses Taught: Property
Elder Law
Family Estate Planning
Trusts and Estates
Federal Estate and Gift Taxation
Administration of Estates and Trusts
Income Taxation of Estates and Trusts
Corporations
Law and Technology Seminars:
(a) Surrogacy Arrangements
(b) Assisted Death
(c) Sale and Exchange of Body Parts
(d) Model Organ Transplant Legislation
(e) Scientific Evidence
(f) Privacy of Medical Records (1998-99)
(g) Control of Genetic Information
(l) Regulation of fertility clinics
Health Law (since 1991)
Medical Seminar for Law Students (since 1991)

V. RESEARCH AND SCHOLARSHIP

1. Books (Including Revised editions):

- (1) *Iowa Estates: Taxation and Administration* (with Reimer) (1975) (pp. 995)
- (2) *Income and Estate Taxation of Decedents and Their Estates* (1977) (pp. 741)
- (3) *Kurtz on Iowa Estates* (1981) 3 volumes (pp. 1595)
- (4) *Estate Planning for Shareholders of A Closely Held Corporation* (with Hood and Shors) (Little, Brown & Co. 1982) 2 volumes plus supplement (1986) (pp. 1241)
- (5) *Problems, Cases and Materials on Family Estate Planning* (West Publishing Co. 1983) (pp. 853)
- (6) *American Property Law*, (with Hovenkamp) (West Publishing Co.1987) (pp. 1216).
- (7) *Wills, Trusts and Estates* (with McGovern & Rein), 3rd ed. (West Publishing Co. 2004) (pp. 844)
- (8) *Kurtz on Iowa Estates 2nd ed.* (1989), 2 volumes (pp. 1291)
- (9) *Survey of the Law of Property, 3d ed.* (1991) (pp. 690) (with Boyer and Hovenkamp)

- (10) *American Property Law, 2nd Ed.* (with Hovenkamp)(West Publishing Co. 1993)(pp.1232).
- (11) *Kurtz on Iowa Estates 3rd ed.* (1995), 2 volumes (pp. 1236)
- (12) *American Property Law, 3rd Ed.* (with Hovenkamp)(West Publishing Co. 1999)
- (13) *The Law of Property, 4th ed.* (With Hovenkamp)
- (14) *Wills, Trusts and Estates 3rd ed.* (with McGovern) (Westgroup 2001)
- (15) C. Moynihan & S. Kurtz, *Introduction to the Law of Real Property*, 3rd ed. (2002)
- (16) *American Property Law, 4th ed.* (With Hovenkamp) (Thomson West 2003)
- (17) *Principles of Wills, Trusts, and Estates*, (with McGovern) (Thomson West 2005)
- (18) *Principles of Property Law* (with Hovenkamp) 6th ed. (Thomson West 2005)
- (19) Moynihan's, *Introduction to the Law of Real Property*, 4th ed. (Thomson West 2005)
- (20) *American Property Law, 5th ed.* (with Hovenkamp) (Thomson West 2007)
- (21) *Wills, Trusts and Estates, 4th ed* (with McGovern and English) (Thomson West 2010)
- (22) Moynihan's *Introduction to the Law of Real Property*, 5th ed. (Thomson West 2011).
- (23) *Principles of Wills, Trusts, and Estates. 2nd ed.* (Thomson West 2011)

2. **Articles:**

- (1) *Allocation of Increases and Decreases to Fractional Share Marital Deduction Bequest*, 8 Real. Prop. Prob. & Tr. J. 450 (1973)
- (2) *The Augmented Estate Concept under the Uniform Probate Code: In Search of an Equitable Elective Share*, 62 Iowa L. Rev. 981 (1977)
- (3) *The Impact of the Revenue Act of 1978 and the 1976 Tax Reform Act on Estate Tax Marital Deduction Formulas*, 64 Iowa L. Rev. 739 (1979)
- (4) *The Iowa Rule Against Perpetuities: A State of Little or No Law*, 65 Iowa L. Rev. 177 (1979)
- (5) *Marital Deduction Estate Planning Under the Economic Recovery Tax Act of 1981: Opportunities But Watch the Pitfalls*, 34 Rutgers L. Rev. 591 (1982)
- (6) *Purchase Options Created by Will*, 17th University of Miami Institute on Estate Planning, ch. 4 (1983)

- (7) *The Iowa Rule Against Perpetuities -- Reform at Last, Restatement Style, Wait-and-See and Cy Pres*, 69 Iowa L. Rev. 705 (1984)
- (8) *The Proposed QTIP Regulations and Their Siblings*, 20th University of Miami Institute on Estate Planning, ch. 11 (1986)
- (9) *Power of Appointment Under the Uniform Probate Code*, 55 Albany Law Rev. 1151 (1992)
- (10) *The Transplant Paradox: Overwhelming Public Support for Organ Donation vs. Under-Supply of Organs: The Iowa Organ Procurement Study*, 21 Journal of Corporation Law 767 (1996)
- (11) *The Law of Informed Consent: From "Doctor is Right" to Patient Has Rights*," 50 Syracuse L. Rev. 101 (2000)
- (12) *The 2006 Revised Uniform Anatomical Gift Act—A Law to Save Lives (with Strong and Gerasimow)*, *Health Lawyers News*, 2/07.

3. **Others Publications:**

- (1) *Faculty Review of the Dean*, XIX Syllabus No. 4, pg. 3
- (2) *In Support of Euthanasia*, *American Medical News*, 1/91
- (3) Book Review, *Standard of Care*, *Ethics*, 1995
- (4) Forward, *Organ Symposium* 20 J. Corp. Law 1 (1995)
- (5) Property Outline (with Cain)(1998)

4. **Other Scholarly Works:**

- (1) Co-Project Director of Iowa intestacy study published under title: *A Comparison of Iowans Dispositive Preferences With Selected Provisions of the Iowa and Uniform Probate Codes*," 63 Iowa L. Rev. 1041 (1978)
- (2) Consultant, *Model Human Reproductive Technologies and Surrogacy Act*, 72 Iowa L. Rev. 943 (1987)
- (3) Consultant, *Model Aid-in-Dying Act*, 75 Iowa L. Rev. 125 (1989)
- (4) Consultant, *Cadaveric Organ Donor Act*, 18 J. Corp. Law 523 (1993)
- (5) Consultant, *Living Organ Donor Act*, 18 J.Corp. Law 561 (1993)
- (6) Consultant, *Model Health Information Disclosure Act*, 25 Journal of Corporation Law 119 (1999).

- (7) Consultant *Model Act for Genetic Privacy and Control*, 88 Iowa L. Rev. (121) (2002)
- (8) Consultant Model Reproductive Technologies Act, ___ Journal of Race, Gender, & Justice ___(2005).
- (9) Uniform Anatomical Gift Act (2006), Reporter and member of drafting committee
- (10) Uniform Prudent Management of Institutional Funds (2006), member of drafting committee
- (11) UPC Intestacy Project, Chair of the Drafting Committee for Uniform Law Conference
- (12) Uniform Misuse of Genetic Information, Member of the Drafting Committee for NCCUSL
- (13) Uniform Pre-Marital and Marital Agreement Act, Member of the Drafting Committee for Uniform Law Conference (forthcoming).
- (14) Uniform Residential Landlord and Tenant Act, Chair of the Drafting Committee for Uniform Law Conference (forthcoming)

Current Projects:

I am concurrently working on revisions of the Wills, Trusts, and Estates textbook with publishing expected in late 2009. I am also working with numerous state legislatures who are considering the adoption of the Uniform Anatomical Gift Act.

VI. PROFESSIONAL AND COMMUNITY SERVICE

Professional Service:

Member, American Law Institute (life member)

Member, American College of Trusts and Estates Counsel (formerly American College of Probate Counsel) (through 1995); re-elected 2008-

Member of Iowa State Bar Association Committee on Probate, member 1977 to 1989; consultant 1998, Council Member since 2001.

Member, American Society of Law, Medicine and Ethics

Member, Multi-State Bar-Essay Question Drafting Committee, 1988-90

Chair, Multi-State Bar-Essay Question Drafting Committee, since 1990

Member, Multi-State Bar Multiple Choice (Property) Drafting Committee, since 2001

Committee on Decedents' Estates, Fiduciaries and Estate Planning of the Association of American Law Schools, principal organizer and chair 1985 and 1986

Committee of Trust Law Reform, Iowa State Bar Association, 1994

Commissioner on Uniform State Laws for the State of Iowa, since 2000

Member, Drafting Committee, Uniform Management of Institutional Funds
Drafting Committee

Member, Uniform Anatomical Gift Act Study Committee

Member and Reporter, Drafting Committee for Uniform Anatomical Gift Act

Member, Drafting Committee, Misuse of Genetic Information in Insurance and
Employment

Chair, Drafting Committee, UPC Intestacy Statutes

Member, Joint Editorial Board of the Uniform Probate Code by appointment from the
NCCUSL (since 2001).

Principal University of Iowa Committees:

Member, Faculty Senate, 1989; 1991 to date

Member, Faculty Council, 1989; 1991 to date

Vice-President of Faculty Senate (President-elect), 1995-96; 2005-2006

President, Faculty Senate, 1996-97; 2006-2007 (Only person to have every been elected twice to t
his position)

Past-President, Faculty Senate, 1997-98; 2007-

University of Iowa Non-Resident Tuition Review Committee, member 1976-78, chair 1978

Chair 1978-79 University of Iowa Committee on Committees, member 1980-1983, 1995-

University of Iowa Judicial Commission, chair 1982-1988, member 1992-to date

Member of President's Campaign Cabinet for IE 2000 Campaign

External Review Committee for the College of Education, chair 1988-89

Member, Committee on Institutional Advancement, 1988-89

Faculty Rules and By-laws Committee, chair 1992-3

Funded Retirement Insurance Committee, member 1994-date, Chair, since 1997

Ad Hoc Committee to Review Collegiate Review Rules, chair 1994-to date

Ad Hoc Committee on Conflict of Interest Policy, chair 1994-to date

Budgetary Planning Committee, 1994-1997; 2004-

Chair, Ad Hoc Committee to Review Clinical Track Policy, 2000

Committee on Institutional Advancement, 1995-1997

Committee on Committees, member since 1995-1998, chair 1997-98

Task Force Relating to Student Health, 1995

Post-tenure Effort Allocation Committee, 1996-97

Co-chair, Tenure Clock Committee, 2005-

Member, Honorary Degree Committee, 2006-

Awards:

1987 Burlington Northern Best Teacher Award at the University of Iowa

2004 University of Iowa Best Teacher Award, Law School Nominee

Recipient of the 2001 Michael J. Brody Award for Distinguished Service to the University of Iowa

2007 Achievement Award from the Association of Organ Procurement Organizations

2007 Volunteer of the Year Award from the Iowa Donor Network

2008 Board of Regents, State of Iowa Regents Award for Outstanding Faculty Member

Principal Iowa Law School Committees:

Curriculum Committee, member 1975-77, 1986-87; chair 1977-78, 1983-84, 1986-87, member 1987-88; 1995-96, chair, 1997-99. 2004-05, co-chair.

Faculty Recruitment Committee, member 1979-82, 1988-89; chair 1980-81; 1991-97; 1999-

Accelerated Program Committee, member 1975-76; chair 1976-77

Clinical Education Committee, member 1975-77

Chair, Building Dedication Committee 1984-85

Computer Committee, member 1984-96

Faculty-Student Relations Committee, chair 1986-88

Internal Procedures Committee, chair 1987-88; 1994-1997

Library Committee, member 1987-88

Strategic Planning Committee, member, 1988-89

Retention Committee, member, 1974-78; 1998-1999

Self-Study Committee, chair, 1991 to 1993, chair 1999-2000

Scope Committee, member 1997-

Teaching Improvement Committee, member, since 2004

Bar Admissions:

Member, New York State Bar Association (admitted to practice, 1967, (inactive)
Member, Iowa State Bar Association (admitted to practice, 1973)

Community and State Activities:

Hospice of Iowa City, Board Member, 1993-98, President, 1996-98
Friends of Iowa City Hospice, Member, since 98
Rotary of Iowa City, AM, Member, 1998-2002, Director
Board of Iowa Public Television Foundation, Director, 1999-2004

VII. College of Medicine Activities

- (a) Grand Round, Fall 1997, Physician Assisted Suicide
- (b) Lecture on legal issue to Department of Family Practice, May 2, 1997
- (c) Grand Round, Informed Consent, May 5, 1997
- (d) Practice Management Curriculum Development Committee, 1997- (To develop curriculum for, and teach in, a practice management program for Family Practice residents).
- (e) Grand Round-Surgery- Spring 1998- Fraud and Abuse Laws
- (f) Grand Round Internal Medicine, Summer 1998-Assisted Suicide
- (g) Health Law for Med Students- Teach annually
- (h) Practice Management Seminar Lecture-Fall 1998, Fall 1999, January, 2001
- (I) Lecture: Organ Procurement Laws in Need of Reform: What Will the Public Stand For?, Department of Internal Medicine, March 2002
- (J) Tutorials in FCP in Health Law since 1999
- (K) Informed Consent Lecture to Medical Students, Fall 2001
- (L) Guest teacher, College of Medicine for Medical Students (annually)
- (M) Malpractice Presentation, Family Practice Residence (January 2003)
- (N) Legal Issues Surrounding Consensus Guidelines (April 2005).

Presentations:

I have never kept a complete list of all of my invited speeches, but over the last 35 years I have consistently made presentations (averaging about 4-5 per year at law schools, bar association meeting, other professional meetings and elsewhere on the topics of relating to health care, wills and trusts, estate and gift taxation.