

PAULA SCHAEFER

University of Tennessee College of Law
1505 West Cumberland Avenue
Knoxville, Tennessee 37996

(office) 865-974-6793
(cell) 865-308-3953
paula.schaefer@tennessee.edu

ACADEMIC EXPERIENCE

University of Tennessee College of Law (August 2008 – present)

Associate Professor of Law

- Courses:
 - Business Associations
 - Civil Procedure
 - E-Discovery
 - Legal Profession
 - Pre-Trial Litigation (E-Discovery Section)
 - Smart Lawyers, Stupid Decisions

University of Central Missouri (August 2004 – May 2008)

Assistant Professor of Business Law, Harmon College of Business Administration

- Courses: Graduate and undergraduate business law and business ethics

PRACTICE EXPERIENCE

Bryan Cave LLP (August 2002 – August 2004)

Associate, Commercial Litigation Practice Group and Appellate Practice Group

Shook, Hardy & Bacon L.L.P. (August 1997 – August 2002)

Associate, Business Litigation Section

CLERKSHIP

Missouri Supreme Court (August 1996 - July 1997)

Law Clerk to the Honorable Ann K. Covington

BAR ADMISSIONS

Tennessee (2008-present)

Missouri (1996-present) (inactive status)

Kansas (1997 – present) (inactive status)

United States District Court for the Western District of Missouri

United States District Court for the District of Kansas

United States Court of Appeals for the Eighth Circuit

PUBLICATIONS/SCHOLARSHIP

Law Review Articles and Essays

Injecting Law Student Drama Into the Classroom: Transforming an E-Discovery Class (or Any Law School Class) with a Complex, Student-Generated Simulation, __ NEV. L. J. __ (forthcoming 2012).

Contracting for Protection the Bar Failed to Provide: Transactional Lawyers and Inadvertent Disclosure, __ TRANSACTIONS: THE TENN. J. BUS. LAW __ (forthcoming Fall 2011).

Harming Business Clients with Zealous Advocacy: Rethinking the Attorney Advisor's Touchstone, 38 FLA. ST. U. L. REV. 251 (2011).

The Future of Inadvertent Disclosure: The Lingering Need to Revise Professional Conduct Rules, 69 MD. L. REV. 109 (2010) (lead article).

Protecting a Business Entity Client from Itself through Loyal Disclosure, 118 YALE L.J. POCKET PART 152 (2009).

Refereed Business Law Journal Articles

Business Litigation in the Electronic Age: Recognizing and Addressing the Hazards of Privilege Disclosure Orders, MIDWEST LAW J. 61 (2008).

- Award for Best Article in 2008 Volume

Overcoming Noneconomic Barriers to Loyal Disclosure, 44 AM. BUS. L. J. 417 (2007).

- Hoerber Award Recipient for Outstanding Article

The Fiduciary's Duty to Make "Permissive" Disclosure of Confidential Client Information to Protect the Organizational Client, ETHICS & CRITICAL THINKING QUARTERLY JOURNAL, Vol. 2005, Issue 2, 68 (2005).

Refereed Conference Proceedings

Fraud as a Theme for Teaching Business Law, MIDWEST ACAD. LEG. STUD. IN BUS. PROC. (2008).

Using Case Law to Teach Business Ethics: How Studying the "Ethical Minimum" Can Help Students Develop Ethical (and Legal) Decision Making Skills, MIDWEST ACAD. LEG. STUD. IN BUS. PROC. 106 (2007)

- Winner MALSB Division – Distinguished Paper on Conference Theme

PUBLICATIONS/SCHOLARSHIP (continued)

The Negative Implications of Inconsistent Confidentiality Rules Among the States in 2006: An Argument for the Uniform Adoption of the 2003 Amendments to Model Rules 1.6 and 1.13, MIDWEST ACAD. LEG. STUD. IN BUS. PROC. 1 (2006)

- MALSBS 2006 Best Proceedings Paper Award

Confidentiality and In-House Counsel's Cause of Action for Retaliatory Discharge, 34 ACAD. LEG. STUD. IN BUS. NAT'L PROC. (2005).

- ALSB 2005 Distinguished Proceedings Award

Student Publications

Five Decades of Explanation and Evolution, Yet the Rule Appears Unchanged: Missouri's Points Relied On Rule, 60 MO. L. REV. 931 (1995).

Balancing Finality, Efficiency and Truth When a Party Fails to Appear for Trial: Missouri Clarifies the Meaning of "Otherwise Defend" in Its New Default Judgment Rule, 60 MO. L. REV. 485 (1995).

Other Publications

Engineers, Negligence, and the Economic Loss Doctrine, MIDWEST ENGINEER, November/December 1998, p.11.

SELECTED PRESENTATIONS

Junior Faculty Challenges, Southeastern Association of Law Schools Conference, Hilton Head, South Carolina, July 26, 2011.

Confidentiality Ethics, Tennessee Attorney General's Office, Nashville, Tennessee, July 19, 2011.

Attorney Ethics: Hot Topics & Updates 2011, 40th Annual Solid/Hazardous Waste Conference & Exhibition, Gatlinburg, Tennessee, April 28, 2011.

Issues in Professional Conduct for Non-Litigators, Representing Enterprises, University of Tennessee College of Law, Knoxville, Tennessee, March 31, 2011.

Litigation Ethics: Drafting Clawback Agreements that Comply with Professional Conduct Obligations, Continuing Legal Education Program, University of Tennessee College of Law, Knoxville, Tennessee, November 13, 2010.

Using a Simulation to Teach E-Discovery, Southeastern Association of Law Schools Conference, Palm Beach, Florida, August 4, 2010.

SELECTED PRESENTATIONS (continued)

Ethics: Hot Topics & Updates, 39th Annual Solid/Hazardous Waste Conference & Exhibition, Gatlinburg, Tennessee, April 29, 2010 (with James Vick).

Emerging Issues in Litigation Ethics, Smoky Mountain Paralegals Association, Knoxville, Tennessee, April 8, 2010.

Avoiding Attorney Liability and Professional Discipline: Representing Enterprises in a Non-litigation Setting, Representing Enterprises, University of Tennessee College of Law, Knoxville, Tennessee April 1, 2010.

Attorney Obligations to Business Clients, University of Tennessee Corporate Governance Center, Knoxville, Tennessee, March 31, 2010.

Demystifying the Ethics Process, Tennessee Bar Association Young Lawyers' Division and TennBarU Continuing Legal Education Program, Knoxville, Tennessee, February 19, 2010.

Recent Developments in Tennessee Attorney Ethics and Clawbacks, Quick Peeks, and Confidentiality in Tennessee, Knoxville Bar Association Third Annual Ethics Bowl, Knoxville, Tennessee, December 4, 2009.

Advertising and Ethics in Today's Competitive Environment, Legal Marketing Association, Southeastern Chapter, Knoxville, Tennessee, September 24, 2009.

Zealous Advisor? Harming Business Clients with Zealous Advocacy, Southeastern Association of Law Schools Conference, New Scholars Panel, Palm Beach, Florida, August 6, 2009.

More Changes Down the Road: Recently Approved and Proposed Changes to the Tennessee Rules of Professional Conduct, 38th Annual Solid/Hazardous Waste Conference & Exhibition, Gatlinburg, Tennessee, April 29, 2009 (with Carl Pierce).

Fraud as a Theme for Teaching Business Law, Midwest Academy of Legal Studies in Business Annual Conference, Chicago, Illinois, April 4, 2008.

Ethics and Social Responsibility in Supply Management, Institute of Supply Management - Kansas City, Overland Park, Kansas, February 19, 2008 (with Christine Wright).

Using a Book for a Multi-Disciplinary Discussion of the U.S. Constitution, American Democracy Project Annual Conference, Philadelphia, Pennsylvania, June 2007 (with Richard Kahoe).

Using Case Law to Teach Business Ethics: How Studying the "Ethical Minimum" Can Help Students Develop Ethical (and Legal) Decision Making, Midwest Academy of Legal Studies in Business Annual Conference, Chicago, Illinois, March 29, 2007.

SELECTED PRESENTATIONS (continued)

The Negative Implications of Inconsistent Confidentiality Rules Among the States in 2006: An Argument for the Uniform Adoption of the 2003 Amendments to Model Rules 1.6 and 1.13, Midwest Academy of Legal Studies in Business Annual Conference, Chicago, Illinois, March 16, 2006.

Confidentiality and In-House Counsel's Cause of Action for Retaliatory Discharge, Academy of Legal Studies in Business Annual Conference, San Francisco, California, August 4, 2005.

WORKSHOP / EDUCATIONAL PROGRAM PARTICIPATION and DEVELOPMENT

Best Practices in Legal Education Collaboration Workshop, San Francisco, California, January 5, 2011.

Developed Educational Games for Lawyers: "Discovery: Preservation and Production" and "Discovery Ethics" for Tennessee Bar Association Online CLE Program.

Michigan State University Junior Faculty Workshop, East Lansing, Michigan, October 1, 2010.

- Paper presented: *Legal Dispute Simulation Meets Pre-Trial Litigation Simulation: An Integrated Approach to Teaching E-Discovery Doctrine, Practice Skills, and Professionalism.*

E-Discovery Certification Course, Kroll Ontrack, Eden Prairie, Minnesota, September 16-17, 2010.

Fellow, The National Institute for Teaching Ethics and Professionalism, Fall Workshop, Cartersville, Georgia, November 6-8, 2009.

- Teaching Demonstration: *Smart Lawyers, Stupid Decisions.*

Washington University Law School Junior Faculty Regional Works-in-Progress Workshop, St. Louis, Missouri, October 9, 2009.

- Paper presented: *Harming Business Clients with Zealous Advocacy.*

COLLEGE OF LAW SERVICE

Carden Award for Outstanding Service to the Institution, 2010

Academic Standards and Curriculum Committee, present

Appointments Committee, 2010-2011

Committee on Community, 2008-2009

Faculty Development Committee, 2009-present

Governance Committee, 2009-2010

Judicial Clerkship, Co-Advisor, present

Supervise Summer Field Placement, 2010, 2011

Teach Introductory Period Class for 1Ls, 2010, 2011

UNIVERSITY SERVICE

Provost's Junior Faculty Fellows Program, 2010-present

Life of the Mind, Faculty Discussion Leader for UT Freshmen, 2009

PROFESSIONAL SERVICE

Contributing Author to Column "Schooled in Ethics" published in the Knoxville Bar Association's monthly journal *DICTA*.

Interviewer, American Bar Association's Women Trailblazers in the Law Project

- Conducted oral history interviews with the Honorable Ann K. Covington.
- Interview transcripts are available at:
<http://www2.americanbar.org/divisions/srlawyers/womentrailblazers/trailblazer.aspx?TB=Covington>

Member, District Two Investigating Committee for the Tennessee Board of Law Examiners

Professionalism Committee, American Bar Association Section of Legal Education and Admissions to the Bar. 2010-2012.

Reviewer, American Business Law Journal

EDUCATION

University of Missouri School of Law Columbia, Missouri

Juris Doctor, 1996

Notable Honors:

- Order of the Coif
- Missouri Law Review, Note & Comment Editor
- Awards for highest grades in professional responsibility and trial practice
- Award for best law review student note
- Award for best presentation, law division, Graduate Professional Council research presentation competition

University of Missouri Columbia, Missouri

Bachelor of Arts with Honors in Political Science, *Magna Cum Laude*, 1993

Notable Honors:

- Phi Beta Kappa
- Senior Honors Thesis, *Campaign Finance for Statewide Office: Toward Reform in Missouri*
- Curator's Scholar, McNair Scholar