

**Michael J. Conklin**  
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**Education**

- J.D., Washburn University School of Law, 2007  
Received CALI top paper award in Professional Responsibility
- M.B.A. with honors, Oklahoma City University, 2004  
GPA of 3.85
- Postgraduate Certificate in Law, University of London, 2010  
Specialization in International Business Law
- Masters in Philosophy of Religion, Biola University, 2015  
Graduated with highest honors
- Graduate Certificate in College Teaching, Colleges of Worcester Consortium, 2014
- Graduate Certificate in Professional Ethics, Texas State University, 2012  
GPA of 4.0
- B.B.A., University of Central Oklahoma, 2003

**Teaching  
Experience**

- 01/19-present Angelo State University, San Angelo, TX  
-Powell Endowed Professor of Business Law  
-2019-2020 Outstanding Faculty in Research award winner  
-Faculty Athletic Representative for the cheerleading squad  
-Coordinate all BUSI 2301 classes to create uniformity  
-College Assessment Committee member  
-Department Curriculum Committee member  
-Coronavirus Return to Campus Task Force member  
**Professor: BUSI 6302 Legal & Social Env. of Business**  
**Professor: BUSI 6302 Legal & Social Env. of Business (online 6 sections)**  
**Professor: MGMT 6343 Legal & Ethical Aspects of Healthcare (online)**  
**Professor: MGMT 4381 Negotiations & Persuasion (2 sections)**  
**Professor: ENGR 4201 Professional Engineering Practice (co-taught)**  
**Professor: BUSI 2301 Legal & Ethical Env. of Business (1 sections)**  
**Professor: BUSI 2301 Legal & Ethical Env. of Business (online 5 sections)**  
**Professor: GS 1181 Business Aspects of the Superhero Movie Industry**
- 08/13-12/18 Colorado Mesa University, Grand Junction, CO  
-Align online classes with rigorous QM (Quality Matters) standards  
-Serve on MBA committee, headed the mission statement subcommittee  
-Participate as an Affirmative Action representative  
-Coordinate BUGB 349 classes to create uniformity of instruction  
-Perform academic advising  
-Coordinate research efforts with IRB standards  
**Lecturer: BUGB 500 Advanced Business Law and Ethics**  
**Lecturer: BUGB 500 Advanced Business Law and Ethics (online)**

**Lecturer: BUGB 101 Introduction to Business (five sections)**  
**Lecturer: BUGB 101 Introduction to Business (online four sections)**  
**Lecturer: BUGB 211 Business Communications (five sections)**  
**Lecturer: BUGB 349 Legal Environment of Business (twelve sections)**  
**Lecturer: BUGB 349 Legal Environment of Business (online)**  
**Lecturer: MARK 335 Sales & Sales Management (three sections)**  
**Lecturer: MANG 201 Principles of Management (four sections)**  
**Lecturer: BUGB 231 Survey of Business Law (two sections)**  
**Lecturer: EMGT 360 Oil and Gas Law**  
**Lecturer: CISB 210 Fundamentals of Information Systems**  
**Lecturer: CISB 210 Fundamentals of Information Systems (online)**

08/16-current Colorado Mountain College, Rifle, Edwards, & Glenwood Springs, CO  
**Adjunct Instructor: MAN 328 Contemporary Management (two sections)**  
**Adjunct Instructor: BUS 334 Organizational Leadership**  
**Adjunct Instructor: BUS 115 Introduction to Business (five sections)**  
**Adjunct Instructor: BUS 216 Legal Environment of Bus (seven sections)**  
**Adjunct Instructor: BUS 217 Bus Comm & Report Writing (five sections)**  
**Adjunct Instructor: PHI 111 Introduction to Philosophy**

08/10-12/10 University of Arkansas Community College at Morrilton  
**Adjunct Instructor: BUS 2393 Business Law**  
**Adjunct Instructor: FIN 2013 Personal Finance**

06/08-07/08 St. Gregory's University, Tulsa, OK Campus  
**Adjunct Instructor: BU 3053 Principles of Business Law**

01/07-05/07 Washburn University School of Business, Topeka, KS  
**Adjunct Instructor: BU 315 Legal Environment of Business**

01/06-05/06 Washburn School of Law, Topeka, KS  
 -Designed custom learning plans for at-risk students  
 -Consulted with faculty to maximize potential of at-risk students  
**Law School Constitutional Law Tutor**

**Industry Experience**

07/07-12/16 Independent Contractor  
**Energy Exploration Analyst**  
 -Ascertain mineral owners' interests from courthouse research  
 -Draft and file proper legal instruments to cure title deficiencies  
 -Resolve title opinion requirements  
 -Negotiate multimillion-dollar leasing contracts and surface use agreements

02/06-05/07 Scott, Quinlan, Willard, and Barnes LLC  
**Law Clerk**  
 -Edited appellate briefs and other legal documents  
 -Conducted extensive legal research on numerous subjects  
 -Served process  
 -Interviewed witnesses

- 01/05-05/07 Washburn Law Library, Topeka, KS  
**Library Assistant**  
 -Assisted students, faculty and local attorneys at circulation desk  
 -Updated loose leaf resources  
 -Organized reference materials
- 08/01-05/03 Gold's Gym, Oklahoma City, OK  
**Sales Manager**  
 -Trained staff on sales procedures  
 -Conducted sales meetings  
 -Incentivized and monitored sales performance  
 -Addressed member complaints

<b>Technological Proficiencies</b>	Microsoft Certified Office Specialist: PowerPoint ANGEL Virtual Learning Environment IVS (multicampus interactive video system classes) CMU Online Teaching Essentials Certificate Canvas Learning Management System Cognero Learning and Assessment Suite Graduate-level Teaching with Technology course OLC Online Teaching Certificate	MindTap by Cengage SMART Board DegreeWorks Blackboard Aplia by Cengage Desire2Learn (D2L) SurveyMonkey
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**Personal Interests**

Successful summits of the 100 highest peaks in Colorado  
 Completed an ultramarathon and ironman triathlon  
 Successful summit of 18,500' Pico de Orizaba, North America's highest volcano  
 Successful summit of 22,615' Ojos del Salado, South America's highest volcano  
 Visited every U.S. presidential library

**Publications**

*An Uphill Battle for Reparationists: A Quantitative Analysis of the Effectiveness of Slavery Reparations Rhetoric*, 10 COLUM. J. RACE & L. 33 (2020).

*Charged Advocacy: A Critical Review of Emily Bazelon's Charged*, 29 KAN. J.L. & PUB. POL'Y ONLINE 13 (2020).

*The Truth Can Be Deceiving: How Criminal Justice Headlines Are Misinterpreted*, NE. U. EXTRA LEGAL (Mar. 21, 2020).

*Please Allow Myself to Pardon . . . Myself: Arguing in Favor of the Presidential Self-Pardon*, 97 DETROIT MERCY L. REV. 291 (2020).

*The Road Less Traveled: Abolishing the Death Penalty on Substantive Due Process, Fundamental Right to Life Grounds*, LOY. U. CHI. L.J. ONLINE (Jan. 16, 2020).

*Two Classifications Enter, One Classification Leaves: Are UFC Fighters Employees or Independent Contractors?* \_\_\_ S. CAL. INTERDISC. L. REV. (forthcoming 2020).

*Coronavirus “Cures” and the Courts* (with Chad Marzen), \_\_\_ WM. & MARY BUS. L.J. \_\_\_ (forthcoming 2020).

*Life Hangs in the Balance: Weighing Coronavirus Church Closings Against the Religious Freedom and Restoration Act*, \_\_\_ NW U. L. REV. ONLINE \_\_\_ (forthcoming 2020).

*Good for Thee, but Not for Me: How Bisexuals Are Overlooked in Title VII Sexual Orientation Arguments*, \_\_\_ U. MIAMI RACE & SOC. JUST. L. REV. \_\_\_ (forthcoming 2020).

*Examining Death Penalty Ballot Measures: A Review of Austin Sarat’s The Death Penalty on the Ballot*, \_\_\_ SEATTLE J. SOC. JUST. \_\_\_ (forthcoming 2020).

*Victim or Complaining Witness: The Difference Between Guilty and Not Guilty*, \_\_\_ SAN DIEGO L. REV. \_\_\_ (forthcoming 2020).

*“The Most Demanding Test Known to Constitutional Law”: Do Coronavirus Bans on Church Services Satisfy Religious Freedom Restoration Act Requirements?*, \_\_\_ WASHBURN L.J. \_\_\_ (forthcoming 2020).

*The Overlooked Benefits of Hate Speech: Not Just the Lesser of Two Evils*, \_\_\_ S. TEX. L. REV. \_\_\_ (forthcoming 2020).

*#MeToo Effects on Juror Decision Making*, \_\_\_ CAL. L. REV. ONLINE \_\_\_ (forthcoming 2020).

*How Do You Plead and Why? How Attorney Experience and Defendant Background Affect Plea Bargaining*, \_\_\_ OHIO ST. J. CRIM. L. \_\_\_ (forthcoming 2020).

*No Safe Spaces: A Distorted Image of a Clear Problem*, \_\_\_ PEPP. L. REV. \_\_\_ (forthcoming 2020).

*No, the Firing Squad is Not Better than Lethal Injection: A Response to Stephanie Moran’s A Modest Proposal*, \_\_\_ SEATTLE U. L. REV. \_\_\_ (forthcoming 2020).

*Reasonable Doubt Ratcheting: How Jurors Adjust the Standard of Proof to Reach a Desired Result*, \_\_\_ N.D. L. REV. \_\_\_ (forthcoming 2020).

*The Alford Plea Turns Fifty: Why It Deserves Another Fifty Years*, \_\_\_ CREIGHTON L. REV. \_\_\_ (forthcoming 2020).

*Disappearing Act: Are Free Speech Rights Decreasing?*, \_\_\_ ST. MARY’S L.J. \_\_\_ (forthcoming 2020).

*There’s No Lawsuits in Baseball: Houston Astros’ Liability for Sign Stealing*, \_\_\_ MISS. SPORTS L. REV. \_\_\_ (forthcoming 2020).

*The Enigma of Clarence Thomas: A Critical Analysis*, \_\_\_ ELON L. REV. \_\_\_ (forthcoming 2020).

*No Quick Fix: An Analysis of the Challenges Law Schools Face*, \_\_\_ J.L. BUS. & ETHICS \_\_\_ (forthcoming 2020).

*How Sensory Processing Sensitivity Affects Juror Decision-Making*, \_\_\_ DETROIT MERCY L. REV. ONLINE \_\_\_ (forthcoming 2020).

*Factors Affecting Punitive Damage Awards*, \_\_\_ FLA. COASTAL L. REV. \_\_\_ (forthcoming 2020).

*Litigation as U.S. History: A Review of Litigation Nation*, \_\_\_ ATLANTIC L.J. \_\_\_ (forthcoming 2020).

*Botching Statistics on Botched Executions: Refuting Austin Sarat's Claims*, \_\_\_ CUMB. L. REV. ONLINE \_\_\_ (forthcoming 2020).

*The Extremes of Rap on Trial: An Analysis of the Movement to Ban Rap Lyrics as Evidence*, 95 IND. L.J. SUPPLEMENT 50 (2019).

*Hate Speech: An Analysis of Free-Speech Advocacy*, 8 ARK. J. SOC. CHANGE & PUB. SERV. 1 (Sept. 16, 2019).

*Painting a Deceptive Portrait: A Critical Review of Deadly Justice*, 22 NEW CRIM. L. REV. 223 (2019).

*Unsportsmanlike Conduct? The NFL's Response to the Kneeling Controversy*, 12 J. ETHICAL & LEGAL ISSUES (2019).

*The Effectiveness of Bayesian Jury Instructions in Mitigating the Defense Attorney's Fallacy*, 9 HOUS. L. REV.: OFF REC. 73 (2019).

*Combating Arbitrary Jurisprudence by Addressing Anchoring Bias*, 97 WASH. U. L. REV. ONLINE 1 (2019).

*Can You Truly Be Happy in Law School? An Analysis of Law School Advice*, 53 U. RICH. L. REV. ONLINE 63 (2019).

*The Value of Employment Counteroffers*, IVEY BUS. J.: IBJ INSIGHTS (May/June 2019).

*Can a President Pardon Himself? Law School Faculty Consensus*, NE. U. EXTRA LEGAL (2019).

*A Stretch Too Far: Flaws in Comparing Slavery and the Death Penalty*, DENVER L. REV. FORUM (2019).

*Wrestling with Employment Classifications: Are WWE Wrestlers Independent Contractors?* 70 LABOR L.J. 165 (2019).

*Abandon Hope of Objective Constitutional Interpretation All Ye Who Enter Here: Chemerinsky's Expansive New View of Constitutional Interpretation*, 10 HOUS. L. REV.: OFF REC. 1 (2019).

*John Roberts: Shedding Light on a Secretive Man*, NE. U. L. REV. F. (September 5, 2019).

*Was the 'Trump Bump' a One-Time Phenomenon for Charities*, CHRON. PHILANTHROPY (NOV. 5, 2019).

*The Icing on the Cake: How Background Factors Affect Law Faculties' Predications in Masterpiece Cakeshop*, 9 CONLAWNOW 227 (2018).

*Supreme Court Coverage: Using Kelo and Citizens United to Measure Media Bias* (with Louis S. Nadelson), NEB. L. REV.: BULL. (June 27, 2018).

*Did Your CEO Accidentally Offer to Sell a \$30 Million Harrier Jet?*, 21 J. BUS. CASES & APPLICATIONS (2018).

*The Effects of Race and Gender on Attorney Selection*, 20 RUTGERS RACE & L. REV. 1 (2018).

*Walking on a Wire: The Delicate Balance of Free Speech on College Campuses*, 9 HOUS. L. REV.: OFF REC. 35 (September 18, 2018).

*Innocent or Inconclusive: Analyzing Abolitionists' Claims About the Death Penalty*, NEB. L. REV.: BULL. (September 4, 2018).

*How Coloradans View Attorneys*, 47 COLO. LAW. 14 (2018).

*Dershowitz on Presidential Impeachment: An Analysis of the Case Against Impeaching Trump*, 10 CONLAWNOW 501 (2018).

*Negligent Admissions: Was It Unethical to Recruit Marcus Johnson?*, 4 J. CASE RES. & INQUIRY 12 (2018).

*An Uphill Battle for Free Speech Advocates: A Quantitative Analysis of the Effectiveness of Free Speech Rhetoric*, (currently under review).

*The Silent Justice Speaks: Clarence Thomas in His Own Words*, (currently under review).

*Flawed Logic for Death Penalty Abolition: An Analysis of Unrequited Innocence in U.S. Capital Cases*, (currently under review).

*Effective Death Penalty Abolitionist Rhetoric: A Quantitative Analysis of What Works*, (currently under review).

*Rethinking Jury Diversity: A Response to Juan R. Sánchez's A Plan of Our Own*, (currently under review).

*Instructor Gender Bias in College Class Selection*, (currently under review).

*In Defense of Plea Bargaining: Answering Critics' Objections*, (currently under review).

*It's Not What It Looks Like: How Claims of Self-Publishing Bias in Legal Scholarship Are Exaggerated*, (currently under review).

## **Conference Presentations**

“In Defense of Hate Speech”

Constitutional Law Panel

Academy of Legal Studies in Business, Montreal, Canada

8/11/2019

“Combating Arbitrary Jurisprudence by Addressing Anchoring Bias”

Empirical Legal Studies Panel

Academy of Legal Studies in Business, Montreal, Canada

8/11/2019

“Instructor Gender Bias in College Class Selection”

Rocky Mountain Academy of Legal Studies in Business, Vail, CO

9/28/2019

“The Effectiveness of Bayesian Jury Instructions in Mitigating the Defense Attorney's Fallacy”

Rocky Mountain Academy of Legal Studies in Business, Vail, CO

9/28/2019

“Student Perceptions of Originalism: An Analysis of Instructor Bias”  
Southern Academy of Legal Studies in Business, San Antonio, TX  
3/5/2020

“#MeToo Effects on Juror Decision Making”  
Southwest Case Research Association, San Antonio, TX  
3/11/2020

“Marshmallow Structure Negotiation”  
Southwest Case Research Association, San Antonio, TX  
3/11/2020

“Instructor Gender Bias in College Class Selection”  
Southwest Academy of Management, San Antonio, TX  
3/13/2020

### **Popular-Level Publications & Speaking Engagements**

Speech at Business Advisory Council meeting  
10/11/2019

“Advice for Your Next Negotiation”  
Toastmasters International Magazine, August 2018

TedTalk: “Anchoring: Recognizing the Subtle Ways Your Mind Gets Stuck”  
Presented at TedX Grand Junction  
1/27/2018

“Few, if Any, Historical Figures Would Hold Up to Current Standards”  
Op-ed for Chronicle of Higher Education Online  
5/23/2017

“Bringing Intellect to Religious Study”  
Washington Post  
5/14/2019

“The Qualities we Seek in a Candidate”  
New York Times  
3/21/2019

“Fossil Fuels, Vaccines, Driver’s License Centers, Taxes and Spending”  
Dallas Morning News  
3/10/2019

“Some Victories, but the Left Dominates Law”  
Wall Street Journal  
7/30/2018

“Curiously Misplaced Outrage over the League”

Boston Globe  
5/25/2018

“Let’s Remember ‘Panther’ Origins”  
Los Angeles Times  
9/1/2018

“Why are Female Superheroes so Rarely Cast in Lead Roles?”  
Denver Post Guest Columnist  
8/5/2016

“Native Nonsense”  
Denver Post Guest Columnist  
5/23/2016

“Your Tax Rate”  
Dallas Morning News  
3/10/2019

“No Voting for Prisoners”  
Houston Chronicle  
4/16/2019

“Inaugural Addresses Examined: An Analysis and Comparison of Every Inaugural Address from Washington to Trump”  
-Published on Amazon, May 2017  
-Peaked at #15 in the U.S. history criticism and theory category on Amazon

“Presidential Trivia: A New Experience”  
-Published on Amazon, June 2017

“The 30-Minute Guide to Negotiating a Raise”  
-Published on amazon, August 2017

“Death Penalty Debate: Confronting Abolitionists’ Claims”  
-Published on Amazon, October 2017  
-Peaked at #2 on Amazon’s bestselling Legal Education e-books and #4 in Criminal Procedure

“Ginsburg Rules: A Collection of Ruth Bader Ginsburg’s Supreme Court Decisions”  
-Published on Amazon, April 2018  
-#1 new release in Courts on Amazon

“Boots to Business: Introduction to Entrepreneurship workshop”  
A training program for veterans  
4/19/2019  
7/26/2019

“Does the Law Favor the Rich?”  
A debate/presentation with Political Science professor William Flanick at CMU  
4/20/2016



“Citizens United v. F.E.C.: Corporations and Free Speech”  
A debate/presentation with law professor Carrol Multz at CMU  
4/28/2016

“The 4<sup>th</sup> Amendment in the 21<sup>st</sup> Century”  
A debate with law professor Carrol Multz at CMU  
4/5/2017

“Podcasting 101”  
Community Education Event  
Grand Junction, CO  
3/9/2017

“How to Write a Business Plan”  
Community Education Event  
Rifle, CO  
3/29/2017

“Debating the Death Penalty”  
With ACLU speaker Kathleen Hynes  
-Featured on the nightly news  
6/28/2016

“Debating the Cosmological Argument”  
Mesa County Downtown Library  
7/27/2016

### **Miscellaneous**

Reviewer, *Journal of Legal Studies in Education*

Reviewer, *Journal of Business Law & Ethics Pedagogy*

Reviewer, *Journal of Ethical & Legal Issues*

#### **Toastmasters**

- 2017 President of the Talk of the Town Toastmasters Club
- While president we earned “President’s Distinguished Club” for the first time in our chapter’s 10-year history.
- 2018 VP of Education
- Completed advanced communication manuals on Speaking to Inform, Facilitating Discussion, Speeches by Management, Public Relations, Conducting Productive Meetings, The Entertaining Speaker, Technical Presentations, Interpretive Reading, Humorous Speaking, and Persuasive Speaking
- Speech Evaluation Contest 2016: 1<sup>st</sup> place club, 1<sup>st</sup> place area, 3<sup>rd</sup> place division
- Table Topics Contest 2017: 1<sup>st</sup> place club
- Received the Triple Crown award in 2017 and 2018
- Toastmaster Youth Leadership volunteer

“The Daily Show Review” Weekly Podcast  
-A serious look at the topics brought up on the comedy news program, “The Daily Show”  
-Featured on iTunes’s “New and Noteworthy”

“Saved by the Bell with Millennials” Podcast

- Utilizes episodes of Saved by the Bell to discuss generational differences in entertainment, high school, technology, societal values, and fashion with millennials
- Over 20,000 downloads

“Numberline Trivia Game”

- Trivia game independently developed and promoted, currently sold by Amazon.com

“Trump or Fiction”

- Trivia game independently developed and created, currently sold by Amazon.com

Maintain RPL certification through AAPL

- Second-highest oil and gas law certification