

## RONALD K. CHEN

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### EMPLOYMENT

#### **Rutgers, the State University of New Jersey**

*University Professor, Distinguished Professor of Law and Judge Leonard I. Garth Scholar (August 15, 2018 to present)*

#### **Rutgers, the State University of New Jersey, Rutgers Law School**

*Co-Dean, Distinguished Professor of Law and Judge Leonard I. Garth Scholar (August 1, 2015 to August 2018)*

Managed (with co-dean in Camden) process of merger with Rutgers School of Law—Camden that resulted in largest public law school in the Northeast (1100 students, 110 fulltime faculty); continued to manage day to day operations of Newark location; serves on Chancellor's senior management team of Rutgers University—Newark.

#### **Rutgers, the State University of New Jersey, School of Law-Newark**

*Dean, Distinguished Professor of Law and Judge Leonard I. Garth Scholar (April 2013 to July 2015)*

Chief executive officer of the law school responsible for law school budget (\$20 million/year), 55 full-time faculty and other professional, administrative and support staff.

*Vice Dean, Distinguished Clinical Professor of Law, and Judge Leonard I. Garth Scholar (January 2010 to April 2013)*

Responsible for overall academic and curricular operations and policy of law school; hiring adjunct faculty; student affairs, while continuing to teach ½ to ¾ load (Contracts, Federal Courts, Constitutional Litigation Clinic).

#### **State of New Jersey, Department of the Public Advocate**

*Public Advocate of New Jersey*, nominated by Governor Jon S. Corzine and confirmed by Senate (January 2006 to January 2010)

Member of Governor's Cabinet. Authorized to promote the public interest through advocacy and where appropriate initiation of legal proceedings. Commissioner of principal department of executive branch of state government (\$18 million budget in 2009 FY, 170 employees). Reconstructed department after 13 years absence. Oversees seven divisions: Public Interest Advocacy, Rate Counsel, Mental Health Advocacy, Elder Advocacy (including Ombudsman for Institutionalized Elderly), Developmental Disabilities Advocacy, Citizen Relations (including Corrections Ombudsman and Office of Dispute Settlement).

Named *New Jersey Law Journal's* "2007 Lawyer of the Year" for success in reforming state's eminent domain and redevelopment laws.

Named by Governor to State Planning Commission, 2009-2010.

Initiated and supervised projects in (examples):

- Eminent domain and redevelopment law reform, including litigation applying state constitutional proscriptions limiting use of eminent domain for redevelopment, and applying constitutional due process principles to require notice to owners of consequences of "blight" designation.
- Protecting interests of ratepayers in context of energy deregulation, utility merger and sale, implementation of state's energy master plan and energy efficiency and renewable energy initiatives.
- Investigation of continuing problems childhood lead poisoning, including child blood testing, abatement of lead burdened residences and certification of remediated structures, leading to Executive Order 100 (ordering coordination of state government activities related to lead poisoning prevention), Model Lead Safe Cities Agreements with NJ municipalities.
- Voting rights, including enforcement of National Voting Rights Act to state voter registration practices, Election Day voter protection representation (representing 500 potential voters in November 2008 and procuring judicial order to vote in 440 instances).
- Advocating for legislation reinforcing procedural rights of students with special educational needs, and deinstitutionalization of persons with developmental disabilities. Argued successfully in NJ Supreme Court for extension of state services to persons with developmental disabilities that manifest after age 21
- Protecting rights of patients at state psychiatric hospitals against extension of confinement after being deemed eligible for discharge; enforcement of Patient's Bill of Rights.
- Protecting rights of elderly residents of assisted living facilities against involuntary discharge due to use of Medicaid.

*Acting Child Advocate*, July 2008 to January 2010. Supervised restructuring of office and prioritization of work in continuing monitoring of state foster care system, investigation of challenges facing children in juvenile justice system, enrollment of all eligible children in FamilyCare health insurance system, systemic investigations of childhood fatality review, educational stability of children in foster care.

*Chair, Governor's Blue Ribbon Advisory Panel on Immigrant Policy.* Pursuant to Executive Order 78, presided over 35 member panel preparing report to Governor with recommendations on how state and local government can best assist immigrants in integrating into larger community.

**Rutgers, The State University of New Jersey, School of Law-Newark**

*Associate Dean for Academic Affairs* (1995 to 2006)

Responsible for overall academic and curricular operations and policy of law school; hiring adjunct faculty; student affairs, while continuing to teach ½ to ¾ load (Contracts, Federal Courts).

Served as Chairman, Admissions, Curriculum, and Policy Committee; Planning & Budget Committee, Scholastic Standing Committee; Moot Court Board Advisor; *Rutgers Law Review* Advisor; First Year Legal Writing Program Advisor.

*Acting Director of Minority Student Program and Director of Financial Aid*, Fall 1994, 2000-2001

Responsible for administration of post-admissions support program for minority students and those with disadvantaged socio-economic backgrounds; as member of Admissions Committee, responsible for reading all applications for admission (approx. 2800) to law school

*Assistant Professor of Law* (1987 to 1995)

Courses taught: Contracts, Advanced Contracts; Federal Jurisdiction, Mass Media Law, Constitutional Law II (Civil Liberties and Civil Rights), Church State Relations, Lawyering Process

Representative (Partial) Litigation 1987 to 2006, 2010 to present

*State v. Burkert* (N.J. 2017) (challenging application of criminal harassment statute to purely expressive activity)

*State v. Sanchez-Medina* (N.J. 2017) (challenging prosecutor inquiry into federal immigration status of defendant—witness in state criminal trial)

*J.I. v. New Jersey State Parole Bd.*(N.J. 2017) (challenging imposition of a total computer/Internet ban upon a sex offender subject to community supervision for life)

*E & J Equities, LLC v. Bd. of Adjustment of the Tp. of Franklin* (N.J. 2017) (challenging local ordinance banning all digital billboards)

*State v. Cushing* (N.J. 2016) (challenging warrantless search of bedroom in grandmother's home based on consent of non-residential relative)

*Rodriguez v. Raymours Furniture Co., Inc.* (N.J. 2016) (challenging enforcement of clause in employment application that shortens limitations period for claim under N.J. Law Against Discrimination to six months).

*New Jersey Div. of Child Protection and Permanency v. Y.N.* (N.J. 2014) (challenging finding of abuse and neglect against mother caused by participation in authorized methadone treatment program).

*New Jersey Div. of Youth and Family Services v. R.G.*(challenging termination of parental rights of incarcerated father absent showing of reasonable attempts at reunification by child care authorities)

*A.Z. v. Higher Education Student Assistance Authority* (N.J. App. Div. 2012)(challenging denial of higher education financial aid to citizen students whose parents are undocumented immigrants)

*C.H. v. City of Bridgeton* (D.N.J. 2010) (challenging school prohibition of student wearing pro-life armband)

*State v. Duncan* (N.J. App. Div. 2005) (challenging criminal harassment conviction of 911 caller who used profane language)

*State v. Fuller* (N.J. 2004) (use of peremptory challenge to exclude juror based on religious beliefs)

*Moriarty v. Bradt* (N.J. 2003) (constitutionality of NJ grandparent visitation statute)

*ACLU of NJ v. County of Hudson* (N.J. Super. 2002) (court ordered disclosure of identities of INS detainees held in NJ county jails in aftermath of Sept. 11)

*State v. Ravotto* (N.J. 2001) (constitutionality of forcible taking of blood sample without warrant)

*ACLU of NJ v. Schundler* (3d Cir. 1997) (constitutionality of religious displays in front of Jersey City Hall)

*Diaz v. Whitman* (Appointed Special Pro Bono Counsel by U.S. District Court in challenge to retroactive application of community notification provisions of “Megan’s Law”) (December 1994)

*State v. Mortimer* (constitutionality of state “hate crimes” statute) (N.J. 1994)

*Ran-Dav’s County Kosher v. State* (D. Md. And 4<sup>th</sup> Cir. 1993-1994)

*Alicea v. New Brunswick Theological Seminary* (civil court resolution of intra-court dispute) (N.J. 1992); *Elmora Hebrew Center v. Fishman* (same) (1991).

*State v. Szemple* (scope of priest-penitent privilege) (N.J. 1994)

## **Cravath, Swaine & Moore, New York, NY**

Associate in litigation department (1984-1987)

Representative litigation: *Sharon v. Time* (libel action by former Israeli Defense Minister against TIME magazine); *Pennzoil Co. v. Texaco, Inc.* (tortious interference with contract claim over purchase of Getty Oil); *Central Communications, Inc. v. TCI Cablevision, Inc.* (antitrust and tortious interference claim over municipal cable franchise); *Curran v. Catholic University of America* (breach of contract/academic freedom action by tenured professor against religiously affiliated university), *Olivieri v. Ward*, (right of gay Catholic group to demonstrate in front of St. Patrick's Cathedral during Gay Pride Parade).

## **United States Court of Appeals for the Third Circuit**

Law Clerk to the Honorable Leonard I. Garth, 1983-1984 Court Term

### **BAR ADMISSIONS**

*State*: New Jersey (December 1983), New York (May 1984); *Federal*: United States Supreme Court (1987); United States Court of Appeals - 3d Cir. (1984), 2d Cir. (1986), 8<sup>th</sup> Cir. (1986), 4<sup>th</sup> Cir. (1994); United States District Courts - D.N.J. (1983), S.D.N.Y. (1985), E.D.N.Y. (1985)

### **SELECTED PUBLICATIONS**

Gallenthin v. Kaur: *A Comparative Analysis of How New Jersey and New York Courts Approach Judicial Review of the Exercise of Eminent Domain for Redevelopment*, 38 FORDHAM URB. L.J. 987 (2011)

*Reforming the Use of Eminent Domain for Private Redevelopment in New Jersey*, in REACTION AND REFORM IN NEW JERSEY (Hall Institute of Public Policy 2007).

*State Incarceration of Federal Prisoners After September 11: Whose Jail Is It Anyway?* 69 BROOKLYN LAW REV. 1335 (2004), reprinted in edited form in Herman, Susan N. and Finkelman, Paul (Editors), TERRORISM, GOVERNMENT, AND LAW: NATIONAL AUTHORITY AND LOCAL AUTONOMY IN THE WAR ON TERROR (Praeger 2008).

*Constitutional Challenges to Megan's Law: a Year's Retrospective*, 6 B.U. PUB. INT. L.J. 57 (1996)

*Critical Perspectives on Megan's Law: Protection vs. Privacy*, 13 N.Y.L. Sch. J. Hum. Rts. 1 (1996) (colloquium transcript)

*Speech We Love to Hate*, 163-SEP N.J. LAWYER MAGAZINE 32 (1994)

*Once More into the Breach: Fact Versus Opinion Revisited after Milkovich v. Lorain Journal Co.*, 1 SETON HALL CONST. L.J. 331 (1991)

### **EDUCATION**

*J.D. Rutgers Law School-Newark*, degree received June 1983 with High Honors

*Editor-in-Chief*, RUTGERS LAW REVIEW

*Alumni Senior Prize* for greatest achievement in law school and greatest potential as a member of legal profession

*Saul Tischler Scholar* (1981, 1982) for highest yearly academic achievement in the class

*Anthony Engelbrecht Prize* for highest grades in the third year of law school

*Chairperson*, Asian American Law Students Association

*Moot Court Board* (Competition Committee Member)

Cohn Moot Court Competition Semifinalist (Best Brief Award)

*A.B. Dartmouth College* 1980

Dual Major: Chemistry and Latin

*graduate, Philips Exeter Academy* 1976

### **COMMUNITY & PROFESSIONAL ACTIVITIES**

**Supreme Court Advisory Committee on Professional Ethics (1996-2006, 2011 to present)**

(Chair, 2016 to present, Vice-Chair, 2005-2006, 2012 to 2016)

renders opinions posed by the Bar or the Supreme Court on questions related to the Rules of Professional Conduct

***New Jersey Law Journal***

Editorial Board member (1996-2006, 2010 to present)

**Third Circuit Lawyer's Advisory Committee**

(appointed by circuit judges of New Jersey) (2000-2003)

appointed Chair of Committee by Chief Judge Becker, December 2002.

**New Jersey Supreme Court Historical Society Advisory Board (2016 to present)**

**New Jersey Supreme Court Ad Hoc Committee on Bar Admissions (2001-03)**

rendered report and recommendations to Supreme Court on revisions to admission to NJ Bar, including admission on motion, admission of foreign attorneys, the “bona fide office” rule

**New Jersey Supreme Court Ad Hoc Committee on Skills & Methods Course (2002-2004)**

**New Jersey State Bar Association**

Chair, Committee on Legal Education (2003-2006)

*Mel Narol Diversity Award* recipient, 2007

**New Jersey Supreme Court Special Committee on Bar Admissions (2014 - 2015)**

**American Civil Liberties Union**

National General Counsel (2018 to present)

Member of National Executive Committee and ACLU Foundation Board (2002 to 2006, 2014 to present)

Member of Audit Committee (2016 to present)

At-Large Member of National Board (2002 to 2006, 2010 to present)

National Board Representative from New Jersey (1996 to 2002)

Trustee of New Jersey Affiliate (1990 to 2002, 2010 to present)

Vice-President of New Jersey Affiliate (1994-1996)

Recipient of 2002 Roger Baldwin Award bestowed by ACLU-NJ for contributions to civil liberties.

**Asian Pacific American Lawyers Association of New Jersey**

2016 Trailblazers Award

2001 Outstanding Achievement Award

Designated by APALA/NJ as recipient of 2002 Professionalism Award bestowed by NJ Commission on Professionalism

**Fédération Internationale des Sociétés d'Aviron** (International Rowing Federation)

Masters Commission (2003-present)

Internationally licensed umpire (1987-present)

Member of Jury at Games of XXVI Olympiad, Atlanta 1996

**United States Rowing Association**

Vice-President (2001 to 2007), General Counsel and member of Board of Directors (1998 to 2007)

nationally licensed judge-referee (1980 to present), Judge-Referee Committee (now Referee Commission) (1988-1998)

**Princeton National Rowing Association**

President of the Board, 2017 to present

Executive Committee member, 2014 to present

**Nai Ni Chen Dance Company**

Vice Chair of Board of Directors, 2011 to present