

[REDACTED] – Fall 2021  
Faculty Development Plan  
Department: Law

**A. Self-Assessment**

After teaching for one year at BYU Law School, I have had the opportunity to reflect on my strengths and weakness as a teacher, a scholar, and as a citizen of the law school faculty and the broader university. In teaching, I was able to prep four new courses: Property, International Business Transactions, The Law and Economics of U.S. Trade Policy, and Empirical Legal Studies. My course ratings have been consistently high (4.7, 4.8, and 5.0), with one of my strongest response areas is “intellectually enlarging” (with 95.6 percent of all students marking this category as a 5). In particular, I put a lot of time and effort into preparing my 1L Property course. In addition to the typical preparation, such as creating a syllabus, selecting readings, and writing an exam, I spent time to create 8 problem sets that give students an opportunity to engage in a meaningful way with the material throughout the semester. I also created class slides that incorporate a recap of every prior class discussion, placeholder slides for our discussion of each case, and a series of hypotheticals for each topic designed to help students engage in analogical reasoning and tease out the legal principles they should be learning throughout the class. I have students use an iClicker app on their phones so that all students can engage with each hypothetical and provide students with frequent opportunities in every class to engage in small group discussions after responding to an iClicker question in preparation for our whole class discussion. My students have responded well to this course, and I believe my efforts contributed to my being selected by the 1L class as the First Year Professor of the Year for the 2020-2021 academic year.

My areas for growth in teaching include (1) incorporating ways to make my classes more spiritually strengthening (this is the one area I underperform in relative to the rest of the law school), and (2) balancing my work so that I block out more time to work on research and less time preparing for classes.

In terms of scholarship, I think I am particularly strong at generating research ideas that I am excited about pursuing. This past year I have written one new paper (*(Un)stable BITs*) that my co-author and I will be submitting for publication in December. In addition to this paper, I have three active projects (*Telephone and Top-ups*, *Gang Violence and the CAFTA-DR*, and *Does the WTO Appellate Body Matter? – An Empirical Study*). I also have a revise and resubmit from the *Journal of Legal Studies*, one of the top peer-review journals on law and economics, for my job-market paper, *Enforcing ILAs*. My areas for growth in scholarship are (1) building in time to work on my scholarship more consistently during the semester, and (2) figuring out how to manage multiple projects at once to keep everything moving forward.

In terms of citizenship, I am working with another member of the faculty (Prof. [REDACTED]) to launch a new externship program for the law school in Geneva, Switzerland. We have selected two students and are still in the process of finding placements for them for the upcoming winter semester. I will be traveling to Geneva over fall placement break to meet with potential employers, to interview candidates for an adjunct faculty position, and to inspect housing accommodations for our students. This has been a particularly fulfilling endeavor, though it has also been a lot of work. In addition to launching the Geneva Law Seminar, I also serve on two committees (External Speakers, and the Law School Technology Committee). These committee assignments were a light lift during our first full year of Covid, but promise to require additional time and attention in the 2021-2022 academic year.

## **B. Professional Goals and the Plan to Accomplish These Goals**

### *1. Teaching*

My goals for teaching are to (1) find ways to make my courses spiritually strengthening, (2) to maintain my current level of performance in the areas that I am doing well in, and (3) to have at least 10 students publish a paper written in connection with one of my seminar courses between now and the end of my fifth year.

To find ways to make my courses more spiritually strengthening, I have talked with [REDACTED] [REDACTED] to get an idea of what he does in his courses on this dimension. His suggestions were very insightful, and I think fit well with my teaching style. His primary suggestion was to look for ways to organically and thoughtfully incorporate a spiritual thought, or discussion, into class. This does not need to be structured and can and should be directed by the spirit. I made my first foray into this area at the beginning of the second week of the fall semester, taking time to prepare a thought on having compassion for each other as we go through our semester together. My goal is to build in time to have more of these moments (at least nine more throughout the semester) and to look for ways to invite students to participate actively in these moments. I will measure success informally through student-initiated conversations and email exchanges, and more formally by looking at student ratings for “spiritually enlarging” with my goal being to match the department average on this measure.

To maintain my current level of performance in the areas I am already doing well in, I plan to continue my standard practice for preparing for class, to develop my relationship with students through formal class interactions and informally through post class discussions, office hours, and 1L lunches. I will measure success by whether or not I am able to maintain high student ratings in areas that I am already performing well in.

To have at least 10 students publish a paper by the end of my fifth year, I will mentor students throughout their writing process. I have one student from my U.S. trade policy course that has placed her paper with the BYU Law Review, and I have a second student that is working with me on a co-authored project on gang violence and tariff reductions under the CAFTA-DR. This academic year, Prof. [REDACTED] and I are teaching a two-semester course on empirical legal studies that will culminate in each of our nine students executing their own empirical project and writing their own empirical paper. I will measure success by whether or not at least 10 of my students are able to place their papers for publication by the end of my fifth year, with an average placement of two per year.

### *2. Scholarship*

My goals for the current academic year are to (1) place *(Un)Stable BITs* during the winter placement cycle, (2) resubmit *Enforcing BITs* to the *Journal of Legal Studies*, and (3) to write three new papers by the end of summer 2022 that I can then submit during the fall submission cycle.

In order to accomplish each of these goals, I will need to consistently block out time in my weekly schedule to write. During the New Faculty Seminar, I attended a session in which another member of the BYU faculty described their own writing schedule where he would wake up early to work on scholarship between 5 and 7am and then devote the remainder of his time to teaching and department obligations. I have been following a similar schedule so far during the fall semester and am happy to report I have made more progress on scholarship during the first three weeks of the fall semester than I did the entire fall semester of 2020. In addition to working consistently throughout the fall semester on my research, I also deferred my first-year course reduction to this year and will be devoting a significant amount of time to writing during the winter semester. In terms of benchmarks, by the end of fall semester I will (1) have presented *(Un)Stable BITs* at the American Society for International Law mid-year meeting in November, (2) submitted *(Un)Stable BITs* to the *American Journal of International Law* by early December, (3) have submitted a draft of *Telephone and Top-ups* to present at the American Law and Economics Association conference in March, (4) have 20 pages completed for *Gang Violence and the CAFTA-DR*, and (5) have completed data collection for *Does the WTO Appellate Body*

*Matter? – An Empirical Study*. By the end of winter semester, I will (1) resubmit *Enforcing ILAs* to the *Journal of Legal Studies*, (2) complete a first draft of *Gang Violence and the CAFTA-DR*, and (3) have 20 pages completed for *Does the WTO Appellate Body Matter? – An Empirical Study*. By the end of summer 2022, I will have polished drafts ready for submission for (1) *Telephone and Top-ups*, (2) *Gang Violence and the CAFTA-DR*, and (3) *Does the WTO Appellate Body Matter? – An Empirical Study*. If all goes well, I hope to have placed 5 new articles in the next twelve months (including *(Un)stable BITs* and *Enforcing ILAs*).

### 3. *Citizenship*

My primary citizenship goal for the current academic year is to work with Prof. [REDACTED] to successfully launch the Geneva Law Seminar. In October I will be traveling to Geneva to interview candidates for an adjunct faculty position and to meet with potential employers to build our network and place our students that are participating in the program during the upcoming winter semester. Once students are placed, I will also be working with our students and an administrative assistant to secure work visas for each student. During the winter semester, Prof. [REDACTED] and I will be in regular contact with our students to make sure they are having a positive experience. We will also continue to build out our network for upcoming iterations of the Seminar. By the end of the academic year my goals are to (1) have placed two students with meaningful externship providers in Geneva, (2) have hired a competent adjunct to teach a course in Geneva, (3) foster relationships with at least 8 organizations in Geneva (including the U.S. Embassy, the United Nations Human Rights Commission, the International Investment Agreements Section at UNCTAD, the EU Integration Section at the United Nations, the International Red Cross, the WTO, and Geneva Call).

In addition to launching the Geneva Law Seminar I will also be working next summer to lay the groundwork for a second externship program on international commercial arbitration based in Singapore. My goals for this program are to (1) foster relationships with practicing attorneys in commercial arbitration in Singapore, (2) identify potential employers for our students, (3) attend a conference in Singapore on international commercial arbitration during summer 2022, and (4) draft a proposal for the Singapore Seminar (to be submitted fall 2022) for consideration by the law school curriculum committee.

I will also be working this year to build a relationship with the Court of International Trade in New York with the intent of building a clerkship pipeline between our law school and the court. One of my students from last year is currently clerking for [REDACTED]. I have made arrangements with the External Speakers Committee to invite [REDACTED] to be a jurist in residence during winter 2022, and [REDACTED] and I are planning to visit the court during winter semester 2022.

### C. **The Relationship between Individual Goals and Department and University Aspirations and Needs**

My goals are well-aligned with the University Aspirations and the law school goals by providing excellence in teaching, scholarship, and citizenship and encouraging the aims of a BYU education to provide legal education that is spiritually strengthening, intellectually enlarging, and character building. In particular, my focus on mentoring student scholarship as well as creating new externship programs and fostering clerkship opportunities will prepare my students well for successful legal careers and lifetimes of service.

### D. **Resources Needed**

I have been given excellent resources to support my scholarship in the form of student research assistants, conference travel support, and PDA funds. In particular, I have been able to hire two TAs for my 1L property course, which has been instrumental in providing students with frequent and meaningful feedback on their problem sets. I have also been able to hire research assistants to work on data collection for my empirical projects, which has been invaluable, and I have been able to work closely with [REDACTED] an Empirical

Legal Fellow at the law school, who has been incredibly helpful in data manipulation to prepare datasets for the analyses I am doing in my current and future research.

## **E. Activities and Accomplishments in Achieving Goals**

### *1. Teaching*

As mentioned above, I was selected by last year's 1L class as the First Year Professor of the Year. I think this award is a positive reflection of the amount of time and effort I put into preparing my property course in a way that provides students with frequent and meaningful opportunities to engage with the material we are learning. It is also a reflection of the relationships I have worked to build with my students in class, and also outside of class through office hours and 1L lunches. In addition to this award, my student evaluations have been on par with other law school courses, with the exception of the metric of spiritually strengthening, which I am endeavoring to improve this year.

### *2. Scholarship*

I have completed a draft of a new paper, *(Un)stable BITs*, that I will be presenting at the American Society for International Law mid-year meeting in November and submitting for publication at the American Journal for International Law in early December. I also have a revise and resubmit at the *Journal of Legal Studies* for my paper, *Enforcing ILAs*. As mentioned above, I have three new active projects and an ambitious timeline to convert each of these into a polished paper by the end of summer 2022.

### *3. Citizenship*

I have worked with Prof. [REDACTED] to select our first cohort of students to participate in the Geneva Law Seminar. We are helping these students secure placements in the coming weeks and will be doing everything we can to ensure they have a successful experience working in Geneva during winter 2022. I have also begun work on a second externship program in Singapore, though at a slower pace in order to ensure the successful launch of the Geneva Law Seminar.

In addition to working on these new programs for our students, I am also serving on the Law School Technology Committee to help the law school navigate many new changes in the wake of substantial turnover in our IT department. I also serve on the External Speakers Committee and am working with my committee to line up jurists-in-residence and external speakers that will contribute to the academic rigor and vitality of the Law School.