D. Benjamin Barros
Widener University School of Law
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LEGAL ACADEMIC POSITIONS

July 2004 - present
Associate Dean for Faculty Research & Development (2011-)
Professor of Law (2013-)
Associate Professor of Law (2004-2013) **(**tenure awarded 2010)
Widener University School of Law, Harrisburg, PA

Courses Taught: Property, Business Organizations, Real Estate Transactions, Property Theory Seminar, Takings Seminar

Research Interests: Property Law and Theory; Regulatory Takings; Property Law Reform; Philosophy of Science and the Law

Awards: Douglas E. Ray Award for Excellence in Faculty Scholarship (2009)

July 2007-June 2008
Visiting Associate Professor of Law
Catholic University, Columbus School of Law, Washington, DC

Courses Taught: Property; Agency Law

Spring 2003 and Spring 2004
Adjunct Associate Professor of Law
Fordham University School of Law, New York, NY

Course Taught: International Arbitration

OTHER PROFESSIONAL EXPERIENCE

2000-2004 ***Litigation Associate***, **Latham & Watkins LLP**, New York, NY

1997-2000 ***Litigation Associate***, **Debevoise & Plimpton**, New York, NY

1996-1997 ***Law Clerk***, **Hon. Milton Pollack,** United States District Court for the Southern District of New York

PUBLICATIONS

Books and Book Chapters

PROPERTY (forthcoming, Aspen/Wolters Kluwer, 2014) (with Anna Hemingway)

HERNANDO DE SOTO AND PROPERTY IN A MARKET ECONOMY (2010) (edited volume)

Nothing "Errant" About It: The Berman *and* Midkiff *Conference Notes and How the Supreme Court Got to* Kelo *With Its Eyes Wide Open* in PRIVATE PROPERTY, COMMUNITY DEVELOPMENT, & EMINENT DOMAIN 57 (Robin Paul Malloy ed. 2008)

Articles and Essays

Negative Causation in Causal and Mechanistic Explanation, 190 SYNTHESE 449 (2013)

Easements, Necessity, and the Role of Legal Change in Judicial Takings Claims, 21 WIDENER L.J. 797 (2012)

The Complexities of Judicial Takings, 45 U. RICH. L. REV. 903 (2011) *reprinted in* ZONING AND PLANNING LAW HANDBOOK 2012 (Thomson West)

The Biology of Possession, 20 WIDENER L.J. 291 (2011)

Toward a Model Law of Estates and Future Interests, 66 WASHINGTON & LEE LAW REVIEW 3 (2009)

Legal Questions for the Psychology of Home, 83 TULANE LAW REVIEW 645 (2009)

Property and Freedom, 4 NYU JOURNAL OF LAW & LIBERTY 36 (2009)

Group Size, Heterogeneity, and Prosocial Behavior: Designing Legal Structures to Facilitate Cooperation in a Diverse Society, 18 CORNELL JOURNAL OF LAW & PUBLIC POLICY 203 (2008)

Natural Selection as a Mechanism, 75 PHILOSOPHY OF SCIENCE 306 (2008) (winner of the 2006 Philosophy of Science Association Graduate Student Essay Prize)

Home as a Legal Concept, 46 SANTA CLARA LAW REVIEW 255 (2006)

At Last, Some Clarity: The Potential Long-Term Impact of Lingle v. Chevron *and the Separation of Takings and Substantive Due Process*, 69 ALBANY LAW REVIEW 343 (2005)

The Police Power and the Takings Clause, 58 UNIVERSITY OF MIAMI LAW REVIEW 471 (2004) *reprinted in* ZONING AND PLANNING LAW HANDBOOK 2005 (Thomson West)

Note, *Defining 'Property' in the Just Compensation Clause*, 63 FORDHAM LAW REVIEW 1853 (1995)

Other Publications

Homestead and Other Legal Protections in INTERNATIONAL ENCYCLOPEDIA OF HOUSING AND HOME 167 (Susan J. Smith, ed., Elsevier 2012), *available at* SCIENCEDIRECT, http://dx.doi.or0.1016/B978-0-08-047 163-1.100355-6.

Entries on *Berman v. Parker* and *Hadacheck v. Sebastian* in ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES (2008)

When Certified Mail Notice of Tax Delinquency Is Returned As Undelivered, Must Governments Take Additional Steps Before Seizing Property?, 2006 SUPREME COURT PREVIEW 207

EDUCATION

M.A., Philosophy, **University of Maryland**, 2013

J.D., *cum laude*, **Fordham University School of Law**, 1996
Editorial Board Member, *Fordham Law Review*
Order of the Coif
Alumni Medal for Excellence in Constitutional Law

A.B., Philosophy, **Colgate University**, 1991

PROFESSIONAL SERVICE

Association of American Law Schools

Committee on Sections and Annual Meeting: Member, 2010-2013; Chair, 2011-2013

Committee on Professional Development: Member, 2013-

Property Law Section: Chair, 2008; Chair Elect, 2007; Secretary, 2006

ABA/AALS Accreditation Teams:

Drake University School of Law, AALS Reporter and Site-Team Member, 2012.

University of the Pacific McGeorge School of Law, AALS Reporter and Site-Team Member, 2013

George Mason University School of Law, AALS Reporter and Site-Team Member, (upcoming 2014)

Planning Committee for 2013 Workshop on Poverty Law, Immigrant Rights, and the Politics of Property: Member.

Association for Law, Property, and Society: President, 2013, President-Elect, 2012, Treasurer, 2011, Secretary, 2010

Co-organizer (with Nestor Davidson), Property Works in Progress conferences held at the University of Colorado, June 2007, 2008 and 2009, and Fordham Law School, June 2012.

Organizer, Junior Property Works in Progress Conference held at Widener University School of Law, February 2008.

Founding Editor, Property Prof Blog (http://lawprofessors.typepad.com/property/)

Participant, *Amicus* Briefs to the United States Supreme Court, *Zoltek Corp. v. United States* (No. 06-1155) (in support of cert. petition); *Didden v. Village of Port Chester* (No. 06-652) (in support of cert. petition)

LAW REFORM ACTIVITIES

Written Testimony Before the Ohio Senate State & Local Government & Veterans

Affairs Committee, Hearing on S.J.R. 6 Concerning Eminent Domain (September 27, 2005)

Written and Oral Testimony Before the Pennsylvania House of Representatives State Government Committee, Hearing on House Bills 1835 and 1836 Concerning Eminent Domain, August 31, 2005. Written testimony reprinted in 28 PENNSYLVANIA LAW WEEKLY 956 (September 12, 2005)

SELECTED PRESENTATIONS

How Mechanisms Cause and Explain, presented at the Causality and Explanation in the Sciences conference held at the University of Ghent, Belgium, September 2011.

Judicial Takings and the New Federalism, presented at the Southeastern Association of Law Schools Conference held in Hilton Head, South Carolina, July 2011.

Organization in Social and Population-Level Mechanisms, presented at the Causality in the Biomedical and Social Sciences held at Erasmus University in Rotterdam, the Netherlands, October 2010.

Lessons From the Mortgage Crisis For The Psychology and Political Economy of the Home, presented at the Association of American Law Schools Mid-Year Property Workshop held in New York City, June 2010.

Harm, Purpose, and the Regulatory Takings Analysis, presented at the Litigating Regulatory Takings Challenges to Environmental and Land Use Regulations Conference held at Vermont Law School, November 2009

Proposal for a Model Law of Estates and Future Interests, presented to the Joint Editorial Board for Uniform Real Property Acts in Chicago, October 2009

Negative Causation and Mechanisms, presented at the Mechanisms and Causality in the Sciences Conference held at the University of Kent in Canterbury, England, September 2009

The Biology of Possession, presented at the Property Works in Progress Conference held at the University of Colorado at Boulder, June 2009

Hernando de Soto and Property in a Market Economy, program chair, AALS annual meeting held in San Diego, January 2009

The Takings Law That Might Have Been, presented at the Property Works in Progress Conference held at the University of Colorado at Boulder, June 2008

The Case for Model Laws of Property and *Legal Questions for the Psychology of Home*, presented at the Law & Society Conference held in Montreal, June 2008

Legal Questions for the Psychology of Home, presented at the American Psychology-Law Society Conference held in Jacksonville, March 2008

Property and Freedom, presented at the PCSE Property Conference held at Chapman University School of Law, February 2008

Property and Freedom, presented at the Junior Property Works in Progress Conference held at Widener Law School, February 2008

Group Size, Heterogeneity, and the Design of Legal Structures, presented at the Law and Society Conference held at Humboldt University in Berlin, July 2007

Property and Freedom, presented at the Property Works in Progress Conference held at the University of Colorado at Boulder, June 2007

BAR ADMISSIONS

Pennsylvania
New York State
United States Supreme Court
United States District Courts for the Southern and Eastern Districts of New York