

JOHN STEPHEN DZIENKOWSKI

University of Texas School of Law
727 East Dean Keeton Street
Austin, Texas 78705

EDUCATIONAL WORK EXPERIENCE

Professor of Law & the Dean John F. Sutton Chair in Lawyering and the Legal Process, University of Texas School of Law, Austin, Texas. (Professor, September 1991 to Present; Assistant Professor, 1988-1991; Visiting Assistant Professor, 1987-1988) (John Redditt Professorship in State & Local Government, 1994-2008; Roy & Grace Whittenberg Faculty Fellow in Law, 1992-1994; Robert W. Calvert Faculty Fellow in Law, 1991-1992; Fellow to the Tom Sealy Research Professorship in Energy Law, 1989-1990).

Subjects Taught: Property, Professional Responsibility, Social Media and the Law, Alternative Dispute Resolution, Torts, Oil and Gas Law, International Energy Law, International Business Transactions, Natural Resource Taxation, Energy Law, Regulated Industries, and Tax Ethics. Also taught undergraduate courses in Dispute Resolution and Ethics in Law, Business, and Medicine in the University Bridging Disciplines Program.

Award: 2004 Texas Exes Outstanding Teacher Award.

Law School Service: Elected Member, Law School Dean Search Committee-1994, 2000, 2006, 2011, 2021; Member of the Appointments Committee, 2009-10, 2011-12 (Member of the Lateral Subcommittee of Appointments); Member of the Law School Budget Committee, 1989-1991, 2006-2011; Chair, Faculty Admissions Committee, 2013-2020 (Member, 2020 to 2022); Member, Faculty Committee on Teaching, 2022-2023; Faculty Representative to Chancellors Organization, 2014 to Present; Faculty Co-Advisor, Texas Law Review, 1992 to present; Faculty Co-Advisor, Texas Journal on Oil, Gas, and Energy Law, 2005 to present; Director, UT Keck Program in Professional Responsibility, 1994-1997; Director, UT Summer School 1999-2001 (Co-Director, 1992-1995); Chair, Building Committee, 1998-2000; Member of the Law School Computer Committee, 1988-1991, 1993-1995, 1998-2000, 2003-2004, 2006-2007, 2008-2009; Chair, Planning Committee on UT Conference on Oil and Gas Taxation, 1991, 1993, 1995, 1997, 1999, 2001, 2003, 2005, 2007, 2009, 2011, 2013, 2015, 2017, 2019, 2021, 2023; Faculty Sponsor of the University of Texas Edition of the National Black Law Journal, 1988-1991; Teacher and Counselor in the Minority Orientation Program for New Law Students, 1988-1991; Member of the Law School Standards Committee, 1988-1991 (Acting Chairman, 1988-1989); Secretary for the UT Chapter of the Order of the Coif, 1989-1994.

University Service: Chair of the Board of Directors, University Co-op, 2019-2021 (Board Member, 2016-2019); Elected Law School Representative to the Faculty Senate and to the University Council, 1994-1995, 1996-1999, 2006-2009.

Professional Activities: Member, Drafting Committee of the MPRE Committee of the National Conference of Bar Examiners, 1995-present (six term member); Trustee at Large, Rocky Mountain Mineral Law Foundation, 1996-2000 (Law School Trustee, 2020 – present).

JOHN STEPHEN DZIENKOWSKI

PRIOR EDUCATIONAL WORK EXPERIENCE

Assistant Professor of Law and Director of the Energy Law Program, Tulane University School of Law, New Orleans, LA; 1985 to 1987. Promoted to Associate Professor - June 1, 1987.

Visiting Professor of Law, St. Mary's Institute on World Legal Problems in Innsbruck, Austria; Summers 1991, 1992, 1994, 1995, 1998, 2003, 2005 (Catherine Ryan Professor in 1991 and 2003). Taught International Energy Transactions and International Business Transactions to foreign and U.S. students.

Visiting Professor of Law, University of San Diego Summer Programs – 2001 in Paris at Paris 1 and 2004 at Oxford at the Harris-Manchester College. Taught International Business Transactions and International Arbitration to foreign and U.S. students.

Visiting Professor of Law, George Washington University National Law Center, Washington, D.C.; Fall 1992- Spring 1993. Taught Property and Professional Responsibility.

Holder of the John Sparkman Chair in Law, University of Alabama School of Law, Tuscaloosa, Alabama; June 1995, June 1996, June 1999. Taught Professional Responsibility and Alternative Dispute Resolution.

Visiting Professor of Law, Cornell Law School, Ithaca, New York; Fall 1995. Taught Lawyers and Clients and International Energy Transactions.

Holder of the Roger Traynor Summer Research Professorship, University of California at Hastings, San Francisco, California; Summer 2001. Competitive Research Grant for Research on Judicial Ethics Work of Justice Traynor.

Holder of the Huber Eminent Visiting Scholar Chair, University of Florida School of Law, Gainesville, Florida, Spring 2002. Taught Professional Responsibility.

Holder of the Francis H. Hare Chair, University of Alabama School of Law, Tuscaloosa, Alabama; Fall 2002. Taught Torts and Alternative Dispute Resolution.

JOHN STEPHEN DZIENKOWSKI

PUBLICATIONS

Essay, John Dzienkowski, A Century of Texas Law Review Scholarship, 100 Texas L. Rev. 435 (2022)

Co-authored Casebook (with Thomas D. Morgan & Mitt Regan) Professional Responsibility: Problems and Materials (14th ed. 2022).

Co-authored Article (with John Golden), Reasoned Decisionmaking for Legal Ethics Regulation, 89 Fordham L. Rev. 1125 (2021).

Co-authored Book (with Owen Anderson, Jacqueline Weaver, John Lowe, Keith Hall, and Frederic Sourgens), International Petroleum Law and Transactions (Rocky Mtn. Min. Law Fdn. 2020).

Essay, Ronald D. Rotunda, An Advocate for Standards of Professional Conduct in the Legal Profession, 22 Chapman L. Rev. 233 (2019).

Co-authored Casebook (with Thomas Morgan and Ronald Rotunda) Professional Responsibility: Problems and Materials (13th ed. 2018).

Co-authored Casebook (with Thomas Morgan and Ronald Rotunda) Professional Responsibility: Problems and Materials Concise Edition (13th ed. 2018).

Essay, The Contributions of Louis Brandeis to the Law of Lawyering, 33 Touro L. Rev. 177 (2017).

Co-authored Treatise (with Owen Anderson, John Lowe, Robert Peroni, David Pierce and Ernest Smith), Oil and Gas Law and Taxation (West Academic Pub. 2017).

Co-Authored Article (with Robert Peroni), The Decline in Tax Adviser Professionalism in American Society, 84 Fordham L. Rev. 2721 (2016).

Article, The Future of Big Law: Alternative Legal Service Providers to Corporate Clients, 82 Fordham L. Rev. 2995 (2015).

Co-authored Casebook (with Thomas Morgan and Ronald Rotunda) Professional Responsibility: Problems and Materials (West Academic 12th ed. 2014).

Co-authored Casebook (with Thomas Morgan and Ronald Rotunda) Professional Responsibility: Problems and Materials Concise Edition (West Academic 12th ed. 2014).

Article, Ethical Decisionmaking and the Design of Rules of Ethics, 42 Hofstra L. Rev. 55 (2013).

Co-authored Casebook (with Thomas Morgan and Ronald Rotunda) Professional Responsibility: Problems and Materials (West Academic 11th ed. 2011).

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PUBLICATIONS (cont'd)

Co-authored Casebook (with Thomas Morgan and Ronald Rotunda) Professional Responsibility: Problems and Materials Concise Edition (West Academic 11th ed. 2011).

Co-authored Casebook (with Ernest Smith, Owen Anderson, John Lowe, Bruce Kramer, & Jacqueline Weaver), International Petroleum Transactions (Rocky Mtn. Min. Law Fdn., 3rd ed. 2010).

Co-authored Article (with Robert Peroni), Conflicts of Interest in Lawyer Referral Arrangements with Nonlawyer Professionals, 21 *Geo. J. Legal Ethics* 197 (2008).

Co-authored Casebook (with John Cribbet, Roger Findley, and Ernest Smith), Property: Cases and Materials (Foundation Press 9th ed. 2008).

Co-authored Textbook (with Amon Burton), Ethical Dilemmas in the Practice of Law: Case Studies and Problems (Thomson West Pub., 2006).

Co-authored Treatise (with Ronald D. Rotunda), Legal Ethics: The Lawyer's Deskbook on Professional Responsibility (Thomson West Pub., published annually from 2005-2018) (practitioner version).

Co-authored Treatise (with Ronald D. Rotunda), Professional Responsibility: A Student's Guide (Thomson West Pub., published annually from 2005-2013) (student versions).

Co-authored Treatise (with Owen L. Anderson, John S. Lowe, Robert J. Peroni, David E. Pierce, and Ernest E. Smith), Hemingway Oil and Gas Law and Taxation (Thomson West Pub., 4th ed. 2004).

Article, Character and Fitness Inquiries in Law School Admissions, 45 *South Texas Law Review* 921-982 (2004).

Co-authored Chapter (with Amon Burton), Re-examining the Role of In-House Counsel after the Conviction of Arthur Andersen, in *Enron: Corporate Fiascos and Legal Implications* (Foundation Press 2003).

Co-authored Article (with Robert J. Peroni), The Decline in Lawyer Independence: Lawyer Equity Investments in Clients, 81 *Texas L. Rev.* 405 (2002).

Co-authored Casebook (with John F. Sutton, Jr.), Professional Responsibility of Lawyers (West Publishing Co., 2nd ed. 2002).

Co-authored Article (with Robert J. Peroni), Multidisciplinary Practice and the American Legal Profession: A Market Approach to Regulating the Delivery of Legal Services in the Twenty-First Century, 69 *Fordham L. Rev.* 83 (2000).

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PUBLICATIONS (cont'd)

Co-authored Casebook (with Ernest Smith, Owen Anderson, Gary Conine John Lowe, & Bruce Kramer), International Petroleum Transactions (Rocky Mtn. Min. Law Fndn., 2nd ed. 2000).

Article, Lawyering in a Hybrid Adversary System, 38 Wm. & Mary L. Rev. 45 (1996).

Article, Legal Malpractice and the Multistate Law Firm, 36 S. Tex. L. Rev. (1995) (Symposium on Ethical Issues in Multistate Practice).

Co-authored Casebook (with Ernest Smith, Owen Anderson, Gary Conine & John Lowe), International Petroleum Transactions (Rocky Mtn. Min. Law Fndn. 1993).

Article, Positional Conflicts of Interest, 71 Texas L. Rev. 457 (1993).

Essay, The Impact of Failed Financial Institution Litigation on the Regulation of Lawyers, 12 Rev. Lit. 513 (1993) (Introduction to Symposium Issue).

Article, Lawyers as Intermediaries: The Representation of Multiple Clients in the Modern Legal Profession, 1992 Ill. L. Rev. 741.

Essay, Taking Positional Conflicts Seriously, 9 Bus & Prof. Ethics J. 109 (1990) (Symposium Issue on Moral Problems in the Professions).

Co-authored Article (with Ernest Smith), A Fifty Year Perspective on World Petroleum Arrangements, 24 Tex. Int'l L.J. 13 (1989) (awarded the 1990 Texas Bar Foundation Award for the Outstanding Law Review Article).

Co-authored Casebook (with John Sutton), Professional Responsibility of Lawyers (West Publishing Co. 1989).

Review Essay, Regulation of the American Legal Profession and Its Reform, 66 Texas L. Rev. 451 (1989) (reviewing Abel's American Lawyers (1989)).

Co-authored Casebook (with Robert Peroni), Natural Resource Taxation: Principles and Policies (Carolina Academic Press 1988).

Student Note, Accountants' Liability for Compilation and Review Engagements, 60 Texas L. Rev. 759 (1982) reprinted as Article in Accountant's Liability (P.L.I. 1983).

JOHN STEPHEN DZIENKOWSKI

EDITED STATUTORY MATERIALS

Professional Responsibility Standards, Rules & Statutes (West Publishing Co. 1995-2023) (published annually both full and abridged editions)

Real Property: Documents, Statutes, and Standards (Thomson West Pub. 2003).

Selected Statutes, Rules and Standards on the Legal Profession (West Publishing Co. Published Annually 1991-1994).

SELECTED PROFESSIONAL WRITTEN COMMENTARY

Shaping the Future of Law: ABA's Multidisciplinary Practice Proposals will Stymie the Growth of MDPs, Legal Times Aug. 2, 1999 (with Robert Peroni)

ABA's Definition of Practice Flawed, Nat'l L.J. July 26, 1999 (with Robert Peroni).

Statement of John S. Dzienkowski to the ABA Multidisciplinary Practice Commission - Feb 1999 - <https://www.abanet.org/cpr/dzienkowski2.html>.

Trends in Litigation of Oil and Gas Tax Issues in the Twentieth Century, 7 Natural Resources Tax Review 383 (1994).

Examining the Tax Court's Recent Decision in Louisiana Land & Exploration Company v. Commissioner, 7 Natural Resources Tax Review 267 (1994).

The Interaction of Section 614 and Section 165(a) in the Abandonment of Oil and Gas Properties, 7 Natural Resources Tax Review 9 (1994).

Designing an Economically Rational System of Taxing and Subsidizing Natural Resource Development, 6 Natural Resources Tax Review 641 (1993) (with Robert Peroni).

A Brief Critique of the Supreme Court's Opinion in the Hill Case, 6 Natural Resources Tax Review 151 (1993) (with Robert Peroni).

The Energy Policy Act of 1992 and Its Impact on the Law of Natural Resources Taxation, 5 Natural Resources Tax Review 608 (1992) (with Robert Peroni).

Combining Timber Properties for Depletion Purposes: The Tax Court's Decision in RLC Industries Co. v. Commissioner, 5 Natural Resources Tax Review 482 (1992) (with Robert Peroni).

A Brief Glance at the Fifth Circuit's Decision in the King Ranch Case, 5 Natural Resources Tax Review 13 (1992).

JOHN STEPHEN DZIENKOWSKI

SELECTED PROFESSIONAL WRITTEN COMMENTARY

A Critical View of the Hill Decisions: Calculating Excess Depletion Under the Alternative Minimum Tax, 5 Natural Resources Tax Review 243 (1991) (with Robert Peroni).

Evaluating the Service's Position on Offshore Platform Intangible Drilling and Development Costs, 5 Natural Resources Tax Review 182 (1991).

A Critical View of Zuhone's Pool of Capital Dicta, 4 Natural Resources Tax Review 93 (1991) (with Robert Peroni).

SELECTED ACADEMIC PRESENTATIONS

“Attorney Use of Social Media During the Representation of Clients” at the International Legal Ethics Conference at UCLA Law School in July 2022.

“Assessing the Role of Administrative Law in the Creation and Adoption of Ethics Codes” at the Fordham Conference on the Judicial Role in Lawyer Regulation, October 2020 (with John Golden).

“Cardozo on Privity” at the Touro Law School Conference on Benjamin Cardozo, March 2017.

“Contributions of Louis Brandeis to the Modern Law of Lawyering” at the Touro Law School Conference on Louis D. Brandeis, March 2016.

“Shale Gas: Blessing or Curse” at the St. Gallen Conference on World Energy and Environmental Problems, November 2014.

Regulating “Alternative Legal Service Providers” at the International Legal Ethics Conference in London in June 2014.

“Alternative Legal Service Providers to Corporate Clients” at Fordham Law School in October 2013.

“The Design of Ethics Rules” at Hofstra Law School in April 2013.

“The Effect of Conflicts Rules on Pro Bono Legal Services” at Stanford Law School, International Legal Ethics Conference, June 2010.

“Multidisciplinary Law Practice” at Akron Law School, Legal Ethics Conference October 2009

“International and Domestic Regulation of Petroleum Transactions” at the St. Gallen Conference on World Energy and Environmental Problems, December 2006.

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SELECTED ACADEMIC PRESENTATIONS (cont'd)

“Judges as Ethics Managers” at a Faculty Workshop at Washburn University in November 2003.

“Regulation of Corporate Lawyers After Sarbanes Oxley” at the University of Minnesota in October 2003.

“Judges as Ethics Managers” at the Faculty Workshop in April 2002 at the Hastings College of Law.

“Lawyer Equity Investments in Clients” at Faculty Workshops at the University of Florida (Mar. 2002), Florida State University (April 2002), and Hastings College of Law (July 2001).

“Lawyering in a Hybrid Adversary System” at a Keck Symposium in March 1996 at College of William and Mary, Marshall-Wythe School of Law.

“Judges as Ethics Managers: Judicial Regulation of Lawyers’ Conduct in Litigation” at a Faculty Workshop in November 1995 at Cornell Law School, Fordham Law School, and University of Texas Law School.

“Integrating Practice into the Professional Responsibility Course” at a Keck Conference in Professional Responsibility in November 1995 at Duke Law School.

“Public Interest Positional Conflicts” at a Faculty Workshop in April 1993 at the College of William and Mary, Marshall-Wythe School of Law.

“Positional Conflicts of Interest” at George Washington University Law School, November 1992.

SELECTED PROFESSIONAL PRESENTATIONS

“Practicing Oil and Gas Law Across State Lines” – One Lecture for the Foundation of Natural Resources and Energy Law in December 2022.

“Ethical Considerations of the Oil and Gas Lawyer in Pooling Transactions” – One Hour Presentation Delivered in Denver and Houston for a Rocky Mountain Mineral Law Foundation Conference in 2019 and 2020.

“Recent Developments in Legal Ethics for the Energy Lawyer” – One Hour Lecture for the Annual TJOEEL Symposium in February 2021.

“Legal Ethics Issues for the Oil and Gas Attorneys” – Two Hour Presentation Prepared for the Rocky Mountain Mineral Law Foundation Short Course (October 1990-2022)(with Robert Peroni).

JOHN STEPHEN DZIENKOWSKI

SELECTED PROFESSIONAL PRESENTATIONS (cont'd)

“International Petroleum Contracts” for the McCombs Business School Program for Executive Education of Petrobras and Sinopec Executives (April 2007, 2008, 2009, 2010, 2011, 2012, 2013).

“Oil and Gas Taxation for Oil and Gas Attorneys” – Four Hour Course Prepared for the Rocky Mountain Mineral Law Foundation Short Course (October 1990-2019)(with Robert Peroni).

“International Energy Transactions Short Course” – Five Day Course Delivered in Lisbon, Portugal in August 2014.

“Multidisciplinary Practice in the Legal Profession” – One Hour Presentation with Robert Peroni and John Saxon – University of Alabama School of Law, April 2001.

“Multidisciplinary Practice of Law” – One Hour Panel Presentation with Tom Morgan, Steven Crane, and Laura Wertheimer, 2001 Conference of Chief Justices of the State Supreme Courts, Jan. 2001 in Baltimore, MD.

“Professional Responsibility Issues for Prosecutors” - Six Hour Course Prepared for the Alabama Attorney General’s Office (June 1995).

“International Petroleum Transactions Short Course” - Rocky Mountain Mineral Law Foundation (Jan. & Sept. 1994).

“Abandonment Losses in Oil and Gas Tax” - Southwestern Legal Foundation - Dallas, Texas - (Jan. 1993) (with publication in book).

“Recent Developments in Oil and Gas Taxation” - Tulane Tax Institute in New Orleans, Louisiana - (Nov. 1991).

“Professional Responsibility Problems in Oil and Gas Practice” - State Bar of Michigan Annual Oil and Gas Conference - (May 1990).

“Professional Responsibility Issues for Corporate Lawyers” - University of Texas CLE on Corporate Counsel – Dallas/Houston, Texas (Apr. 1990).

“Professional Responsibility in the Practice of Natural Resources Law” - General Session of the Rocky Mountain Mineral Law Foundation Meeting - New Mexico (July 1990) (with publication in book).

“Oil and Gas Taxation Update” - Forty-First Annual Southwestern Legal Foundation Institute on Oil and Gas Law and Taxation in Dallas, Texas - (Feb. 1990) (with publication in book).

JOHN STEPHEN DZIENKOWSKI**SELECTED PROFESSIONAL PRESENTATIONS (cont'd)**

“Legal Ethics in an Industry Based Practice of Law” - Fortieth Annual Southwestern Legal Foundation Institute on Oil and Gas Law and Taxation - Dallas (Feb. 1989) (with publication in book).

“Ethical Problems in Computer Litigation” - University of Texas CLE Conference in Computers in the Law - Austin (Mar. 1988).

“Federal Income Taxation for the Oil and Gas Practitioner” - South Texas College of Law CLE Conference - New Orleans (June 1988).

“Ethical Dilemmas for the Oil and Gas Lawyer” - Sixth Annual Advanced Oil, Gas, and Mineral Law Course - Houston (Sept. and Nov. 1988).

JOHN STEPHEN DZIENKOWSKI

JUDICIAL CLERKSHIPS

Honorable Robert Keeton, United States District Court, Massachusetts, 1984-85.
Honorable Joseph Sneed, United States Court of Appeals, Ninth Circuit, 1983-84.

LEGAL EDUCATION

University of Texas School of Law, Juris Doctor, August 1983

Editor in Chief, **Texas Law Review**, 1982-83.

G.P.A.: 86.03 (84.0 = approx. top 5%, 85.0 =A)

Graduated with high honors and Order of the Coif. Member of Clerk of the Chancellors (third highest average of over 500 second year students in fall 1982)

Student Representative to Faculty Tenure Committee.

Recipient: J.C. Hutcheson Foundation Scholarship; Raymond Dickson Foundation Two Year Scholarship; Vinson & Elkins Oil and Gas Award; 1983 Baker & Botts Award Outstanding Senior Student; West Award for the Senior Student Who Has Made the Most Significant Contribution to Overall Legal Scholarship.

PRELEGAL EDUCATION

University of Miami, Bachelor of Business Administration, May 1980

Major: Accounting, Honors Program.

G.P.A.: 3.97 (4.0 grading scale)

Honors: Summa Cum Laude (highest honors); Dean's List every semester; General Honors; 1978 Exxon Foundation Business School Scholarship.

PERSONAL DATA

Born in Peterborough, Ontario, Canada; United States Citizen.

Language proficiency in Polish and French.

Married with two children

Prepared April 15, 2023.