

IVAN E. BODENSTEINER

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Education:

Law School - J.D., University of Notre Dame, 1968
College - B.A., Loras College, 1965

Employment:

Legal Services Program, Fort Wayne, Indiana; staff attorney, August
1968-June 1970; director, June 1970-August 1972

Valparaiso University School of Law:
Assistant Professor – 1972-1977
Associate Professor – 1979-1982
Professor - 1982-present
Dean – 1985-90 & 1997-1998

Teaching: Clinical Program; Federal Courts; Civil Procedure;
Civil Rights; Trial Practice; Evidence; Constitutional Law

Indiana Center on Law & Poverty, Inc., Indianapolis, Indiana, and Project
Justice & Equality, Inc., Gary, Indiana, July 1974-June 1977

Legal Aid Society of Hawaii; consultant on litigation and staff
development, July 1977-June 1978

Legal Services Programs (Indianapolis and South Bend, Indiana); director
of litigation, July 1978-July 1979

Consultant, Legal Services Corporation, Office of Program Support, and
Legal Services Programs, New Lawyer and Federal Practice
Training Conferences, 1976-1985

Publications: Attached

Presentations: Attached

PUBLICATIONS

Federal Court Jurisdiction of Suits Against 'Non-Persons' for Deprivation of Constitutional Rights, 8 VAL. U. L. REV. 215 (1974).

Civil Liberties: Adherence to Established Principles, 58 CHI. KENT L. REV. 269 (1982) (co-author - Prof. Levinson).

Application of Preclusion Principles to § 1983 Damage Actions After a Successful Class Action for Equitable Relief, 17 VAL. U. L. REV. 347 (1983); also printed in 16 CLEARINGHOUSE REV. 977 (1983).

Availability of Attorney Fees in Suits to Enforce the Educational Rights of Children with Handicaps, 5 W. NEW ENG. L. REV. 391 (1983): reprinted in SPECIALTY LAW DIGEST - EDUCATION LAW (BNA 1983).

An Explanation of Clinical Education, 12 STETSON L. REV. 719 (1983): reprinted in MAXIMIZING THE LAW SCHOOL EXPERIENCE: A COLLECTION OF ESSAYS (1983).

Civil Liberties: Current Developments in the Seventh Circuit Regarding First Amendment, Procedural Due Process, Employment Discrimination and the Enforcement of Civil Rights, 59 CHI. KENT L. REV. 403 (1983) (co-author - Prof. Levinson).

Unequal Justice Under Law: An Analysis of Indigents in the Indiana Criminal Justice System, 6 W. NEW ENG. L. REV. 263 (1984) (co-authors - Prof. Moskowitz and Mr. Bork).

Current Developments in Civil Liberties, 60 CHI. KENT L. REV. 455 (1984) (co-author - Prof. Levinson).

The Role of Federal Court Judges: Their Duty to Enforce the Constitutional Rights of Individuals When the Other Branches of Government Default, 18 VAL. U. L. REV. 1 (1983) (delivered as an inaugural lecture on April 6, 1983).

Civil Liberties: 1983-84 Current Developments in Civil Liberties, 61 CHI. KENT L. REV. 229 (1985) (co-author - Prof. Levinson).

Developments in Civil Liberties: 1984-85 Term, 62 CHI. KENT L. REV. 425 (1986) (co-author - Prof. Levinson).

The "Lemon Test," Even with All its Shortcomings, is not the Real Problem in Establishment Clause Cases, 24 VAL. U. L. REV. 409 (1990).

I. BODENSTEINER & R. LEVINSON, STATE AND LOCAL GOVERNMENT CIVIL RIGHTS LIABILITY, Thomson/West (1987); four-volume treatise, with annual Supplement.

Evidence: Indiana Moves Toward Adoption of the Federal Rules, 26 IND. L. REV. 965 (1993).

I. BODENSTEINER & R. LEVINSON, CIVIL RIGHTS LEGISLATION & LITIGATION, Lupus Publications (1994); textbook with annual supplement.

BRACY, BODENSTEINER, ET AL., EVIDENCE CASES & PROBLEMS, Harrison Co., 2nd ed. 1995.

Indiana Rules of Evidence, 27 IND. L. REV. 1063 (1994).

Consumer Beware—A License to Injure, 29 VAL. U. L. REV. 1171 (1995).

Affirmative Action—A Time for Leadership, 39 HOW. L.J. 757 (1996).

Limiting Federal Restrictions on State and Local Government, 33 VAL. U. L. REV. 33 (1998).

Peer Harassment—Interference with an Equal Educational Opportunity in Elementary and Secondary Schools, 79 NEB. L. REV. 1 (2000).

Litigating Age and Disability Claims Against State and Local Government Employees in the New “Federalism” Era, 22 BERKELEY J. OF EMP. & LAB. L. 99 (2001) (co-author – Prof. Levinson).

Review of David E. Bernstein’s You Can’t Say That!—The Growing Threat to Civil Liberties from Antidiscrimination Laws, 31 J.C. & U.L. 437 (2005).

The Demise of the First Amendment as a Guarantor of Religious Freedom, 27 WHITTIER L. REV. 415 (2005).

RECENT PRESENTATIONS

- 08/29/05 – Discussed Supreme Court appointments on a local radio station.
- 02/04/05 – Presented a CLE program, on ADA, sponsored by the VU Clinical Program.
- 01/18/05 – Spoke at a CLE program in Indianapolis, on police liability, sponsored by Lorman.
- 01/17/05 – Moderator of MLK day program on the Fair Housing Act.
- 06/02/04 – Spoke at a conference at Notre Dame for Human Resource personnel.
- 04/21/04 – Spoke at the VU Business College on sexual harassment in the workplace.
- 03/26/04 – Moderator of a student-sponsored discussion of same-sex marriage.
- 03/08/04 – Discussed same-sex marriage on a local radio station.
- 12/06/03 – Spoke at an ICLU-sponsored discussion, at IUN, of the PATRIOT Act.
- 11/17/03 – Spoke to the VOLTS group on campus on civil liberties and the ACLU.
- 11/10/03 – Spoke at a student-sponsored discussion of school vouchers at VUSL.
- 11/08/03 – Discussed affirmative action (U. of Mich. cases) at VU Peace & Justice Symposium.
- 06/16/03 – Conducted Constitutional Law review for the ICLEF bar review program at VUSL.
- 04/28/03 – Spoke at Law & Pastoral Ministry conference at VUSL.