

James Fallows Tierney

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Current position

2020 – University of Nebraska College of Law
Assistant professor of law

Areas of research specialization

Securities regulation and enforcement

Investment management and capital markets intermediaries

Corporate finance

Publications

ARTICLES AND BOOK CHAPTERS

- 2020 *Contract Design in the Shadow of Regulation*, 98 NEBRASKA LAW REVIEW 874 ([link](#))
- 2011 *Moral Reasoning in International Law*, with Roger P. Alford, in THE ROLE OF ETHICS IN INTERNATIONAL LAW (Donald Earl Childress III, ed., Cambridge University Press) ([abstract](#))
- 2010 Comment, *Summary Dismissals*, 77 UNIVERSITY OF CHICAGO LAW REVIEW 1841 ([link](#))
- 2009 *The Polar Bear Treaty and the Changing Geography of the High Arctic*, 3 JOURNAL OF ANIMAL LAW & ETHICS 141 ([link](#))

WORK IN PROGRESS

A behavioral approach to securities industry bars

An error cost theory of FINRA expungement (with Ben Edwards)

Contract design in the investment advisory relationship

Pooled capital and the ownership cross-subsidy

Academic presentations

Contract Design in the Shadow of Regulation

- Oct. 2019 University of Chicago Law School — Legal Scholarship Workshop (invited)
Midwestern Law and Economics Association annual conference

Moral Reasoning in International Law

- May 2010 University of Chicago Law School — Chicago International Law Society
Nov. 2009 American Society for International Law conference (with Roger Alford)

Sovereign Power, Human Rights, and Hypocrisy Costs

- Jan. 2010 University of Chicago — Law Culture & Society workshop

Teaching

Nebraska College of Law

- Fall 2020 Securities regulation
Spring 2021 Business associations
Spring 2021 Corporate finance

ADDITIONAL TEACHING EXPERIENCE

University of Chicago

- 2010 Reason and Passion: The Strange Alchemy of Life and Law
Teaching assistant to Justice (retired) Albie Sachs, Constitutional Court of South Africa

Brown University

- 2005, 2006 Introductory Biology
Teaching assistant to Professor Kenneth Miller

Education

- 2011 University of Chicago Law School, JD with honors
Executive Articles and Book Reviews Editor, UNIVERSITY OF CHICAGO LAW REVIEW
Faculty Appointments Committee student interviewer
American Civil Liberties Union chapter president
- 2007 University of Chicago, MA (Division of the Social Sciences — International Relations)
- 2006 Brown University, AB (Political Science)

Honors & awards

University of Chicago

- 2009 Joseph Henry Beale prize for outstanding work in iL research and writing
Ignacio Martín Baró prize for best masters/professional student paper (Human Rights Program)

Professional experience

- 2015 – 2020 Securities and Exchange Commission
Senior counsel, Office of the General Counsel
- 2012 – 2015 Mayer Brown LLP
Associate, Supreme Court and appellate litigation
- 2011 – 2012 The Honorable Mary Schroeder, U.S. Court of Appeals for the Ninth Circuit
Judicial clerk
- 2009 Committee for Public Counsel Services
Summer intern, appeals unit of Massachusetts state public defender
- 2007 – 2008 Law Office of Harvey Silverglate
Research assistant and paralegal

Admissions

STATE BARS

Massachusetts

District of Columbia

FEDERAL COURTS

U.S. Supreme Court

U.S. Courts of Appeals for the Second, Seventh, Eighth, Ninth, Tenth and Federal Circuits

U.S. District Courts for the District of Columbia and the District of Massachusetts

Selected short and non-academic work

- 2015 *The Line Between Wiretapping and Quality Assurance*, with Donald M. Falk, DAILY JOURNAL (Cal.), Jan. 28, 2015
- 2013 *Supreme Court Reaffirms that Forum-Selection Clauses are Presumptively Enforceable*, with J. Paul Forrester et al., HARVARD LAW SCHOOL FORUM ON CORPORATE GOVERNANCE & FINANCIAL REGULATION, Dec. 19, 2013 ([link](#))
- 2011 Guest blog posts about editing law reviews, OPINIO JURIS blog, May 2011 ([link to index of posts](#))

2008

Massachusetts lawmakers are pushing to criminalize Salvia. Is this a test-run for marijuana-law reform?, BOSTON PHOENIX, Apr. 23, 2008

Preventing police oversight, with Harvey Silverglate, MASSACHUSETTS LAWYERS WEEKLY, Jan. 26, 2008

References

Available on request