

ROBERT H. SITKOFF

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EDUCATION

The University of Chicago Law School, Chicago, Illinois

J.D. with High Honors, June 1999

Order of the Coif

John M. Olin Prize (outstanding graduate in law and economics)

Managing Editor, *University of Chicago Law Review*

John M. Olin Student Fellow in Law and Economics

Joseph Henry Beale Prize (outstanding research and writing)

Floyd Russell Mechem Scholarship (merit scholarship)

The University of Virginia, Charlottesville, Virginia

B.A. with Distinction, May 1996

Echols Scholar

Principal's Award, Brown Residential College at Monroe Hill

HONORARY DEGREE

Harvard University, Cambridge, Massachusetts

M.A. (hon.), May 2008

EXPERIENCE

Harvard Law School, Cambridge, Massachusetts

Austin Wakeman Scott Professor of Law (2021 - present)

John L. Gray Professor of Law (2007 - present)

John L. Gray Visiting Professor of Law (Spring 2007)

Courses: Trusts and Estates

Estate and Gift Tax

Economic Theories of Bequests

Fiduciary Investing After the Financial Crisis

The Revolution in Modern American Trust Law

Trust Law: Current Topics, Theories, and Evidence

Service: Administrative Board (2010 – present, Chair 2014 – 2022, alternate 2022 – present); Title IX Implementation Committee (2022 – present, ex officio, 2015 – 2022); University Committee on Rights and Responsibilities (2010 – 2022); Title IX Local Option Committee (ex officio, 2014 – 2015); Admissions Committee (2009 – 2010); Faculty Workshops (2008 – 2009)

New York University School of Law, New York, New York

Professor of Law (2006 – 2007)

Visiting Professor of Law (Fall 2005, Spring 2008)

Courses: Trusts and Estates

Teaching Award: Podell Distinguished Teaching Award (2007)

The University of Michigan Law School, Ann Arbor, Michigan

Visiting Associate Professor of Law (Winter 2004)

Courses: Trusts and Estates I

Trusts and Estates II

Northwestern University School of Law, Chicago, Illinois

Associate Professor of Law (2004 – 2006)

Assistant Professor of Law (2000 – 2004)

Courses: Estates and Trusts, Business Associations, Contracts, Corporations, Law and Economics Colloquium

Service: Program Director, Business Enterprise Concentration (2002-05), Tax Lateral Appointments Subcommittee (2002 – 2003), Judicial Clerkship Committee (Chair 2000 – 2002, Member 2003 – 2005), Entry Level Appointments Subcommittee (2000 – 2001), Law and Economics Speaker Series Committee (2000 – 2001)

Teaching Awards: Outstanding First-Year Course Professor (2000-01), Dean's Teaching Award (2001 – 2002)

Honorable Richard A. Posner, Chief Judge, United States Court of Appeals for the Seventh Circuit, Chicago, Illinois

Law Clerk, 1999 – 2000 Term

PUBLICATIONS

Books

WILLS, TRUSTS, AND ESTATES (Wolters Kluwer, 11th ed. 2022) (with Jesse Dukeminier)
(plus Teacher's Manual)

THE OXFORD HANDBOOK OF FIDUCIARY LAW (Oxford University Press, 2019) (with Evan J. Criddle & Paul B. Miller)

WILLS, TRUSTS, AND ESTATES (Wolters Kluwer, 10th ed. 2017) (with Jesse Dukeminier)
(plus Teacher's Manual)

WILLS, TRUSTS, AND ESTATES (Wolters Kluwer, 9th ed. 2013) (with Jesse Dukeminier)
(plus Teacher's Manual)

WILLS, TRUSTS, AND ESTATES (Aspen Publishers, 8th ed. 2009) (with Jesse Dukeminier &
James Lindgren) (plus Teacher's Manual)

WILLS, TRUSTS, AND ESTATES (Aspen Publishers, 7th ed. 2005) (with Jesse Dukeminier,
Stanley M. Johanson & James Lindgren) (plus Teacher's Manual)

Chapters in Books

"Fiduciary Duty, Social Conscience, and ESG Investing by a Trustee," in *55 Annual Heckerling Institute on Estate Planning* (Tina Portando ed., 2021) (with Max Schanzenbach)

"Trust Law: Private Ordering and the Branching of American Trust Law," in *The Oxford Handbook of the New Private Law* (Andrew Gold, John C.P. Goldberg, Daniel B. Kelly, Emily L. Sherwin & Henry E. Smith eds., Oxford University Press, 2021) (with John Morley)

"Introduction: The Oxford Handbook of Fiduciary Law," in *The Oxford Handbook of Fiduciary Law* (Evan J. Criddle, Paul B. Miller & Robert H. Sitkoff eds., Oxford University Press, 2019) (with Evan J. Criddle & Paul B. Miller)

"Fiduciary Principles in Trust Law," in *The Oxford Handbook of Fiduciary Law* (Evan J. Criddle, Paul B. Miller & Robert H. Sitkoff eds., Oxford University Press, 2019)

"Other Fiduciary Duties: Implementing Loyalty and Care," in *The Oxford Handbook of Fiduciary Law* (Evan J. Criddle, Paul B. Miller & Robert H. Sitkoff eds., Oxford University Press, 2019)

"Freedom of Disposition in American Succession Law," in *Freedom of Testation and its Limits* (Antoni Vaquer ed., Marcial Pons, 2018)

"The New Uniform Directed Trust Act Paves the Way for Creative and Thoughtful Divided Trusteeship," in *52 Annual Heckerling Institute on Estate Planning* (Tina Portando ed., 2018) (with John Morley)

"An Economic Theory of Fiduciary Law," in *Philosophical Foundations of Fiduciary Law* (Andrew Gold & Paul Miller eds., Oxford University Press, 2014)

"Trust Law as Fiduciary Governance Plus Asset Partitioning," in *The Worlds of the Trust* (Lionel Smith ed., Cambridge University Press, 2013)

“Perpetuities, Taxes, and Asset Protection: An Empirical Assessment of the Jurisdictional Competition for Trust Funds,” in *42 Annual Heckerling Institute on Estate Planning* (Tina Portando ed., 2008) (with Max Schanzenbach)

“The American Statutory Business Trust: A Research Agenda,” in *Regulation of Wealth Management* (Hans Tijo ed., National University of Singapore, 2008)

Articles

“The Twenty-First Century Revolution in Conflict of Trust Laws,” *79 Tulane Law Review* 1013 (2023) (with Robert Niles-Weed)

“When a Statute Comes with a User’s Manual: Reconciling Textualism and Uniform Acts,” *71 Emory Law Journal* 1073 (2022) (with Gregory Elinson)

“Risk Management Under the Prudent Investor Rule: An Empirical Report,” *Trusts & Estates*, November 2020, at 45 (with Max Schanzenbach)

“ESG Investing: Theory, Evidence, and Fiduciary Principles,” *Journal of Financial Planning*, October 2020, at 42 (with Max Schanzenbach)

“Reconciling Fiduciary Duty and Social Conscience: The Law and Economics of ESG Investing by a Trustee,” *72 Stanford Law Review* 381 (2020) (with Max Schanzenbach)

“Making Directed Trusts Work: The Uniform Directed Trust Act,” *44 ACTEC Law Journal* 3 (2019) (with John Morley)

“The Rise of Trust Decanting in the United States,” *23 Trusts & Trustees* 976 (2017)

“The Prudent Investor Rule and Market Risk: An Empirical Analysis,” *14 Journal of Empirical Legal Studies* 129 (2017) (with Max Schanzenbach)

“Financial Advisers Can’t Overlook the Prudent Investor Rule,” *Journal of Financial Planning*, August 2016, at 28 (with Max Schanzenbach)

“Revocable Trusts and Incapacity Planning: More than Just a Will Substitute,” *24 Elder Law Journal* 1 (2016) (with David Feder)

“Unconstitutional Perpetual Trusts,” *67 Vanderbilt Law Review* 1769 (2014) (with Steven Horowitz)

“Trusts and Estates: Implementing Freedom of Disposition,” *58 St. Louis University Law Journal* 643 (2014)

“The Fiduciary Obligations of Financial Advisers Under the Law of Agency,” *Journal of Financial Planning*, February 2014, at 42 (winner of the 2014 Richard J. Davis Legal/

Regulatory/Ethics Award from the Investment Management Consultants Association)

"Torts and Estates: Remediating Wrongful Interference with Inheritance," 65 *Stanford Law Review* 335 (2013) (with John C.P. Goldberg)

"The Economic Structure of Fiduciary Law," 91 *Boston University Law Review* 1039 (2011)

"The Prudent Investor Rule and Trust Asset Allocation: An Empirical Analysis," 35 *ACTEC Journal* 314 (2010) (with Max Schanzenbach)

"Agency Costs, Charitable Trusts, and Corporate Control: Evidence From Hershey's Kiss-Off," 108 *Columbia Law Review* 749 (2008) (with Jonathan Klick)

"Did Reform of Prudent Trust Investment Laws Change Trust Portfolio Allocation?," 50 *Journal of Law and Economics* 681 (2007) (with Max Schanzenbach)

"Perpetuities or Taxes? Explaining the Rise of the Perpetual Trust," 27 *Cardozo Law Review* 2465 (2006) (with Max Schanzenbach)

"The Lurking Rule Against Accumulations of Income," 100 *Northwestern University Law Review* 501 (2006)

"Jurisdictional Competition for Trust Funds: An Empirical Analysis of Perpetuities and Taxes," 115 *Yale Law Journal* 356 (2005) (with Max Schanzenbach)

"The Trust as 'Uncorporation': A Research Agenda," 2005 *University of Illinois Law Review* 31 (2005)

"An Agency Costs Theory of Trust Law," 89 *Cornell Law Review* 621 (2004)

"Politics and the Business Corporation," 26 *Regulation* 30 (Winter 2003-04)

"Trust Law, Corporate Law, and Capital Market Efficiency," 28 *Journal of Corporation Law* 565 (2003)

"Corporate Political Speech, Political Extortion, and the Competition for Corporate Charters," 69 *University of Chicago Law Review* 1103 (2002)

Other

"ESG Investing After the DOL Rule on 'Prudence and Loyalty in Selecting Plan Investments and Exercising Shareholder Rights,'" Harvard Law School Forum on Corporate Governance, Feb. 2, 2023, available at <https://perma.cc/LM9H-2MLW> (with Max M. Schanzenbach)

“No, Biden Isn’t Forcing Your Retirement Money Into ESG Funds,” *Wall Street Journal*, Dec. 23, 2022 (with Max M. Schanzenbach)

“Markets or Regulators: Who Decides on ESG?,” *Barron’s*, Oct. 20, 2022, available at <https://perma.cc/9L68-7URE> (with Max M. Schanzenbach)

“ESG Investing After the New Labor Department Rule on ‘Financial Factors,’” *The CLS Blue Sky Blog*, Mar. 29, 2021, available at <https://perma.cc/HN45-9ZYL> (with Max M. Schanzenbach)

“Faithful Fiduciaries Have Nothing to Fear from DOL Investment Rule,” *The CLS Blue Sky Blog*, Jan. 12, 2021, available at <https://perma.cc/6R87-YJTV> (with Max M. Schanzenbach)

“‘Investing for Good’ Meets the Law,” *Wall Street Journal*, Dec. 10, 2018, at A15 (with Max M. Schanzenbach)

Book Review, “Current Issues in Succession Law” and “Passing Wealth on Death: Will-Substitutes in Comparative Perspective,” 76 *Cambridge Law Journal* 674 (2017)

“Fiduciary Financial Advisors and the Incoherence of A ‘High-Quality Low-Fee Safe Harbor” (Sept. 2015), available at <http://ssrn.com/abstract=2661833> (with Max M. Schanzenbach)

“Top-Down versus Bottom-Up Law Reform in Trusts and Estates: Future Interests and Perpetuities,” www.jotwell.com (Nov. 22, 2010) (review), available at <https://perma.cc/RYF9-GXPV> (with Max M. Schanzenbach)

“Corporate Governance Roundtable: Theory Informs Business Practice Symposium,” 77 *Chicago-Kent Law Review* 235 (2001) (transcript of roundtable discussion)

Comment, “‘Mend the Hold’ and *Erie*: Why an Obscure Contracts Doctrine Should Control in Federal Diversity Cases,” 65 *University of Chicago Law Review* 1059 (1998) (student note)

LAW REFORM ACTIVITY

American Law Institute

Member (2007 – present)

Council Member (2012 – present)

Investment Committee (2023 – present)

Audit Committee (2021 – present)

Projects Committee (2012 – 2018)

Advisers Group for Restatement (Third) of Conflicts of Law (2015 – present)

Advisers Group for Restatement of Charitable Nonprofits (2015 – 2021)

Various Members' Consultative Groups, including Restatement (Third) of Trusts (2007 – 2011) and Restatement (Third) of Property, Wills, and Other Donative Transfers (2007 – 2011)

Uniform Law Commission

Commissioner from Massachusetts (2008 – present)
Chair, Drafting Committee for an Act on Conflict of Trust and Estate Laws (2020 – present)
Member, Drafting Committee for the Uniform Electronic Estate Planning Documents Act (2021 – 2022)
Member, Drafting Committee on Amendments to Uniform Probate Code (2018 – 2019)
Member, Drafting Committee for the Uniform Electronic Wills Act (2017 – 2019)
Member, Ethics Working Group (2017 – 2018)
Member, Enactment Committee, Uniform Directed Trust Act (2017 – 2022)
Member, Academic Partnerships Committee (2016 – 2022)
Member, Drafting Committee to revise the Uniform Principal and Income Act (2015 – 2017)
Chair, Drafting Committee for the Uniform Directed Trust Act (2014 – 2017)
Member, Drafting Committee for the Uniform Trust Decanting Act (2013 – 2015)
Member, Drafting Committee on Series of Unincorporated Business Entities (2012 – 2014)
Co-Chair, Study Committee on Trust Protectors (Member 2012 – 2014, Co-Chair 2014)
Member, Drafting Committee for the Uniform Powers of Appointment Act (2011 – 2013)
Member, Study Committee on Series of Unincorporated Business Entities (2011 – 2012)
Member, Drafting Committee for the Uniform Premarital and Marital Agreement Act (2010 – 2012)
Member, Committee to Review the Uniform Law Commission Drafting Process (2009 – 2011)
Joint Editorial Board for Uniform Trusts and Estates Acts (Liaison Member, 2009 – present)
Reporter, Uniform Statutory Trust Entity Act (2003 – 2009)

REFEREE ACTIVITY

American Bankers Association
American Law and Economics Association
American Law and Economics Review
Aspen Publishers (Board of Editorial Advisors)
Austrian Science Fund
Cambridge University Press

Columbia Law Review
Harvard Law Review
Heckerling Institute on Estate Planning (Advisory Committee)
Israel Science Foundation
Journal of Empirical Legal Studies
Journal of Legal Studies
Killam Program, Canada Council for the Arts
MIT Press
National Science Foundation
Oxford Journal of Legal Studies
Oxford University Press
Stanford Law Review
Succession and Family Law (International Scientific Committee)
Trusts & Estates (Editorial Advisory Board – Fiduciary Professions)
Trusts & Trustees (Editorial Board)
Wills, Trusts, and Estates Abstracts (Editor), Social Science Research Network
Yale Law Review
Yale University Press

GRANTS

American College of Trust and Estate Counsel Foundation, 2005 - present (for the Wills, Trusts, and Estates abstracting journal in the Social Science Research Network)
Searle Fund for Policy Research, 2002-2003 (for research on the political economy of trust law reform)

SELECTED PROFESSIONAL ASSOCIATIONS

American College of Trusts and Estates Counsel, Academic Fellow
Member, Amicus Review Committee (2014 - present)
American Law and Economics Association
American Law Institute
European Corporate Governance Institute
International Academy of Estate and Trust Law
Section on Trusts and Estates, Association of American Law Schools (Executive Committee 2006-2011, Chair 2009-2010)

STATE BAR ADMISSIONS

Massachusetts
New York
Illinois (inactive)

SELECTED RESEARCH PRESENTATIONS

Sound and Fury Signifying Nothing: The Fight Over ESG Investing Since 2020

- Fiduciary Law Workshop IX, Harvard Law School (May 31, 2024)

Freedom of Disposition and the Protection of Family in US Succession Law

- International Congress on Freedom of Disposition and Protection of the Family, University of Seville (May 9, 2024)

Reconciling Fiduciary Duty and Social Conscience: The Law and Economics of ESG Investing by a Trustee (and other titles)

- Corporate and Financial Governance: A Transatlantic Perspective, Harvard Law School and Real Colegio Complutense (September 26, 2023)
- 2022-2023 Weil, Gotshal & Manges Roundtable, Yale Law School Center for the Study of Corporate Law (December 2, 2022)
- Craig Wasserman/Wachtell Lipton New York Alumni, Yale Law School (September 22, 2022)
- Redwood Empire Estate Planning Council (March 2, 2022)
- Estate Planning Council of Rhode Island (February 28, 2022)
- American Bankers Association, 2022 Wealth Management and Trust Conference (February 15, 2022)
- Sioux Falls Estate Planning Council (December 16, 2021)
- Arkansas Bar Association Mid-Winter Meeting (November 9, 2021)
- Fi360 Solutions Annual Conference 2021 (May 18, 2021)
- 55th Annual Heckerling Institute on Estate Planning (May 5, 2021)
- American Bankers Association, Trust Counsel Committee (April 7, 2021)
- Program on International Financial Systems and Harvard Law School, The Role of Asset Management in ESG Investing (September 17, 2020)
- Massachusetts Continuing Legal Education, 21st Annual Estate Planning Law Conference (June 30, 2020)
- American Bankers Association, 2020 Wealth Management and Trust Conference (February 23, 2020)
- Delaware Bankers Association, 2019 Delaware Trust Conference (October 23, 2019)
- Ninth Annual Employee Benefits and Social Insurance Conference, Boston College Law School (October 18, 2019)
- Federated Investors, Symposium on ESG Investing and Stewardship: Risk-Return, Conscience, and Fiduciary Duty (June 12, 2019)
- Boston Probate and Estate Planning Forum (May 1, 2019)
- Harvard Law School Faculty Workshop (March 14, 2019)
- Greenwich Roundtable (January 17, 2019)
- Global Corporate Governance Conference, Harvard Law School (June 2, 2018)
- Bessemer Trust (May 23, 2018)
- Bank of America (U.S. Trust) (May 22, 2018)

- Trust Management Association, 2018 Trust and Wealth Executive Seminar (May 2, 2018)
- Law and Economics Workshop, Harvard Law School (February 27, 2018)
- Corporate Work-in-Progress Luncheon, Harvard Law School (October 17, 2017)

The Twenty-First Century Revolution in Conflict of Trust Laws

- Boston Probate and Estate Planning Forum (September 6, 2023)
- Symposium on Conflict of Laws in Trusts and Estates, Tulane Law School (October 21, 2022)

When a Statute Comes with a User's Manual: Reconciling Textualism and Uniform Acts (and other titles)

- Harvard Law School, Faculty Workshop (May 4, 2022)
- University of Michigan Law School, Law and Economics Workshop (October 1, 2020)
- American Law and Economics Association, Annual Meeting, NYU School of Law (May 17-18, 2019)

The Rise of the Statutory Business Trust (and other titles)

- Celebrating "The Ownership of Enterprise," Columbia Law School (October 30, 2021)
- Delaware Bankers Association, 2009 Delaware Trust Conference (December 2, 2009)
- Corporate Work-in-Progress Luncheon, Harvard Law School (October 6, 2009)
- Queens University, Faculty of Law, Osler, Hoskin & Harcourt Distinguished Lectures in Business Law (March 27, 2009)
- Amakasu Foundation Lecture Series, Tokyo, Japan (March 17-20, 2008)
- Widener University School of Law, 2007 Widener Scholar in Residence in Corporate Law (October 5, 2007)
- Singapore Conference on International Business Law (via recording) (August 22, 2007)
- Section on Agency, Partnership, LLCs and Unincorporated Associations, Annual Meeting of the Association of American Law Schools (January 4, 2007)
- Midwest Law and Economics Association Annual Meeting, Northwestern University School of Law (October 15, 2005)
- Canadian Law and Economics Association Annual Meeting, University of Toronto (September 18, 2004)
- Northwestern University School of Law, Faculty Workshop, Zodiac Paper Group (April 21, 2004)
- University of Michigan, Fawley Workshop Series (March 24, 2004)

The Oxford Handbook of Fiduciary Law

- Boston Probate and Estate Planning Forum (January 8, 2020)
- Fiduciary Inns of Court (Boston) (December 10, 2019)

Trusts and Estates: Implementing Freedom of Disposition (and other titles)

- Conference on Freedom of Testation and its Limits, University of Lleida, Spain (April 20, 2018)
- Edward J. Kelly Memorial Lecture in Elder Law, Notre Dame Law School (March 17, 2014)
- Delaware Bankers Association, 2013 Delaware Trust Conference (October 1, 2013)

Other Fiduciary Duties: Implementing Loyalty and Care

- Fiduciary Law: Charting the Field, Harvard Law School (November 11, 2017)

The Prudent Investor Rule and Market Risk: An Empirical Analysis (and other titles)

- Boston Probate and Estate Planning Forum (June 7, 2017)
- The International Society for New Institutional Economics, Annual Conference, Harvard Law School (June 20, 2015)
- Law and Economics Workshop, Stanford Law School (February 26, 2015)
- Estate Planning Council of Delaware (October 7, 2014)
- Private Law Workshop, Harvard Law School (September 10, 2014)
- Law and Economics Workshop, Harvard Law School (September 9, 2014)
- Faculty Workshop, Harvard Law School (June 26, 2014)
- Corporate Work-in-Progress Luncheon, Harvard Law School (March 4, 2014)
- Investment Advisors and the Management of Assets Subject to Trusts, Federated Investors, Harvard Club of New York (May 22, 2013)
- 35th Annual UCLA/CEB Estate Planning Institute, Los Angeles (May 3, 2013)
- Planned Giving Group of New England, Boston (March 6, 2013)
- American Law Institute, 89th Annual Meeting, Washington D.C. (May 21, 2012)
- Estate Planning, Charitable Giving, and Probate Seminar, sponsored by the University of Texas at Austin and Austin Bar Association, Austin (April 20, 2012)
- Revisiting the Prudent Investor Rule in 2011, Columbia Law School and New York State Bar Association, New York (September 23, 2011)

Revocable Trusts and Incapacity Planning: More than Just a Will Substitute

- Ann F. Baum Memorial Elder Law Lecture, University of Illinois College of Law (March 9, 2015)

Unconstitutional Perpetual Trusts

- Notre Dame Law School (March 17, 2014)
- Symposium, The Role of Federal Law in Private Wealth Transfer, Vanderbilt University School of Law (February 21, 2014)

The Law and Economics of Divided Trusteeship

- American Bankers Association, Wealth Management and Trust Conference, February 27, 2014)
- Investment Advisors and the Management of Assets Subject to Trusts, Federated Investors, Harvard Club of New York (May 22, 2013)

- Delaware Bankers Association, 2011 Delaware Trust Conference (November 29, 2011)
- Boston Probate and Estate Planning Forum (June 2, 2010)

Torts and Estates: Remediating Wrongful Interference with Inheritance

- Boston Probate and Estate Planning Forum (March 12, 2014)
- Law and Economics Workshop, Harvard Law School (September 11, 2012)
- Faculty Workshop, Harvard Law School (June 20, 2011)
- Conference on Property, Tort, and Private Law Theory, University of Southern California Gould School of Law (October 23, 2010)

An Economic Theory of Fiduciary Law (and other titles)

- Conference on Philosophical Foundations of Fiduciary Law, DePaul University College of Law (July 19, 2013)
- Fiduciary Status and the Wealth Management Industry in the 21st Century, Federated Investors, Harvard Faculty Club (October 27, 2011)
- Conference on Fiduciary Law, Boston University School of Law (October 29, 2010)
- 2010 Retirement Forum, Federated Investors, New York (February 2, 2010); 2009 Retirement Forum, Boston (September 15, 2009)

Lawyers, Banks, and Money: The Quiet Revolution in Trust Law (and other titles)

- Estate Planning Council of Delaware (June 10, 2010)
- Estate Planning Council of St. Louis (May 10, 2010)
- New England Regional Meeting, American College of Trusts and Estates Counsel (September 13, 2009)
- John L. Gray Chair Investiture, Harvard Law School (April 29, 2009)
- Joseph Trachtman Memorial Lecture, American College of Trusts and Estates Counsel (March 7, 2009)
- Delaware Bankers Association, 2008 Delaware Trust Conference (December 3, 2008)

Law and the Equal Division Puzzle: The Role of Trusts and Transaction Costs (and other titles)

- Harvard Law School, Law and Economics Workshop (April 14, 2009)
- George Washington University Law School, Faculty Workshop (April 2, 2009)
- Massachusetts Continuing Legal Education, 2009 Annual Estate Planning Conference (January 9, 2009)
- American Law and Economics Association, Annual Meeting, Columbia Law School (May 16-17, 2008)
- Symposium, Inheritance Law in the Twenty-First Century, UCLA School of Law (February 8, 2008)

Agency Costs, Corporate Control, and Charitable Trusts: Evidence From Hershey's Kiss-Off

- Widener University School of Law, Faculty Workshop (October 4, 2007)
- Georgetown Law School, Law and Economics Workshop (September 28, 2007)

- American Law and Economics Association, Annual Meeting, Harvard Law School (May 5-6, 2007)
- Corporate Work-in-Progress Luncheon, Harvard Law School (February 6, 2007)
- New York University School of Law, Faculty Workshop (November 20, 2006)
- The University of Illinois College of Law, Corporate Law Colloquium (October 10, 2006)

Did Reform of Prudent Trust Investment Laws Change Trust Portfolio Allocation? (and other titles)

- New York Bankers Association, 62nd Annual Trust and Investment Conference (October 2, 2008)
- Amakasu Foundation Lecture Series, Tokyo, Japan (March 17-20, 2008)
- 42nd Annual Heckerling Institute on Estate Planning (January 17, 2008)
- Massachusetts Continuing Legal Education, 2008 Annual Estate Planning Conference (January 11, 2008)
- Delaware Bankers Association (October 5, 2007)
- Wealth Management Leader's Forum, Prudential Investments (September 27, 2007)
- NYU/Penn Law and Finance Conference, New York University (February 23-24, 2007)
- Harvard Law School, Faculty Workshop (February 22, 2007)
- New York University School of Law, Law and Economics Workshop (October 5, 2006)
- ALI-ABA, Representing Estate and Trust Beneficiaries and Fiduciaries (July 14, 2006)
- The University of Chicago Law School, Work-in-Progress Faculty Workshop (May 25, 2006)
- American Law and Economics Association, Annual Meeting, University of California at Berkeley (May 6, 2006)
- Washington University at St. Louis, Work, Families, and Public Policy Workshop (April 17, 2006)

Economic Analysis of Trust Law: An Introduction

- Section on Donative Transfers, Fiduciaries, and Estate Planning, Annual Meeting of the Association of American Law Schools (January 5, 2007)

Empirical Analysis of Trust Law: An Introduction

- Section on Donative Transfers, Fiduciaries, and Estate Planning, Annual Meeting of the Association of American Law Schools (January 5, 2006)

Jurisdictional Competition for Trust Funds: An Empirical Analysis of Perpetuities and Taxes (and other titles)

- New York Bankers Association, 62nd Annual Trust and Investment Conference (October 2, 2008)
- Amakasu Foundation Lecture Series, Tokyo, Japan (March 17-20, 2008)

- 42nd Annual Heckerling Institute on Estate Planning (January 17, 2008)
- Massachusetts Continuing Legal Education, 2008 Annual Estate Planning Conference (January 11, 2008)
- Delaware Bankers Association (October 5, 2007)
- Lincoln Institute of Land Policy, Cambridge, Massachusetts (March 2, 2007)
- New York University School of Law, Faculty Workshop (September 26, 2006)
- American Law and Economics Association, Annual Meeting, New York University (May 7, 2005)
- Stanford Law School, Law and Economics Workshop (March 17, 2005)
- Northwestern University School of Law, Faculty Workshop (March 1, 2005), Empirical Studies Colloquium (February 8, 2005)
- University of California at Davis, King Hall School of Law, Faculty Workshop (November 6, 2003)
- Midwest Law and Economics Association Annual Meeting, Indiana University School of Law (Indianapolis) (October 10, 2003)
- Canadian Law and Economics Association Annual Meeting, University of Toronto (September 19, 2003)

Perpetuities or Taxes? Explaining the Rise of the Perpetual Trust

- Symposium, Trust Law in the 21st Century, Benjamin N. Cardozo School of Law (September 19, 2005)
- Northwestern University School of Law, Faculty Workshop, Zodiac Paper Group (August 22, 2005)

Trust as "Uncorporation": A Research Agenda

- Conference on Uncorporation: A New Age, University of Illinois (April 23, 2004)
- Northwestern University School of Law, Faculty Workshop, Zodiac Paper Group (April 21, 2004)

An Agency Costs Theory of Trust Law (and other titles)

- Columbia Law School, Law and Economics Workshop (February 16, 2004)
- University of Michigan Law School, Legal Theory Workshop (January 13, 2004)
- University of Chicago Law School, Legal Scholarship Seminar (November 24, 2003; November 25, 2002)
- American Law and Economics Association Annual Meeting, University of Toronto (September 20, 2003)
- Harvard Law School, Law and Economics Workshop (September 16, 2003)
- Indiana University School of Law (Indianapolis), Faculty Workshop, (September 4, 2003)
- University of Chicago Law School, Law and Economics Workshop (January 21, 2003)
- King's College and London School of Economics (jointly sponsored), University of London (November 6, 2002)
- Centre for Corporate and Commercial Law, Faculty of Law, Cambridge University (November 5, 2002)

- Economics Seminar on Theories of Trusts, Nuffield College, Oxford University (November 4, 2002)
- Northwestern University School of Law, Faculty Workshop (October 17, 2002), Zodiac Paper Group (July 31, 2002)
- Midwest Law and Economics Association Annual Meeting, University of Illinois (October 11, 2002)
- Canadian Law and Economics Association Annual Meeting, University of Toronto (September 28, 2002)
- University of Virginia School of Law, Olin Program in Law and Economics Work-in-Progress Luncheon (August 29, 2002)

Trust Law, Corporate Law, and Capital Market Efficiency (and other titles)

- Northwestern University School of Law, Faculty Workshop, Zodiac Paper Group (July 23, 2003)
- Symposium, Revisiting “The Mechanisms of Market Efficiency,” University of Iowa College of Law (April 4, 2003)

Corporate Political Speech, Political Extortion, and the Competition for Corporate Charters (and other titles)

- Sloan Program for the Study of Business in Society, The George Washington University Law School, 2002 Summer Retreat (June 25, 2002)
- University of Illinois College of Law, Faculty Workshop (May 2, 2002)
- Symposium on Management and Control of the Modern Business Corporation, University of Chicago Law School (February 9, 2002)
- University of Chicago Law School, Legal Scholarship Seminar (January 14, 2002)
- University of Michigan Law School, Law and Economics Workshop (December 6, 2001)
- Northwestern University School of Law, Faculty Workshop (April 5, 2000)
- Dirksen Building Paper Talk Group (October 4, 1999)

SELECTED PROFESSIONAL AND OTHER PRESENTATIONS

The Uniform Law Commission’s Project Conflict of Trust and Estate Laws (and other titles)

- Delaware Bankers Association, 2024 Delaware Trust Conference (scheduled for October 29, 2024)
- Boston Probate and Estate Planning Forum (September 6, 2023)
- American Bankers Association, Webinar on “It’s Five O’Clock Somewhere, Do You Know Where Your Trust [Situs] Is?” (Sept. 21, 2022)
- American Bar Association, Section on Real Property, Trusts, and Estates (Apr. 13, 2022)
- American Bankers Association, Trust Counsel Committee (Apr. 7, 2021)
- American College of Trust and Estate Counsel, Fiduciary Income Tax Committee (March 1, 2021)

The Uniform Law Commission's Project on Directed Trusts (and other titles)

- New England Fellows Institute of the American College of Trust and Estate Counsel (February 1, 2024)
- The 2023 Virtual Tax & Estate Planning Forum (October 16, 2023)
- American Bar Association, Section on Real Property, Trusts, and Estates, Professor's Corner (October 10, 2023)
- New England Fellows Institute of the American College of Trust and Estate Counsel (April 28, 2022)
- Minnesota Continuing Legal Education, 2021 Probate & Trust Law Section (June 7, 2021)
- South Dakota Trust Association, Fall Forum 2020 (October 9, 2020)
- Boston Probate and Estate Planning Forum (June 6, 2018)
- American Bar Association, Section on Real Property, Trusts, and Estates, Professor's Corner (May 10, 2018)
- 52nd Annual Heckerling Institute on Estate Planning (January 25, 2018)
- Faculty Workshop, Harvard Law School (June 22, 2017)
- Corporate Work-in-Progress Luncheon, Harvard Law School (February 21, 2017)
- American Bankers Association, 2017 Wealth Management and Trust Conference (February 23, 2017)
- Delaware Bankers Association, 2016 Delaware Trust Conference (October 25, 2016)
- Fiduciary Inns of Court (Boston) (June 21, 2016)
- American College of Trust and Estate Counsel, State Laws Committee (June 19, 2016)
- Boston Probate and Estate Planning Forum (May 4, 2016)
- Boston Professional Fiduciaries Group (June 9, 2015)
- Boston Probate and Estate Planning Forum (April 1, 2015)

Don't Let This Happen to You: Perils of Fiduciary Litigation (and other titles)

- Bank of America Private Bank (October 27, 2021)
- American Bankers Association, 2021 Wealth Management and Trust Conference (February 24-25, 2021 via Zoom recording)
- U.S. Trust/Bank of America, Investment Symposium: Investing in the World's Mosaic (March 31, 2016)

Fiduciary Administration: State Law and Practice; Fiduciary Administration: Making Complex Fiduciary Decisions (and other titles)

- American Bankers Association, Trust School: November 4, 2020; September 26, 2019; September 27, 2018; September 28, 2017; September 29, 2016 [materials only]; October 1, 2015; September 17, 2014

Fiduciary Investment Management: Risks and the Regulatory Environment

- Bank of America, 2019 Investment Symposium: Preparing for the Next Great Frontier (March 28, 2019)

Procedural Prudence and the Importance of Process

- American Bankers Association, 2019 Wealth Management and Trust Conference (February 12, 2019)

Trust Litigation in Delaware: An Inside Look at Gore, Mennen, and Kloiber

- Delaware Bankers Association, 2015 Delaware Trust Conference (October 26, 2015)

Fiduciary Investment Management: Risks and the Regulatory Environment

- U.S. Trust/Bank of America, Investment Symposium: Driving Innovation (March 20, 2014)

Back to School: A (Re)Introduction to the Law of Trusts

- 48nd Annual Heckerling Institute on Estate Planning (January 13, 2014)

June 20, 2024