

AMY SINDEN

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Education

University of Pennsylvania Law School, J.D., *summa cum laude*, 1991
Associate Editor, University of Pennsylvania Law Review

Honors:

Public Interest Fellow (full tuition scholarship)
Benjamin R. Jones Award for Outstanding Contribution to the Public Interest
Fred G. Leebron Memorial Prize for Best Paper on Constitutional Law
John J. Maurer Memorial Prize for Criminal Law
Order of the Coif

Swarthmore College, B.A. May 1984
Major: Biology

Employment

Temple University Beasley School of Law and Tsinghua University Master of Laws Program, Beijing China. Fall 2007. Teaching environmental law and property.

Temple University, Beasley School of Law, Philadelphia, PA. July 2001 to present. Associate Professor. Teaching courses in environmental law and property.

University of Pennsylvania Law School, Philadelphia, PA. Fall 2004. Visiting Professor. Taught Property and an environmental law seminar.

Citizens for Pennsylvania's Future, Philadelphia, PA. September 1999 to July 2001. Senior Counsel. Environmental litigation on behalf of PennFuture and other citizens' and environmental groups.

Earthjustice Legal Defense Fund (formerly Sierra Club Legal Defense Fund), Seattle, WA. September 1997 to Aug. 1999. Associate Attorney. Federal environmental litigation focusing on natural resource issues.

Community Legal Services, Philadelphia, PA. September 1996 – August 1997.
Staff Attorney. Represented parents in civil child abuse/neglect proceedings.

Chief Judge Dolores K. Sloviter, U.S. Court of Appeals for the Third Circuit.
Philadelphia, PA. September 1995 – September 1996. Judicial Law Clerk.

Skadden Fellow, Community Legal Services, Philadelphia, PA. Sept. 1993 – Sept.
1995. Staff Attorney. Litigation and advocacy on behalf of welfare recipients seeking
job training and education.

Chief Judge John F. Gerry, U.S. District Court for the District of New Jersey, Camden,
N.J. Sept. 1991 – Sept. 1993. Judicial Law Clerk.

Publications

The Abandonment of Justice and Toward Distributional Justice (with Carl Cranor) in ECONOMIC
THOUGHT AND U.S. CLIMATE CHANGE POLICY (David M. Driesen, ed., MIT Press) [forthcoming
2010]

Cost-Benefit Analysis: New Foundations on Shifting Sand, 3 REGULATION & GOVERNANCE 48
(2009)(with Douglas A. Kysar & David M. Driesen)

The Missing Instrument: Dirty Input Limits, 33 HARV. ENVTL L. REV. 66 (2009)(with David M.
Driesen)

*An Emerging Human Right to Security from Climate Change: The Case Against Gas Flaring in
Nigeria* in ADJUDICATING CLIMATE CHANGE: SUB-NATIONAL, NATIONAL, AND SUPRA-NATIONAL
APPROACHES (William C.G. Burns & Hari M. Osofsky, eds., Cambridge University
Press)[forthcoming 2009].

The “Preference for Pollution” and other Fallacies, or Why Free Trade Isn’t “Progress” in
PROGRESS IN INTERNATIONAL ORGANIZATION (Rebecca Bratspies & Russell Miller, eds.,
Martinus Nijhoff Press 2008)

The Tragedy of the Commons and the Myth of a Private Property Solution, 78 U. COLO. L. REV.
533 (2007)

Climate Change and Human Rights, 27 J. LAND RESOURCES & ENVTL. L. 255 (2007)

The Power of Rights: Imposing Human Rights Duties on Transnational Corporations for Environmental Harms, in *THE NEW CORPORATE ACCOUNTABILITY: CORPORATE SOCIAL RESPONSIBILITY AND THE LAW* (Doreen McBarnet, Aurora Voiculescu, & Tom Campbell, eds., Cambridge University Press, 2007)

In Defense of Absolutes: Combating the Politics of Power in Environmental Law, 90 *IOWA L. REV.* 1405 (2005).

Cass Sunstein's Cost-Benefit Lite: Economics for Liberals, 29 *COLUMB. J. ENVL. L.* 191 (2004).

The Economics of Endangered Species: Why Less is More in the Economic Analysis of Critical Habitat Designations, 28 *HARV. ENVTL. L. REV.* 129 (2004).

"Why Won't Mom Cooperate?" *A Critique of Informality in Child Welfare Proceedings*, 11 *YALE J. L. & FEMINISM* 339 (1999).

Comment, *In Search of Affirmative Duties Toward Children Under a Post-DeShaney Constitution*, 139 *U. PENN. L. REV.* 227 (1990), revised for inclusion in *CHILD, PARENT, AND STATE: LAW AND POLICY READER* (S. Randall Humm, *et al.* eds. 1994).

Assisting Clients Seeking the Road to Decent Jobs: Job Training Advocacy, 29 *CLEARINGHOUSE REV.* 233 (1995) (with Irv Ackelsberg).

Professional Writing

Comments submitted to Office of Information and Regulatory Affairs regarding Potential Revisions to Executive Order 12866 on OMB Regulatory Review (March. 16, 2009)(with co-authors), available at:

http://www.progressivereform.org/articles/CPR_Comments_New_EO_Reg_Rev.pdf

Reinvigorating Protection of Health, Safety and the Environment: The Choices Facing Cass Sunstein (Center for Progressive Reform, Jan. 2009)(with co-authors), available at:

<http://www.progressivereform.org/articles/SunsteinOIRA901.pdf>

Protecting Public Health and the Environment by the Stroke of a Pen: Seven Executive Orders for the President's First 100 Days (Center for Progressive Reform, Nov. 2008)(with co-authors), available at: http://www.progressivereform.org/CPR_ExecOrders_Stroke_of_a_Pen.pdf

Amicus Brief on behalf of OMB Watch, *Entergy Corp. v. EPA*, Nos. 07-588, 07-589, 07-597 (U.S. Supreme Court 2008)

Comments submitted to Office of Information and Regulatory Affairs on Draft 2008 Report to Congress on Benefits and Costs of Federal Regulations (Nov. 11, 2008)

Professional Affiliations

Board of Directors, Center for Progressive Reform (www.progressivereform.org)

Member, Working Group on Property, Citizenship, and Social Entrepreneurship
(www.law.syr.edu/pcse.)

Member, Delaware Valley Environmental Inn of Court

Awards and Honors

Friel-Scanlan Award for Excellent Scholarship 2007.

Wallace Stegner Center Young Scholar in Residence, Wallace Stegner Center for Land, Resources and the Environment, University of Utah S.J. Quinney College of Law, November 7-9, 2006.

Conferences and Presentations

The Climate Crisis: In Search of a Bail-out Plan for the Planet, The 2009 Friel/Scanlan Lecture, Temple University Beasley School of Law, April 9, 2009.

The Missing Instrument: Dirty Input Limits, Society for Environmental Law & Economics, First Annual Meeting, University of British Columbia Faculty of Law, Vancouver, B.C., Mar. 27-28, 2009.

Reflections on the Entergy Case, Panel: Supreme Court Round-Up, Center for Progressive Reform, Annual Conference, San Diego, CA, Jan. 6, 2009.

Author Meets Reader Panel: Matthew D. Adler & Eric A. Posner, New Foundations of Cost-Benefit Analysis (Harvard University Press, 2006), Annual Meeting, Law and Society Association and Canadian Law and Society Association, Montreal, Canada, May 31, 2008.

Dirty Input Limits as Climate Change Policy, Symposium: Living with Climate Change: Legal Challenges in a Warmer World, Widener University School of Law, Wilmington, DE, April 19, 2008.

Ethics and Climate Change, The 12th International Conference of the Pacific Basin Consortium for Environment and Health Sciences, Environment and Health in the 21st Century: Challenges and Solutions, Peking University, Beijing, China, Oct. 29, 2007.

The Missing Instrument: Dirty Input Limits, Workshop, Tsinghua University Law School, Beijing, China, Sept. 20, 2007

Taking Efficiency Seriously: The WTO's Affirmative Duty to Impose Trade Barriers to Internalize Transboundary Environmental Harms, University of Idaho, Third Annual International Law Symposium: Free Trade or Fair: The Softwood Lumber Dispute and Beyond, Coeur d'Alene, Idaho, March 1-3, 2007.

The Tragedy of the Commons and the Myth of a Private Property Solution, Environmental Capstone Colloquium, University of Florida, Gainesville, FL, Feb. 22, 2007.

The False Promise of Corporate Social Responsibility: Shell in Nigeria, Temple Journal of Science, Technology, and Environmental Law Symposium: Business Sustainability: Planning for a Responsible Future, Temple University, Feb. 9, 2007.

Wallace Stegner Center Young Scholar in Residence, Wallace Stegner Center for Land, Resources and the Environment, University of Utah S.J. Quinney College of Law, November 7-9, 2006.

The Incredible Shrinking Benefits of Mercury Regulation: A Story of Cost-Benefit Analysis, Politics, and Manipulation, CLE presentation, Parsons, Behle, and Latimer, Salt Lake City, Utah, November 7, 2006.

Is There a Human Right to Security from Climate Change? Stegner Center Young Scholar Lecture, University of Utah S.J. Quinney College of Law, November 8, 2006.

Eco-cide, Indigenous Peoples, and the Power of Rights: Holding Transnational Corporations Accountable, Lat-Crit XI, University of Nevada, Las Vegas, Oct. 5-8, 2006.

Conflicting Impulses in Conceptions of Property Rights in Latin America: The Neoliberal Agenda Meets the Social Function Doctrine, The South-North Exchange on Theory, Culture, and Law: Free-Market Fundamentalism—A Critical Review of Dogmas and Consequences, Universidad de los Andes, Bogota, Columbia, May 18, 2006.

The Tragedy of the Commons and the Myth of a Private Property Solution, Workshop, University of British Columbia Faculty of Law, March 7, 2006.

The Environmental Causes and Effects of Hurricane Katrina, University of Washington School of Law, Dec. 5, 2005.

The Tragedy of the Commons and the Myth of a Private Property Solution, Annual Meeting, Working Group on Property, Citizenship, and Social Entrepreneurship, Washington, D.C. Nov. 4-5, 2005.

Beyond the Public-Private Divide: New Paradigms for Constraining Corporate Power in the Age of Globalization, Law and Society Association annual conference, Las Vegas, NV, June 2-5, 2005.

The “Preference for Pollution” and other Fallacies: An Argument for the Harmonization of Environmental Standards, Faculty Colloquium, Temple University School of Law, April 14, 2005.

The “Preference for Pollution” and other Fallacies: An Argument for the Harmonization of Environmental Standards, University of Idaho Third Annual International Law Symposium: *Progress in International Organizations*. March 3-5, 2005.

Moderator, Temple Journal of Science, Technology, and Environmental Law Symposium: *Environmental Technology and Innovation: Partners for Our Future*, Temple University School of Law, Feb. 24, 2005.

In Defense of Absolutes: Combating the Politics of Power in Environmental Law, Faculty Colloquium, University of Pennsylvania Law School, Nov. 9, 2004.

In Defense of Absolutes: Combating the Politics of Power in Environmental Law, Environmental Law Workshop Seminar, Georgetown University Law Center, Oct. 19, 2004.

Commenter: 2004 U.S.-China Environmental Law and Policy Roundtable, Temple University School of Law, July 28-29, 2004.

Pricing Posterity: The Rising Influence of Cost-Benefit Analysis in U.S. Environmental Law, 2004 U.S.-China Environmental Law and Policy Roundtable, Temple University School of Law July 7, 2004.

In Defense of Absolutes, Faculty Colloquium, Temple University School of Law, Mar. 4, 2004.

Moderator, Temple Environmental Law and Technology Journal Symposium: *Saving Spaces: Smart Growth and Beyond*, Temple University School of Law, Feb. 26, 2004.

Environmental Security After September 11: Preserving Transparency in the Face of Terror, ABA Semi-Annual Meeting, Philadelphia, PA, Feb. 1, 2002.

Commenter, Sino-American Forum on Chinese Property Law, Tsinghua University, Beijing, China, June 17 & 18, 2002.

Commenter in response to Cary Coglianese’s *The Institutionalization of the U.S. Environmental Movement*, 20th Annual Edward V. Sparer Symposium, *Social Movements and Law Reform*, University of Pennsylvania Law School, March 2001.