

D. Don Welch, Jr.

Associate Dean for Administration and Professor of Law
Vanderbilt Law School
131 21st Ave., South
Nashville, TN 37240
(615) 322-0164

EXPERIENCE:

Professor of Law and Associate Dean, Vanderbilt
University Law School

Assistant Dean, 1984-85, Associate Dean since
1985; Lecturer in Law, 1984-90, Senior Lecturer
in Law, 1990-93; Associate Professor of Law, 1993-
1998; Professor of Law since 1998.

Professor of Religion (secondary appointment)
Graduate Department of Religion

Recent Courses: Ethics and Public Policy
Religion, Politics & Social Issues
Professions and Society

Associate Dean for Academic Services, Vanderbilt
University, 1980-84; Assistant Dean, 1977-80.

Assistant Director, Nashville University Center,
1976-77.

Director, West Nashville Youth Service, Meharry Medical
College Community Mental Health Center, 1975-76.

Reporter/staffer, The Nashville Tennessean, August,
1971-July, 1974.

EDUCATION:

Vanderbilt University
Graduate Department of Religion Ph.D. 1976
M.A. 1975

Major: Ethics
Minor: Political Theory

Dissertation: Secrecy, Democracy and
Responsibility: The Central Intelligence
Agency and Congress

Vanderbilt Divinity School, M.Div. program, 1969-71

Baylor University B.A. 1969
Major: Religion
Minor: Political Science, History

PUBLICATIONS:

Books

Vanderbilt Law School: Aspirations and Realities.
Nashville: Vanderbilt University Press,
2008.

Conflicting Agendas: Personal Morality in
Institutional Settings. Cleveland:
Pilgrim Press, 1994.

Law and Morality. Philadelphia: Fortress Press,
1987. (edited)

Macho Isn't Enough: Family Man in a Liberated
World. Atlanta: John Knox Press, 1985.

Articles and Essays in Professional Journals
and Edited Books

"What's Going On?" in the Law School Curriculum,
53 Houston Law Review, 1607-1623 (2005).

*Vanderbilt Law School in the Nineteenth Century:
Its Creation and Formative Years* (with Jon Bruce)
56 Vanderbilt Law Review 497-560 (2003).

Inclusive Policy Analysis, 9 Research in Public
Policy Analysis and Management 231-249 (1998).

*Ruling with the Heart: Emotion-Based Public
Policy,* 6 Southern California Interdisciplinary
Law Journal, 55-87 (1997).

*Listening to the Sound of No Students Clapping:
What Zen Can Offer Legal Education,* 29
University of San Francisco Law Review,
389-395 (1995) [invited response].

*Just Another Day at the Office: The Ordinariness
of Professional Ethics,* 2 Professional Ethics, 3-14
(1994). Reprinted in Robert A. Larmer, ed., Ethics

in the Workplace, 2nd ed. (Belmont, CA: Wadsworth, 2002). Reprinted in John Rowan and Samuel Zinaich, eds., Ethics for the Professions (Harcourt Brace, 2003). Reprinted in 15 Tennessee's Business, 14 (2006). Reprinted in Fritz Allhoff and Anand J. Vaidya, eds., The Professions in Ethical Focus: An Anthology (Toronto: Broadview Press, 2008).

Legitimate Government Purposes and the State's Enforcement of Morality, 1993 U. of Illinois Law Review, 401-437.

Walking in Their Shoes: Paying Respect to Incompetent Patients, 42 Vanderbilt Law Review, 1617-1640 (1989).

Right, Rights and the Law, 39 The Journal of Legal Education, 147-54 (1989).

The State as a Purveyor of Morality, 56 George Washington Law Review, 540-557 (1988).

Big Pictures and Little Puzzles, 38 The Journal of Legal Education, 463-468 (1988).

Removing Discriminatory Barriers: Basing Disparate Treatment Analysis on Motive Rather Than Intent, 60 Southern California Law Review 733-782 (1987).

The Moral Dimension of Law, in Law and Morality (D. Welch, ed.), 1-27 (1987).

Superficially Neutral Classifications: Extending Disparate Impact Theory to Individuals, 63 North Carolina Law Review 849-878 (1985).

A Niebuhrian Contribution to Normative Ethics, 64 Encounter 341-351 (1983).

Secret Intelligence in a Democracy, 49 Religion in Life, 435-447 (1980).

American Politics and American Values, 19 St. Luke's Journal of Theology, 233-243 (1976).

General Writings (selected):

Social Ethics, Overview, in Encyclopedia of Applied Ethics (Ruth Chadwick, editor-in-chief), forthcoming; *Social Ethics, Overview*, in Encyclopedia of Applied Ethics, IV, 143-151 (1998).

Law School Histories: A Panel Discussion, 32 Campbell Law Review 311-331 (2010).

Transformers, 36 The Vanderbilt Lawyer, 14-23 (2007).

He Knew Why He Was Here, 39 Vanderbilt Journal of Transnational Law, 1443-45 (2006).

Institutional Civility: When Manners Are Morals, 28 The Vanderbilt Lawyer, 19-21 (1998).

Introduction, Annual Report to the Chancellor, Vanderbilt University School of Law, 1995/96, 4-5.

Individual Need vs. Communal Interest, 78 Vanderbilt Magazine 11-12 (Winter 1995).

Legal Codes Are Not Enough, 17 The Spire 4-5 (Winter 1995).

The Community's Conscience: Giving Meaning to the Due Process Clause, 23 The Vanderbilt Lawyer 5-7, 32 (1992).

Religion, Morals, and Education: An Impossible Search for Neutrality, 18 The Vanderbilt Lawyer 14-19 (1988).

An Affirmative Action Model for Higher Education, 13 The Journal of Intergroup Relations 46-52 (1985).

The Limitations of Secrecy, 5 Engage/Social Action, 49-54 (1977).

Papers and Presentations (selected):

"Moral Duty and the Rule of Law," commentary of Judge William Pryor address, Federalist Society Lecture, Vanderbilt, March, 2010.

"Moral Values in the Assessment of Governance: Effectiveness and Fidelity," at "Governing Good and Governing Well: the first global dialogue on effective and ethical governance," Amsterdam, May 2009.

"Treasure Chest or Land Mine Field," at Advocacy, Leadership, and Ethics in the Social Work Profession conference, Nashville, March 2009.

"Writing Law School Histories," Southeastern Association of Law Schools, annual meeting, Palm Beach, July 2008

"Implementing and Evaluating Strategic Change," American Bar Association Associate Dean's Conference, Denver, June 2008

"Professional Morality in Institutional Settings," Tennessee Municipal Attorneys Association Winter Seminar, February 2008.

"Managing Change: Budget," at the American Bar Association Associate Dean's Conference, Denver, June 2004.

"Exploring the Scholarship of Teaching and Learning," panel presentation, Association of American Law Schools annual meeting, January, 2004.

"Do Professional Codes Inhibit Moral Decision Making?" Cal Turner Program in Moral Leadership, Vanderbilt University, November, 2002.

"Teaching Professional Judgment," Professional Ethics Forum, Washington & Lee Law School, April, 2002.

"What Does It Mean to Be a Scholar?," Vanderbilt Graduate Department of Religion panel, November 2001.

"What Do Your Genes Have to Do With Your Job? Genetic Discrimination and Employment," panel member, Turner Program in Moral Leadership, Vanderbilt, April 2001

"The Two Faces of Professional Ethics," Cal Turner Program in Moral Leadership, Vanderbilt, November, 2000.

"Institutional Civility: When Manners Are Morals," at the 1997 Conference on Values in Higher Education; (Institutional Ethics: The Moral Dimensions of University Policy), The University of Tennessee, April, 1997

"What Are the Law Schools Teaching and How Are They Teaching It?", panel at the Tennessee Conclave on Legal Education, November, 1996

"Training New Lawyers: Whose Responsibility?", panel member, annual meeting of the Tennessee Bar Association, June, 1996

"Conflicting Agendas in the Title Business," continuing education panel, sponsored by the Tennessee Land Title Association and the Tennessee Bar Association, November, 1994.

"Ethics in a Changing Environment," at the annual meeting, American Society for Public Administration, Tennessee chapter, November, 1994.

"Citizens Decide: Ethics, Values and Public Policy Decision Making," a six-week continuing education series for Vanderbilt Divinity School, February-March, 1993.

"The Role of Law Schools in Making Character and Fitness Determinations," panel member, Tennessee Board of Law Examiners' Character and Fitness Workshop, January, 1993.

"The Nature of Ethical Obligations in the Professions," mid-year meeting of the American Association of Attorney-Certified Public Accountants, July, 1992.

"Ethical Issues in Medicine and Biotechnology," Vanderbilt Summer Science Collaborative, June, 1992.

"Establishing Public Policy on DNA Typing," national meeting of the Association for Practical and Professional Ethics, March, 1992.

"Cross-Professional Trends in Feminist Thinking: Law and Theology as a Case Study," commentator on the Florrie Wilkes-Sanders Lecture, Vanderbilt Law School, April, 1991.

"Legal Responses to Community Health Needs in Times of Crisis," Vanderbilt Divinity School continuing education series, September, 1990.

"The Right to Die," panel member, Nashville Bar Association CLE program, January, 1990.

"The Right to Die," panel member, Tennessee Conference on Law and Aging, May, 1989.

"Who Pays the Bill for Health Care," panel member in Tennessee Health Decisions Forum sponsored by The Clinical Ethics Guild, September, 1988.

"Ethical Foundations of Informed Consent for Incompetent Subjects," presented at the NIH/FDA regional conference on Ethical Issues in Biomedical and Behavior Research with Human Subjects, November, 1986.

Untitled Book Reviews:

Book Review: Problems and Conflicts between Law and Morality in a Free Society, by James E. Wood, Jr. and Derek Davis (eds.), 37 Journal of Church and State 904-06 (1995).

Book Review: Moral Vision and Professional Decisions: The Changing Values of Women and Men Lawyers, by Rand Jack and Dana Crowley Jack, 76 Women Lawyers Journal, 3 (Winter 1990).

Book Review: Religious Liberty and the Secular State, by John M. Swomley, 30 Journal of Church and State 154-155 (1988).

Book Review: On Human Dignity: Political Theology and Ethics, by Jurgen Moltmann, 28 Journal of Church and State 333-334 (1986).

AWARDS AND HONORS:

Seminar Leader, Carnegie Seminar in Legal Education, Carnegie Foundation for the Advancement of Teaching, 2000-01

Distinguished Service Award, Vanderbilt Law School, 1997

Baylor University Men and Women of Merit Award Recipient, 1994

PROFESSIONAL ACTIVITIES:

Editor, Journal of Legal Education, 1998-2004 (peer-reviewed journal of the Association of American Law Schools)

Tennessee Supreme Court Committee to Implement the Recommendations of the Racial and Ethnic Fairness Commission and the Gender Fairness Commission, 1998-2000
Chair, Education and Training Subcommittee

Tennessee Bar Association Committee on Legal Education and the Bar, 1995-01

Co-chair, Law School Curriculum Subcommittee,
1996-98

Vanderbilt representative, Policy Committee, national
Consortium for the Financing of Higher Education,
1978-81

Law School Assignments:

ad hoc Legal Research & Writing Program Director
Appointments Committee, 2009-10
ad hoc ABA Self-Study Committee, 2009-10
Faculty Advisor, Law/Divinity Joint Degree Program,
1989-
Curriculum Committee, 1989-91, 1995-98, 1999-05;
Chair, 1999-01
Website Task Force, 2003
Administrative Committee, 1984-99; chair, 1985-91,
1992-99
ABA Self-Study Committee, 1994-5
Building Committee, 1993-4, 1996-01
ad hoc Committee on the First Year Writing
Program, 1992-93
ad hoc Committee on Faculty By-Laws, 1992-93
Student-Faculty Relations Committee, 1986-87,
fall 1992 (chair), 1993-94
Representative to AALS House of Delegates,
1992
ad hoc Committee on Secondary Appointments, chair,
1991-92
ad hoc Committee on Legal Writing, chair, 1990-91
ad hoc Building Committee, chair, 1987-88
ad hoc Grading Study Committee, 1987-88
Steering Committee, ABA Self-Study, 1987-88
Faculty Secretary, 1985-
ad hoc Computer Resources Committee, chair, 1984-85
Faculty Advisor:
Vanderbilt Bar Association, 1984-90
Law School Honor Council, 1984-
Animal Law Society, 2000-
Phi Delta Phi, 2000-02
Gay and Lesbian Law Students Association,
1989-90

University Assignments:

Fellow, Center for the Study of Religion and Culture,
2007-09
Acting Director, Ethics Area, Graduate Department
of Religion, Spring 2003
Cal Turner Program in Moral Leadership
Professional Relationships Advisory Committee,
2002-04
Faculty Advisory Council, 1998-01

Associate Deans' Advisory and Policy Committee,
2002-08
Advisory Committee for Campus Community, 2002
Financial Information Systems Committee, 2002-05
Academic Subcommittee
Commencement Review Committee, 2001-02
Steering Committee, Vanderbilt Integrated
Applications Project, 1999-00
Faculty Manual Revision Committee, 1999
Search Committee, Margaret Cuninggim Women's Center
Director, 1996-97
Associate, Center for Clinical and Research Ethics,
Vanderbilt Medical Center
Advisory Board member
Radiation Safety Committee, 1995-99
Search Committee, University Distinguished
Professor, Director of the Cal Turner Program
in Moral Leadership, 1994-97
Ad hoc Committee on Disciplinary Procedures,
1994-95
Southern Association of Colleges and Schools
Reaccreditation Compliance Audit Committee,
1994-96
Evaluation Committee, Initiative on Technological
Innovations in the Classroom, 1993-97
Search Committee, Associate Provost for Computing,
1993-94
Initial Planning Committee, Southern Association
of Colleges and Schools Reaccreditation,
1993-94
University Computer Store Advisory Committee,
1993-94
University Committee on Academic Computing,
1988-91
Served as chair of the subcommittee on the
Administration of Computer Resources,
1988-91
Advisory Board, Margaret Cuninggim Women's
Center, 1988-92
Chair, 1989-90
Executive Committee, 1988-92
Evaluation Committee, 1988-89
Ad hoc Committee on the Payment Deferment Policy,
1988-89
University Calendar Committee, 1984-2008
University United Way Committee, 1985-88
Public Policy Education Programs Committee,
1986-88
University Registrar Search Committee, chair,
1986-87
ad hoc Committee on New Faculty Orientation,
1986-87
Director, Graduate & Professional Opportunities
Program, 1980-84

Graduate Student Conduct Council, 1984-86
Summer Challenge Program Committee, 1982-84
Council on Governmental Relations, 1981-84
Officer Education Advisory Committee, 1977-84
Director of Admissions Search Committee, chair,
1981-82
Opportunity Development Officer Search Committee,
1981-82
Intellectually Talented Youth Committee, 1981-82
Chair, staff to the Faculty and Administration
Reassessment Panels, 1978-80
Student Records System Task Force, chair, 1978-79
Public Services Subcommittee, chair, of the Library
Study Committee, 1978-79