

CURRICULUM VITAE OF CHRISTOPHER W. BEHAN

I. PROFESSIONAL AFFILIATION AND CONTACT INFORMATION

A. Present University Unit: School of Law

B. Position: Associate Dean for Academic Affairs & Associate Professor of Law

C. Office Address:

Southern Illinois University School of Law
Lesar Law Building - Mailcode 6804
1150 Douglas Drive
Carbondale, Illinois 62901
Telephone: 618-453-8722
E-mail: cbehan@siu.edu

II. EDUCATION

Master of Laws (L.L.M.) in Military Law (Criminal Law Specialty)

The Judge Advocate General's School, United States Army, Charlottesville, Virginia.
May 2003.

Honors: Commandant's List

Juris Doctor (J.D.)

J. Reuben Clark Law School, Brigham Young University, Provo, Utah. April 1995

Honors:

Magna Cum Laude
Order of the Barrister
Director of Interschool Competitions, Moot Court Board of Advocates
Scholarly Writing Award
Foundation Press Award for Excellence in Constitutional Law
Bureau of National Affairs Law Student Award
Three-year, full-tuition academic scholarship recipient

Bachelor of Arts (B.A.), English

Brigham Young University, Provo, Utah. August 1992.

Honors:

Magna Cum Laude
Trustees' Scholar (4-year, full-tuition academic scholarship)

Brigham Young University Jerusalem Center for Near Eastern Studies, Jerusalem, Israel.

Study Abroad Program, Summer 1990.

Honors: Academic Scholarship Recipient

III. PROFESSIONAL EXPERIENCE

Associate Dean for Academic Affairs, Southern Illinois University School of Law, Carbondale, Illinois. July 2014-present.

Associate Professor of Law, Southern Illinois University School of Law, Carbondale Illinois. July 2006-present. Received tenure and promotion to Associate Professor in July 2012.

Courses. *Current:* Legal Globalization and Comparative Law: South Africa and Botswana (Law 602), Evidence (Law 536), Trial Advocacy (Law 537). *Past:* Advanced Trial Advocacy (Law 637), International Criminal Law (Law 606), White Collar Crime (Law 605), Criminal Law (Law 516), Senior Writing Seminar-Military Law (Law 590).

Associate Professor, The Judge Advocate General's School, Charlottesville, Virginia. May 2003-May 2006

Courses: Evidence, Advanced Evidence, Military Criminal Jurisdiction, Trial Advocacy

Judge Advocate, United States Army. October 1995-July 2006.

Assignments:

The Judge Advocate General's School, Charlottesville, Virginia. May 2003-May 2006

Associate Professor, Criminal Law Department. May 2003-July 2006
L.L.M. Candidate, August 2002-May 2003.
Promoted to rank of Major on December 1, 2002.

Office of the Staff Judge Advocate, Fort Riley, Kansas. July 1999-July 2002.
Senior Trial Counsel (Military Prosecutor)
Chief, International and Operational Law Division
Chief, Administrative Law Division.

Office of the Staff Judge Advocate, Fort Drum, New York. January 1996-July 1999.

Military Prosecutor
Military Criminal Defense Counsel
Command Judge Advocate, Task Force 2-87, Sinai, Multinational Force and Observers

Legal Assistance Attorney.
Promoted to rank of Captain on April 1, 1996.

IV. RESEARCH AND CREATIVE ACTIVITY

A. Interests and Specialties:

Evidence Law, Military Law and Trial Advocacy, with a focus on:

- Issues and problems of proof in the adversary trial system
- The impact of extrinsic social policies and issues on the rules of evidence
- Substantive military criminal law
- Decision-making, command influence and the court-martial panel (military jury)
- Effective teaching methodologies for improving courtroom advocacy skills

B. Grants Applied for:

Summer research grants, SIU School of Law, 2007-2013.

C. Grants Received:

Summer research grants, SIU School of Law, 2007-2013

D. Honors and Awards:

SIU School of Law Outstanding Scholar, 2013-2014 (April 2014)

Fellow, Foundation for Defense of Democracies, 2013-2014 Academic Year.

SIU School of Law Outstanding Teacher, 2011-2012 (April 2012).

Class of 2012 Senior Class Award, Southern Illinois University School of Law (April 2012).

Defender of the Innocent Award (with SIU School of Law and Professor William Schroder), Illinois Innocence Project (April 2012).

SSRN Top Ten Download List, Military & Homeland Security eJournal, June 11, 2010 for article, Christopher W. Behan, *Everybody Talks: Evaluating the Admissibility of Coercively Obtained Evidence in Trials by Military Commission*, 48 Washburn L. J. 463 (2009).

Certified Master Advocacy Trainer, Stetson University College of Law, Gulfport, Florida, May 2008.

Diploma in Advocacy Skills, National Institute for Trial Advocacy, Cambridge, Massachusetts, April 2005.

Article excerpted in Casebook: Eugene R. Fidell, Elizabeth L. Hillman and Dwight H. Sullivan, *Military Justice: Cases and Materials*, 719-23 (Lexis Nexis 2007) (reprinting Christopher W. Behan, *Don't Tug on Superman's Cape: In Defense of Convening Authority Selection and Appointment of Court-Martial Panel Members*, 176 *Military Law Review*. 190, 269-72 (2003)).

Department of Defense Meritorious Service Medal (two awards, May 2002 and May 2006).

Army Commendation Medal (two awards, May 1999 and May 2000).

Army Achievement Medal (July 1997).

Award for Excellence in Advocacy, 8th Criminal Law Advocacy Course, the Judge Advocate General's School, United States Army, September 1997.

E. Papers and Presentations at Professional Meetings:

Panelist, Educating Advocates Conference, *Revamping Advocacy Programs: Best Practices, ABA Standards, Regional Practices*, Stetson University School of Law, St. Petersburg, Florida, May 2015.

Speaker, 2014 Southern Illinois University Carbondale Assessment Conference, SIUC, Carbondale, Illinois. October 2014. Title: *Integrating Multiple Assessment Methods to Teach Complex Performance Skills*.

Panelist, Southeastern Association of Law Schools Annual Meeting, *Workshop on Experiential Learning: The Role of Advocacy in the Modern Law School* Amelia Island, Florida, August 2014. Title: *The Agony and the Ecstasy, or, How I Spent My Summer Teaching Trial Advocacy Via Distance Learning*.

Panel Organizer, Educating Advocates Conference, Stetson University School of Law, St. Petersburg, Florida, May 2014. Title: *Course Design, Implementation and Improvement*.

Panelist, Educating Advocates Conference, Stetson University School of Law, St. Petersburg, Florida., May 2013. Title: *Advocacy Across the Curriculum: Integrating Trial Advocacy Principles in Doctrinal Classes*.

Panelist, Southern Illinois University School of Law Journal Symposium, "Guantanamo Bay: What Next?" February 2013. *A Semi-Panglossian Solution: Military Commissions and the Conundrum of Classified Evidence*.

Panelist, Educating Advocates Conference, Stetson University School of Law, St. Petersburg, Florida., May 2012. *Using Directed Self-Video Review to Enhance Outcomes in Trial Advocacy Courses.*

Panelist, *The Response: Administrative Law, Due Process, Evidence, and Ethics Implications of the Combatant Status Review Tribunals*, Iowa Association of Administrative Law Judiciary, Des Moines Iowa. April 2012.

Panelist, Margie Parker Teach-in for Peace, *Guantanamo Bay at 10-Consequences and Broken Promises*, Southern Illinois University School of Law. January 2012.

Panelist, “*The Response* Movie-Perspectives on Combatant Status Review Tribunals,” Southern Illinois University School of Law. October 2011.

Panelist, *The Changing Face of International Justice: Military Commissions, Guantanamo Bay and Beyond*, Southern Illinois University School of Law. November 2011.

Panelist, National Association of Administrative Law Judiciary Annual Conference, Santa Fe, New Mexico, September 2011. Title: *The Response Movie-Combatant Status Review Tribunals and the Protections Offered by the Rules of Evidence.*

Co-Presenter, Courtroom Technology CLE, United States District Court for the Southern District of Illinois, Benton Federal Courthouse and East St. Louis Federal Courthouse, June 2011. Title: *Evidentiary Implications of Electronic Evidence.*

Co-Presenter, The Institute for Law Teaching and Learning Summer 2010 Conference, Teaching Law Practice Across the Curriculum, Washburn University School of Law, June 2010. Title: *Herding Cats: How To Achieve Faculty Cooperation In Teaching Lawyering Skills Across The 1L Curriculum (Without Infringing On Academic Freedom).*

Co-Presenter, Educating Advocates Conference, Stetson University School of Law, St. Petersburg, Florida., May 2010. Title: *Different Ways to Do the Same Thing–Innovation and Recycling in Advocacy Teaching.*

Guest Speaker, 53d Military Judge Course, The Judge Advocate General’s Legal Center and School, Charlottesville, Virginia, May 2010. Title: *Old Wine in a New Bottle: Preparing for Daubert Challenges to Forensic Evidence in Trials by Courts-Martial.*”

Co-Presenter, The American Inn of Court, Lincoln’s Inn, April 2010. Title: *Effective State Court Motions Practice in Southern Illinois.*

Panelist, The International Criminal Court and Other Forms of International Justice, co-sponsored by the United Nations Association, the International Law Society, and the SIU School of Law, Carbondale, Illinois, October 2009. Title: *Military Tribunals and*

International Justice.

Presenter, The National Institute of Trial Advocacy, Public Service Attorney Trial Skills Program, Louisville, Colorado, July 2009. Title: *Clothing All the Naked People: The Role of Description in Direct Examination.*

Presenter, Educating Advocates Conference, Stetson University School of Law, St. Petersburg, Florida, March 2009. Title: *One Night at McCool's and the Slippery Nature of Truth, or, How I Use B-Grade Movies to Teach Case Investigation and Direct Examination Skills.*

Guest Speaker, 30th Criminal Law Advocacy Course, The Judge Advocate General's Legal Center and School, Charlottesville, Virginia, October 2008. Title: *One Night at McCool's and the Slippery Nature of Truth: Thoughts on Case Investigation, Trial Preparation and the Adjudicative Process.*

Keynote Speaker, Iowa Association of Administrative Law Judges Annual CLE, Des Moines, Iowa, October 2008. Title: *Best of Both Worlds: Adversarial Evidentiary Objections in Light of Administrative Law Standards.*

Presenter, South Eastern Association of Law Schools New Scholars Forum, Amelia Island, Florida, August 2007. Title: Work-in-Progress, *Everybody Talks: Examining the Probative Value of Coercively Obtained Evidence in Trials by Military Commission.*"

Invited Speaker, The Court of Appeals of the Armed Forces Annual Judicial Conference, The Catholic University, Washington, DC., April 2006. Title: *Relevance and Sexual Propensity Evidence in the Military Courts.*

Invited Speaker, 2006 United States Army Europe Criminal Law CLE, Garmisch, Germany, February 2006. Title: *New Developments in Military Rules of Evidence, Self-incrimination, and Advanced Trial Advocacy Techniques.*

Invited Speaker, United States Army Trial Defense Service Conference, Las Vegas, Nevada, October 2005. Title: *New Developments in Military Rules of Evidence and Instructions.*

Invited Speaker, 89th Reserve Component On-site Legal Conference, Kansas City, Missouri, May 2005. Title: *New Developments in Evidence, Instructions, Motions and Arguments.*

Invited Speaker, The Court of Appeals of the Armed Forces Annual Judicial Conference, The Catholic University, Washington, DC., April 2005. Title: *Unanswered Questions in the Military Rules of Evidence.*

Invited Speaker, 31st Annual Interservice Military Judges' Seminar, Maxwell Air Force Base, Montgomery, Alabama, April 2005. Topics: The Objection and Waiver Rule; Sexual Propensity Evidence at Trial; National Security Law and the Classified Information Privilege.

Invited Speaker, 2005 United States Army Europe Criminal Law CLE, Willingen, Germany, February 2005. Topics: Expert Testimony and Assistance at Trial; New Developments in Evidence and Instructions for the 2004 Term of Court; Effective Cross Examination Techniques; Self-Incrimination Under the Fifth and Sixth Amendments and the Uniform Code of Military Justice; Trial Advocacy Training.

Invited Speaker, United States Army Trial Defense Service Conference, National Advocacy Center, Columbia, South Carolina, November 2004. Title: *New Developments in Evidence and Instructions for the 2004 Term of Court*.

Invited Speaker, Reserve Component On-site Legal Conference, Indianapolis, Indiana, April 2004. Topics: *New Developments in Evidence and Instructions; New Developments in Crimes and Defenses*.

Invited Speaker, 87th Reserve Component On-site Legal Conference, Salt Lake City, Utah., February 2004. Topics: History of the Military Justice System; Handling Cases Under the Uniform Code of Military Justice.

Invited Speaker, United States Army Trial Defense Service Conference, Las Vegas, Nevada., November 2003. Title: *New Developments in Evidence and Instructions 2003*.

V. PUBLICATIONS AND CREATIVE WORKS

A. Books:

Christopher W. Behan, *Evidence and the Advocate: A Contextual Approach to Learning Evidence* (New York: Lexis/Matthew Bender) (April 2012) (695 pages).

Christopher W. Behan, *Teacher's Manual for Evidence and the Advocate: A Contextual Approach to Learning Evidence* (New York: Lexis/Matthew Bender) (June 2013) (176 pages).

David Schlueter, Charles H. Rose III, Victor Hansen and Christopher W. Behan, *Military Crimes and Defenses* (New York: Lexis/Matthew Bender. 2d ed. 2012) (1st ed. 2007) (1155 pages).

Christopher W. Behan, Case File: *People v. Vonda Fitzpeter* (Florida: Practice Ready Press 2014).

B. Articles in Professional Journals:

Military Commissions and the Classified Evidence Conundrum: A Semi-Panglossian Solution, 37 Southern Illinois University Law Journal 643-693 (2013).

Everybody Talks: Examining the Admissibility and Probative Value of Coercively Obtained Evidence in Trials by Military Commission, 48 Washburn Law Journal 563-616 (2009) (lead article in 2d volume of Global War on Terror Symposium edition).

From Voyeur to Lawyer: Vicarious Learning and the Transformational Advocacy Critique. 38 Stetson Law Review 1-40 (2008) (lead article in Center for Excellence in Advocacy Symposium edition) .

When Turnabout is Fair Play: Character Evidence and Self-Defense in Homicide and Assault Cases. 86 Oregon Law Review 733-795 (2008).

The Future Ain't What It Used to Be': New Developments in Evidence for the 2005 Term of Court. Army Lawyer 56-79 (April 2006).

New Developments in Evidence for the 2004 Term of Court. Army Lawyer 4-27 (April 2005).

The Thrill and Excitement of Impeachment by Contradiction. Army Lawyer 10-16 (October 2004).

New Developments in Evidence 2003. Army Lawyer 11-36 (April 2004).

Don't Tug on Superman's Cape: In Defense of Convening Authority Selection and Appointment of Court-Martial Panel Members. 176 Military Law Review 190-308 (2003).

The Integrated Active and Reserve Division: Background, Legal Foundation, and the Role of Judge Advocates. Army Lawyer 1-9 (March 2003).

C. Book Reviews:

Review of M.L. Gross, Bioethics and Armed Conflict: Moral Dilemmas of Medicine and War (2006). 28 Journal of Legal Medicine 163-69 (March 2007).

Review of F.L. Borch, Judge Advocates in Combat: Army Lawyers in Military Operations from Vietnam to Haiti (2001), 174 Military Law Review 180-188 (2002).

D. Blog:

The Advocacy Teaching Blog, <http://advocacyteaching.blogspot.com/> (co-administrator).

E. Testimony:

Prepared Statement of Christopher W. Behan, Associate Professor of Law, Southern Illinois University School of Law to the Department of Defense Adult Sexual Assault Crimes Panel (Sep. 24, 2013), available at <http://responsesystemspanel.whs.mil/index.php/meetings?id=17>.

F. Works in Progress

Closing Down the Perjurer's Sanctuary: A Proposal to Modify Federal Rule of Evidence 801(d)(1)(A) to Counter Feigned Forgetfulness at Trial (article proposing a modification to Federal Rule of Evidence 801(d)(1)(A) to provide for the substantive admission of prior inconsistent statements of witnesses who feign forgetfulness at trial).

Second edition of *Evidence and the Advocate: A Contextual Approach to Learning Evidence* and accompanying Teacher's Manual

VI. TEACHING EXPERIENCE

A. Teaching Interests and Specialities:

Evidence (basic and advanced), Criminal Law, Trial Advocacy (basic and advanced), Military Law, International Criminal Law

B. Supervision of Independent Studies and *Southern Illinois University Law Journal* Case Notes and Commentaries

Thomas Bowman (law journal case note)
Ruth Brooks (law journal case note)
Stephanie Davies (independent study)
Eric Wilber (law journal case note)
Howard Oestery (LLM independent study)
Ayla Ellison (independent study)
Nicole LaForte (law journal commentary)
Stephanie Black (law journal case note)
Amy Oxley (law journal case note)
Kari Scott (independent study)

Levi Bennett (law journal commentary)
Michael Bailey (law journal case note)
Michelle Clark (law journal case note)
Natalie Gregory (law journal commentary)
Kelly Bapst (law journal case note)
Stephanie Janecke (law journal case note)

C. Current Graduate Faculty Status

Member of the SIUC graduate faculty.

D. Ph.D Dissertation Committee

Member, Dissertation Committee for Daniel Ames, PhD, *Private Equity Executive Compensation*. Southern Illinois University Carbondale College of Business. (2009).

D. Other Relevant Teaching Experience:

Faculty Member, Justice Advocacy Africa/Law Society of Botswana Advocacy Training Course, Gaborone, Botswana. April 2014.

Adjunct Professor of Law, Stetson University College of Law Online Master of Laws in Advocacy Program. January 2014 to present.

Course. Advanced Evidence.

Faculty Member, Thomson Reuters Legal Insights and Analytics Depositions Training Course. December 2013 to present.

Faculty Member, Advanced Trial Advocacy Course, United States Air Force Judge Advocate General's School, Maxwell Air Force Base, Montgomery, Alabama. May 2013.

Faculty Member, SIU School of Law/UMKC School of Law Ireland Summer Abroad Program. (2011 and 2012).

Course. Comparative War Crimes Tribunals.

Faculty Member, National Judicial College, Reno Nevada. 2008-present. (Pro-bono service teaching.)

Courses: Advanced Evidence (JS 613), Special Courts Evidence

Faculty Member, National Institute of Trial Advocacy, Public Service Attorneys Trial Skills Program. 2009-present. (Pro-bono service teaching.)

Faculty Member, Stetson University College of Law Teaching Skills Program. 2007-present. (Pro-bono service teaching program that teaches advocacy professors how to effectively critique students.)

Guest Faculty, Washburn University School of Law Intensive Advocacy Program (ITAP), May 2007

Faculty Trainer, NITA and Washburn University Western Kansas Outreach training program. 2005.

Guest Faculty, Notre Dame University Law School Intensive Advocacy Program. 2004-2006.

VII. UNIVERSITY EXPERIENCE

A. Law School Committees and Councils

Law School Committees

Co-Chair, Assessment Committee (Spring 2015)
Faculty Evaluation Committee (2012-2014)
Chair, Admissions Committee (fall 2011-2012); (2014-2015)
Specializations Steering Committee (2014-2015)
Personnel Committee (2011-2013)
Curriculum Committee (2010)
Law School Ethics Special Examiner (2009- 2013)
Law School Long Range Planning Committee (2009-2010)
Law School Admissions Committee (2008-present)
Law School Commencement Committee (2006-2007)
Library Advisory Committee (2006)
Law School Awards Committee (2007-2009)

Note: as Associate Dean, I am an *ex officio* member of the Assessment, Rules, Curriculum, Clinical & Experiential Education, Bar Preparation, and Student Affairs Committees

Law School Ad Hoc Committees

Chair, Ad-Hoc Graduation Task Force (2012-2013)
Career Services Director Search Committee (2011)

Interim Clinic Director Internal Search Committee (2009)
Law School Mission Statement Committee (2006-2007)

Other Law School Service:

Faculty Advisor for Downstate Illinois Innocence Project, 2010-2013
Mock Trial Team Director, 2009 to present
Faculty Advisor in First-Year Student Mentoring Program, 2007-present
Faculty Advisor, J. Reuben Clark Law Society, 2006-present
Faculty Advisor, Military Law Society, 2007-present

B. University Committees and Councils

Deans' Representative for SIUC Athletic Director Hiring Committee. 2015.

Associate Deans Council, Southern Illinois University Carbondale. 2014-present.

Law School Representative to the Southern Illinois University Graduate Council. 2011-2013.

Internal Program Review Team (with David Newmyer and Lori Merrill-Fink), PhD in Health Education, College of Education. Fall 2010.

VIII. PROFESSIONAL SERVICE

A. Membership in Professional Associations:

American Bar Association, 2006 to present
Illinois State Bar Association, 2009-present
Nebraska State Bar Association, 1995-present
Bar of the Court of Appeals for the Armed Forces, 1996-present
Association of American Law Schools, 2003-present
American Inn of Court, Lincoln's Inn Chapter, 2008-present
J. Reuben Clark Law Society, 2006-present

B. Consultantship

Expert witness in *Canamar v. McMillin Texas Management Services, LLC* (Western District of Texas, San Antonio), 2008-2009.

C. Pro Bono Criminal Cases

Since my admission to the Illinois Bar in 2009, I have provided *pro bono* legal

assistance to defendants in several local criminal cases, including a murder case, a DUI and child neglect case, a couple of underage drinking cases, and an aggravated battery and resisting arrest case.

IX. COMMUNITY SERVICE

Early-morning Seminary Teacher, Foxcroft Ward, Church of Jesus Christ of Latter Day Saints, 2011-2014

Sunday School Teacher, Foxcroft Ward, Church of Jesus Christ of Latter Day Saints, 2010-2011

Young Men's President, Paducah Kentucky Stake, Church of Jesus Christ of Latter-Day Saints, 2010-2011

Merit Badge Counselor (Citizenship in the Nation, Citizenship in the World, Law), Greater St. Louis Area Council, Boy Scouts of America, 2008-present

Soccer Coach, Carterville Community Soccer, Carterville, Illinois, 2009.

Religious Services Volunteer, Marion Federal Correctional Institute, Marion, IL, 2008-2011