

# Benjamin V. Madison III

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<b>Professional Experience</b>	2015-Present	Professor and Associate Dean of Instructional and Curricular Affairs
	2009-2016	Professor and Co-Director of Center for Ethical Formation and Legal Education Reform
	2003-2009	Associate Professor, Regent University Law School
	1993-2003	Partner, Hunton & Williams, Norfolk, Virginia Associate, Hunton & Williams, Norfolk, Virginia (litigation)
	1985-86	Law Clerk, to Hon. Walter E. Hoffman, Senior U.S. District Judge, U.S. District Court for the Eastern District of Virginia
<b>Education &amp; Background</b>	J.D., 1985, Marshall-Wythe School of Law, College of William & Mary; Managing Editor, <i>William &amp; Mary Law Review</i> , 1984-85	
	M.A., English, 1982, College of William & Mary	
	B.A., English, 1981, Randolph-Macon College	
<b>Awards/Honors</b>	Fellow, Educating Tomorrow's Lawyers, <a href="http://iaals.du.edu/educating-tomorrows-lawyers/content/educating-tomorrows-lawyers-fellows">http://iaals.du.edu/educating-tomorrows-lawyers/content/educating-tomorrows-lawyers-fellows</a>	
	VA Bar Association Committee on Core Competencies in Legal Education	
	Master, James Kent American Inn of Court	
	President, Fed. Bar Ass'n, Tidewater Chapter (1995-1996)	

## Teaching Awards/Honors/Appointments

Appointed to Southeastern Association of Law Schools' Committee New Law Professors' Workshop, to be instituted at Summer 2013 Conference

Faculty Award for Excellence in Scholarship (2009)

Faculty Award for Excellence in Teaching (2015)

Teacher of the Year, Regent University Law School (2005-06, First-Year & Second-Year Classes; 2006-07, First-Year Class; 2010-11, First-Year Class)

## Publications

*Forming Professional Identity and Ethical Decision-Making Through Exercises that Also Deepen Students' Grasp of Civil Procedure*, 20 Univ. of St. Thomas L. J. 830 (2025), [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=4558348](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4558348)

*Appeals to the Court of Appeals and Supreme Court of Virginia*, Chapter 2 in APPELLATE PRACTICE: VIRGINIA AND FEDERAL COURTS (Seventh Ed. 2023)

*TEACHING CHARACTER*, JOURNAL OF CHRISTIAN LEGAL THOUGHT, Vol. 13, No. 2 (2023)

*Morals and Mentors: What the First American Law Schools Can Teach Us about Law Students' Professional Identity*, 31 REGENT UNIV. L. REV. 162 (2019) (coauthored with L.O. Natt Gantt II)

*SELF-DIRECTEDNESS AND PROFESSIONAL FORMATION: CONNECTING TWO CRITICAL CONCEPTS IN LEGAL EDUCATION*, 12 UNIV. ST. THOMAS L. J. 1549 (2018) (coauthored with L.O. Natt Gantt II)

CIVIL PROCEDURE FOR ALL STATES: A CONTEXT AND PRACTICE CASEBOOK  
(Carolina Academic Press Fall 2010)

TEACHER'S MANUAL TO CIVIL PROCEDURE FOR ALL STATES: A CONTEXT AND PRACTICE CASEBOOK (Carolina Academic Press Spring 2011)

*Color-Blind: Procedure's Quiet But Crucial Role in Achieving Racial Justice*, 78 UMKC L. REV. 617 (2010)

*The Elephant in Law School Classrooms: Overuse of the Socratic Method as an Obstacle to Teaching Modern Law Students*, 85 UNIV. DET. MERCY L. REV. 293 (2008)

*The Military Commission Act of 2006: An Unnecessary Scheme for Second-Class Justice or an Essential Means To Prosecute People Who Otherwise Would Escape Accountability?*, 54 NAVAL L. REV. 213 (Fall 2007)

*Trial by Jury or by Military Tribunal of Accused Terrorist Detainees Facing the Death Penalty? An Examination of Principles That Transcend the Constitution*, 17 U. FLA. J.L. & PUB. POL'Y 347 (2006)

*Bringing Virginia Procedure into the Twenty-First Century: A Review of the Recent Overhaul of Virginia Procedure*, CLE Publication (March 2006).

*RICO, Judicial Activism, and the Roots of Separation of Powers*, 43 BRANDEIS L.J. 29 (2004) available at

*The Implications of Presuming Reliance in Class Action Litigation*, CLASS ACTION LITIGATION Vol. I, No. 15 (BNA 2000)

## **Presentations**

Symposium, St. Thomas Law School, Featured Speaker at a Conference of Over 100 Law Professors. "Transitioning from Student to Lawyer: Infusing Professional Identity Formation into the Required Curriculum," April 2023

May 23-24, 2022. *Regent's Efforts to Promote Professional Identity Formation and Ethical Development of Law Students*, Conference of Law Schools at St. Thomas Law School, for law schools seeking to initiate new programs to develop professional formation in light of revisions to ABA Standard 303 requiring all law schools to provide substantial opportunities for law students to develop professional identities

"The Ethics of the Law School Classroom," Southeastern Association of Law Schools Virtual Conference, Aug. 2, 2020 (organized panel, materials, and presented in this panel)

"Faculty Mentoring of Law Students," part of the Newer Law Teachers' Program of the Southeastern Association of Law Schools Virtual Conference, Aug. 3, 2020 (organized panel, materials, and presented in this panel)

"How to Navigate Common Legal and Ethical Issues Raised by Difficult Clients," January 24, 2018, James Kent Inn of Court Meeting, Norfolk, VA

How to Navigate Common Legal and Ethical Issues Raised by Difficult Clients," January 24, 2018, James Kent Inn of Court Meeting, Norfolk, VA

"Benchmarks and Rubrics to Use in Assessing Law Students' Progress in Developing Self-Directed Behavior," February 17, 2018, Conference of Groups Developing Rubrics for Professional Identity Competences, St. Thomas Law School, St. Paul, MN

"Preparing to Pass the Virginia Bar Exam," February 8, 2018, Regent School of Law, Virginia Beach VA

"Is There a Paradox between Ethics and Happiness? Moral Formation for Lawyers," Annual Conference of Christian Legal Society (Alexandria, VA; October 2016)

"Is There a Paradox between Ethics and Happiness? Moral Formation for Lawyers," Annual Conference of Religiously Affiliated Law Schools (Virginia Beach, VA; September 2016)

"Pedagogical Choices and Challenges in Teaching Civil Procedure," Southeastern Association of Law Schools Conference (Amelia Island, FL; July 2012)

"Course Design, Implementation, and Ideas for Innovation," Southeastern Association of Law Schools Conference (Amelia Island, FL; July 2012)

"Implementing, in Doctrinal Courses, Recommendations of Carnegie and Best Practices Reports," Southeastern Association of Law Schools Conference (Hilton Head, SC; July 2011)

"Teaching Students to Identify Moral Values Necessary to Resolve Ethical and Professional Issues," Southeastern Association of Law Schools Conference (Palm Beach, FL; July 2010)

"Incorporating Carnegie Institute's Recommendation on Teaching Methods to Assist Students, in Doctrinal Courses, To Develop a Professional Identity," American Association of Law Schools Workshop on Civil Procedure (New York, NY; 2010)

"Responding to the Call for Teacher Training: Ideas for Building Teaching Skills," Southeastern Association of Law Schools Conference (August 2009, Palm Beach, FL)

"The Seamless Web: How One's Character Will Determine One's Satisfaction, and One's Reputation, as a Lawyer," Norfolk-Portsmouth Bar Association Bench Bar Conference (Norfolk, VA; April 2009)

"Staying in Touch with One's Moral Compass: Recommendations of the *Best Practices in Legal Education* Report and the Carnegie Foundation's *Educating Lawyers* on Integrating the Teaching on Professionalism Across the Law School Curriculum," Conference of Authors in Carolina Academic Press' *Context and Practice* Casebook Series (Topeka, KS; May 2009)

"Challenges of (and Solutions to) Teaching Civil Procedure," Southeastern Association of Law Schools Conference (Palm Beach, FL; August 2008)

"How Lawyers Can and Should Exceed the Minimum Ethical Requirements of State Bar Associations in the Practice of Law, Program of James Kent Inn of Court (Norfolk, VA; 2008)

"The Shift in Learning Styles of Modern Law Students and How to Provide Diverse Teaching Methods to Address These Different Styles," American Association of Law Schools Annual Conference (January 2008, New York, NY)

"Seeking More Effective Law School Instruction," American Association of Law Schools Conference (Palm Beach, FL; 2008)

"The Initial Client Meeting: The Right (and Wrong) Things to Do in the First Meeting with a Client and the Steps to Take Within the First Month of Representation," James Kent Inn of Court Program (Norfolk, VA; 2008)

"Responding to the Diverse Learning Styles of Law Students," Southeastern Association of Law Schools Annual Conference (Amelia Island, FL; 2007)

## **Other Creative Works**

Podcast—"Path to Law Student Well-Being: Practice Makes Passing for Bar Exam," American Bar Association, [https://www.spreaker.com/show/path-to-law-student-well-being?fbclid=IwAR1fKPZGxQ\\_j5MRF0S77vicVX1WJhN5yuyX8VfnAY\\_On-sGDrB0JAbjv3WI](https://www.spreaker.com/show/path-to-law-student-well-being?fbclid=IwAR1fKPZGxQ_j5MRF0S77vicVX1WJhN5yuyX8VfnAY_On-sGDrB0JAbjv3WI) (July 18, 2019) (featured speaker with Sara Berman)

Contributing Author, Best Practices for Legal Education Blog, <http://bestpracticeslegaled.albanylawblogs.org/>

Administrator and Author, Legal Scruples Blog, <http://www.legalscruples.blogspot.com/>

Created website to accompany *Teacher's Manual to Casebook, Civil Procedure for All States* (Carolina Academic Press 2011)

Created Pretrial Practice State Civil Procedure listserv to develop a community of professors who teach state civil litigation and pretrial practice