

## HILLARY L. BERK, J.D., Ph.D.

Assistant Professor of Teaching  
Criminology, Law & Society  
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### EDUCATION

**Ph.D. University of California, Berkeley, CA**  
Jurisprudence and Social Policy, May 2013

**Dissertation: *The Legalization of Emotion: Risk, Gender, and the Management of Feeling in Contracts for Surrogate Labor***

Committee: Lauren Edelman (chair), Calvin Morrill, Kristin Luker, Kim Voss

Areas of Specialization: Sociology of Law/Law and Society, Gender, Family, Science & Technology, Reproduction, Work, Emotions

**J.D. Northwestern School of Law, Lewis and Clark College, Portland, OR**  
Law, 1997

Natural Resources and Environmental Law Certification, 1997 (Honors)

*Best Oral Advocate*, Moot Court Competition Winner, 1995

Women's Law Caucus, President (1995-1997)

*International Legal Perspectives* Law Journal, Editorial Assistant (1995-1996)

**B.A. University of California, Santa Barbara, CA**  
English 1992; Environmental Studies 1992 (With Distinction and High Honors)

### Fellowships and Honors:

Law and Society Association Dissertation Prize (2014)

University of California President's Dissertation-Year Fellowship (2012-2013)

Berkeley Empirical Legal Studies Research Fellowship (2012-2013)

National Science Foundation Doctoral Dissertation Research Fellowship (2011-2012)

Winner of the *2008-2009 Outstanding Graduate Instructor for Law*, U.C. Berkeley

J.V. S. Scholarship Recipient (2008-2009; 2007-2008; 2006-2007)

Jurisprudence and Social Policy Departmental Fellowship, U.C. Berkeley (2007-2008; Spring 2010)

Selznick Fellowship, Jurisprudence and Social Policy, U.C. Berkeley (2006-2007)

### Research Assistantships:

Research Assistant, Center for the Study of Law and Society (Fall 2010)

Research Assistant, Professor Lauren Edelman (2006-2007; 2007-2008)

School Rights Project: *Legal Environments of Schools* (2006-2008)

New Governance Project: *Public-Private Partnerships* (2006-2007)

### Teaching Assistantships:

Graduate Student Instructor, Prof. Kathryn Abrams, *Feminist Jurisprudence* (Fall 2009 and 2008)

Graduate Student Instructor, Prof. Joan Hollinger, *Sex, Reproduction and Law* (Spring 2009)

Graduate Student Instructor, Prof. Joan Hollinger, *Government and the Family* (Fall 2007)

## PROFESSIONAL EXPERIENCE

CRIMINOLOGY, LAW & SOCIETY, University of California, Irvine, CA

### **Assistant Professor of Teaching, LPSOE**

April 2016 – present

Teaching-focused, tenure-track position devoted to course development, pedagogical innovation, mentorship, and educational inclusivity, in addition to empirical research, publication, and university service. Courses include: *Gender & Social Control*; *Family Law*; *Sociology of Law*; *American Law*; *Foundations of CLS*; and *Naturalistic Field Research*.

LEGAL STUDIES PROGRAM, University of California, Berkeley, CA

### **Postdoctoral Fellow (Berkeley Law)**

July 2013 – 2015

Research fellowship to advance my scholarship, serve on departmental committees, and to teach the *Sociology of Law* (Fall 2013 & 2014) and *Legal Rights, Science and Society* (Spring 2014 & 2015).

Facilitated Phase I Curricular Assessment, including constructing an assessment instrument to measure whether Legal Studies is meeting its pedagogical goals; creating a focus group protocol; and conducting a focus group session with graduating seniors. Project in collaboration with UC Senior Assessment Specialist Yukiko Watanabe and Program Director Michael Musheno.

LAW AND SOCIETY PROGRAM, University of California, Santa Barbara, CA

### **Lecturer**

September 2002 – August 2006

Developed and taught seven courses for the department as a full-time lecturer, including *Law, Science and Technology*, *Gender and the Law*, *Jurisprudence*, *Lawyers and the Legal Profession*, *Alternative Dispute Resolution*, *Women in Law*, and the *Law and Society Graduate Proseminar*.

Senior Honor's Thesis Program and UCSB Summer Sessions Instructor (2003-2007).

Advisor to the *Law & Society Journal* editorial board: 2002-2003 and 2005-2006.

Mentor for the UC Summer Teaching Institute for Graduate Students, Social Sciences (2005).

HILLARY BERK, MEDIATOR, Santa Barbara, CA

### **Mediator and Facilitator**

June 2003 – March 2006

Business owner of private conflict resolution practice, specializing in public policy facilitation, domestic relations mediation, community dispute resolution, civil disputes, and training.

LAW OFFICES OF RONALD M. SUPANCIC, Woodland Hills, CA

### **Lawyer and Mediator**

December 2001 - May 2002

Worked as collaborative lawyer, mediator, and legal consultant on domestic relations cases, including drafting premarital agreements, support modifications, custody disputes, legal briefs, dissolutions; client counselor and group meeting facilitator.

OREGON JUDICIAL DEPARTMENT, Court Community Justice Services Division, Salem, OR

### **Family Law Policy Analyst**

February 2001 - November 2001

Analyst for Statewide family law and dispute resolution programs, providing staff support to State Family Law Advisory Committee, county family law facilitators, and judges.

Research and develop policy and programs to benefit high conflict families, pro se litigants, and children of divorce.

Manage Statewide Domestic Relations Forms and respond to public inquiries on the OJD web site.

INSTITUTE *FOR* CONFLICT MANAGEMENT, INC., Portland, OR

**Independent ADR Consultant** providing mediation, facilitation, and conflict management services

January 2000 - April 2001

Associate facilitator and coordinator, Bend Transportation System Plan Advisory Committee.

Associate Facilitator of the Interstate-5 Transportation and Trade Partnership.

Assistant conflict management trainer for public agencies; responsible for the enhancement and production of training manuals, and individual case evaluations.

LINDA R. SCHER, MEDIATOR, Portland, OR

**Family Mediator**

December 2000 – October 2001

Observation and co-mediation of domestic disputes, including divorce, property division, and parenting plans.

PORTLAND NEIGHBORHOOD MEDIATION CENTER, Portland, OR

**Mediator and Intern**

March 2000 – December 2000

Conducted shuttle diplomacy and joint session mediations to resolve community disputes.

BRAYTON, PURCELL, CURTIS & GEAGAN, Portland, OR

**Managing Attorney** for Portland regional office

June 1998 - September 1999

Specializing in complex litigation and toxic exposure cases.

Depositions, court appearances, motion practice, trial briefs, and client counseling.

Supervised office staff, including regional office staff attorneys

WILLIAMS & TROUTWINE, P.C., Portland, OR

**Law Clerk to the Managing Partner**

December 1997 - June 1998

Client counseling, research and writing. specializing in mass torts and products liability cases.

Special projects: created Fen-Phen litigation discovery document database, used nationally in the Fen-Phen Multi-District Litigation.

LEXIS-NEXIS, Northwestern School of Law

**Lexis Associate**, 1994 - 1997

On-campus student representative for Lexis-Nexis on-line legal services.

Hold regular office hours to assist students and faculty with computer-based legal searches.

Educate students on efficient techniques to locate case law, statutes, and legislative history.

Manage and maintain all computers, printers, modems, and supplies, including product updates.

CITY ATTORNEY'S OFFICE, Vancouver, WA

**Law Clerk and Rule 9 Certified Legal Intern**, May - November, 1996

Legal research, writing and training on municipal environmental and land use issues.

Assisted the City Attorney with two major cost recovery actions under the Washington Model

Toxics Control Act and CERCLA, including discovery requests, investigation, and drafting of

complaints. Writing briefs and memoranda related to hearings under the Growth Management Act.

WILSON HIGH SCHOOL, Portland, OR

**Teacher**, Street Law Program, 1996 - 1997

Supervised instructor for tenth and eleventh graders learning the basics of law.

Curriculum included contracts and credit, American government, family law, environmental law, criminal law, and the Constitution. Coached "Moot Court" and judged a mock trial competition.

## **PUBLICATIONS AND PAPERS**

Hillary Berk, "The Legalization of Emotion: Managing Risk by Managing Feelings in Contracts for Surrogate Labor." 49 *Law & Society Review*, pp. 143-176 (2015).

Hillary Berk and Bealisa Sydlik, Oregon State Family Law Advisory Committee, *Parenting Plan Guide for Parents*, Oregon Judicial Department, Court Community Justice Services Division, official website publication and statewide distribution in all county courts (launched Oct., 2001).

Hillary Berk and Bealisa Sydlik, *Oregon Statewide Domestic Relations Forms for Pro Se Litigants*, Oregon Judicial Department, Court Community Justice Services Division, official website publication and statewide distribution in all county courts (launched Summer, 2001).

Ted Gathe and Hillary Berk, "Mission Impossible: Local Control and Regulation of Group Homes," *Legal Notes: Proceedings of the Washington State Association of Municipal Attorneys*, Municipal Research and Services Center No. 496 (Oct. 1996).

### Book in Progress:

Hillary Berk, *The Legalization of Emotion: How Surrogacy Contracts Reproduce the Modern American Family*.

### Articles in Progress:

Hillary Berk, "Meeting Your Match: Anticipatory Emotion Management in Surrogacy Relations."

Hillary Berk, "The Valuation of Women's Gestational Labor in Contracts for Surrogate Motherhood."

## **CONFERENCE PRESENTATIONS AND LECTURES**

"The Legalization of Emotion: Managing Feelings by Managing Risk in Contracts for Surrogate Labor."  
University of California Irvine, Criminology, Law and Society. Irvine, CA. October, 2015

"The Legalization of Emotion: Managing Feelings by Managing Risk in Contracts for Surrogate Labor."  
University of Massachusetts, Amherst: Political Science. Amherst, MA. November, 2014

"Courts as Institutions of Social Change and the Politics of Rights."  
California State Fullerton: Politics, Administration, & Justice. Fullerton, CA. November, 2014

"Meeting Your Match: Anticipatory Emotion Management in Surrogacy Relations."  
Law and Society Association Conference. Minneapolis, MN. May 2014

"The Legalization of Emotion: Managing Feelings by Managing Risk in Contracts for Surrogate Labor."  
John Jay College: Department of Political Science. New York, NY. October, 2013

"Just 'the Oven'? : Law and Emotion Management in Contracts for Surrogate Motherhood."  
American Sociological Association Conference. New York, NY. August 2013

"*Labored* Contracts: Law and Emotion Management in Surrogacy Relationships."  
Law and Society Association Conference. Boston, MA. May 2013

"Reproductive Rights and the 2012 Election." Chair and Facilitator: Reproductive Justice Workshop.  
University of California Practical Activism Conference. Santa Cruz, CA. October 2012

- “Contracts, Surrogacy, and Emotional Labor.”  
Sociologists for Women in Society Bay Area Symposium. San Francisco, CA. September 2012
- “Serving the Gestational Hostess: How Lawyers Manage Emotions in Surrogacy Relationships.”  
Law and Society Association Conference. Honolulu, HI. June 2012
- “The ‘Safe Motherhood’ Movement: Historical Analysis of the TAN to Decriminalize Abortion.”  
Law and Society Association Conference. Chicago, IL. May 2010
- “Reproductive Technology and Surrogacy: Feminist Legal Analysis of Motherhood.”  
University of California, Berkeley, Guest Lecturer, Department of Legal Studies.  
Berkeley, CA. November 18, 2009
- “The Politics of Church-State Relations Across Multiple Domains.”  
Law and Society Association Conference, Chair/Discussant. Denver, CO. May 2009
- “Authority Online: New Research in Law and On the Internet.”  
Law and Society Association Conference, Discussant. Denver, CO. May 2009
- “Abortion: Privacy and the Evolution of Legal Discourse.”  
University of California, Berkeley, Guest Lecturer, Department of Legal Studies.  
Berkeley CA. March 5, 2009
- “Pulling Back the Private Curtain: Domestic Violence and State Intervention.”  
University of California, Berkeley, Guest Lecturer, Department of Legal Studies.  
Berkeley CA. October 16, 2007
- “Fertile Grounds: Reproductive Technology and the Legal Recognition of Family Relationships.”  
University of California Faculty Lecture Series, presented at the UCSB Women’s Center.  
Santa Barbara, CA. February 15, 2005
- “Who May Marry? A Socio-Legal History of Marriage Law in America”  
Keynote Presenter, University of California Santa Barbara Freshman Orientation Program. July  
and August 2005; July and August 2006
- “The Constitutionality of Same-Sex Marriage and History of the Marital Contract in U.S. Law”  
The American Civil Liberties Union and the Santa Barbara Women’s Political Committee Public  
Forum, Invited Panelist. Santa Barbara, CA, Spring 2004
- “Mediating Parenting Plans” (co-presented with Linda Scher)  
Oregon Mediation Association Conference. Portland, OR. November 2000

## **PROFESSIONAL AFFILIATIONS & WORKING GROUPS**

American Sociological Association  
Law and Society Association  
UC Irvine Center for Law, Society & Culture, Socio-Legal Workshop  
UC Irvine Center for Biotechnology and Global Health Policy  
REPRONetwork  
Feminist Legal Theory Collaborative Research Network  
Biotechnology, Bioethics & the Law Collaborative Research Network

**BAR ADMISSIONS:**

California State Bar, 2002- Present

Oregon State Bar, 1998- Present

*Past and Rotating Affiliations:*

Association for Conflict Resolution, American Political Science Association, Southern California Mediation Association, Santa Barbara Women Lawyers, Santa Barbara County Bar Association Association for Conflict Resolution, Clackamas County Family Law Group, Multnomah Bar Association, Oregon Mediation Association and the Family Mediation Interest Group, Oregon Trial Lawyers Association, Oregon Women Lawyers, Sociologists for Women in Society, University of California Commission on the Status of Women, UC Berkeley Center for Reproductive Rights and Justice, Reproductive Justice Working Group

**LANGUAGES:** Spanish (bilingual proficiency)

*Professional References Available Upon Request*