

**HILLARY LISA BERK**  
**Department of Criminology, Law and Society**  
**University of California Irvine**  
**2317 Social Ecology II**  
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**<https://faculty.sites.uci.edu/hberk/>**

## **ACADEMIC POSITIONS**

2016 – present      Assistant Professor of Teaching  
Criminology, Law and Society  
University of California, Irvine

2013 – 2015        Legal Studies Postdoctoral Fellow  
Jurisprudence and Social Policy/Berkeley Law  
University of California, Berkeley

2002 – 2006        Full Time Lecturer  
Law and Society Program  
University of California, Santa Barbara

## **EDUCATION**

**Ph.D.** University of California, Berkeley  
Jurisprudence and Social Policy, May 2013  
Emphasis in Sociology of Law

*The Legalization of Emotion: Risk, Gender, and the Management of Feeling in Contracts for Surrogate Labor* (2014 Law and Society Association Dissertation Prize)

**J.D.** Northwestern School of Law, Lewis and Clark College, Portland, OR  
Law, 1997  
Natural Resources and Environmental Law Certification, 1997 (Honors)

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

## **STATE BAR ADMISSIONS**

2002 – present      California State Bar  
1998 – present      Oregon State Bar

## FELLOWSHIPS, HONORS, AND AWARDS

2021	UCI Division of Teaching Excellence and Innovation (DTEI), Spring 2021 <i>Thank a Teacher</i> Awardee
2020	2020 <i>Woman of Distinction</i> , State of California's 74 <sup>th</sup> Assembly District
2019	<i>Professor of the Year</i> , UC Irvine School of Social Ecology
2020	UCI Division of Teaching Excellence and Innovation (DTEI), Fall 2020 <i>Thank a Teacher</i> Awardee
2020	UCI Division of Teaching Excellence and Innovation (DTEI), Spring 2020 <i>Thank a Teacher</i> Awardee
2019	<i>Faculty Mentor of the Month</i> , UCI Undergraduate Research Opportunities Program
2019	UCI Division of Teaching Excellence and Innovation (DTEI), Spring 2019 <i>Thank a Teacher</i> Awardee
2018	UCI Division of Teaching Excellence and Innovation (DTEI), Fall 2018 <i>Thank a Teacher</i> Awardee
2014	Law and Society Association Dissertation Prize
2012-2013	University of California President's Dissertation-Year Fellowship
2012-2013	Berkeley Empirical Legal Studies Research Fellowship
2011-2012	National Science Foundation Doctoral Dissertation Research Fellowship
2010	Center for the Study of Law and Society Fellowship
2010	Jurisprudence and Social Policy Departmental Fellowship, U.C. Berkeley
2008-2009	Outstanding Instructor for Law Award, U.C. Berkeley
2007-2008	Jurisprudence and Social Policy Departmental Fellowship, U.C. Berkeley
2007-2009	J.V.S. Scholarship Recipient
2006-2007	Selznick Fellowship, Jurisprudence and Social Policy, U.C. Berkeley
1995	Best Oral Advocate, Law School Moot Court Competition

## COURSE DEVELOPMENT

### *Undergraduate:*

American Law	Jurisprudence
Dispute Resolution	The Legal Profession; Women in Law
Family Law	Law, Science, and Technology
Feminist Theory	Naturalistic Field Research
Foundations of Criminology, Law & Society	Legal Rights, Science and Society
Field Study Writing and Research	Senior Honors Thesis
Gender and Social Control	Sociology of Law

*Graduate:*

Cybercrime, Cybersecurity, and Society

Law and Society Proseminar: Race, Religion, and Sex

Social Sciences Summer Teaching Institute for Graduate Students

**ACADEMIC CERTIFICATIONS**

2020 Certified Digital Learning Institute for Excellence in Remote Instruction, UC Irvine

2019 Certified Zot Ability Ally (Disabled Students), UC Irvine

2018 Certified Undocumented Student Ally (AB 540), UC Irvine

2017 Center for Engaged Instruction, UC Irvine Engaged Learning Institute

2016 Center for Engaged Instruction, UC Irvine Teaching Academy

**PUBLICATIONS AND PAPERS**

Hillary Berk, “The Legalization of Emotion: Managing Risk by Managing Feelings in Contracts for Surrogate Labor.” In *Baby Markets II*, edited by Michele Bratcher Goodwin. New York: Cambridge University Press (forthcoming book chapter; publication delayed by pandemic, 2021).

Hillary Berk, “Savvy Surrogates and Rock Star Parents: Compensation Provisions, Contracting Practices, and the Value of Womb Work.” 45, 2 *Law & Social Inquiry*, pp. 398-431 (2020).

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, “The Legalization of Emotion: Risk, Gender, and the Management of Feeling in Contracts for Surrogate Labor.” *Pro-Quest Publications*, Ann Arbor: MI (2013).

Hillary Berk and BeaLisa Sydlik, *Parenting Plan Guide for Parents*, Oregon State Family Law Advisory Committee, 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).

Articles in Progress:

Hillary Berk, “Harmless ‘Preferences’? An Empirical Analysis of Race, Religion, and Sexual Orientation in the Surrogacy Matching Process,” (in preparation for submission to *Law and Society Review*, 2021).

Hillary Berk, “Clash of the Titans: Escalating Conflict Between Selective Reduction Clauses in Surrogacy Contracts and the Criminalization of Abortion,” (in preparation for submission to

*Gender and Society*, 2021).

Hillary Berk, “*After Baby: Managing Surrogates’ Emotions Following Contract Performance*” (invited for submission to *George Washington Law Review*, special issue; delayed by pandemic).

Hillary Berk, “Meeting Your Match: Anticipatory Emotion Management in Surrogacy Relations” (in preparation for submission to *Social Problems*).

Book in Progress:

Hillary Berk, *How Surrogacy Markets Reconstruct the Modern American Family*.

## CONFERENCE PRESENTATIONS AND INVITED LECTURES

- 2021 “Harmless ‘Preferences’? An Empirical Analysis of Race, Religion, and Sexual Orientation in the Surrogacy Matching Process.”  
Law and Society Association Conference. Chicago, IL.
- 2021 “Harmless ‘Preferences’? An Empirical Analysis of Race, Religion, and Sexual Orientation in the Surrogacy Matching Process.”  
University of California Irvine Socio-Legal Workshop, UCI Law School. Irvine, CA.
- 2019 “*After Baby: Managing Surrogates’ Emotions Following Contract Performance.*”  
Law and Society Association Conference. Washington, D.C.
- 2019 “*After Baby: Managing Surrogates’ Emotions Following Contract Performance.*”  
Baby Markets Annual Congress. Washington, D.C.
- 2018 “Valuing Gestational Labor and Risks in Surrogacy Contracts.”  
Baby Markets Annual Congress. San Francisco, CA.
- 2017 “The Valuation of Gestational Labor in Contracts for Surrogate Motherhood.”  
Law and Society Association Conference. Mexico City, MX.
- 2016 “What’s the Value of Gestational Labor in Contracts for Surrogate Motherhood?”  
University of California Irvine Socio-Legal Workshop. Irvine, CA.
- 2015 “The Legalization of Emotion: Managing Risk by Managing Feelings in Contracts for Surrogate Labor.” University of California Irvine, Criminology, Law and Society.  
Irvine, CA.
- 2014 “The Legalization of Emotion: Managing Feelings by Managing Risk in Contracts for Surrogate Labor.” University of Massachusetts, Amherst: Political Science. Amherst, MA.
- 2014 “Courts as Institutions of Social Change and the Politics of Rights.”  
California State Fullerton: Politics, Administration, & Justice. Fullerton, CA.

- 2014 “Meeting Your Match: Anticipatory Emotion Management in Surrogacy Relations.” Law and Society Association Conference. Minneapolis, MN.
- 2013 “The Legalization of Emotion: Managing Feelings by Managing Risk in Contracts for Surrogate Labor.” John Jay College: Department of Political Science. New York, NY.
- 2013 “Just ‘the Oven’? : Law and Emotion Management in Contracts for Surrogate Motherhood.” American Sociological Association Conference. New York, NY.
- 2013 “*Labored* Contracts: Law and Emotion Management in Surrogacy Relationships.” Law and Society Association Conference. Boston, MA.
- 2012 “Reproductive Rights and the 2012 Election.” Chair and Facilitator: Reproductive Justice Workshop. University of California Practical Activism Conference. Santa Cruz, CA.
- 2012 “Contracts, Surrogacy, and Emotional Labor.” Sociologists for Women in Society Bay Area Symposium. San Francisco, CA.
- 2012 “Serving the Gestational Hostess: How Lawyers Manage Emotions in Surrogacy Relationships.” Law and Society Association Conference. Honolulu, HI.
- 2010 “The ‘Safe Motherhood’ Movement: Historical Analysis of the TAN to Decriminalize Abortion.” Law and Society Association Conference. Chicago, IL.
- 2009 “Reproductive Technology and Surrogacy: Feminist Legal Analysis of Motherhood.” University of California, Berkeley, Guest Lecturer, Department of Legal Studies. Berkeley, CA (November 18, 2009).
- 2009 “The Politics of Church-State Relations Across Multiple Domains.” Law and Society Association Conference, Chair/Discussant. Denver, CO.
- 2009 “Authority Online: New Research in Law and On the Internet.” Law and Society Association Conference, Discussant. Denver, CO.
- 2009 “Abortion: Privacy and the Evolution of Legal Discourse.” University of California, Berkeley, Guest Lecturer, Department of Legal Studies. Berkeley CA (March 5, 2009).
- 2007 “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).
- 2005 “Fertile Grounds: Reproductive Technology and the Legal Recognition of Family Relationships.” University of California Faculty Lecture Series. Santa Barbara, CA (February 15, 2005).
- 2006 “Who May Marry? A Socio-Legal History of Marriage Law in America.” Keynote Presenter, University of California Santa Barbara Freshman Orientation Program.

- 2005 “Who May Marry? The Constitutionality of Same-Sex Marriage in America.” Keynote Presenter, University of California Santa Barbara Freshman Orientation Program.
- 2004 “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.
- 2000 “Mediating Parenting Plans” (co-presented with Linda Scher, J.D.). Oregon Mediation Association Conference. Portland, OR.

## PROFESSIONAL PEDAGOGICAL DEVELOPMENT

- 2020 *UCI Digital Learning Institute*. Completed 8-week certification for excellence in remote instruction, engaged pedagogy, and advanced course design. Division of Teaching Excellence and Innovation and the Online Learning Research Center in the UCI School of Education, faculty development program. Aug. and Sept. 2020.
- 2019 *Zot Ability Student Ally* training. Completed certification to become disabled student ally, University of California, Irvine. April 17, 2019
- 2018-2019 *UCI Pedagogy Faculty Reading Group*. Quarterly participation, sponsored by the Division of Teaching Excellence and Innovation, University of California, Irvine.
- 2018 *Engaged Learning Institute* (retroactive certification). For instruction permissions in the Anteater Learning Pavilion and other alternative classrooms. Division of Teaching Excellence and Innovation, University of California, Irvine.
- 2018 *Undoing Racism* training. Africana Institute for Creation Recognition and Elevation (AICRE), UCI Office of Inclusive Excellence, UCI Office of Equal Opportunity and Diversity, and the School of Social Ecology (training intensive January 12-14, 2018).
- 2018 *Undocumented Student Ally* training. Completed certification for AB 540 undocumented student ally, University of California, Irvine. July 11, 2018.
- 2016 – 2017 *LP/SOE Social Ecology Lunch Bunch*. Quarterly meetings of social science teaching faculty for pedagogical development, training, and advocacy.
- 2016 *LP/SOE STEM Lecturer’s Lunch Series*, brown bag meetings on pedagogical development, training, and advocacy for teaching faculty.
- 2016 *UCI Teaching Academy* training. Ten teaching workshops with the Center for Engaged Instruction, University of California, Irvine (Fall 2016).

2015 *Legal Studies Curricular Assessment, Phase I.* Constructed assessment instrument, focus group protocol, and facilitated focus group session to measure whether department was meeting pedagogical goals for undergraduate education. Department of Legal Studies, University of California, Berkeley.

## GRANTS

2020 Academic Senate Council on Research, Computing, and Libraries (CORCL) grant from the School of Social Ecology, University of California, Irvine (\$1,500)

2019 University of California, Irvine School of Social Ecology, Dean's Research Fund for Teaching Faculty grant to support travel, research design and planning for potential disability rights project with team at UC Berkeley (\$10,000)

2018-2019 Academic Senate Council on Research, Computing, and Libraries (CORCL) grant from the School of Social Ecology, University of California, Irvine (\$2,415)

2018-2019 Faculty Research and Travel Award, Criminology, Law and Society, University of California, Irvine (\$2,000)

2018 National Center for Faculty Development and Diversity, Faculty Success Program Bootcamp Tuition Grant, University of California, Irvine School of Social Ecology (\$975) and Criminology, Law & Society (\$975)

2018 University of California, Irvine ADVANCE Program for Equity and Diversity, Career Development Award for Faculty Success Program (\$1,500)

2018 University of California, Irvine School of Social Ecology, Dean's Research Fund for Teaching Faculty grant to support data analysis for national study of surrogacy contracting (\$10,000)

2017-2018 Faculty Research and Travel Award, Criminology, Law and Society, University of California, Irvine (\$2,000)

2017-2018 Academic Senate Council on Research, Computing, and Libraries (CORCL) grant from the School of Social Ecology (\$1,800)

2017 University of California, Irvine School of Social Ecology, Dean's Research Fund for Teaching Faculty grant to support data analysis for national study of surrogacy contracting (\$10,000)

2016-2017 Faculty Research and Travel Award, Criminology, Law and Society, University of California, Irvine (\$2,000)

## SERVICE ACTIVITIES

### *Departmental and Schoolwide Service*

- 2020 – 2021 University of California, Irvine, *Remote Instruction in Social Ecology* (RISE) committee member. Leader to assist SE faculty with course design, technical help, and advice during transition to remote instruction and the pandemic. Original content created for RISE website, including “Engaged Learning, Activities, & Pedagogy” web pages, teaching suggestions, and links.
- 2021 Presenter, Masters of Advanced Study in Criminology, Law and Society, *Welcome Week*: lecturer and discussion facilitator for *An Introduction to Cybercrime*, CyberCafes for small group student orientation, and reception.
- 2021 University of California, Irvine, Social Ecology Awards Selection Committee. At the service of the Dean of the School of Social Ecology, including *Dean’s Scholar Award* and *Excellence in Field Study*.
- 2019 – 2020 University of California, Irvine, Criminology, Law and Society, Diversity and Justice Speaker Series Committee (Co-Chair)
- 2018 – 2019 University of California Irvine, Criminology, Law and Society, Diversity and Justice Speaker Series Committee
- 2018 University of California Irvine, Criminology, Law and Society, Graduate Comprehensive Exams Committee
- 2017 – 2018 University of California Irvine, Criminology, Law and Society, Diversity Committee
- 2017 University of California Irvine, Criminology, Law and Society, Graduate Comprehensive Exams Committee
- 2016 – 2017 University of California Irvine, Criminology, Law & Society, Visiting Scholar Selection Committee

### *University Service*

- 2021 Event speaker, Women in Law Association (WILA), University of California, Irvine (Nov. 1, 2021); professionalization, “Getting a J.D., MA or Ph.D. in Law.”
- 2021 Faculty advisor to ASUCI Women in Law Association, Campus Organizations, University of California, Irvine (begins summer 2021-2022)
- 2021 University of California, Irvine *Anteater Ambassador’s Network* (AAN), presenter and mentor for organizational meeting and networking hour on careers in law, attending law school and intersectional identity, and women in law.



- 2021 Associated Students of the University of California, Irvine *Legal Education and Resource Network* (LEARN) video series, interviewed and recorded for campus-wide Pre-Law Professionalization series.
- 2020 University of California Irvine, Phi Alpha Delta Co-Ed Pre-Law Fraternity and the UCI Women in Law Association, mentorship speaker and first-gen outreach
- 2016 – 2021 University of California Irvine, Division of Continuing Education, *Paralegal Program Advisory Committee* board member
- 2017 – 2018 University of California, Irvine Academic Senate *Assessment Committee*, service appointed by *Committee on Committees*

*Professional & Community Service, Media*

- 2021 Reviewer for journal submissions to the *Law & Society Review* (June 2021)
- 2021 Media; quoted scholarly expert regarding passage of the New York State gestational surrogacy law, February 2021, *Congressional Quarterly*
- 2019 Reader of Names, UC Irvine School of Social Ecology Commencement Ceremonies
- 2019 Consultant and participant in Center for Reproductive Rights Convening on Guiding Principles for Gestational Surrogacy Legislation in the United States (with 15 other experts; NYC)
- 2019 Interviewed as an academic expert by the Center for Reproductive Rights New York on legislative policy proposal for best practices in assisted reproduction, legalization of surrogacy, and reproductive justice issues (February 13, 2019).
- 2018 Reviewer for journal submissions to *Law and Social Inquiry* (assisted reproduction and surrogacy; international baby markets)
- 2017 Reviewer for National Science Foundation Grant proposals, Law and Social Sciences Division (family law and child care policy)
- 2016 Reviewer for journal submissions to *Law and Society Review*
- 2005-2006 Advisor to the *Law & Society Journal* editorial board
- 2002-2003 Advisor to the *Law & Society Journal* editorial board
- 1995-1996 Assistant Editor, *International Legal Perspectives* Law Journal, Northwestern School of Law, Lewis and Clark College.

### *Student Advising and Mentorship*

- 2021 University of California, Irvine, graduate student advisor to Isabelle Patten, Criminology, Law and Society.
- 2021 University of California, Irvine, dissertation committee member for graduate student Adrienne Credo, Criminology, Law and Society
- 2020 – 2021 University of California, Irvine, advisor to Campuswide Honors Collegium undergraduate student projects for Mrrik Noubarentz and Miranda McCormick
- 2021 University of California, Irvine, advisor and mentor to Criminology, Law and Society Learning Assistants Chloe Cuberly (C10), Stephanie Morales (C10), and Allie Ward (C113)
- 2020 University of California, Irvine, advisor and mentor to Criminology, Law and Society Learning Assistant Jocelyn Evens (C101)
- 2019 – 2020 University of California, Irvine, advisor to Social Ecology Honors Program student Nancy Rivas; Undergraduate Research Opportunities Program Award recipient and winner, UCI; Exceptional Achievement in Undergraduate Research awardee, Social Ecology
- 2018 – 2019 University of California, Irvine, advisor to Social Ecology Honors Program student Kevin McKinnon; Undergraduate Research Opportunities Program Award recipient and winner, UCI Chancellor’s Award of Distinction
- 2019 University of California, Irvine, advisor and mentor to Criminology, Law and Society Learning Assistants Kimia Akhavan (C101); Alyse Meinhold (SE 194W); Cassidy Weiss (SE 194W)
- 2018 University of California, Irvine, advisor and mentor to Social Ecology Learning Assistants Nilam Faquir (C101) and Kaylee Wiseman (C101)
- 2016-2018 University of California, Irvine, School of Social Ecology Undergraduate Advising Office, “Take Your Professor to Lunch” student mentorship meals
- 2017 University of California, Irvine, advisor and mentor to Social Ecology Learning Assistant Kevin McKinnon (C101)
- 2017 University of California, Irvine, Social Justice Undergraduate Research Symposium faculty participant/panel facilitator
- 2017 University of California, Irvine, School of Social Ecology, Undergraduate Advising Office, Meet-and-Greet Coffee Hours
- 2016 University of California, Irvine, Social Justice Undergraduate Research Symposium faculty participant/panel facilitator

2016                      University of California, Irvine, School of Social Ecology, “Get to Know Your Professor,” panelist

## **PROFESSIONAL AFFILIATIONS & WORKING GROUPS**

Law and Society Association

Baby Markets Roundtable

Faculty Affiliate, UCI Center for Biotechnology and Global Health Policy

Faculty Affiliate, UCI Initiative to End Family Violence

Center for Law, Society & Culture and the UCI Socio-Legal Workshop

Center for Reproductive Rights (academic affiliate and consultant)

Biotechnology, Bioethics & the Law Collaborative Research Network

Feminist Legal Theory Collaborative Research Network

Law and Emotions Collaborative Research Network

REPRONetwork

UCI Law, Interdisciplinary Health, Law & Sciences Collaborative

UC Consortium on U.S. Women’s, Gender, and Sexuality History

### *Past and Rotating Affiliations:*

American Sociological Association

Association for Conflict Resolution

American Political Science Association

Sociologists for Women in Society

Berkeley Center for Reproductive Rights and Justice, Reproductive Justice Working Group

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

University of California Commission on the Status of Women

## **OTHER PROFESSIONAL EXPERIENCE**

HILLARY BERK, MEDIATOR, Santa Barbara, CA

Mediator and Facilitator

June 2003 – March 2006

LAW OFFICES OF RONALD M. SUPANCIC, Woodland Hills, CA  
Lawyer and Mediator  
December 2001 - May 2002

OREGON JUDICIAL DEPARTMENT, Court Community Justice Services Division, Salem, OR  
Family Law Policy Analyst  
February 2001 - November 2001

INSTITUTE *FOR* CONFLICT MANAGEMENT, INC., Portland, OR  
Associate Trainer and Facilitator  
January 2000 - April 2001

LINDA R. SCHER MEDIATION, Portland, OR  
Family Co-Mediator  
December 2000 – October 2001

PORTLAND NEIGHBORHOOD MEDIATION CENTER, Portland, OR  
Mediator and Intern  
March 2000 – December 2000

BRAYTON, PURCELL, CURTIS & GEAGAN, Portland, OR  
Managing Attorney for Portland regional office  
June 1998 - September 1999

WILLIAMS & TROUTWINE, P.C., Portland, OR  
Law Clerk to the Managing Partner  
December 1997 - June 1998

LEXIS-NEXIS, Northwestern School of Law  
Lexis Associate  
December 1994 – May 1997

CITY ATTORNEY’S OFFICE, Vancouver, WA  
Law Clerk and Rule 9 Certified Legal Intern  
May - November, 1996

WILSON HIGH SCHOOL, Portland, OR  
Teacher, *Street Law* Program  
1996 - 1997

**NON-ACADEMIC CERTIFICATIONS:**

Public Policy Mediator, Institute for Conflict Management, Portland OR (2000)  
Family and Advanced Family Mediator, Oregon Mediation Center, Eugene OR (1999 & 2000)  
Community Mediator, Portland Neighborhood Mediation Center, Portland OR (2000)

**LANGUAGES:** Spanish (bilingual proficiency)