

MIRIAM H. BAER
Dean & President & Professor of Law
California Western School of Law
225 Cedar Street
San Diego, California
92101
deansoffice@cwsf.edu

Academic Experience

CALIFORNIA WESTERN SCHOOL OF LAW, San Diego, CA
Dean and President, Professor of Law July 2025 - present

BROOKLYN LAW SCHOOL, Brooklyn, NY
Vice Dean July 2022-2025
Asst., Assoc, and Centennial Professor of Law 2008-2025

EDMOND J. SAFRA CENTER FOR ETHICS, HARVARD UNIVERSITY
Visiting Fellow 2021-22

**CAROL & LAURENCE ZICKLIN CENTER FOR BUSINESS ETHICS RESEARCH,
THE WHARTON SCHOOL** December 2018-present
Senior Fellow

YALE LAW SCHOOL, New Haven, CT, Florence Rogatz Visiting Professor of Law
Criminal Procedure: Investigations Spring Semesters 2018, 2021

NYU SCHOOL OF LAW, New York, NY
Visiting Fellow, Center for Research in Crime & Justice 2014-15
Acting Assistant Professor of Lawyering 2006-2008

Education

HARVARD LAW SCHOOL, J.D., magna cum laude
Harvard Human Rights Journal: Articles and Managing Editor
Research Assistant: Professor Arthur R. Miller

PRINCETON UNIVERSITY, A.B. in Politics, magna cum laude, Phi Beta Kappa

Practice Experience

VERIZON COMMUNICATIONS, New York, NY Sept. 2004-Oct. 2005
Assistant General Counsel for Compliance.

UNITED STATES ATTORNEY'S OFFICE, SDNY, New York, NY Sept. 1999-Aug. 2004
Assistant United States Attorney, Criminal Division.

CRAVATH SWAINE & MOORE, New York, NY Summer 1995, Sept. 1997-Sept. 1999
Litigation associate.

THE HONORABLE JANE ROTH, Wilmington, DE Sept. 1996-Aug. 1997
United States Court of Appeals for the Third Circuit.

Honors & Appointments

Member of the Louis M. Welch Inn of Court, San Diego (as of August 2026).

Member of the American Law Institute (elected in December 2016); Adviser on Principles of the Law, Compliance and Enforcement of Organizations (concluded 2023).

Visiting Fellow, Edmond Safra Center for Ethics, Harvard University, 2021-22

Senior Fellow at The Carol and Lawrence Zicklin Center for Business Ethics Research, University of Pennsylvania (Wharton), December 2018- present.

Elected as an American Bar Foundation Fellow, February 2017.

Articles twice selected for the Yale/Stanford/Harvard Junior Faculty Forum (2010 and 2014).

Publications

BOOKS

MYTHS & MISUNDERSTANDINGS IN WHITE-COLLAR CRIME (Cambridge U. Press 2023)

WHITE-COLLAR CRIME, 6TH ED. (West Academic, forthcoming 2027), with Ellen Podgor, Katrice Copeland Bridges, Gregory Gilchrist, Jerold Israel, and Hon. Paul. D. Borman.

WHITE-COLLAR CRIME IN A NUTSHELL (West Academic, 2022), with Ellen Podgor, Jerold Israel, & Gregory Gilchrist.

CHAPTERS

Compliance and Polarization, in ELGAR CONCISE ENCYCLOPEDIA OF COMPLIANCE LAW (J. Fanto ed., forthcoming 2026)

Personhood, Procedure, and the Endurance of Corporate Compliance, in RESEARCH HANDBOOK ON CORPORATE PURPOSE AND PERSONHOOD (E. Pollman and R. Thompson eds, Edward Elgar Publishing, 2021)

Designing Corporate Leniency Programs, in CAMBRIDGE HANDBOOK ON COMPLIANCE (D. Sokol & B. Van Rooij, eds., Cambridge University Press, 2021)

Corporate Criminal Law Unbounded, in OXFORD HANDBOOK ON PROSECUTORS AND PROSECUTIONS (R. Wright, K. Levine & R. Gold, eds., Oxford University Press, 2021)

When the Corporation Investigates Itself, in RESEARCH HANDBOOK ON CORPORATE CRIME AND FINANCIAL MISDEALING (J. Arlen ed., Edward Elgar Publishing, 2018)

Contributions in CRIMINAL LAW CONVERSATIONS (Robinson, Garvey & Ferzan, eds., Oxford University Press 2009)

LAW REVIEW PUBLICATIONS

Beyond Scandal Aversion: Imagining Corporate Compliance's New Paradigm, 88 LAW AND CONTEMP. PROBS. __ (forthcoming 2027)

Reframing Compliance for a Polarized World, 60 WAKE FOREST L. REV. 223 (2025)

- Selected from a call for papers, AALS Annual Meeting 2024, Business Associations

Taking Integrity Risks Seriously, 93 FORDHAM L. REV. 1119 (2025) (symposium contribution)

- Selected by Article of the Week for TaxProfBlog's weekly [education roundup](#)

Square Peg Frauds, 178 NORTHWESTERN L. REV. 1 (2023) (symposium contribution)

Corporate Compliance's Achilles Heel, 78 BUS. LAWYER 792 (2023) (symposium contribution)

Forecasting the How and Why of Corporate Crime's Demise, 47 J. CORP. L. 887 (2022) (symposium contribution)

The Information Shortfalls of Prosecuting Irresponsible Executives, 70 DEPAUL L. REV. 191 (2021) (symposium contribution)

Law Enforcement's Lochner, 105 MINN. L. REV. 1667 (2021)

Three Conceptions of Corporate Crime (and One Avenue for Reform), 83 LAW & CONTEMP. PROBS. 1 (2020) (symposium contribution)

Compliance Elites, 88 FORDHAM L. REV. 1599 (2019) (symposium contribution)

- Reprinted in 63 CORPORATE PRACTICE COMMENTATOR (2021) (R. Thompson, ed.)

Sorting Out White-Collar Crime, 97 TEX. L. REV. 225 (2018)

- Quoted in *United States v. Dubin*, 27 F.4th 1021, 1042 (5th Cir. 2022) (en banc) (Costa, J., dissenting)
- Discussed at length in DAVID MILLS AND ROBERT WEISBERG, WHITE-COLLAR CRIME (2020)

Propping up Corporate Crime with Corporate Character, 103 IOWA LAW REVIEW ONLINE 88 (2018)

Reconceptualizing the Whistleblower's Dilemma, 50 U.C. DAVIS L. REV. 2215 (2017)

Pricing the Fourth Amendment, 58 WM & MARY L. REV. 1103 (2017)

- American Law and Economics Association, Annual Meeting 2016
- Cited in *U.S. v. Weaver*, 975 F.3d 94 (2d Cir. 2020) (Calabresi, J., concurring)

Insider Trading's Legality Problem, 127 YALE L.J. FORUM 129 (2017)

- Discussed in Bloomberg Opinion, May 4, 2018 (Matt Levine, <https://www.bloomberg.com/opinion/articles/2018-05-04/insider-trading-needs-law-needs-to-change>)

Too Vast to Succeed, Book Review of TOO BIG TO JAIL: HOW PROSECUTORS COMPROMISE WITH CORPORATIONS by Brandon Garrett, 114 MICH. L. REV. 1109 (2016)

Some Skepticism about Criminal Discovery Empiricism, 73 WASH & LEE L. REV. ONLINE 347 (2016)

Timing Brady, 115 COLUM. L. REV. 1 (2015)

- Yale-Stanford-Harvard Junior Faculty Forum

Unsophisticated Sentencing, 61 WAYNE L. REV. 61 (2015) (symposium contribution)

Confronting the Two Faces of Corporate Fraud, 66 FLA. L. REV. 87 (2014)

- Reviewed in JOTWELL (April 13, 2015)

- Reprinted in *Securities Law Review* (2015) (D. Langevoort, ed.)

Secrecy, Intimacy, and Workable Rules: Justice Sotomayor Stakes Out the Middle Ground in United States v. Jones, 123 YALE L.J. FORUM 393 (2014) (symposium contribution)

Choosing Punishment, 92 B.U. L. REV. 577 (2012)

Some Thoughts on the Porous Boundary between Ordinary and Extraordinary Frauds, Book Review of ENSURING CORPORATE MISCONDUCT by Tom Baker and Sean Griffith, 14 U. PA. J. BUS. L. 927 (2012) (invited contribution)

Cooperation's Cost, 88 WASH. U. L. REV. 963 (2011)

- Yale-Stanford Junior Faculty Forum
- American Law and Economics Association Annual Meeting 2010
- Cited in *U.S. v. Rushin*, 844 F.3d 933 (11th Cir. 2016) (Jordan. J, concurring).

Organizational Liability and the Tension Between Corporate and Criminal Law, 19 J. LAW & POL'Y 1 (2010) (symposium contribution)

Governing Corporate Compliance, 50 B.C. L. REV. 949 (2009)

Evaluating the Consequences of Calibrated Sentencing: A Response to Professor Kolber, 109 COLUM. L. REV. SIDEBAR 211 (2009)

Linkage and the Deterrence of Corporate Fraud, 94 VA. L. REV. 1295 (2008)

Insuring Corporate Crime, 83 IND. L. J. 1035 (2008)

Corporate Governance and Corporate Policing: What Can We Learn from Hewlett-Packard's Pretexting Scandal?, 77 U. CIN. L. REV. 523 (2008) (symposium contribution)

- Excerpted in GEOFFREY MILLER, *THE LAW OF GOVERNANCE, RISK MANAGEMENT & COMPLIANCE* (Walters Kluwer, 2d. Ed. 2017).

Towards a More Balanced Treatment of Bidder and Target Shareholders, 1997 COLUM. BUS. L. REV. 319 (as Miriam P. Hechler)

The Role of the Corporate Attorney within the Takeover Context: Loyalties to Whom? 21 DEL. J. CORP. L. 943 (1996) (as Miriam P. Hechler)

SHORTER PUBLICATIONS

What White Collar Criminal Defendants Like Trump and Sam Bankman-Fried Have in Common, SLATE, Oct. 16, 2023, <https://slate.com/news-and-politics/2023/10/trump-sam-bankman-fried-criminal-sentence.html>

Gold Bars, Cash Won't Convict Menendez But These Two Words Might, BLOOMBERG LAW, Sept. 29, 2023, <https://news.bloomberglaw.com/us-law-week/gold-bars-cash-wont-convict-menendez-but-these-two-words-might>

Book review of John C. Coffee's *Corporate Crime and Punishment: The Crisis of Underenforcement*, in RUTGERS CRIMINAL LAW AND CRIMINAL JUSTICE BOOKS, <https://clcibooks.rutgers.edu/books/corporate-crime-and-punishment-the-crisis-of-underenforcement/>

Bruce Castor Botched the Cosby Case Even Worse than it Seems, (coauthored with Cynthia Godsoe) SLATE, July 3, 2021, <https://slate.com/news-and-politics/2021/07/bruce-castor-bill->

[cosby-deal-bad.html](https://cljbooks.rutgers.edu/books/too-big-to-jail/)

Book review of Brandon Garrett's *Too Big to Jail: How Prosecutors Compromise with Corporations*, in RUTGERS CRIMINAL LAW AND CRIMINAL JUSTICE BOOKS, <https://cljbooks.rutgers.edu/books/too-big-to-jail/>

Selected Presentations

Celebrating Professor Debra Demott's 50 years of Scholarship and Teaching, invited speaker on panel discussing Professor Demott's impact on the field of corporate compliance, and presentation of *Beyond Scandal Aversion*, October 2025.

Global Capitalism, Trust and Accountability, invited speaker on a panel addressing corporate culture, and wrongdoing; sponsored by Stanford Business School's Program on Capitalism and Democracy, April 2025

Women and the World of Work, University of Minnesota Law School symposium, October 2024

Lawyers and Their Institutions, Fordham Law School symposium, October 2024 (presented *Taking Integrity Risks Seriously*)

Reframing Compliance for a Polarized World, National Business Law Scholars Annual Conference, UC Davis Law School, June 2024

Invited panelist, discussing white-collar crime's trajectory in the Supreme Court, for Conference Honoring John C. Coffee, Jr., Columbia Law School, March 15, 2024

Reframing Compliance for a Polarized World (under different title), selected from a call for papers for AALS Business Associations Panel at AALS Annual Meeting, Washington DC, January 2024

Reframing Compliance for a Polarized World (under different title), at Oxford panel on Reputation and Regulation, England, August 29-31, 2023.

Reframing Compliance for a Polarized World (under different title), at ComplianceNet Annual Meeting, plenary panel on compliance, Washington D.C., June 2023.

MYTHS AND MISUNDERSTANDINGS IN WHITE-COLLAR CRIME:

- Book talk at Brooklyn Law School, October 2023;
- Rutgers Criminal Law Society at Rutgers Law School, November 2023;
- Interview with Professor Andrew Jennings' Business Law Scholarship Podcast (posted December 2023);
- Interview with Professor Amy Martella's Bite Sized Business Law Podcast, Fordham Corporate Law Center (posted January 2024).

Panelist on Crisis Management Panel, ABA Associate Deans Conference in Chicago, Illinois, July 2023.

Law and Society Association Annual Meeting, Puerto Rico, panel to discuss MYTHS AND MISUNDERSTANDINGS IN WHITE-COLLAR CRIME (Cambridge University Press, 2023), June 2023.

Indiana University Kelley School of Business, Corporate Governance Institute, *Managing the Gap in Corporate and White-Collar Crime* (a chapter from MYTHS AND MISUNDERSTANDINGS), online in November 2022

Northwestern Pritzker School of Law, *Square Peg Frauds*, for a fraud symposium sponsored by the Northwestern Law Review (October 2022)

Corporate Compliance's Achilles Heel, UCLA Law School, symposium on 20th Anniversary of Sarbanes-Oxley (in October 2022)

Invited Commentator, 28th Annual Clifford Symposium on Tort Law and Social Policy, DePaul Law School, June 2020

University of Texas, Review of Litigation Symposium, Corporate and Individual Accountability for the Opioids Crisis, March 2022 (online)

Myths and Misunderstandings in White-Collar Crime, workshopped chapters for:

- Indiana Kelley Business School, Corporate Governance Institute, November 2022
- Harvard University Safra Center for Ethics, Workshop, February 2022
- Charles Widger School of Law at Villanova Univ., Faculty Workshop, February 2022
- Southeastern Association of Law Schools Annual Meeting, August 2021
- National Business Law Scholars Conf, July 2021
- Fordham Law School, Advanced Criminal Law Seminar, April 2019

Business Scholarship Podcast, Biden Symposium: Enforcement and Policing, January 2021

American Association of Law Schools, Annual Meeting, Criminal Justice Section Works in Progress, comment on junior scholar's article, January 2021

Corporate Whistleblowing: Hit Rates and the Problem of the Complicit Whistleblower, PIABA (Public Investors Advocate Bar Association) Annual Meeting, October 2020

The Information Shortfalls of Prosecuting Irresponsible Executives, 26th Annual Clifford Symposium on Tort Law and Social Policy, DePaul Law School, April 2020

Law Enforcement's Lochner:

- Washington & Lee University School of Law, Faculty Workshop, October 2020
- Corporate and Securities Litigation Workshop, August 2020
- National Business Law Scholar's Conference, June 2020
- Crimfest!, Cardozo Law School, August 2019

Three Ways to Think About Corporate Crime, Symposium on Corporate Crime and Enforcement, Duke Law School, November 2019

Compliance Elites, Stein Symposium on Corporate Lawyering and Ethics, Fordham Law School, October 2019

Designing Leniency, Law and Society Conference, Washington D.C., May 2019

Internal Investigations: Comparative Workshop on US, UK and German Law, sponsored by the House of Finance, Goethe-Universitat Frankfurt, January 2019

Sorting Out White-Collar Crime:

- University of Texas at Austin School of Law, Faculty Workshop, November 2019
- Cardozo Law School, Faculty Workshop, October 2018
- University of Connecticut Law School, Faculty Workshop, October 2017

- Pace Law School, Faculty Workshop, October 2017
- Columbia Law School Criminal Law Roundtable, May 2017

The Criminal Side of Business, National Business Law Scholars Conference, Featured Panel Discussion, June 2018

Corporate Compliance and Organizational Change, Notre Dame Law School, senior/junior workshop, April 2018

Institute for Law and Economic Policy, 23rd Annual Conference, Naples, Florida (invited commentator on panel relating to corporate crime), April 2017

Reconceptualizing the Whistleblower's Dilemma:

- Southern Methodist University Law School, Faculty Workshop, February 2017
- Emory Law School, Faculty Workshop, January 2017
- Canadian Law & Economics Association, September 2016
- Corporate Law Colloquium, Fordham Law School, April 2016

Insider Trading's Legality Problem, AALS Annual Meeting Discussion Group on Insider Trading, January 2017

Pricing the Fourth Amendment:

- American Law and Economics Association, Harvard Law School, May 2016
- Criminal Justice Ethics Schmooze, Fordham Law School, June 2015
- Hoffinger Colloquium, NYU School of Law, April 2015 (featured speaker)

Disciplining Corporate Power, panelist at Rebellious Lawyering Conference, Yale Law School, February 2016

Anti-Bribery Statutes and Corporate Prosecutions, panelist at International Law Weekend-West, BYU Law School, January 2016

When the Corporation Investigates Itself, Symposium on Corporate Fraud and Financial Misdealing, NYU School of Law, April 2015

Unsophisticated Sentencing, Symposium on White-Collar Crime and Sentencing, Wayne State University Law School, October 2014

Timing Brady:

- Fordham Law School, Criminal Law Speaker Series, September 2014
- Stanford-Yale-Harvard Junior Faculty Forum, Stanford Law School, June 2014
- Criminal Justice Ethics Schmooze, Fordham Law School, June 2014

Secrecy, Intimacy and Workable Rules: Justice Sotomayor Stakes Out the Middle Ground, Yale Law School, Symposium on the Early Jurisprudence of Justice Sotomayor, Yale Law Journal Forum, February 2014

Confronting the Two Faces of Corporate Fraud:

- University of Florida, Criminal Justice Center Junior Workshop, March 2013
- University of Michigan Law School, Legal Theory Workshop, September 2013

Choosing Punishment,

- Univ. of Illinois School of Law, Program in Business Law and Policy, November 2011
- Yale Law School Criminal Law Roundtable, May 2011

Cooperation's Cost,

- Yale/Stanford Junior Faculty Forum, Yale Law School, June 2010
- American Law and Economics Association, May 2010

Governing Corporate Compliance, Washington University Law School, Corporate Regulation Junior/Senior Workshop, March 2009

Professional Activities & Media

Blog posts: Business-law related posts for Columbia Blue Sky Blog, the Fin Reg Blog (Duke), Oxford Business Law blog, and NYU Program in Compliance and Enforcement.

Referee: Referee or reviewer for *New Criminal Law Review*, Springer (international book division), *Law & Policy* (Wiley), *Regulation and Governance* (Wiley), *European Journal of Law and Economics* (Springer), NYU Press, Stanford University Press, the Israeli Science Foundation, Walters Kluwer, the Harvard Law Review, Yale Law Journal, and the Columbia Law Review.

Podcasts: Podcast interviews with Faculti, Business Scholarship Podcast, Oh My Fraud, Ipse Dixit, and Bite-Sized Business.

News coverage: Cited and quoted in Vox, Politico, Wall Street Journal, Washington Post, New York Times, New York Times Magazine, Bloomberg News, Bloomberg Opinion, The Atlantic, Fortune, Forbes, Daily Journal, and other popular publications. Appearances on MSNBC, CBSN (CBS News' digital network), NPR, and CNN.

Practice: Admitted to practice before the United States Courts of Appeal for the Second and Third Circuits, and the United States District Courts for the Southern and Eastern Districts of New York.