

## Marianne Wesson

### OFFICE ADDRESS:

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WEBSITES AND WEB PAGES: <http://lawweb.colorado.edu/profiles/profile.jsp?id=63>,  
[www.wessonbooks.com](http://www.wessonbooks.com), [www.mariannewesson.com](http://www.mariannewesson.com), [www.thehillmoncase.com](http://www.thehillmoncase.com)

### CURRENT EMPLOYMENT:

Professor and Wolf-Nichol Fellow, University of Colorado School of Law  
President's Teaching Scholar, University of Colorado  
Senior Scholar, Women Studies Program, University of Colorado at Boulder (appointed 2003)

### EDUCATION:

J.D. University of Texas 1973 (with high honors)(Order of the Coif, Chancellors, Consul)  
A.B. Vassar College 1970 (*cum laudi generali*)(National Merit Scholar, Matthew Vassar Scholar)

### LEARNED SOCIETIES:

Member, American Law Institute (elected 1989)

### PAST EMPLOYMENT:

Interim Dean, University of Colorado School of Law (1995-96)  
Visiting Professor, Washington University School of Law (summer 1995)  
Associate Vice President for Academic Affairs, University of Colorado (January 1989-August 1990)  
Assistant United States Attorney, Criminal Division, District of Colorado (1980-82) (while on academic leave)  
Assistant Attorney General, State of Texas (1976)  
Law Clerk, Honorable William Wayne Justice, United States District Court, Eastern District of Texas (1973-75)

### CONSULTING AND PRACTICE:

Credentialed correspondent for National Public Radio; frequent legal correspondent for NPR's *Weekend Edition Sunday*

National Conference of Bar Examiners, Criminal Law Test Development Committee (1978-present)(chair, 2000-2005)(this committee writes, edits, and selects the criminal law and procedure items for the Multistate Bar Examination)  
Volunteer counsel in *Kikumura v. Hurley, et al*, No. 98-B-1442, U.S.D.C., Colo. (concerning maximum security prisoner's access to spiritual counseling)(July 2001-November 2002)  
Script consultant to Rainy Day Films of Los Angeles, California on *Women of Mystery*, a documentary film about women mystery novelists in the United States (film released 2000)  
Appointed co-counsel in *People v. Frye*, No. S007198, a death penalty case before the California Supreme Court and United States Supreme Court (1991-1998; authored portions of Brief on Appeal, and all of Petition for Writ of Certiorari)  
Commentator for NBC, ABC, CBS, MSNBC, Washington Post, Dallas Morning News, Denver Post, Rocky Mountain News, Christian Science Monitor, and other media outlets  
Legal consultant to Lawrence Schiller for his book *Perfect Murder, Perfect Town* (1998-99)  
Co-counsel in both trial and appeal of *Simmons v. Simmons*, 773 P.2d 602 (Colo. 1988), a case establishing the right in Colorado to sue an ex-spouse for damages arising from battering during the marriage

#### FELLOWSHIPS AND OTHER ASSOCIATIONS:

Fellow, Center for Humanities and Arts, University of Colorado at Boulder (2004-05)  
Group Residency, "Reconciling Freedom of Speech and Equality," Rockefeller Foundation Conference Center, Bellagio, Italy (November 1995)  
Faculty Associate, Faculty Teaching Excellence Program, University of Colorado at Boulder (Spring 1989)  
Samuel E. Zeigler Educational Fund Fellowship (1979)

#### TEACHING AND OTHER AWARDS:

2004-05: Elizabeth Gee Memorial Lectureship, University of Colorado  
1998: Finalist, Colorado Book Award for fiction  
1996: Mary Lathrop Award from the Colorado Women's Bar Assn. (award for outstanding women lawyers in the state of Colorado)  
1994-95: Law School Teaching Excellence Award (conferred by Teaching Excellence Committee, University of Colorado School of Law)  
Named President's Teaching Scholar at the University of Colorado in 1992 (this lifetime designation is the University's highest form of recognition for excellence in teaching)  
1990-91: Law School Teaching Excellence Award  
Faculty Humanist Award (conferred by University of Colorado Law School class of 1984)

#### EDITORSHIPS AND JOURNAL BOARDS:

Board of Editors, Center for Computer-Assisted Legal Instruction (1997-present)  
Manuscript Reviewer, Little, Brown & Co. (1996)  
Manuscript Reviewer, University Press of Colorado (1995-present)  
Manuscript reviewer, VIOLENCE AGAINST WOMEN (1994)  
Board of Advisers, TEXAS JOURNAL OF WOMEN AND THE LAW (1991-present)  
Board of Editors, FRONTIERS: A JOURNAL OF WOMEN STUDIES (Fall 1988-Fall 1990)  
Editor-in-Chief, AMERICAN JOURNAL OF CRIMINAL LAW (Vol. II, 1972-73)

#### NONFICTION BOOKS:

UNQUIET GRAVE: THE HILLMON CASE AND THE SUPREME COURT (in progress)  
M. WESSON, CRIMES AND DEFENSES IN COLORADO (Harrison Publishing Company  
1989) (with 1992 Supplement)  
M. WESSON & E. CALHOUN, AN INTRODUCTION TO EMPLOYMENT  
DISCRIMINATION LAW (Colorado ACLU 1983)

#### NOVELS:

CHILLING EFFECT, a novel (University Press of Colorado 2004)  
A SUGGESTION OF DEATH, a novel (Pocket Books 2000) in U.S.; also Headline Fiction  
(UK)(1999) and Editions Stock (France)(2000); 2001 editions in Norway, Germany,  
various other foreign and translated editions  
RENDER UP THE BODY, a novel (HarperCollins (US) 1998; Headline Fiction (UK) (1997);  
Goldmann Publishers (Germany)(1998); various other foreign and translated editions;  
also a Book-of-the-Month Club selection; won "Fresh Talent" award sponsored by WH  
Smith, British booksellers; finalist for 1998 Colorado Book Award

#### BOOK CHAPTERS:

Bergman & Wesson, *The Hillmon Lawyers Have Their Say*, in TRIAL STORIES (forthcoming  
2007 by Foundation Press, A. Davis & M. Tigar eds.)  
Wesson, *The Hillmon Case, the Supreme Court, and the McGuffin*, in EVIDENCE STORIES  
277-305 (Foundation Press, R. Lempert ed. 2006).

#### SHORT FICTION:

*A Case of Clothing and Smell Obsession in a Bisexual Adult Woman*, 2 AMERICAN  
UNIVERSITY JOURNAL OF GENDER & THE LAW 201 (1994)

#### NON-LEGAL BOOK REVIEWS

Four contributions in LAW IN LITERATURE: AN ANNOTATED BIBLIOGRAPHY OF  
LAW-RELATED WORKS (E.V. Gemmette ed. 1998).  
Book review of STEPHEN WHITE, *HIGHER AUTHORITY*, BOULDER SUNDAY  
CAMERA, p.5D, col. 1 (December 16, 1994).  
Book Review of SANDRA SCOFIELD, *OPAL ON DRY GROUND*, BOULDER SUNDAY  
CAMERA, p.5e, col. 1 (June 12, 1994)

#### ARTICLES AND REVIEWS:

Wesson, "A Particular Intention": *The Hillmon Case and the Supreme Court*, forthcoming in  
LAW AND LITERATURE (Fall 2006).  
Wesson, *The Hillmon Case, the McGuffin, and the Supreme Court*, 32 LITIGATION 30 (Fall  
2005).  
Schneider, Harrington, Merry, Romkens & Wesson, *Battered Women and Feminist Lawmaking*,  
X JOURNAL OF LAW AND POLICY 313 (2002).

- Wesson, *Mind Over Matter* (Review of SUSAN J. BRISON, *AFTERMATH: VIOLENCE AND THE REMAKING OF A SELF*), XIX THE WOMEN'S REVIEW OF BOOKS 7 (April 2002)
- Bergman, LeFrancois & Wesson, *New Developments in Fourth, Fifth & Sixth Amendment Law*, 31 N.M.L. REV. 1 (2001)
- Wesson, *A Novelist's Perspective*, 50 DEPAUL L. REV. 583 (2000)(50<sup>th</sup> Anniversary Symposium)
- Wesson, Book Review, 26 SIGNS, No. 2 (Winter 2001)
- Wesson, *Reasonable Women* (Review of ELIZABETH M. SCHNEIDER, *BATTERED WOMEN AND FEMINIST LAWMAKING*), XVIII THE WOMEN'S REVIEW OF BOOKS 29 (Dec. 2000).
- Wesson, *Three's A Crowd: Law, Literature, and Truth*, 34 TULSA L.J. 699(1999).
- Wesson, *Second Thoughts* (Review of DAPHNE PATAI, *HETEROPHOBIA: SEXUAL HARASSMENT AND THE FUTURE OF FEMINISM*), XVI THE WOMEN'S REVIEW OF BOOKS 9 (May 1999).
- Wesson, *Atticus Finch Outnumbered* (Review of *TRIAL AND ERROR: AN OXFORD ANTHOLOGY OF LEGAL STORIES*, eds. Fred R. Shapiro and Jane Garry), in JURIST: BOOKS ON LAW, December 1998, at <<http://jurist.law.pitt.edu/lawbooks/revdec98.htm#wesson>>
- Wesson, *Life in Hell* (Review of BETH SIPE AND EVELYN J. HALL, *I AM NOT YOUR VICTIM: ANATOMY OF DOMESTIC VIOLENCE*), XIV THE WOMEN'S REVIEW OF BOOKS 18 (March 1997).
- Wesson, *Review of THE FEEL OF SILENCE by Bonnie Poitras Tucker*, 46 J. LEGAL EDU. 627 (1996).
- Wesson, *That's My Story and I'm Stickin' to It: The Jury as Fifth Business in the Trial of O.J. Simpson and Other Matters*, 67 U. COLO. L. REV. 949 (1996).
- Wesson, *The Alarming Effect of Fiction Writing on the (Otherwise) Well-Trained Legal Mind*, XVI THE ADVOCATE No. 5 at 10 (May-June 1995).
- Wesson, *When the Criminal is Political* (Review of four works of feminist crime fiction), XII THE WOMEN'S REVIEW OF BOOKS No. 4 (January 1995) at 22.
- Wesson, *Digging Up the Roots of Violence* (Review of ANN JONES, *NEXT TIME SHE'LL BE DEAD*, and other books about domestic violence), XI THE WOMEN'S REVIEW OF BOOKS No. 6 (March 1994) at 1.
- Wesson, *A History of Criminal Sentencing Reform in Colorado*, 4 OVERCROWDED TIMES: SOLVING THE PRISON PROBLEM No. 6 (December 1993) at 1, *reprinted in* SENTENCING REFORM IN OVERCROWDED TIMES: A COMPARATIVE PERSPECTIVE (M. Tonry & K. Hatlestad eds. 1997) at 94.
- Wesson, *The Case for Porn*, (Review of *DIRTY LOOKS: WOMEN, PORNOGRAPHY AND POWER*), XI THE WOMEN'S REVIEW OF BOOKS No. 2 (November 1993) at 17.
- Wesson, *Girls Should Bring Lawsuits Everywhere. . . Nothing Will Be Corrupted: Pornography as Speech and Product*, 60 U. CHICAGO L. REV. 845 (1993), *reprinted in* FIRST AMENDMENT LAW HANDBOOK (J.L. Swanson ed. 1994-95) *and in* THE PRICE WE PAY: THE CASE AGAINST RACIST SPEECH, HATE PROPAGANDA, AND PORNOGRAPHY (1995)(L. Lederer & R. Delgado eds. 1995)
- Wesson, *Mysteries of Violence and Self-Defense: Myths for Men, Cautionary Tales for Women*, 1 TEXAS J. OF WOMEN & THE LAW 1 (1992)
- Wesson, *Sex, Lies, and Videotape: The Pornographer as Censor*, 66 WASHINGTON L. REV. 913 (1991)
- Wesson & Johnson, *Post-Tenure Review and Faculty Revitalization*, 77 ACADEME 53 (May-June 1991)

- Wesson, *A Brief Lecture on the Socratic Method*, ON TEACHING 91 (M.A. Shea ed. 1990)
- Wesson, *Accomplices and Complicity*, 18 COLO. LAWYER 2317 (Dec. 1989)
- Wesson, *Review of FEMINISM UNMODIFIED*, X FRONTIERS: A JOURNAL OF WOMEN STUDIES 91 (No. 3, 1989)
- Wesson, *The Judge*, 1986 ANNUAL SURVEY OF AMERICAN LAW xix (1986)
- Wesson, *Sexual Harassment*, in ADVANCED LABOR & EMPLOYMENT LAW - 1986, at 955 (ALI-ABA 1986)
- Wesson, *Pregnancy, Childbirth and Parenthood Under Title VII*, in ADVANCED LABOR & EMPLOYMENT LAW - 1986, at 962 (ALI-ABA 1986)
- Wesson & Calhoun, *The Developing Law of the Toxic Workplace*, VIII AMICUS 14 (No. 1, Winter 1984-85)
- Wesson, *Narrative Truth, Historical Truth, and Expert Testimony*, 60 WASH. L. REV. 331 (1985), reprinted in 34 LAW REVIEW DIGEST No. 5 (Sept.-Oct. 1985), at 4
- Wesson, *EEO Considerations in Layoffs*, in ADVANCED LABOR & EMPLOYMENT LAW - 1984, at 291 (ALI-ABA 1984)
- Wesson, *Mens Rea and the Colorado Criminal Code*, 52 U. COLO. L. REV. 167 (1981)
- Wesson, *Substituted Judgment: The Parens Patriae Justification for Involuntary Treatment of the Mentally Ill*, 8 J. OF PSYCHIATRY & THE LAW 147 (1980)
- Wesson, *The Privilege Against Self-Incrimination in Civil Commitment Proceedings*, 1980 WISCONSIN L. REV. 697 (1980), excerpted in REISNER, LAW AND THE MENTAL HEALTH SYSTEM (1985)

#### INTRODUCTIONS:

- Wesson, *Introduction* to republished edition of THE LAST CLIENT OF LUIS MONTEZ by Manuel Ramos (Northwestern University Press 2003).

#### ON-LINE RESOURCES:

- <http://www.thehillmoncase.com> (a research resource and blog concerning the case of *Mutual Life Insurance Company v. Sallie Hillmon*), entirely authored by Marianne Wesson

#### PAPERS DELIVERED AND PRESENTATIONS AT ACADEMIC AND PROFESSIONAL MEETINGS (a partial list)

- Unquiet Grave: The Hillmon Case and the Supreme Court*, at Washington University in St. Louis School of Law, as part of the Public Interest Law and Policy Lecture Series, September 27, 2006
- Follow-Up to the Hillmon Case and the Court*, at the Colorado Judicial Conference, Vail, Colorado, September 18, 2006
- The Right to Privacy: Myth or Reality* (with Joyce Meskis) at the 2006 National Federation of Press Women National Conference, Denver, Colorado, September 9, 2006
- Chilling Effects*, at the Writers in the Sky Conference, Wilkinson Public Library, Telluride, Colorado, October 1, 2005.
- The Hillmon Case and the Court* (with Dennis Van Gerven), at the Colorado Judicial Conference, Golden, Colorado, September 21, 2005.
- Big-Times Sports and University Values*, The Elizabeth Gee Memorial Lecture, Denver, Colorado, March 4, 2005.
- The Corpse at the Campground* (for Opening Convocation, Center for the Arts and Humanities, University of Colorado at Boulder), September 1, 2004.
- The Merchant of Venice: Literature, Law and Prejudice* (with other panelists), Denver Center for the Performing Arts, April 18, 2004.

*Chilling Effects: Cross-Burning, Pornography, and Censorship* (The Ruth Thompson Memorial Civil Rights Lecture, Kansas State University) Manhattan, Kansas, February 6, 2003

*Where Have You Gone, Perry Mason?* (Panel Discussion, Washington University School of Law, Public Interest Law Series), St. Louis, Missouri, January 29, 2003 (with Scott Turow and Michael Kahn)

*Fiction as Anti-Theory* (Section on Law and Interpretation, Association of American Law Schools) Washinton, D.C., January 4, 2003.

*From Lawyer to Novelist and Back* (Keynote Address, Kansas Women Attorneys Association Annual Conference), Lindsborg, Kansas, July 19, 2002

*Truth in Fiction: What Could It Mean?* (University of Iowa College of Law), Iowa City, Iowa, September 28, 2001

*Battered Women and Feminist Lawmaking* (Panelist, Law & Society Assn. Annual Meeting), Budapest, Hungary, July 4, 2001

*Truth in Fiction* (Keynote Address, Kansas Bar Association Annual Convention), Vail, Colorado, June 7, 2001

*Recent Developments in Criminal Procedure* (panel at the Tenth Circuit Judicial Conference), Santa Fe, New Mexico, June 29, 2000.

*Women in Legal Education* (panel at the Annual Convention, Colorado Women's Bar Association), Vail, Colorado, May 20, 2000.

*A Novelist's Perspective* (presentation at the Sixth Annual Clifford Symposium on Tort Law and Social Policy), at DePaul College of Law, Chicago, Illinois, April 1, 2000.

*Murder, She Wrote: Women, Crime, and Detection* (the Barbara Aronstein Black Lecture on Women and the Law; with Carolyn Heilbrun and Linda Fairstein), at Columbia Law School, New York, New York, March 6, 2000.

*Violence and Media Responsibility*, at the American Bar Association Forum on Communication Law, San Diego, California, February 18, 2000.

*Western Whodunits: Place in Crime*, for the University of Colorado's Center for the American West, Boulder, Colorado, May 4, 1999.

*Teaching Evidence in the 21<sup>st</sup> Century*, at the Annual Meeting, Association of American Law Schools, New Orleans, Louisiana, January 8, 1999.

*Law, Literature, and Truth: Three's a Crowd*, at the National Association of Women Judges Conference, St. Louis, Missouri, October 10, 1998.

*To Praise with Faint Damns: In Defense of Censorship*, at the University of Colorado, Symposium on Civility and Censorship by the Center for the Arts and Humanities, April 1997.

*Coerced Confinement and Treatment* (panelist), at the University of Denver School of Law, Symposium on Coercion, Exploitation, and the Law, March 1997.

*Literature, Narratives, Language, and Law* (panelist), at the University of Southern California, The Annual English Graduate Conference, February 1997.

*The Work of the Tenth Circuit, 1994-96*, for the Tenth Circuit Judicial Conference, Snowmass, Colorado, July 1996.

*These Things We Do to Keep the Flame Burning*, for the Boulder County Women's Bar Association, Boulder, Colorado, February 1996.

*The Jury as Fifth Business in the Trial of O.J. Simpson*, at the University of Colorado School of Law, Symposium on the O.J. Simpson Trial, February 1996.

*The Free Speech Paradigm* (panelist), at The Constitutional Law Resource Center, Drake University Law School, April 1995.

*Women and Crime Fiction*, at the Colorado BookFair, auspices of Colorado Endowment for the Humanities, October 1994.

*Pornography as Speech and Product*, at the University of Chicago School of Law, conference on Speech, Harm and Equality, March 1993.

*The History of Criminal Sentencing Reform in Colorado*, at the University of Colorado School of Law, Symposium on Sentencing Reform in the States, February 1993.

*Mysteries of Violence and Self-Defense*, at the University of Texas School of Law, Symposium on New Perspectives on Women and Violence, March 1992  
*Expert Witnessing for Mental Health Professionals*, at the University of Denver School of Professional Psychiatry, February 1992  
*Expert Witnesses in Child Abuse and Sexual Abuse Cases*, at the Colorado Judicial Conference, September 1991  
*Sex, Lies, and Videotape: The Pornographer as Censor*, the Austin Scott, Jr. Memorial Lecture, University of Colorado School of Law, Spring 1990  
*Tort Remedies for Victims of Domestic Violence*, at the Colorado Trial Lawyers Association, August 1989  
*The Management of Children as Victim-Witnesses*, at the Colorado Judicial Conference, September 1987  
*Varieties of Feminism*, at the University of Southern Colorado, April 1987  
*The Power of State Constitutions*, at the Colorado Judicial Conference, September 1984  
*The Future of the Exclusionary Rule*, at the Colorado Judicial Conference, September 1983  
*The Respondent as a Source of Evidence in Mental Health Proceedings*, the Austin Scott, Jr. Memorial Lecture, University of Colorado School of Law, Fall 1979

#### PUBLIC SERVICE:

Member, Site Visit Team, Accreditation Committee, Association of American Law Schools (1997).  
Victim Assistance and Law Enforcement Board, 20th Judicial District of Colorado (1993-96, Chair in 1995)  
Criminal Justice Act Committee (United States District Court, District of Colorado, 1991-1994)  
Colorado Supreme Court Grievance Committee (1989-1994); Vice-Chair (1994)  
Colorado Supreme Court Committee on the Rules of Criminal Procedure (1984-88)  
Judicial Nominating Commission, 20th Judicial District, Colorado (1984-87)  
Board of Directors and Volunteer Attorney, Colorado ACLU (1980-82)  
Board of Directors, Boulder Valley Clinic (1976-80)

#### UNIVERSITY SERVICE (a partial list):

Chair, Investigative Committee Concerning Allegations Against Professor Ward Churchill, for the Standing Committee on Research Misconduct (Academic Year 2005-06)  
Member, Dean Search Committee, Law School (2002-2003).  
Member, Internal Review Committee, Institute for Behavioral Science (2002)  
Chair, Admissions Committee, Law School (2001-2002)  
Member, Presidential Search Committee (1999-2000)  
Member, Steering Committee, President's Teaching Scholars Program (1993-1997)  
Member, Hazel Barnes Prize Selection Committee (Spring 1993)  
Member, Internal Review Committee, University of Colorado Women Studies Program (Fall 1991)  
Ombudsperson, Boulder Campus Faculty Salary Review for Women and Minorities (Spring 1991)  
Member, Boulder Faculty Assembly Committee on Faculty Women (1990-92; also 1985-87)  
Chair, Dean Search Committee, Law School (1987)  
Chair, Law School Long-Range Planning Committee (1985-86, Spring 1987)  
Chair, Law School Appointments Committee (1984-85)  
Chair, Boulder Faculty Assembly Committee on Faculty Women (1984-85)  
Boulder Campus Program Review Panel (1985-86)  
University Committee on Privilege and Tenure (1982-84)

#### BAR MEMBERSHIPS:

United States Supreme Court (1999)  
Texas (1974) (inactive) and Colorado (1977)  
Admitted to several United States district courts and courts of appeal  
Admitted *pro hac vice* to the California Supreme Court for purposes of appearing in a death penalty case (1991)

#### FURTHER EDUCATION AND TRAINING:

Psychoanalytic training with Colorado Society for Psychology and Psychoanalysis (Fall 1986)  
Mediation training with Center for Dispute Resolution (Summer 1985)  
Professional travel to Western and Eastern Europe and the Soviet Union, auspices of Citizen Ambassador Program (Summer 1988)

#### PROFESSIONAL AND OTHER ORGANIZATIONS:

Boulder Town and Gown  
Mystery Writers of America  
Sisters in Crime  
Association of American Law Schools: Section on Law and Psychiatry (Chair 1987, Program Chair 1986); Sections on Women in Legal Education, Criminal Law, and Evidence (Advisory Committee 1999).  
American Bar Association  
Rocky Mountain Llama Association