

DANIELLE KIE HART

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Academic Positions

- 1999 – Present **SOUTHWESTERN LAW SCHOOL, Los Angeles, CA**
Professor of Law (2004-current)
Irwin R. Buchalter Professor of Law (2005-2006)
Associate Professor of Law (1999-2004)
Courses Taught: Contracts I & II, Sales, Secured Transactions, Law & Social Change, Law & Sexual Orientation, Critical Race Theory
Significant Committee Service
Ad Hoc Committee on Faculty Best Practices (2011-2012)
(Chair)
Ad Hoc Committee on Site Evaluation/Self Study (2013-2014)
Appointments Committee (2005-2013)
Faculty Development Committee (2012-2018; 2020-2022)
Laterals Hiring Committee (2022-present)
Subcommittee on Drafting New Tenure Standards (2006-2009)
Task Force on Equity, Inclusion & Belonging, Training Subcommittee (2021-present)
Tenure, Promotion & Retention Committee (2005-2021)
Faculty Adviser
Southwestern Law Review (2005-2010; 2020-present)
- 1998 – 1999 **WILLIAM S. RICHARDSON SCHOOL OF LAW, Honolulu, HI**
Visiting Assistant Professor of Law
Courses Taught: Civil Procedure I & II, Second Year Seminar

Education

- LL.M. **HARVARD LAW SCHOOL, Cambridge, MA**
- J.D. **WILLIAM S. RICHARDSON SCHOOL OF LAW, Honolulu, HI**
Member, University of Hawaii Law Review
- B.A. **WHITMAN COLLEGE, Walla Walla, WA**
History and Economics
Honors in History

Publications (Articles)

If Past is Prologue, Then the Future is Bleak: Contracts, Covid-19 and the Changed Circumstances Doctrines, forthcoming Texas A&M Law Review (2022)

Contract Law & Racial Inequality: A Primer, forthcoming St. John's Law Review (2021)

In and Out—Contract Doctrines in Action 66 Hastings L. J. 1661 (2015).

Form & Substance in Nancy Kim's Wrap Contracts, 44 Sw. L. Rev. (2014).

Revealing Privilege—Why Bother? 42 Wash. U. J. of Law & Pol'y 131 (2013).

Cross-Purposes & Unintended Consequences—Karl Llewellyn, Article 2 and the Limits of Social Transformation, 1 The Theory & Practice of Legislation 91 (2013)

In A Word, 41 Sw. L. Rev. 215 (2012).

Cross-Purposes & Unintended Consequences—Karl Llewellyn, Article 2 and the Limits of Social Transformation, 12 Nev. L.J. 54 (2011).

Contract Law Now—Reality Meets Legal Fictions, 41 U. Balt. L. Rev. 1 (2011).

Contract Formation and the Entrenchment of Power, 41 Loy. U. Chi. L.J. 175 (2009).

And The Chill Goes On—Federal Civil Rights Plaintiffs Beware: Rule 11 Vis-a-Vis 28 U.S.C. §1927 and the Court's Inherent Power, 37 Loyola L.A. L. Rev. 645 (2004).

Still Chilling After All These Years: Federal Rule of Civil Procedure 11 and its Impact on Federal Civil Rights Plaintiffs After the 1993 Amendments, 37 Val. U. L. Rev. 1 (2002).

Same-Sex Marriage Revisited—Taking a Critical Look at Baehr v. Lewin, 9 Geo. Mason U. Civ. Rts. L. J. 1 (1998/1999).

Striking A Balance: Procedural Reform Under The Lum Court, 14 U. Haw. L. Rev. 223 (1992) (with Karla Winter).

Rule 11 And State Courts: Panacea Or Pandora's Box?, 13 U. Haw. L. Rev. 57 (1991) (with Eric K. Yamamoto).

Publications (Books)

Knapp, Crystal, Prince, Hart, & Silverstein, Problems in Contract Law—Cases and Materials (10th edition 2023)

Works in Progress

From Contract to Status: The Story of Contract Law & Inequality (book under contract with Routledge)

Knapp, Crystal, Prince, Hart, & Silverstein, *Problems in Contract Law—Cases and Materials Abridged* (1st edition—forthcoming Fall, 2025)

Neoliberal Contract Law: Its Origins, Implications, and Exceptions

Panels/Presentations

2022 Annual Meeting of Law & Society

Lisbon, Portugal, July 13-16, 2022.

Panelist: Market Failure Redefined and Resisted

Mapping Critical Geographies and Alternative Possibilities in Legal Scholarship and Praxis for the Next Twenty-Five Years

LatCrit XXI

October 9, 2021

Panelist: Critical Perspectives on Theory and Jurisprudence

Queering Class

ClassCrits Workshop Series: Workshop #7

April 16, 2021

Roundtable Participant

Widening the Lens of Justice—Unmasking the Layers of Racial and Social Inequality

Southwestern Law Review Symposium

February 5, 2021

Panelist: Economic (In)Justice—Past Present Future

15th International Conference on Contracts

University of the Pacific, McGeorge School of Law, February 21-22, 2020

Panelist—New Approaches to Contract Law

Moderator—Nancy Kim's Consentability: Consent & Its Limits

ClassCrits XII: Facing Our Challenges, Rescuing Democracy and Ensuring Wellbeing

Western New England School of Law, November 15-16, 2019

Panelist—Unmasking Power in Private Law

14th International Conference on Contracts

Tulane Law School, March 8-9, 2019

Panelist—Consent, Autonomy, and Other Values of Contract Law

ClassCrits XI: Rising Together for Economic Hope, Power and Justice

West Virginia College of Law, November 2-3, 2018

Panelist--Unequal Exchanges: Consent, Trust, and Economic Power

2018 Annual Meeting of Law & Society

Toronto, Canada, June 7 -10, 2018

Panelist—Law, Class & Inequality

ClassCrits at Ten: Mobilizing for Resistance, Solidarity, and Justice

Tulane University School of Law, November 10-11, 2017

Panelist—Inequality—How We Got Here & Why We Stay

Poverty Law Conference

Seattle University School of Law, February 19-20, 2016

Panelist—Big Picture

2016 International Conference on Contracts

St. Mary's School of Law, February 26-27, 2016

Panelist—Contract Law and Ideology

2015 International Conference on Contracts

William S. Boyd School of Law, UNLV, February 27-28, 2015

Panelist—Whose Contract Law Is It Anyway?

SALT/LatCrit Faculty Development Workshop

William S. Boyd School of Law, University of Las Vegas, Nevada

October 9, 2014

Panelist/Mentor

Symposium Honoring Charles Knapp's 50 Years of Law Teaching

Hastings College of the Law

October 24, 2014

Panelist—The State of Contract Law

Tulane Forum—"The Future of Law & Inequality"

Tulane University Law School

November 7, 2014

Panelist

2014 International Conference on Law & Society

Minneapolis, Minnesota, May 29-June 1, 2014

Reader—Author Meets Reader: Nancy Kim, Wrap Contracts: Foundations and Ramifications)

Panelist—A Critical Perspective on Rights

2014 International Conference on Contracts

St. Thomas University School of Law, February 21-22, 2014

Co-Chair/Panelist—Contract Law and Social Justice: An Oxymoron?

ClassCrits VI Stuck in Forward? Debt, Austerity and the Possibilities of the Political

Southwestern Law School

November 15-16, 2013

Panelist—Public Law, Private Law and the Common Good

2013 International Conference on Law & Society

Boston, MA, May 30-June 2, 2013

Co-Chair/Panelist—Gender in the Market

Contracts as “Public Law” at the Intersection of Globalization and Privatization

(A Vulnerability and the Human Condition Initiative Workshop)

Emory School of Law March 1-2, 2013

Panelist—Contract and Intimacy

13th Annual International Conference on Contracts

Texas Wesleyan School of Law, February 22-23, 2013

Co-Chair/Panelist—Contractual Blindness

2012 International Conference on Law & Society

Honolulu, Hawaii, June 5-8, 2012

Chair/Panelist—Stephanie Wildman’s Privilege Revealed—Past, Present, and Future

11th Annual International Conference on Contracts

Thomas Jefferson School of Law, March 2-3, 2013

Panelist—Contractual Fairness

ClassCrits IV Criminalizing Economic Inequality

American University Washington College of Law, September 23-24, 2011

Chair/Panelist—Brick by Brick: Understanding Systems of Domination in the Core Curriculum

2011 International Conference on Law & Society

San Francisco, CA, June 2-5, 2011

Chair/Panelist—Exploring Power, Agency & Action in a World of Moving Frontiers

10th Annual International Conference on Contracts

Stetson University College of Law, February 18-19, 2011

Chair/Panelist—(Un)Conscious Bias in Contract Law

West Coast Law & Society Retreat

Southwestern Law School, February 11-12, 2011

Panelist—Rethinking Equality

Spring Conference on Contracts

William S. Boyd School of Law (UNLV), February 26-27, 2010

Chair/Panelist—The Contract Law System and Power—Past Present & Future

Injuries Without Remedies

Loyola L.A. Law School, March 26, 2010

Commentator—Marc Galanter's "The Dialective of Injury & Remedy"

Joint Western Law Teachers of Color and Conference of Asian Pacific American Law Faculty Conference

University of Denver Sturm College of Law, April 24-26, 2008

Presenting Paper

International Contracts Law Conference

McGeorge School of Law, February 8-9, 2008

Chair/Panelist—Contract as Power

Conference of Asian Pacific American Law Faculty Conference

William Mitchell College of Law, April 27-28, 2007

Presenting Paper

AALS Mid-Year Meeting: Exploring the Boundaries of Contract Law

Montreal, Canada, June 14-17, 2005

Panelist—Implications of Limited Rationality for Contract and Commercial Law

LatCrit VII

Portland, OR, May 2-5, 2002

Panelist-- "Middleman Minority" Status: From Affirmative Action to Terrorism Profiling

Law, Culture & the Humanities Conference

University of Pennsylvania, March 7-9, 2002

Panelist—Critical Race Theory and Cultural Studies

Conferences & Symposia

ClassCrits XIII: Unlocking Race & Class For Just Transitions

- Thurgood Marshall School of Law
- October 21-22, 2022
- Member Organizing Committee

Eric Yamamoto's Healing the Persistent Wounds of Historic Injustice: United States, South Korea and the Jeju 4.3 Tragedy

- Southwestern Law Review
- Published Fall, 2022
- *Organizer*

Ezra Rosser's A Nation Within: Navajo Land and Economic Development

- Southwestern Law Review
- To be published: Mid-March 2023
- *Organizer*

Teri McMurtry-Chubb's Race Unequals: Overseer Contracts, White Masculinities, and the Formation of Managerial Identity in the Plantation Economy

- Creighton Law Review
- To be published: March 2023
- *Co-Organizer*

Meera Deo's Unequal Profession

- Southwestern Law Review
- Published Spring, 2022
- *Organizer*

Widening the Lens of Justice—Unmasking the Layers of Racial and Social Inequality

- Southwestern Law Review—Issue 3, Fall, 2021
- On campus event—Friday, February 5, 2021
- *Co-Organizer*

Andrea Freeman's Skimmed

- Cal Western Law Review
- Published Fall, 2021
- *Organizer*

Beth Caldwell's *Deported Americans*

- Southwestern Law Review
- Published Spring, 2021
- *Organizer*

ClassCrits Workshop Series: 2020-2021

- *The Journal of Law & Political Economy and Its "Constituencies"*
 - *October 26, 2020* (co-organizer)
- *Online Junior Scholar Workshop*
 - *January 22, 2021* (co-organizer)
- *Presumed Incompetent*
 - *February 19, 2021* (co-organizer)
- *Racial Capitalism*
 - *March 10, 2021* (co-organizer)

ClassCrits XII: Facing Our Challenges, Rescuing Democracy and Ensuring Wellbeing

- Western New England School of Law
- November 15-16, 2019
- Member Organizing Committee

Nancy Kim's *Consentability*

- Loyola (New Orleans) Law Review
- Published Spring, 2020
- *Organizer*

ClassCrits XI: Rising Together for Economic Hope, Power and Justice

- West Virginia College of Law
- November 2-3, 2018
- Member Organizing Committee

ClassCrits at Ten: Mobilizing for Resistance, Solidarity, and Justice

- Tulane University Law School
- November 10-11, 2017
- Member Organizing Committee

12th Annual International Conference on Contracts

- On campus event--February 24-25, 2017
- *Co-Organizer*

Sex Offenses: Lessons from the Front Lines

- Southwestern Law Review—Issue 3, Spring, 2016
- On campus event—Friday, November 6, 2015
- *Co-Organizer*

ClassCrits VIII: Emerging Coalitions: Challenging the Structures of Inequality

- Southwestern Law Review—Issue 4, Spring, 2016
- *Co-Organizer*

ClassCrits VII: Poverty, Precarity, and Work: Struggle and Solidarity in an Era of Permanent(?) Crisis

- Southwestern Law Review—Issue 4, Spring, 2015
- *Co-Organizer*

Locking Up Females, Failing to Protect Them, and Punishing Their Children and Families: Can A Human Rights Approach Eliminate Gender Bias That Is Currently Treated as Gender Neutral?

- Southwestern Law Review—Issue 3, Spring, 2015
- On campus event—Friday, November 14, 2014
- *Co-Organizer*

Nancy Kim's Wrap Contracts

- Southwestern Law Review—Issue 2, Fall, 2014
- *Organizer*

ClassCrits VI: Stuck in Forward? Debt, Austerity and the Possibilities of the Political

- Southwestern Law Review—Issue 4, Spring, 2014
- On campus event—Friday & Saturday November 15-16, 2013
- *Co-Organizer*

40 Years of LGBT Legal Activism - Taking Stock and Looking Ahead

- Southwestern Law Review—Issue 4, Spring, 2013
- On campus event—Friday, February 8, 2013
- *Co-Organizer*

Privilege Revealed: Past, Present, & Future

- Washington University Journal of Law & Policy—Volume 42, Fall, 2013
- Panel at Law & Society Annual Meeting—June, 2012
- *Organizer*

Exploring Power, Agency & Action in a World of Moving Frontiers

- Southwestern Law Review—Issue 2, Fall, 2012
- Panel at Law & Society Annual Meeting—June, 2011
- *Organizer*

Law/Community Service

AALS Section on Contracts

- Executive Committee Member: Elected to Serve January, 2012
- Secretary of the Section: Effective January, 2014
- Chair of the Section: January, 2016 – January, 2017

AALS Section on Sexual Orientation and Gender Identity Issues

- Executive Committee Member: Elected to Serve January, 2002
- President: January 2007-January 2008 Term

ABA Business Law Section

- Uniform Commercial Code Committee: Member, 2014—Present
- Sale of Goods Subcommittee: Member, 2014—Present
- Pro Bono Committee: Member, 2014—Present

ClassCrits

- Organizing Committee: Member, 2011—Present
- Executive Committee: Member, 2012—2013
 - Co-Chair 2013—2018
- Co-Founder/Editorial Board Member: Journal of Law & Political Economy
- President of ClassCrits, Inc., 2017-2019
- At Large Executive Board Member, 2019-Present

Collective—Political Economy and Law (C-PEL)

- Strategic Planning Committee (2022-present)

Commercial Law Amicus Initiative (CLAI)

- Member, Board of Directors, 2019--present (invited)

Honors and Awards

2012: Excellence in Teaching Award—First Year Professor

2010: Excellence in Teaching Award—First Year Professor

2008: Excellence in Teaching Award—First Year Professor

Bar Admission

Hawaii

Other Legal Experience

Legal Aid Society of Hawaii
Staff Attorney

Paul Johnson Park & Niles
Associate Attorney—Commercial Litigation

Hawaii Supreme Court
Law Clerk for Chief Justice Herman T. F. Lum and Associate Justice Mario Ramil