Juliet M. Moringiello Widener University Commonwealth Law School 3800 Vartan Way Harrisburg, PA 17110 Phone: 717-541-3917

E-MAIL: jmmoringiello@widener.edu

TEACHING EXPERIENCE

July 1993 – Present Widener University Commonwealth Law School, Harrisburg, PA

August 2021 – Associate Dean for Academic Affairs
Present

July 2018 – Associate Dean for Research and Faculty Development
August 2021

October 2016 – **Commonwealth Professor of Business Law** August 2019

July 2004 - **Professor of Law** October 2016

July 1996 - **Associate Professor of Law**June 2004 Awarded Tenure in July, 1999

August 1993 - Assistant Professor of Law June 1996

Courses Taught:

Bankruptcy, Secured Transactions, Property, Sales, Business Law and Emerging Technologies Seminar, Cities in Crisis Seminar, Mortgage Crisis Seminar, Electronic Commerce, Payment Systems, Business Organizations, Real Estate Transactions.

University Service:

Member, Adjunct Professional Development Committee, 2020

Member, Middle States Self Study Working Group on Design and Delivery of the Student Learning Experience, 2015 - 2016

Member, Strategic Planning Steering Committee, 2013 – 2017

Co-Chair, Civic Engagement Goals and Objectives Team

Significant Law School Service:

Director, Business Advising Program, 2016 – 2019

- Raised funds to host Mid-Atlantic Regional LawMeets competition in 2018
- Developed idea for and raised funds to host MidPenn Invitational Transaction Competition in 2019
- Developed idea for and raised funds to establish a Student Professional Development Fund
- Placed students as American Bar Association Business Law Section Diversity Clerks in 2015 and 2019
- Established social media presence for the program
- Worked with students in creating a Business Law Society
- Established a student externship program with the Pennsylvania Bar Association Business Law Section

Symposium Organizer, Bankruptcy and Beyond: Solving the Problem of Municipal Financial Distress, April 14, 2014

Co-Chair, Strategic Planning Committee, 2005-2006

Chair, Faculty Appointments Committee, 2004-2005, 2007-2008

Widener University Summer International Programs:

1997, 1998 (as co-Director): Geneva International Law Institute (with Webster University)

Course Taught: International Business Transactions 1999: Co-Director, Sydney International Law Institute (with Macquarie University)

Course Taught: International Business Transactions

2004: Venice International Law Institute (with Università di Venezia)

Course Taught: International Business Transactions

2012: Director, Lausanne International Law Institute (with Université de Lausanne)

Course Taught: International Sales Law

Other Summer International Programs:

2002: Temple University Beasley School of Law Athens Summer Abroad Program (with University of Athens)

Course Taught: International Business Transactions

January 2009 - Visiting Professor of Law

June 2009 University of Georgia School of Law, Athens, GA

January 2007 – Visiting Professor of Law

June 2007 Loyola University Chicago School of Law, Chicago, IL

June 2002 – **Professor**

July, 2002 **Temple University Summer Abroad Program,** Athens, Greece

January 2002 - Visiting Associate Professor of Law

June 2002 University of Pittsburgh School of Law, Pittsburgh, PA

July 1999 - Visiting Professor of Law

December 1999 The Dickinson School of Law of the Pennsylvania State University,

Carlisle, PA

January 1999 - Visiting Associate Professor of Law

June 1999 University of Maryland School of Law, Baltimore, MD

November 1994 - Visiting Professor, Université de Paris X

December 1994 Nanterre, France

August 1991 - Abraham L. Freedman Teaching Fellow and Lecturer in Law

July 1993 **Temple University School of Law,** Philadelphia, PA

OTHER PROFESSIONAL EXPERIENCE

January 2010 – Resident Scholar, American Bankruptcy Institute, Alexandria, VA May 2010

1987 - 1991 Associate, Emmet, Marvin & Martin, New York, NY

Education

LL.M., Temple University School of Law, 1993, Legal Education

J.D., Fordham University School of Law, 1987

Staff Member, Fordham International Law Journal

B.S.F.S., Georgetown University School of Foreign Service, 1984

Major: Comparative and Regional Studies

PUBLICATIONS

LAW REVIEW ARTICLES:

The Property Law of Tokens, __ FLORIDA LAW REVIEW __ (2022 forthcoming) (with Christopher K. Odinet)

Automating Repossession, Nevada Law Journal (2022 forthcoming)

Dispossessing Residents: Municipal Receiverships and the Public Trust, 53 MICHIGAN JOURNAL OF LAW REFORM 733 (2020) (invited contribution)

Notice and Assent Through Technological Change: The Enduring Relevance of the Work of the ABA Joint Working Group on Electronic Contracting Practices, 75 THE BUSINESS LAWYER 1725 (2020) (with Nancy S. Kim & John E. Ottaviani)

et al., The Faulty Foundation of the Draft Restatement of Consumer Contracts, 36 YALE JOURNAL ON REGULATION 447 (2019)

Decision-Making and the Shaky Property Foundations of Municipal Bankruptcy Law, 12 BROOKLYN JOURNAL OF CORPORATE, FINANCIAL & COMMERCIAL LAW 5 (2017) (invited contribution)

When Does Some Federal Interest Require a Different Result?: An Essay on the Use and Misuse of Butner v. United States, 2015 UNIVERSITY OF ILLINOIS LAW REVIEW 657 (invited contribution)

Chapter 9 Plan Confirmation Standards and the Role of State Choices, 37 CAMPBELL LAW REVIEW 71 (2015) (invited contribution)

Notice, Assent, and Form in a 140 Character World, 44 SOUTHWESTERN LAW REVIEW 275 (2014) (invited contribution)

The New Territorialism in the Not-So-New Frontier of Cyberspace, 99 CORNELL LAW REVIEW 1415 (2014) (with William L. Reynolds) (invited contribution)

Goals and Governance in Municipal Bankruptcy, 71 Washington & Lee Law Review 403 (2014)

From Lord Coke to Internet Privacy: The Past, Present and Future of the Law of Electronic Contracting, 72 Maryland Law Review 452 (2013) (with William L. Reynolds)

(Mis)use of State Law in Bankruptcy: The Hanging Paragraph Story, 2012 WISCONSIN LAW REVIEW 963

Specific Authorization to File Under Chapter 9: Lessons from Harrisburg, 32 CALIFORNIA BANKRUPTCY JOURNAL 237 (2012) (invited contribution)

Mortgage Modification, Equitable Subordination, and the Honest But Unfortunate Creditor, 79 FORDHAM LAW REVIEW 1599 (2011)

Warranting Data Security, 5 BROOKLYN JOURNAL OF CORPORATE, FINANCIAL & COMMERCIAL LAW 63 (2010) (invited contribution)

Survey of the Law of Cyberspace: Electronic Contracting Cases 2009-2010, 66 The Business Lawyer 175 (2010) (with William L. Reynolds)

What's Software Got to Do With It? The ALI Principles of the Law of Software Contracts, 84 Tulane Law Review 1541 (2010) (with William L. Reynolds)

What Virtual Worlds Can Do For Property Law, 62 FLORIDA LAW REVIEW 159 (2010)

Survey of the Law of Cyberspace: Electronic Contracting Cases 2008-2009, 65 THE BUSINESS LAWYER 317 (2009) (with William L. Reynolds)

Survey of the Law of Cyberspace: Electronic Contracting Cases 2007-2008, 64 THE BUSINESS LAWYER 199 (2008) (with William L. Reynolds)

False Categories in Commercial Law: The (Ir)Relevance of (In)Tangibility, 35 FLORIDA STATE UNIVERSITY LAW REVIEW 119 (2007)

Survey of the Law of Cyberspace: Electronic Contracting Cases 2006-2007, 63 THE BUSINESS LAWYER 219 (2007) (with William L. Reynolds)

Survey of the Law of Cyberspace: Electronic Contracting Cases 2005-2006, 62 THE BUSINESS LAWYER 195 (2006) (with William L. Reynolds)

Has Congress Slimmed Down the Hogs?: A Look at the BAPCPA Approach to Pre-Bankruptcy Planning, 15 Widener Law Journal 615 (2006) (symposium)

Signals, Assent and Internet Contracting, 57 Rutgers Law Review 1307 (2005)

Survey of the Law of Cyberspace: Internet Contracting Cases 2004-2005, 61 THE BUSINESS LAWYER 433 (2005) (with William L. Reynolds)

Seizing Domain Names to Enforce Judgments: Looking Back to Look to the Future, 72 UNIVERSITY OF CINCINNATI LAW REVIEW 95 (2003)

et al., Browse-Wrap Agreements: Validity of Implied Assent in Electronic Form Agreements, 59 The Business Lawyer 279 (2003)

A Tale of Two Codes: Examining § 9-103 of the Uniform Commercial Code, § 522(f) of the Bankruptcy Code and the Proper Role of State Law in Bankruptcy, 79 WASHINGTON UNIVERSITY LAW QUARTERLY 863 (2001)

Revised Article 9, Liens From the Fringe, and Why Sometimes Signatures Don't Matter, 10 WIDENER JOURNAL OF PUBLIC LAW 135 (2001)

Distinguishing Hogs from Pigs: A Proposal for A Preference Approach to Pre-Bankruptcy Planning, 6 American Bankruptcy Institute Law Review 103 (1998)

A Mortgage By Any Other Name: A Plea for the Uniform Treatment of Installment Land Contracts and Mortgages under the Bankruptcy Code, 100 DICKINSON LAW REVIEW 733 (1996)

Silencing the Loose Cannon: The Need for the Bankruptcy Code to Recognize Letters of Credit, 27 Loyola of Los Angeles Law Review 619 (1994)

Воокѕ:

ESSENTIAL UCC CONCEPTS: A SURVEY OF COMMERCIAL TRANSACTIONS (West Academic Publishing 2018) (with Kristen David Adams & Candace M. Zierdt)

BANKRUPTCY OVERVIEW: ISSUES, LAW AND POLICY, 7^{TH} Ed. (American Bankruptcy Institute 2016) (with Andrew B. Dawson)

Editor, Internet Law for the Business Lawyer, 2ND Ed. (American Bar Association Business Law Section 2012)

BANKRUPTCY OVERVIEW: ISSUES, LAW AND POLICY, 6TH ED. (American Bankruptcy Institute 2010)

BOOK CHAPTERS:

Building a Language of Municipal Bankruptcy and Insolvency on an Urban Law Foundation, in Law Between Buildings: Emergent Global Perspectives on Urban Law (Nestor Davidson & Nisha Mistry, eds. 2016)

Electronic Issues in Secured Financing, in Research Handbook on Electronic Commerce Law 285 (John A. Rothchild, ed. 2016)

Hernando deSoto, Formal Property Systems, and the Intangible Asset Paradox, in Hernando de Soto and Property in a Market Economy 161 (D. Benjamin Barros, ed. 2010)

Towards a System of Estates in Virtual Property, in Cyberlaw, Security & Privacy 241 (Sylvia Mercado Kierkegaard ed., 2007), reprinted in International Journal of Private Law, Vol. 1, Issue 1/2, 3-13 (2008)

OTHER:

Cities in Distress: Municipal Recovery Lessons from Pa., LAW360, July 17, 2018

Online Contracts: We May Modify These Terms at any Time, Right?, Business Law Today, May, 2016 (with John E. Ottaviani)

Symposium Introduction - Bankruptcy and Beyond: Solving the Problem of Municipal Financial Distress, 24 WIDENER LAW JOURNAL 1 (2015)

The Trustee Fought Law (With Equity) and Law Won: The Supreme Court's Recent Decision in Law v. Siegel, Business Law Today, April, 2014

Book Review: Municipalities in Peril: The ABI Guide to Chapter 9, Second Edition, AMERICAN BANKRUPTCY INSTITUTE JOURNAL, Vol. XXXIII, No. 3, 60 – 61 (April, 2013) Uniform Commercial Code Task Force of the Business Law Section of the Pennsylvania Bar Association, "Report on the Amendments to Article 9 of the Uniform Commercial Code, Secured Transactions," Pennsylvania Bar Association Quarterly, July, 2012, 101-115

Op-Ed: Share Pain or Deal with Bankruptcy, HARRISBURG PATRIOT-NEWS, June 19, 2011 (with Michael Hussey)

Op-Ed: Why Foreclosure Robo-Signers Should Be Everyone's Concern, WILMINGTON NEWS-JOURNAL, October 31, 2010

Grasping Intangibles: Domain Names and Creditors' Rights, JOURNAL OF INTERNET LAW, Vol. 8, No. 3, pp. 3-11 (September, 2004)

From Vending Machines to Web Sites: Mutual Assent Between Man and Machine, Proc. of the Fifth International Conference on Electronic Commerce 393 (2003)

SELECTED PRESENTATIONS

BANKRUPTCY:

Panelist, "State and Federal Responses to Municipalities in Crisis," Fordham Urban Law Journal Cooper-Walsh Colloquium, October 16, 2020 (Zoom)

Panelist, "Examining the Supreme Court Decision on the Puerto Rico Oversight and Management Board," American Bankruptcy Institute Podcast, Episode 238, June 15, 2020

Panelist, "Municipal Bankruptcy: Who Gets What?," Michigan Journal of Law Reform Symposium, Dispossessing Detroit: How the Law Takes Property, Ann Arbor, MI, November 9, 2019

"Digital Assets in Bankruptcy," Southeastern Bankruptcy Law Institute Annual Seminar, Atlanta, GA, March 22, 2019

Panelist: "Goodwill Hunting and Other Timely Commercial Law Issues in Bankruptcy," American Bankruptcy Institute Rocky Mountain Bankruptcy Conference, Salt Lake City, UT, January 25, 2019

"Contracting Property: How Digital Assets Test the Laws of Bankruptcy and Creditors' Rights," Southeastern Bankruptcy Law Institute Distinguished Visitor Lecture, Atlanta, GA, October 25, 2017

"Decision Making and the Shaky Property Foundations of Municipal Bankruptcy Law," Brooklyn Law School Symposium on Decision Making and Legitimacy in Public Bankruptcies, Brooklyn, NY, March 3, 2017

"Municipal Finance Structure and Chapter 9 Creditor Priorities," Hutchins Center on Fiscal and Monetary Policy at Brookings Municipal Finance Conference, Washington, DC, July 12, 2016

"Social Media Accounts as Property of the Estate," American Bar Association Business Law Section Spring Meeting, Montréal, QC, Canada, April 9, 2016

Panelist: The Uniform Voidable Transactions Act: Important Changes to the UFTA that Every Bankruptcy Lawyer Should Know," Allegheny County Bar Association 28th Annual Bankruptcy Symposium, Pittsburgh, PA, December 4, 2015

Panelist: "Uncertainty Surrounding the Rights of Parties in a Municipal Insolvency," Dentons Municipal Restructuring and Reform Program, New York, NY, October 29, 2015

Panelist: "The Future Relevance of Chapter 11," Pennsylvania Bar Institute 20th Bankruptcy Institute, Mechanicsburg, PA, September 16, 2015

"The Language of Municipal Bankruptcy and Insolvency," Second Annual Fordham Comparative Urban Law Conference, Paris, France, June 29, 2015

Keynote Address: "Bankruptcy in the Supreme Court 2015," Middle District Bankruptcy Bar Association Annual Conference, Grantville, PA, June 12, 2015

Panelist: "Municipal Bankruptcy," Pennsylvania Association of Bond Lawyers Annual Meeting, Harrisburg, PA, May 21, 2015

Panelist: "Confirmation Issues in Chapter 9," Campbell Law Review Symposium, One City at a Time: The Role and Increasing Presence of Chapter 9 Municipal Bankruptcies, Raleigh, NC, October 17, 2014

"The Urban Law of Municipal Insolvency" Fordham Comparative Urban Law Conference, London, England, June 30, 2014

"When Does Some Federal Interest Require a Different Result? The Use and Misuse of Butner v. United States, American Bankruptcy Institute – University of Illinois Symposium on Chapter 11 Reform, Chicago, IL, April 4, 2014

Program Leader: "Municipal Bankruptcy Eligibility and Constitutionality," Eastern District of Pennsylvania Bankruptcy Conference 25th Annual Forum, Atlantic City, NJ, January 24, 2014

Panelist: "Icebergs Ahead! The Impact of State Law Restrictions and Conditions on Municipal Bankruptcies under Chapter 9," National Conference of Bankruptcy Judges Annual Meeting, San Diego, CA, October 26, 2012

Panelist: "Series LLCs in Bankruptcy: A Frank Discussion," Fiduciary Duties at the Intersection of Federal Bankruptcy and State Corporate Law, Wilmington, DE, April 16, 2012

ELECTRONIC CONTRACTING AND DIGITAL ASSETS:

Panelist, "Lost in Tokenization: Legal Implications of Non-Fungible Tokens on Finance, Art, Property, and Culture," American Bar Association Business Law Basics Program, December 2, 2021 (Zoom)

Panelist, "Electronic Contracts and E-Signatures: The Latest Legal Trends and Developments," American Law Institute CLE National Webcast, July 24, 2019

"We May Modify These Terms At Any Time: Can That Be Right?," American Bar Association Business Law Section Cyberspace Committee Winter Meeting, Fort Lauderdale, FL, January 28, 2016

Panelist, "Restating the Law of Consumer Contracts: Approach, Content, Feedback, and Prospects," American Bar Association Section of Business Law Consumer Financial Services Committee Meeting, Park City, UT, January 11, 2016

Discussant, "Author Meets Reader Salon: Nancy Kim's Wrap Contracts: Foundations and Ramifications," Law & Society Association Annual Meeting, Minneapolis, MN, May 30, 2014

"The Past, Present, and Future of the Law of Electronic Contracting," Brigham Young University Colloquium on Internet and Contract, Provo, UT, September 28, 2012

"Risk and the Future of Electronic Contracting," Seventh International Conference on Contracts, San Diego, CA, March 2, 2012

UNIFORM COMMERCIAL CODE:

"Automating Repossession," Three Rivers IP and Tech Law Colloquium, January 29, 2021 (Zoom)

Panelist, "Commercial Law in the 21st Century," Association of American Law Schools Annual Meeting, January 5, 2021 (Zoom)

Panelist, "Revising the UCC to Deal With Emerging Technologies," American Bar Association Business Law Section Virtual Section Annual Meeting, September 25, 2020 (Zoom)

Panelist, "The Uniform Commercial Code and Emerging Technologies: Issues Needing Your Input," American Bar Association Business Law Section Cyberspace Committee Winter Meeting, Phoenix, AZ, January 24, 2020

"Automating Repossession," Association for Law, Property & Society Annual Meeting, Syracuse, NY, May 18, 2019

Panelist, "Teaching Secured Transactions: Integrating Ethical/Professionalism Issues, Drafting Assignments, and Learning Outcomes/Assessments," Southeastern Association of Law Schools Annual Conference, Amelia Island, FL, August 7, 2016

"Letters of Credit: Role-Playing in a Transnational Transaction," Annual Meeting of the Association of American Law Schools, New Orleans, LA, January 5, 2013

Panelist, "Preparing for the New Article 9," Pennsylvania Bar Institute Business Lawyers' Institute, Philadelphia, PA, November 15, 2012

OTHER:

Panelist, "Skills, Talents, and Interests: The Rich Human Capital of the Law School," American Bar Association Associate Deans Meeting, Chicago, IL, June 26, 2019

Panelist, "Things My Ethics Professor Didn't Tell Me: Top Ethical Pitfalls for the Social Media Age," American Bar Association Annual Meeting, San Francisco, CA, August 10, 2013

LEGISLATIVE TESTIMONY

"Chapter 9 Bankruptcy: How it Works," Pennsylvania General Assembly Joint Hearing on Act 47 (Municipalities Financial Recovery Act), October 20, 2011

LAW REFORM ACTIVITIES

Chair, Task Force for the Enactment of the Uniform Voidable Transactions Act, Pennsylvania Bar Association Section of Business Law (July 2014 – December 2017)

Co-Chair, Task Force on Amendments to Uniform Commercial Code Article 9, Pennsylvania Bar Association Section of Business Law (September 2010 – June 2013)

Chair, Task Force on Revised Uniform Commercial Code Articles 1 and 7, Pennsylvania Bar Association Section of Business Law (July 2005 – June 2008)

Reporter, Working Group on Local Rules for Electronic Case Filing in the Bankruptcy Courts, American Bar Association Business Law Section (January 2005 – February 2006)

Member, Advisory Committee on the Consumer Credit Code, Pennsylvania Joint State Government Commission (July 2004 – November 2006)

SELECTED PROFESSIONAL ACTIVITIES

Member, American Law Institute (elected 2003)

Commissioner, Uniform Law Commission (appointed 2015)

Member, Permanent Editorial Board for the Uniform Commercial Code

Chair, Drafting Committee on Tenancy in Common Ownership Default Rules (Chair of Study Committee March 2020 – February 2021; Chair of Drafting Committee March 2021 - present)

Vice-Chair, Drafting Committee on the Uniform Commercial Code and Emerging Technologies (August 2020 – present; **Member** April 2019 - present)

Division Chair (July 2017 – July 2019): *Ex Officio* member of Drafting Committees for Automated Operation of Vehicles Act, Registration of Canadian Judgments Act (joint committee with Uniform Law Conference of Canada), and Civil Remedies for the Unauthorized Disclosure of Intimate Images Act

Vice-Chair, Academic Partnerships Committee (July 2016 – present)

Fellow, American College of Commercial Finance Lawyers (elected 2015)

Member, Board of Regents (April 2018 – present)

American Bankruptcy Institute

Host, *Eye on Bankruptcy*, a monthly online show analyzing recent judicial opinions on a variety of consumer and business bankruptcy topics (August 2017 – August 2018)

Coordinating Editor, *American Bankruptcy Institute Journal* (April 2011 – August 2017)

Association of American Law Schools

Chair, Section on Commercial and Related Consumer Law (2004)

American Bar Association

Member, Standing Committee on Publishing Oversight (August 2003 – August 2006)

Section of Business Law:

Council Member (August 2002 – August 2006)

Member, Editorial Advisory Board, *The Business Lawyer* (August 2004 – August 2009)

Member, Editorial Board, *Business Law Today* (August 2006 - August 2013)

Executive Editor, Business Law Today (September 2017 – present)

Cyberspace Law Committee:

Chair, Subcommittee on Electronic Contracting (September 2014 – September 2017)

Chair, Task Force for the Revision of Internet Law for the Business Lawyer (August 2009 – August 2012)

Publications Board:

Member (August 2012 – present) Chair (July 2000 - August 2002)

Uniform Commercial Code Committee:

Vice-Chair (August 1999 - August 2003)

Pennsylvania Bar Association Section of Business Law

Chair (May 2017 – May 2018)
Chair-Elect (May 2016 – May 2017)
Vice-Chair (May 2015 – May 2016)
Secretary (May 2014 – May 2015)
Treasurer (May 2013 – May 2014)
Uniform Commercial Code Committee (Co-chair, May 2005 – November 2015; Chair, November 2015 – April 2017)

Awards and Honors

2021 Pennsylvania Bar Association W. Edward Sell Business Lawyer Award

2021 Outstanding Faculty Award

2018 Douglas E. Ray Excellence in Faculty Scholarship Award

2017 Southeastern Bankruptcy Law Institute Distinguished Visiting Professor at Georgia State University College of Law

2016 Exemplary Mentorship Award, Section of Business Associations, American Association of Law Schools

2014 Outstanding Faculty Award

Central Penn Business Journal 25 Women of Influence Honoree 2013

2012 Douglas E. Ray Excellence in Faculty Scholarship Award

2007 Pennsylvania Bar Association Special Achievement Award

2006 Douglas E. Ray Excellence in Faculty Scholarship Award

COMMUNITY SERVICE

Co-Chair, Camp Hill Democrats, January 2022 - present

Member, Board of Directors, Nativity School of Harrisburg, 2016 – 2020 Chair, Graduate Success Committee

Founding Member, Dauphin County Bar Association Volunteer Lawyers for the Arts

Georgetown Scholarship Program Chair for East Central Pennsylvania

Georgetown University Alumni Admissions Program

Interviewer, 1991 – present Chair, AAP Committee 527, September 2017 – June 2019

BAR ADMISSIONS

New York, 1988 Pennsylvania, 1995

OTHER

Ski Instructor, Roundtop Mountain Resort, Lewisberry, PA
Professional Ski Instructors of America Level 1 Alpine Certification