

# Eric M. Fink

## Elon University School of Law

---

### Associate Professor of Law, 2007-present

- Tenure awarded 2012
- Jennings Professor and Emerging Scholar, 2010-2012

### Teaching

*2018-19*

- Professional Responsibility (Fall 2018)
- Employment Law (Winter 2019)
- Cause Lawyering (Winter 2019)
- Legal Practice Residency Tutorial (Spring 2019)

*Past*

- Administrative Law
- Business Associations
- Civil Procedure
- Consumer Protection
- Labor Law
- Socio-Legal Perspectives

### Service

*University*

- Poverty & Social Justice program steering committee

*Law School*

- Faculty Development & Engaged Learning Committee
- Bar Exam Support Committee
- Elon Law Review, Faculty Co-Advisor

## Publications

---

### Journal Articles

“Just When I Thought I was Out ...”: Post-Employment Repayment Obligations, with Stuart Lichten, 25 Washington & Lee Journal of Civil Rights & Social Justice (forthcoming 2018)

Union Organizing & Collective Bargaining for Incarcerated Workers, 52 Idaho Law Review 953 (2016)

Sewer Syndicalism: Worker Control in Public Services, 14 Nevada Law Journal 444 (2014)

No Money, Mo' Problems: Why Unpaid Law Firm Internships Are Illegal and Unethical, 47 University of San Francisco Law Review 435 (2013)

The Virtual Construction of Legality: "Griefing" and Normative Order in Second Life, 21 Journal of Law, Information, and Science 89 (2011)

Law School and The Web of Group Affiliation: Socializing, Socialization, and Social Network Site Use Among Law Students, 27 John Marshall Journal of Computer and Information Law 325 (2010)

Liars and Terrorists and Judges, Oh My: Moral Panic and the Symbolic Politics of Appellate Review in Asylum Cases, 83 Notre Dame Law Review 2019 (2008); reprinted in 29 Immigration and Nationality Law Review 45 (2008); cited in *Djadjou v. Holder*, 662 F.3d 265 (4th Cir. 2011) and *Zuh v. Mukasey*, 547 F.3d 504, 513 (4th Cir. 2008)

Post-Realism, or the Jurisprudential Logic of Late Capitalism: A Socio-Legal Analysis of the Rise and Diffusion of Law and Economics, 55 Hastings Law Journal 931 (2004)

Book Note, The Caribbean: New Dynamics in Trade and Political Economy, 28 NYU Journal of International Law and Politics 644 (1996)

### Chapters, Reports, & Other Publications

Federal Student Loan Servicing: Contract Problems and Public Solutions, with Roland Zullo, Jobs With Justice Education Fund (2014)

Union and Employee Access to Employer E-mail Systems Under Federal Labor Law, with Stuart W. Davidson, in *The CyberUnion Handbook: Transforming Labor Through Computer Technology* (A. Shostak, ed., 2002)

Contributing Editor, *The Developing Labor Law* (P. Hardin, ed., 4th ed. 2001)

## Conference Presentations

---

### Southeastern Academy of Legal Studies in Business

*Annual Conference*

- The Economic & Social Impact of North Carolina HB2 (November 2016)

### Stony Brook University

*Center for Study of Working Class Life—How Class Works*

- Police Union Contracts & Police Violence Against Civilians (June 2016)

### University of Idaho School of Law

*Idaho Law Review Annual Symposium*

- Union Organizing & Collective Bargaining for Incarcerated Workers (April 2016)

### ABA Section of International Law

*Spring Meeting*

- Unpaid Law Student Internships: Legal & Ethical Issues (April 2014)

### UNLV Boyd School of Law

*Nevada Law Journal Workplace & Democracy Symposium*

- Worker Self-Management in Public Services (February 2012)

### International Institute for the Sociology of Law

*Social Economy Conference*

- Worker Self-Management in Public Services (July 2011)

### Southeastern Association of Law Schools

*Annual Meeting*

- Panel on Internet Culture and the Law (July 2011)
- Legal Consciousness in the Second Life Virtual World (August 2010)
- Panel on Academic Legal Blogs in Scholarship and Teaching (August 2009)

### Law and Society Association

*Annual Meeting*

- Legal Consciousness in the Second Life Virtual World (May 2010)

## Public Talks & Workshops

---

### National Society for Experiential Education

*National & Regional Workshops*

- Legal Issues in Experiential Learning (2010-2018)

### UNC-Greensboro

*Alpha Kappa Delta (Sociology Honors Society),*

- Sociology in Legal Practice and Legal Scholarship (April 21, 2017)

*Gamma Theta Upsilon (Geography Honors Society)*

- The Place of Place in Law: Law and Geography (April 24, 2008)

### Elon Law School

*National Lawyers Guild*

- Mass Incarceration & Prison Labor (February 21, 2017)
- *Harris, Friedrichs*, and the Implications for Union Organizing November 23, 2015)
- Corporations and Campaign Finance (September 20, 2012)
- *Citizens United*, Corporations, and Democracy (July 18, 2012)

*Federalist Society*

- Pros and Cons of a Minimum Wage Increase (November 16, 2016)

### Rockingham County Democratic Party

*Annual Convention*

- Keynote Address: Taking Democracy Seriously (April 8, 2017)

*African-American Caucus*

- Voting Rights in North Carolina (February 18, 2017)

### North Carolina Open Government Coalition/Sunshine Center

- NC Open Government Law: A Guide for Public Officials (October 22, 2009)
- Forum on NC Public Records Law (March 20, 2008)

### State Employees Association of North Carolina

- Public Employee Unions and Collective Bargaining (October 17, 2009)

### Mitchell Community College

- The Labor Movement and Labor Law in 2009 (September 8, 2009)

### NC/SC Labor and Employment Law Annual Meeting

- Family Responsibility Accommodation and Discrimination (October, 18, 2008)

## Media Appearances

---

### The Rick Smith Show

- Labor Unions in South Carolina (August 26, 2013)
- Will the NLRB Grind to a Halt? (May 15, 2013)
- Why Rand Paul was Wrong about Lochner (March 7, 2013)
- Yellow Dog Contracts and the Lochner Era (January 24, 2013)

### WXII-TV

- What's Next for NC's Congressional Districts After Latest Court Ruling (August 28, 2018)

### WFMY-TV

- Wage Theft in North Carolina (August 30, 2016)
- Language Discrimination at Work (May 16, 2013)
- Rewriting the U.S. Constitution (June 28, 2011)
- The American Community Survey (June 17, 2011)
- Online Social Media and Your Rights at Work (September 11, 2009)

### TVN Poland ([www.tvn.pl](http://www.tvn.pl))

- North Carolina "Heartbalm" Lawsuit (April 2010)

### WUNC-FM, The State of Things

- Labor Unions in North Carolina (December 18, 2008)

### WGHP-TV

- My Rights: Laid Off (December 15, 2008)

## Past Teaching Experience

---

### Stanford Law School, Palo Alto, CA

*Lecturer in Law, 2004-2006*

- Legal Research and Writing

### St. Joseph's University/Comey Institute, Philadelphia, PA

*Instructor, 1997-2003*

- Labor Law; History and Sociology of the U.S. Labor Movement

### Anglo-American College, Prague, Czech Republic

*Lecturer, February- October 1992*

- Introduction to Sociology; Economic Sociology; Sociology of Law

## Legal Practice

---

### Leonard Carder, LLP, Oakland and San Francisco, CA

*Associate, 2006-2007*

- Labor and employment law, representing unions and workers

### The Weinstein Firm, Philadelphia, PA

*Of Counsel, 2004-2006*

- Employment law compliance and workplace diversity counseling

### Eckert Seamans Cherin and Mellott, Philadelphia, PA

*Associate, 2002-2004*

- Civil litigation

### Willig, Williams and Davidson, Philadelphia, PA

*Associate, 1997-2002*

- Labor and employment law, representing unions and workers

## Education

---

### New York University School of Law, New York, NY

*J.D., magna cum laude, 1997*

- Arthur Garfield Hays Civil Liberties Fellow
- Journal of International Law and Politics, Symposium Editor
- Order of the Coif

### University of Chicago, Chicago, IL

*Doctoral Student in Sociology (ABD), 1987-1992*

- Special Fields: Organizations (honors); Economic Sociology

London School of Economics, London, England

*M.Sc., Sociology, 1985*

- Thesis: Policing and Riots in the U.S. and U.K.

The Johns Hopkins University, Baltimore, MD

*B.A., Sociology, 1984*

## Professional Associations

---

Working Class Studies Association

Labor & Working Class History Association

Labor Research & Action Network

Law and Society Association

National Lawyers Guild

North Carolina Bar Association

NC State Bar Ethics Committee, Advisory Member (2011-2013)

## Bar Admissions

---

*State:* California (Active), Pennsylvania (Retired Status)

*Federal:* Third Circuit U.S. Court of Appeals, Eastern District of Pennsylvania, Middle District of Pennsylvania