

A. JAMES BARNES

School of Public and Environmental Affairs
Indiana University
1315 East 10th Street
Bloomington, IN 47405-1701
812-856-2188
e-mail: barnesaj@indiana.edu

EDUCATION:

Harvard Law School, J.D., 1967, cum laude.

Michigan State University, B.A., 1964, with High Honors.

ACADEMIC AND PROFESSIONAL POSITIONS:

Professor, School of Public and Environmental Affairs, Indiana University, Bloomington, Indiana (1988 to present)

Adjunct Professor of Law, Indiana University (2001 to present)

Dean, School of Public and Environmental Affairs, Indiana University (1988-2000).

Visiting Professor of Law, Indiana University, Bloomington, Indiana (2000-2001).

Deputy Administrator, U.S. Environmental Protection Agency, Washington, D.C (1985 to 1988).

General Counsel, U.S. Environmental Protection Agency, Washington, D.C. (1983 to 1985).

General Counsel, U.S. Department of Agriculture, Washington, D.C. (1981 to 1983).

Partner, Beveridge, Fairbanks & Diamond, Washington, D.C. (associate 1975 to 1976; partner 1977-1981).

Adjunct Professor, School of Business Administration, Georgetown University, Washington, D.C. (1975 to 1981).

Campaign Manager, Governor William G. Milliken, Lansing, Michigan (1974).

Assistant to Deputy Attorney General, U.S. Department of Justice, Washington, D.C. (1973).

Assistant to Administrator, U.S. Environmental Protection Agency, Washington, D.C. (1970 to 1973).

Trial Attorney and Special Assistant to Assistant Attorney General, Civil Division, U.S. Department of Justice, Washington, D.C. (1969 to 1970).

Assistant Professor of Business Law, Graduate School of Business, Indiana University,
Bloomington, Indiana (1967 to 1969).

BAR ADMISSION:

Indiana Bar (1967)

District of Columbia Bar (1975)

DIRECTORSHIPS:

Trustee, National Institute for Global Environmental Change (1991-2006).

Trustee, America's Clean Water Foundation, Washington, D.C. (1999-2006).

Member, Board of Directors, Long Island Lighting Company, Hicksville, NY (1992-1998).

Member, Board of Directors, Law Environmental, Atlanta, Georgia (1991-1993).

Member, Board of Directors, TMS Analytical Services, Inc., Indianapolis, Indiana (1989-1991).

Member, Board of Directors, Nomadic Structures, Inc., Alexandria, Virginia (1977-1981).

PROFESSIONAL SOCIETIES:

Fellow, National Academy of Public, Administration (1999- present)

National Association of Schools of Public Affairs and Administration (NASPAA)

Chair, Comprehensive Schools Section (1990-1995)

Institutional Representative, SPEA (1988-2000)

Member, Task Force on Revitalizing the Public Service (1989-1991)

Member, Research Committee (1993)

Environmental Law Institute

American Bar Association

American Business Law Association

HONORS:

Trustees Teaching Award, IU School Of Law (2005)

Sagamore of the Wabash (highest honor bestowed by Governor of Indiana) (2000)

Outstanding Teaching Award given by Senior Class, Indiana University (1969)

CONSULTANCIES:

Mediator—Arizona v. Honeywell (2006)

Mediator—Anniston Lead Superfund Site (2005)

Mediator—(Valhi v. Arcadis G & M) (2001-2002)

Court appointed facilitator (Transportation Insurance Co. v. Valentine Investments, L.L.C.- E. D. Michigan) (2000).

Court appointed mediator (Bay Corrugated v. Gould Inc.- E.D. Michigan) (2000-2002).

Expert witness – Lynn v. Amoco Oil (underground storage tanks) (1999-present).

Regulatory Consultant, NASPAA SCOPE project (1998-2000).

Court appointed mediator (Hollywood Dump Superfund case – Memphis, TN) (1993-1994).

Special Counsel, Beveridge, Fairbanks & Diamond, P.C., Washington, D.C. (1988-1997).

College of Charleston, chaired panel reviewing their environmental program (1992).

Environmental Advisory Panel, Baxter Healthcare Corporation, Deerfield, Illinois (1991-1992).

Massachusetts Electric Company, Expert Witness, Commonwealth of Massachusetts, Department of Public Utilities, Investigation into Environmental Externalities (1991-1992).

Advisory Board, Law Companies Environmental Group, Atlanta, Georgia (1989-1991).

Mediator (Ameritrust v. Lamson & Sessions — Superfund cost-recovery claim) (1991).

PSI (Public Service Indiana) Rate Proceeding (1989-1990).

Environmental Advisory Committee, PSI, Plainfield, Indiana (1990).

PUBLIC / PROFESSIONAL SERVICE:

Truman Scholarships Finalists Selection Committee (2008, 2007, 2006, 2005, 2004, 2003, 2002, 2001)—Harry S Truman Scholarship Foundation.

Truman Scholarship Selection Panelist (2000, 1999, 1998, 1994, 1993, 1992)—Harry S Truman Scholarship Foundation.

Chair, Environmental Finance Advisory Board, U.S. Environmental Protection Agency and Co-chair project on Preventing future Abandoned Hazardous Waste Sites (2003-) (Chair 2006-)

Member, Environmental Management Board, Department of Energy (2005 -)

Expert Report, Review of the Wastewater Permit for the BP-Whiting Refinery on Lake Michigan undertaken at the request of Governor Daniels (2007)

Panel Member, National Academy of Public Administration Panel on Department of Homeland Security Executive Staffing (2007 - 2008)

Panel Member, National Academy of Public Administration Panel on Institutional Options for Developing a National System of Environmental Indicators (2007)

Panel Member, National Academy of Public Administration, Panel on U.S. Army Corps of Engineers Priority-Setting for Water Resource Construction Projects (2006 - 2007)

Panel Member, Ad Hoc Panel formed by National Academy of Public Administration to provided advice concerning Puget Sound Action Plan to Governor of Washington's Puget Sound Action Team (2006)

Panel Member, National Academy of Public Administration, Report on "Addressing Community concerns: How Environmental Justice Relates to Land Use Planning and Zoning" (July 2003).

Panel Member, National Academy of Public Administration, Report on "Models for Change Efforts by Four States to Address Environmental Justice" (June 2002)

Review Panel, National Institute for Global Environmental Change---Review Committee Report of the Great Plains Regional Center (University of Nebraska---Lincoln) (June 2002)

Panel Member, National Academy of Public Administration, Report on "Environmental Justice in EPA Permitting: Reducing Pollution in High Risk Communities is Integral in the Agency's Mission." (2001)

LLM Review Panel---University of Washington Law School, Seattle, Washington (May 2000).

Moderator/Facilitator---Campus-wide meeting to discuss proposed privately managed golf course on Indiana University property (1999).

Mayor's (Bloomington, Indiana) PCB Task Force (1997-1998).

Selection Panel for Monsanto Pledge Awards (March 1998).

Panel Member, National Academy of Public Administration, "Resolving the Paradox of Environmental Protection: An Agenda for Congress, EPA, & the States" (1996-1997).

United Way: Indiana University Co-Chair (1995-1997); Team Leader (1989-1995).

Conservation Fund, Leadership Project, Academic Work Group, Duke University, Durham, North Carolina (1995).

Member, Clean Air Act Advisory Committee, Environmental Protection Agency (1991-1993).

Member, Board of Advisors, American Institute of Environmental Property Auditing, Inc., Indianapolis, Indiana (1989 to 1991).

Member, International Board of Overseers, Netherlands School of Government, The Hague, The Netherlands (1989 – 1991).

Consultant, helped develop and deliver an ethics program for SES candidates at U. S Environmental Protection Agency (April 1991).

MAJOR GRANTS

Lilly Endowment, co-principal investigator on \$8.5 million award to establish the Center for Urban Policy and the Environment at the School of Public and Environmental Affairs (Indianapolis campus).

PUBLICATIONS:

Books

Cases and Materials on Environmental Law (published in Xerox form for use by students).

Business Law: The Ethical, Global and E-Commerce Environment, Mallor, Barnes, Bowers, and Langvardt; published by McGraw-Hill/Irwin (14th edition 2009, 13th edition 2006) (12th edition 2003)

Business Law and the Regulatory Environment, Mallor, Barnes, Bowers, Phillips and Langvardt; published by McGraw Hill/Irwin (11th edition 2000); 10th edition 1997);

Business Law and the Regulatory Environment; Metzger, Mallor, Barnes, Bowers, Phillips and Langvardt (9th edition 1995); Metzger, Mallor, Barnes, Bowers and Phillips (8th edition 1992; 7th edition 1989; 6th edition 1986).

Business Law: Principles and Cases, Lusk, Hewitt, Donnell and Barnes; published by Richard D. Irwin Co. (5th edition 1982, 4th edition 1978, 3rd edition 1974, 2nd edition 1970).

Law for Business, Barnes, Dworkin, and Richards; published by McGraw Hill/Irwin (10th edition 2008, 9th edition 2005; 8th edition 2002; 7th edition 1999; 6th edition 1996; 5th edition 1994; 4th edition 1991; 3rd edition 1987).

Law for Business, Donnell, Barnes and Metzger; published by Richard D. Irwin Co. (Revised edition 1983; 1st edition 1980).

Law of Commercial Transactions and Business Associations, Bowers, Mallor, Barnes, Phillips and Langvardt; published by Richard D. Irwin Co. (1st Edition 1995).

Essentials of Business Law and the Regulatory Environment, Dworkin, Barnes, and Richards; published by Richard D. Irwin Co. (1st Edition 1995).

A Guide to Business Law, Barnes; published by Learning Systems Co. (1970, 1974, 1978, and 1981).

Programmed Learning Aid (PLAID) for Business Law, Barnes; Learning Systems Co. (1970).

Chapters

“Air Pollution Control in the United States” in *Environmental Law and Policy in the European Union and the United States* (R. Baker, editor); published by Praeger (1997).

Monographs

An Analysis of the Indiana Trial Court System, Barnes, Horowitz and Morris, published by Bureau of Business Research, Graduate School of Business, Indiana University (1968).

Articles

“The Growing International Dimension to Environmental Issues,” Columbia Journal of Environmental Law, Vol. 13, No. 2, 1988.

“The Indiana Judicial System: An Analysis and Some Renewed Proposals for Reform” (with Malcolm Morris); Indiana Law Journal, Fall 1968.

“The Law, the Credit Card and the Coming of the Cashless Society,” American Business Law Journal, Winter, 1968. Reprinted as “When Cash is Obsolete,” New Jersey State Bar Journal, November 1968 and February 1969.

“Tax Treatment of Condemnation Proceeds: An Analysis and Some Proposals for Reform,” Barnes and Small; 4 Harvard Journal on Legislation 325-366 (1967).

Guest Editorships

“Implementing Environmental Programs,” Barnes, A. James, Editor; Public Productivity & Management Review, Vol. 18, Spring 1993.

“Business and the Environment,” Barnes, A. James, Guest Editor; Business Horizons, Indiana University Graduate School of Business (March/April 1992).

Op Eds/Think Pieces

“Energy Future Depends on Capturing Emissions,” in Indianapolis Star (November 17, 2008) (co-authored with Ken Richards) (identical editorial captioned “Carbon Capture Key to Using Coal” in Ft. Wayne Journal Gazette, November 20, 2008)

“To Combat Global Warming, Rich Nations Can’t Afford Not to Help Poorer Countries.” In McClatchy newspaper chain, including Kansas City Star, Des Moines Sunday Post-Bulletin, Janesville (WI) Gazette and Wapakoneta (OH) Daily News in December 2008).

“Supreme Court Emissions Ruling Demands Action,” editorial in Indiana Law, Spring 2007.

- “Squabbling Companies Tax EPA,” The Journal of Commerce (Tuesday, May 3, 1994, p. 6A).
- “Manipulating the Regulatory Process,” Indianapolis Star (Tuesday, April 5, 1994, p. A5).
- “Every Day is Earth Day,” Directions in Sound, WFIU, Indiana University (April 1994).
- “EPA Smothered by Rival Lobbyists: Businesses Try to Manipulate the Regulatory Process,” St. Louis Post Dispatch (Thursday, March 31, 1994, p. 7B).
- “Give EPA A Jolt,” Pittsburgh Post-Gazette (Saturday, April 3, 1993).
- “Deciding to Become a Member,” Directorship (April 1993).
- “Advice to Clinton’s Environmental Team,” The Indianapolis Star (Wednesday, March 10, 1993 p. A11).
- “Creating a Niche for the Environment in the Business School Curriculum,” FREE Perspectives, Vol. 3 (Fall Winter 1991).
- “A Report on the Management of the Indiana Trial Court System” (with Malcolm Morris), Indiana Business Review, January/February 1969.

PRESENTATIONS/PANELS: (since 1988)

- November 3, 2008—Commentary at Federalist Society Presentation on “Are Property Rights Opposed to Environmental Protection?”
- November 13, 2008—Roundtable on Energy and Climate Change, Council on foreign Relations, Washington, D.C.
- October, 26, 2006—Panel presentation at American Constitution Society’s Supreme Court Preview—at IU Law School. Presentation focused on *Massachusetts v. EPA*.
- April 19, 2006—Moderator of featured panel on “Critical Issues in Environmental Policy” at “Celebrating 35 Years of the EPA with William D. Ruckelshaus
- December 2005—Panel presentation at 14th Annual Legislative Conference, Indianapolis, IN, Panel on The Environment in Indiana
- October 2004—Presentation at IU Law School Forum on environmental positions/records of Bush and Kerry.
- October 2004—Featured remarks at SPEA Donor Recognition Dinner
- October 2004—Presentation of Presidential Campaigns and Memorabilia, Meadow Retirement Center, Bloomington
- April 2003—The History and Future of Environmental Protection, Meadowwood Retirement Center, Bloomington
- April 2002—Featured invited presentation at Harvard Law School to spring reunion classes and the Harvard Environmental Law Society—“Environmental Protection for the 21st Century:

The Past as Prologue.”

September 2002—Keynote Address to Governor’s Conference on the Environment, Indianapolis, IN—The Clean Water Act: Past, Present and Future.”

October 2002—Panel Chair, World Watershed Conference, Washington, DC.

March 2001—Panel Chair (Legal Regimes for Advancing and Controlling GMOs) and Roundtable Participant, Conference on Sustainable Development, Agriculture and Genetically Modified Organisms, Indiana University Law School

January, 2001—Developed and presented session on ethics in mediation, Civil Mediation Training, Indiana University School of Law, Indianapolis.

1991 - 2000 – Developed and presented annually a half-day segment on “Ethics and the Public Official” for the American Association of State Highway Transportation Officials.

May, 2000—Panel Chair, Colloquium, Transatlantic Consortium for Public Policy and Education, Maastricht, Netherlands.

April, 2000 – Featured speaker, Mortar Board Initiation, Indiana University, Bloomington, Indiana.

November, 1999 – Panelist, Union Board / Mortar Board Forum on the Environment.

November, 1998 – Panelist, National Law Caravan, Bloomington, Indiana.

April 1998 – Featured Panelist, Governor’s (Indiana) Conference on the Environment, Indianapolis, Indiana.

May 1997 – Featured Speaker, Faculte Jean Monnet, Universit9 de Paris Sud, “Environmental Regulation in the U.S.: A 25 Year Retrospective.” Event celebrating SPEA’s and Jean Monnet’s 25th anniversaries.

March 1996 – Panel Chair, “Water: A Trigger for Conflict/A Reason for Cooperation” (International Conference) Indiana University, Bloomington, Indiana.

February 1996 – Panel Chair, Big Ten United Way conference, Bloomington, Indiana.

March 1995 – Conference Speaker, “International Environmental Laws and Agencies, the Next Generation”, Indiana University Law School.

January 1993 – Chair/Panelist, “Trends in Environmental Regulation,” 1993 National Association of Environmental Law Societies National Conference, Bloomington, Indiana.

September 1992 – Session Chair, 1992 International Symposium on Radon, Minneapolis, Minnesota.

August 1992 – Featured Speaker, “UNCED and Prospect of the Environmental Regime in the 21st Century,” 92 Seoul Symposium, Seoul Korea.

December 1991 – Speaker, Clean Air Act Briefing, Beveridge & Diamond, Washington, D.C.

April 1991 – Speaker, Central Indiana University Technical and Environmental Societies Conference—“Environmental Challenges of 1991: An Industrial Workshop,” Indianapolis, Indiana.

December 1990 – Featured Speaker, EPA 20th Anniversary Awards Ceremony, Chicago, Illinois.

October 1990 – Speaker, Arvin Industries Environmental Council, Columbus, Indiana.

April 1990 – Speaker, Colloquium – “Indiana and the Global Environment,” Indiana University Center for Global Studies.

January 1990 – Speaker, “Symposium on the Role and Nature of the Professions in a Changing Society,” Indiana University Union Board, Bloomington, Indiana.

October 1989 – Keynote Luncheon Speaker, Environmental Management Dialogue, Environmental Law Institute, Washington, D.C.

August 1989 – Speaker, OPM Senior Executive Orientation Program, Washington, D.C.

May 1989 – Colloquium Speaker, “Growing International Dimension to Environmental Issues,” University of Cincinnati.

May 1989 – Speaker, “Radon in Schools Seminar,” Indianapolis, Indiana.

May 1989 – Speaker, USSR/National Association of Attorneys General Conference, Washington, D.C.

April 1989 – Presentation to corporate officials at Dow Chemical, Midland, Michigan.

April 1989 – Speaker, American Society of Public Administration Panel, Miami, Florida.

March 1989 – Speaker, Executive Education Program, Indiana University School of Business, Bloomington, Indiana.

March 1989 – Invited Discussant, “The Changing Climate and the Environment,” The Ditchley Foundation, Ditchley Park, Oxfordshire, England.

February 1989 – Panelist, Congressional Candidate Debate – Ft. Wayne, Indiana (Election to fill Congressman Dan Coates’ seat).

December 1988 – Keynote Speaker and Discussant, “1988 Symposium on Science Communication: Environmental and Health Research,” Annenberg School of Communication, Los Angeles, California.

December 1988 – Luncheon Speaker, “Emerging Environmental Issues,” Environmental

- Quality Control, Inc., Indianapolis, Indiana.
- November 1988 – Panel Presentation on Emerging Environmental Issues, Canadian General Counsels, Naples, Florida.
- November 1988 – Luncheon Speaker, “Emerging Environmental Issues,” American Bar Association-Bureau of National Affairs National Institute on Pollution Liability, Washington, D.C.
- November 1988 – Panel Moderator and Discussant, “International Environmental Issues,” American Council of Young Political Leaders Democracy Conference, Washington, D.C.
- November 1988 – Presentation on Environmental Law, Executive MBA Seminar, Indiana University School of Business, Bloomington, Indiana.
- May 1988 – Luncheon Speaker, TRW Occupational Health and Environmental Control Workshop, Alexandria, Virginia.
- March 1988 – Speaker, 1988 Annual Directors Conference, National Rural Electric Cooperative Association, Orlando, Florida.
- March 1988 – Speaker, Chlorine Institute Annual Meeting, New Orleans, Louisiana.
- February 1988 – Luncheon Speaker, Chemical Specialties Manufacturers’ Association, Washington, D.C.
- February 1988 – Speaker, “The Growing International Dimension to Environmental Issues,” American Law Institute-American Bar Association Course of Study, Washington, D.C.
- January 1988 – Keynote Speaker, “CFCs and Halons,” U.S. EPA and the Conservation Foundation Conference, Washington, D.C.
- January 1988 – Dinner Speaker, “Environmental Issues and Agriculture,” Edith and Dana Bennett Roundtable of the Farm Foundation, Phoenix, Arizona.

TEACHING

- V645--Environmental Law (1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2002, 2003, 2004, 2005, 2006, 2007, 2008)
- B782—Introduction to Environmental Law (2001, 2002, 2003, 2004, 2005, 2006, 2008)
- B595—Advanced Environmental Law and Practice (2002, 2003, 2004, 2005, 2006, 2007)
- B539—Lawyering in the Public Interest (taught in Washington, D.C) (2008)
- B538—Public Interest Internships (Washington, D.C.) (2008)

V601—Workshop in Public Affairs (Water Resource Planning, 2002, 2003, 2004, 2005, 2006)

V376—Law and Public Policy (2002, 2003, 2004, 2005, 2006)

E476/V450—Environmental Law and Regulation (2001)

V620/V550—Professional Ethics (2008, 2006, 2005, 2004, 2003, 2002, 2001, 2000, 1999, 1996, 1995, 1994, 1993, 1992, 1991, 1990)

V566—Executive Leadership (co-instructor) (1993, 1992)

L303—Commercial Law (1969, 1968, 1967)