

DONALD J. GUTER
President and Dean South Texas College of Law
Rear Admiral, Judge Advocate General's Corps, U.S. Navy (Ret.)
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PROFESSIONAL EXPERIENCE

President and Dean, South Texas College of Law (August 2009 – Present)

Professor of Law, Duquesne University School of Law (December 2008 – May 2009)

Dean, Duquesne University School of Law (August 2005 – December 2008)

- Guided the academic, fiscal, and personnel programs and policies of a 700-student, ABA accredited law school.
- Set the tone for a supportive, caring, and professional environment for students, staff, and faculty.
- Established a presence in the community with the local bar associations, the judiciary and the alumni.
- Named as associate dean the first female and first African-American to hold this position in the 97-year history of the law school.
- Established an intense bar examination preparation program, improving the law school's performance by 20 points in the first year and achieving the highest scores in the last 15 years.
- Improved the legal research and writing program to earn the law school's first-ever specialty ranking in U.S. News and World Reports, ranking 30th in the nation.
- Doubled evening division enrollment and minority enrollment while maintaining QPA/LSAT requirements.
- Increased from 2% to 8.5% the number of alumni who give to the law school. Endowed student loan repayment program with \$1.4 million gift and the research and writing program with \$500,000 gift.
- Established the law school's first Dean's Advisory Board.

Chief Executive Officer, Vinson Hall Corporation (August 2002 – July 2005)

- Exercised the general powers and duties of management vested in a Chief Executive Officer in the daily oversight of a non-profit continuing care retirement community, implementing policy and fiscal guidance provided by the Board of Directors.
- Oversight of 200 employees, 300 residents, and \$12 million annual budget.
- Planned and executed \$2.5 million renovation of assisted living center, on time and on budget.
- Completed construction of new \$7.5 million assisted living facility for the

- memory impaired. Naming opportunities raised over \$90,000.
- Received national award for facility design from Contemporary Long Term Care Magazine.
- Established and maintained standards of corporate performance in support of continuous quality improvement.
- Developed and maintained external relationships with key government, civic, and business entities.
- Corporation awarded McLean Chamber of Commerce Non-profit of the Year for 2003.

Executive Director, Navy Marine Coast Guard Residence Foundation (August 2002 –July 2005)

- Implemented policy and fiscal guidance of the Board of Trustees to accomplish the mission of the foundation: To provide the highest quality continuing care retirement community in a comfortable setting that fosters dignity, friendship and security.
- Established and oversaw the procedures and necessary controls to ensure the financial security of the Foundation with assets in excess of \$20 million. Annual fundraising exceeds \$500,000 and annual awarded scholarships are in excess of \$400,000.
- Directed the daily activities of the Foundation's development office and staff of six in formulating and implementing programs to meet the financial needs of residents who have exhausted their resources.
- Developed and maintained external relationships with key government, civic, and business entities.

Judge Advocate General, Department of the Navy June 2000 – June 2002

- Provided advice to the Secretary of the Navy, the Chief of Naval Operations (the senior military officer in the Department of the Navy), and other senior Government leaders on a wide range of legal issues including environmental law, ethics, personnel matters, Federal court litigation strategy, international law, and criminal law.
- Led the Judge Advocate General's Corps composed of 1,800 active duty, Reserve, and civilian lawyers, 1,000 paralegals and 320 civilian support staff located around the world.
- Administered \$50 million budget (excluding salaries).
- Provided all legal services to uniformed members of the naval service, their dependents, and eligible retirees.

- Illustratively, in 2001, Navy lawyers conducted over 2,800 criminal trials and prepared over 180,000 federal income tax returns, most of which were filed electronically.
- Extensive experience in making presentations to government entities, civic organizations, representatives of foreign governments, groups of international lawyers, the American Bar Association, law schools, and non-profit associations.
- Guest appearances on CBS television shows: *JAG* and *Entertainment Tonight*.

Deputy Judge Advocate General/Commander Naval Legal Service Command (1997 -2000)

- As Deputy Judge Advocate General, performed duties and assumed the responsibilities of the Judge Advocate General in his absence.
- As Commander Naval Legal Service Command, oversaw worldwide network of 13 major legal offices and 45 branch offices that prosecuted and defended service members accused of crimes, provided free legal assistance to eligible service members and their dependents, and adjudicated claims for and against the U.S. government. Locations throughout the U.S., Europe, and Asia.
- As Director of the Naval Justice School, the Navy's law school, with 40 faculty members located in Newport, RI, satellite campuses in Norfolk, VA and San Diego, CA and a branch office on the University of Virginia campus, provided post-law school education for all lawyers as they enter the Navy, Marine Corps, and Coast Guard, and provided continuing legal education throughout their careers.
- Responsible for curriculum (43 courses/111 offerings), facilities, budget, and assignment of instructors.
- Responsible for the Defense Institute of International Legal Studies, a subordinate, affiliated organization that provides courses for foreign military and civilian lawyers from over 70 nations. Faculty traveled to those nations to provide courses in democracy and the rule of law. The Institute has instructed over 10,000 students.
- Initiated complete change in technology used to manage global legal practice. All offices linked, efficiency management software employed, and on-line research ability extended to every lawyer in the Navy.

Executive Assistant to Judge Advocate General (1996 - 1997)

- Managed immediate staff of 5 in the Office of the Judge Advocate General.
- Coordinated all issues/documents/meetings within the office.
- Liaison between the office and the senior uniformed and civilian leadership of the Department of the Navy and Department of Defense.
- Directed various foreign diplomatic events.

Commanding Officer, Naval Legal Service Office Mid-Atlantic, Norfolk, VA (1994 -1996)

- Led the Navy's largest legal office providing criminal, civil, and international legal services to service members, families, retirees, and commands throughout the Mid-Atlantic region with sites in Norfolk and Oceana, VA; Guantanamo Bay, Cuba; and Puerto Rico.
- Supervised/trained 50 lawyers, 18 military paralegals, and 30 civilians.
- Directed legal outreach program that provided legal services on ships at sea, including electronic tax filing, criminal trials and administrative hearings.
- Initiated Corps' first telecommuting project which increased productivity by 28%.
- Personally developed and conducted quarterly "Leadership Circle" series.

Special Counsel to the Chief of Naval Operations (1990 - 1994)

- Provided advice directly to the Chief of Naval Operations (CNO) on all legal, policy, and legislative matters affecting the Department of the Navy.
- Senior attorney for a staff of over 1,000 military and over 350 civilian employees.
- Noteworthy issues included the Gulf War, Women in Combat, Gays in the Military, the explosion on the USS Iowa, and the 1991 Tailhook Convention.
- Reviewed, made recommendations on, and monitored implementation of changes to the Honor Concept and Conduct System of the United States Naval Academy.

Legislative Counsel, Office of Legislative Affairs (1989 - 1990)

- Deputy Director of seven-lawyer office that lobbies Congress for Navy programs.
- Planned and executed congressional travel/briefings, and reported on hearings.
- Traveled with Member and Staff delegations to educate them on programs of interest to the Navy (e.g. the Carter Center in Atlanta and the Chemical Weapons Convention in Geneva).
- Prepared Navy and Defense Department positions on proposed legislation.
- Drafted proposed legislation and prepared witnesses for congressional testimony.

Administrative Law Attorney, Office of the Judge Advocate General (1988 - 1989)

- Deputy Director of seven-lawyer Administrative Law office.
- Conducted research and drafted opinions on all legal, legislative, and policy issues of interest to the Judge Advocate General/Department of the Navy.
- Directed extensive expansion of Navy's Ethics/Standards of Conduct training and preparation of new training materials.

Legal and Legislative Assistant to the Vice Chief of Naval Operations (1987 - 1988)

- Prepared plan to embark women on Navy ships at sea.
- Revised instructions on proper hiring practices at Naval Postgraduate School (Monterey, CA) and Naval War College (Newport, RI).
- Organized Ethics/Standards of Conduct briefs for new staff members, produced videotapes, and drafted weekly notes for staff bulletin.

- Improved operation of Naval Historical Museum, opened Museum Store, and prepared an agreement to increase cooperation between the Museum and the philanthropic Naval Historical Foundation.

Placement Officer, Military Personnel Division, Office of the Judge Advocate General (1985 - 1987)

- Deputy Director of office that plans career training and placement of all Navy Attorneys.
- Personally planned and directed the placement of 200 senior lawyers assigned to locations throughout the United States, Europe, and Asia.
- Managed a \$2 million dollar budget.

Litigation Attorney, Office of the Judge Advocate General (1983 - 1985)

- In-house legal counsel to the Department of the Navy working with the Department of Justice to defend the Navy against law suits filed in Federal courts throughout the United States.
- Published case note for Navy Judge Advocate General Journal.

Military Judge, Great Lakes, IL (1981 - 1983)

- Presiding judge in more than 200 criminal cases.
- Guest lecturer at Barat College political science class (comparison of military and civilian court systems), local chapter of the Daughters of the American Revolution
- (Constitutional protections afforded service members), and local high schools (the military criminal justice system).

Staff Judge Advocate, Service School and Administrative Commands, Great Lakes, IL (1980 - 1981)

- Combination of District Attorney and City Attorney for Navy Base with approximately 30,000 military and civilian employees.
- Advised on labor law, environmental law, ethics, administrative law, and criminal matters.

Trial and Legal Assistance Attorney, Naval Legal Service Office, Seattle, WA (1977 -1980)

- Prosecuted/defended over 400 criminal cases.
- Provided legal assistance to more than 100 clients.

Intercultural Relations Specialist, Human Resource Management Center, Norfolk, VA (1973 - 1974)

- Organized Navy's first Human Resource Development Project.
- Authored Navy's Intercultural Relations Manual and co-authored Naval Diplomacy Manual.
- Lead trainer for Intercultural Relations training.

U.S. Navy Officer, USS Sylvania (1970 - 1973)

- Surface Line Officer of the Navy with more than 30 months of overseas deployment to the Mediterranean and Caribbean Seas.

EDUCATION

Duquesne University, J.D., 1977

Duquesne University Dean's Career Achievement Award, March 2001

University of Colorado, B.A., 1970

Non-degree:

Military Law and Procedure, Naval Justice School, Newport, RI, 1977

23rd Military Judge's Course, Army Judge Advocate General's Legal Center and School
at the University of Virginia, Charlottesville, VA, 1981

Capstone, National Defense University, Washington, D.C., 1998

CERTIFICATIONS

Admitted to the Bar of the United States Supreme Court (2006)

Admitted to the Bar of the State of Pennsylvania (1977)

PROFESSIONAL MEMBERSHIPS

Pennsylvania Bar Association (1977 - present)

Allegheny County Bar Association (2005 – present)
Duquesne University School of Law Alumni Association
Board of Directors, Navy-Marine Corps Relief Society (2000-2002)
American Association of Homes and Services for the Aging (Quality First Task Force 2003 - 2005)
Military Officers Association of America (Life Member)

PROFESSIONAL POSITIONS

President, Judge Advocates Association Foundation (2004 – present)
Board, St. Thomas More Society (2006-present)
Chair, American Bar Association Standing Committee on Legal Assistance for Military Personnel (2007 – present)

SCHOLARSHIP

Brief Amicus Curiae filed in the 4th Circuit, Al-Marri v. Wright.

Brief Amicus Curiae filed In the Supreme Court of the United States, Hamdan v. Rumsfeld, et al.

Brief Amicus Curiae filed In the Supreme Court of the United States, Rasul v. Bush; Odah v. United States.

Guest Lecturer, The Army Judge Advocates General School at the University of Virginia, Charlottesville, VA - "Leadership" (2001).

Guest Lecturer, Barat College, Lake Forest, IL - "The Federal Court System v. The Military Justice System" (1982 and 1983).

Partial list of opinions, analyses, and other writings for the U. S. Navy:

- Whether the Government Can Be Party to its Employees' Unasserted Interests in Class Action-Suit Rebate of Excessive Broker Commissions Occurring During Job Transfers.
- Potential Civil Liability for Advice Given by Counselors in the Human Resource Effect of the War Powers Resolution {H. J. Res. 542, 93d Congress } on Article 0902, U. S. Navy Regulations, 1973.
- Analysis of a Civil Rights Commission Report on Utilization of Women in the

Federal Service.

- Chappell v. Wallace: The Constitutional Tort, 33 JAG J. 109 (1984).
- Amendment to FOIA to Restrict Access by Foreign Nationals.
- Assessment of Sensitive Information in the Criminal Case of U.S. v. Oliver North.
- FOIA: Limiting the Release of Mailing Lists to Commercial Requesters 1991 Legal Review: Women in Combat.
- Assignment of Married Personnel to the Same Ship.
- Analysis and Recommendations on Proposed Amendments to the Ethics in Government Act.
- Accommodation of Religious Practices within the Department of Defense.
- Release of Official Information and Testimony by Department of Defense Personnel in Litigation.
- Historical Review of Homosexual Discharge Instructions and Discharge Characterization Regulations.
- Comments on more than 190 legislative items of interest to the U. S. Navy and the Department of Defense.

PROFESSIONAL ACTIVITIES

From 2003 to 2004, provided interviews for the following entities concerning the War on Terror, the detention and interrogation policies of the United States, and related issues.

ABC World News Tonight

BBC London

NBC News

Peter Jennings Reporting: Guantanamo

Wall Street Journal

Legal Times

Baltimore Sun

Miami Herald
Frontline
Boston Globe
The American Lawyer

December 2, 2005: Speaker. Washington County Bar Association. "Remembering 9-11."

April 4, 2006: Presented CLE: Guantanamo Bay: Whose Freedom Are We Fighting For? Duquesne University School of Law. Pittsburgh, PA.

May 29, 2006: Interview. U. S. News & World Report. Cheney's Guy. Chitra Ragavan.

June 6, 2006: Excerpt from letter to Chairman, Senate Committee on the Judiciary quoted. The Washington Post. Now Playing in Senate: A GOP Double Bill. Shailagh Murray and Charles Babington.

June 15, 2006: Interview. BBC Newsnight. (Background on Pentagon compliance with the Geneva conventions.) Peter Marshall.

June 29, 2006: Interviews. NPR, New York Times, Chicago Tribune, ABC Nightline. Comments on the Supreme Court ruling in Hamdan v. Rumsfeld.

June 30, 2006: Interview. LA Times. Military Fought To Abide By War Rules. Julian E. Barnes.

July 5, 2006: Interview. The New Yorker. The Hidden Power, The legal mind behind the White House's war on terror. Jane Mayer.

July 6, 2006: Panelist. Mayer, Brown, Rowe & Maw (Chicago, IL) Pro Bono Program on Guantanamo Bay Detainees.

July 29, 2006: Interview. LA Times. (Background on the Military Commissions Act of 2006.)

September-October 2006: Interview. The Pennsylvania Lawyer. Living Up to An “Added Responsibility.”

September 16, 2006: Presented CLE: Guantanamo Bay Update.

October 4, 2006: Interview. The Hill. Graham focuses on glimmer of TJAG’s 3rd star. Roxana Tiron.

October 5, 2006: Panelist. National Guantanamo Teach-In. Guantanamo: How Should We Respond. Seton Hall University School of Law. Newark, N.J.

October 10, 2006: Interview. LA Times. (Background on the impact of habeas stripping provisions of the Military Commissions Act.)

October 19, 2006: Speaker. Allegheny County Bar Association, Military and Veterans Affairs Committee. “Update on the War on Terror.”

November 4, 2006: Interview. ABC News & Current Affairs. Government War on Terror: Policy Development in the Bush Administration. Sources and influence on Policy Development. Leigh Sales.

November 7, 2006: Interview. The New Yorker. (Background on General Fiscus Whistleblower complaint against Secretary of Defense Rumsfeld.) Jane Mayer.

January 18, 2007: Interview. Pittsburgh Tribune-Review. Panelists: Specter detainee measure helps enemy. David M. Brown.

January 31, 2007: Interview. New Standard News. Reflections on Amicus Brief filed in the

case of Al Marri filed in the Fourth Circuit. Catherine Komp.

April 13-15, 2007: Forum sponsored by Human Rights First. Franklin Pierce Law Center, Concord, NH. One of 14 retired generals and admirals chosen to meet with presidential candidates Senator Hillary Clinton, Senator Joseph Biden and Congressman Dennis Kucinich (all declared candidates of both parties were invited) to discuss U.S. detention and interrogation policies.

May 22, 2007: Congressional Testimony. Testified before the U.S. Senate Judiciary Committee regarding “Restoring Habeas Corpus: Protecting American Values and the Great Writ.”

May 22, 2007: Interview. Pittsburgh Post-Gazette. Duquesne Dean Calls for Habeas Corpus for Detainees. Jerome Sherman.

June 5, 2007: Interview. Los Angeles Times. Tribunals Are Dealt Another Legal Setback. Carol J. Williams and Julian E. Barnes.

August 3, 2007: Dinner Speaker. Pennsylvania Air National Guard Annual Dining Out. Restoration of Habeas Corpus.

September 2007: Interview. Naval Institute Proceedings, Vol. 133/9/1,255. Damned if You Do, Damned if You Don't. Bradley Olson.

September 5, 2007: Presentation. World Affairs Council of Pittsburgh, Great Decisions Program: War Crimes. (Two hours with moderator and Professor D. Wes Rist, U. of Pittsburgh School of Law.)

September 18, 2007: Presentation. Indiana University of Pennsylvania, 3rd Annual Constitution Day at IUP. Torture: Where's the Line?" (Panel discussion with Professor Jonathan Marks, Penn State University and Professor Dighton Fiddner, IUP.)

September 19, 2007: Interview. Pittsburgh Post-Gazette. Defeat of Habeas Restoration Act.

November 30-December 3, 2007: Forum sponsored by Human Rights First. Demoin, Iowa. Moderator for 15 retired generals and admirals chosen to meet with presidential candidates Senator Hillary Clinton, Senator Joseph Biden, Senator John Edwards, Senator Chris Dodd, Governor Richardson, and Governor Huckabee (all declared candidates of both parties were invited) to discuss U.S. detention and interrogation policies.

December 10, 2007: Interview. Pittsburgh Post-Gazette. The Case Against Torture. Paula Reed Ward.

December 13, 2007: Presentation with Charles Swift. 19th Annual Academy Federal Practice Program. "The Proper Forum: Shopping or Protecting Your Client." (Discussion of Hamdan v. Rumsfeld.)

December 15, 2007: Interview. Boston Globe. "Control Sought on Military Lawyers (Bush wants power over promotions.)" Charlie Savage.

December 19, 2007: Interview. Boston Globe. "Military Lawyers Stay Unbridled (White House drops veto bid on promotions.)" Charlie Savage.

January 10 and 17, 2008: Speaker. Pittsburgh Chapter, Civil Liberties Discussion Groups 2007-2008 Series. "Guantanamo: The Enemy Is Us."

April 3, 2008: 2 Panel Presentations at the Law Policy Forum presented by the Pennsylvania Bar Association: The Rule of Law Today. The War on Terror: The Role of the Executive, Legislative and Judicial Branches; Town Hall Meeting: The Rule of Law in the War on Terror and Immigration Reform.

April 18, 2008: Moderator. Hamdan v. Rumsfeld Debate presented by The Military Law

Society and The Federalist Society with Lieutenant Commander Charles Swift (Seattle University School of Law and Professor Michael Lewis (Ohio Northern University School of Law).

June 3, 2008: Interview. Virginia Pilot. “Nonprofit group claims Navy uses ships as prisons.” Lou Hanser.

June 13, 2008: Interview. Bloomberg News. “Guantanamo Ruling May Roil Obama, McCain With No Alternatives.” James Rowley and Greg Stohr.

September 11-12: Speaker. Mercer University, Atlanta GA. “A National Summit on Torture: religious faith, torture, and our national soul. Topic: “How the U.S. Military Responded to the Drift Toward Torture.” Paper published by Mercer University Press.

November 20, 2008: Speaker. Juniata College, Huntingdon, PA. “Torture and Our National Security.”

January 22, 2009: Present in the Oval Office of the White House for the signing of President Obama’s three Executive Orders: Executive Order Review and Disposition of Individuals Detained at the Guantanamo Bay Naval Base and Closure of Detention Facilities; Review of Detention Policy Options; and Ensuring Lawful Interrogations.

January 26, 2009: Named member of the Cox Commission, an independent commission that will offer a forum for the study of current issues in military justice.

January 26, 2009: Interview. PBS, Tavis Smiley Show. Topic: 3 Executive Orders (see above entry for January 22, 2009).

January 27, 2009: Interview. The Courier-Journal. On background: the use of MEJA in the murder trial of a former Army soldier for alleged criminal acts that occurred in Iraq. Andrew Wolfson.

January 30 – February 1, 2009: Participant. The Aspen Institute. International Human

Rights and Humanitarian Laws: Their Application in National Jurisprudence.

February 2, 2009: Interview. LA Times. On background: 3 Executive Orders (see above entry for January 22, 2009).