

PATRICK J. KEENAN
PROFESSOR OF LAW AND HEIDI HURD FACULTY SCHOLAR
UNIVERSITY OF ILLINOIS COLLEGE OF LAW
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EDUCATION

Yale Law School, J.D., 1995

Yale Journal of International Law, Moot Court Board of Directors, Black Law Students Association, Jerome N. Frank Legal Services Organization

Tufts University, B.A. (magna cum laude), Political Science, 1989

ACADEMIC APPOINTMENTS

University of Illinois College of Law, Professor of Law & Hurd Faculty Scholar, 2009 - present

Courses taught: Public International Law, Counterterrorism Law and Policy, International Criminal Law, Professional Responsibility in the Criminal Law Context, Business and Human Rights, Globalization, International Human Rights Law Clinic

Previously Visiting Assistant, Assistant, and Associate Professor of Law (2001-2008)

Northwestern Pritzker School of Law, Adjunct Professor (2022)

University of Chicago Law School, Visiting Associate Professor of Law (2007-2008)

Chuo University School of Law, Tokyo, Visiting Professor of Law (February 2007)

PUBLICATIONS

THE INTERNATIONAL CRIMINAL COURT IN A NUTSHELL (West, 2024) (co-author, with Leila Sadat and Milena Sterio).

The Fight for Humane War, 36 *Leiden Journal of International Law* 181 (2023) (peer-reviewed).

The Slippery Concept of Object and Purpose in International Criminal Law, 37 *American University International Law Review* 799 (2022).

Drones and Civilians: Emerging Evidence of the Terrorizing Effects of the U.S. Drone Program, 20 *Santa Clara Journal of International Law* 1 (2021).

Moving from Policies to Performance: Complexities and Evidence, 49 *Georgia Journal of International Law* 337 (2021).

Doctrinal Innovation in International Criminal Law: Harms, Victims, and the Evolution of Law, 42 *University of Pennsylvania Journal of International Law* 407 (2020).

The Changing Face of Terrorism and the Designation of Foreign Terrorist Organizations, 95 *Indiana Law Journal* 789 (2020).

United States Law and Conflict Minerals, in *Human Rights in the Extractive Industries: Transparency, Participation, Resistance* (Feichtner & Krajewski, eds. 2019).

International Criminal Law and Climate Change, 37 *Boston University International Law Journal* 89 (2019).

The Creation of a Climate Change Court of Tribunal, (with Ku & Scott) in *Climate Change and the UN Security Council* (Scott & Ku, eds., 2018).

The Problem of Purpose in International Criminal Law, 37 *Michigan Journal of International Law* 421 (2016).

Evidence-Based Stakeholder Engagement: The Promise of Randomized Control Trials for Business and Human Rights, 3 *Indiana Journal of Law & Social Equality* 29 (2015).

Conflict Minerals and the Law of Pillage, 14 *Chicago Journal of International Law* 524 (2014).

Business, Human Rights, and Communities: The Problem of Community Consent in Economic Development, 37 *Fordham International Law Journal Online* 44 (2014).

International Institutions and the Resource Curse, 3 *Penn State Journal of Law and International Affairs* 216 (2014).

The Future of the Guiding Principles, 105 *Proceedings of the Annual Meeting of the American Society of International Law* 301 (2011).

Regulating Information Flows, Regulating Conflict: An Analysis of United States Conflict Minerals Legislation, 3 *Goettingen Journal of International Law* 129 (2011). (Co-author, with Christiana Ochoa).

The IFC's New Africa, Latin America, and Caribbean Fund: Its Worrisome Start, and How to Fix It, 30 *Journal of Financial Transformation* 127 (2010).

The Human Rights Potential of Sovereign Wealth Funds, 40 *Georgetown Journal of International Law* 1151 (2009). (Co-author, with Christiana Ochoa).

Sovereign Wealth Funds and Social Arrears: Should Debts to Citizens be Treated Differently Than Debts to Other Creditors? 49 *Virginia Journal of International Law* 431 (2009).

Curse or Cure? China, Africa, and the Effects of Unconditioned Wealth, 27 *Berkeley Journal of International Law* 83 (2009).

Financial Globalization and Human Rights, 46 *Columbia Journal of Transnational Law* 509 (2008).

Do Norms Still Matter? The Corrosive Effects of Globalization on the Vitality of Norms, 41 *Vanderbilt Journal of Transnational Law* 327 (2008).

The New Deterrence: Crime and Policy in the Age of Globalization, 91 *Iowa Law Review* 505 (2006).

Judges and the Politics of Death: Deciding Between the Bill of Rights and the Next Election in Capital Cases, 75 *Boston University Law Review* 3 (1995). (Co-author, with Stephen B. Bright).

LECTURES & PRESENTATIONS

Legal Ethics and Generative Artificial Intelligence (April 19, 2024). I taught a continuing legal education program for federal criminal defense lawyers about the ethical aspects of generative artificial intelligence.

Generative Artificial Intelligence and Law Teaching (June 22, 2023). I led a faculty workshop on the impact of generative artificial intelligence and law teaching. As part of this work, I created a website that brings together best practices, sample policies, and other information about generative artificial intelligence and teaching.

Ukraine: Responses to Atrocity Crimes, February 22, 2023, hybrid online/in-person event for the New York City Bar Association. I presented on the doctrinal and pragmatic implications of the growing body of user-generated digital evidence of atrocity crimes in Ukraine being provided to prosecutors and investigators. I argued that this evidence will present legal and practical challenges to the legitimacy of any prosecutions.

Conflict in Ukraine: Can Prosecuting Atrocity Crimes Make a Difference?, January 6, 2023, American Association of Law Schools annual conference. I presented the legal and practical considerations relevant to prosecuting those responsible for war crimes and other atrocity crimes in Ukraine.

What Does the Law Contribute to “Legal Humanities?” April 29, 2022, University of Illinois. Keynote address at the Legal Humanities Undergraduate Research Symposium on the distinctive contribution of legal training to the project of legal humanities.

Legal Issues in Russia's War on Ukraine, March 3, 2022, American Constitution Society, University of Illinois College of Law. I presented on a range of issues in international law and international relations relating to Russia's invasion of Ukraine and the conduct of the war there.

War Crimes in Ukraine, March 3, 2022, University Laboratory High School, University of Illinois. I presented a basic primer on war crimes and the crime of aggression for a high school audience.

The Fight for Humane War, September 28, 2021, Humanities Research Institute Legal Humanities Series, University of Illinois. I served as respondent to Samuel Moyn as he discussed his recent book, *Humane: How the United States Abandoned Peace and Reinvented War*. I argued that Moyn's history was incomplete on important issues and that his treatment of decisions facing policymakers and advocates did not fully account for the constraints they faced.

The Challenges of Teaching International Criminal Law, June 30, 2021, ICC Scholars Forum. I presented on the ways that teaching international criminal law has had to adapt to an increasingly internationalized student body, political pressure from governments, and changes in legal doctrine.

The Law, Policy, and Politics of the U.S. Drone Program, March 14, 2021, International Students Association, University of Illinois College of Law. I presented research on the history and contemporary policies of the U.S. drone and targeted killings program.

China's Responsibility for COVID-19: Are Lawsuits the Answer?, October 21, 2020, Center for Global Studies, University of Illinois. I served as discussant for a presentation by Prof. Chimene Keitner, U.C. Hastings College of Law, on the potential and pitfalls of lawsuits in the U.S. seeking compensation from China regarding the COVID-19 pandemic.

Racializing COVID-19, June 11, 2020, University of Illinois. I presented research regarding the ways that the COVID-19 pandemic has affected populations in Africa and how these issues have affected relations between China and various states in Africa.

Presentation: Doctrinal Innovation in International Criminal Law, International Criminal Court Scholars Forum, June 2019, Grotius Center for International Legal Studies, Leiden University, The Hague.

Teaching Writing in International Criminal Law, Incorporating Writing Within Substantive Law Courses, Legal Writing Institute Workshop, University of Illinois College of Law, December 1, 2018.

What's Next for Crimes Against Humanity, Plenary Address, International Criminal Court Scholars Forum, Grotius Center for International Legal Studies, Leiden University, The Hague, June 15-16, 2018.

Discussant, Is Mass Incarceration Inevitable?, Faculty Retreat, University of Illinois College of Law, May 9, 2018.

Discussant, International Criminal Court Scholars Forum, Washington University St. Louis School of Law, June 1, 2017. Discussant at the first ICC Scholars Forum.

Human Rights and the Transition from Obama to Trump, presentation at Navigating Global Challenges under the New U.S. Regime, University of Illinois Center for Global Studies, January 25, 2017.

Transparency and Disclosure Requirements in U.S. Law, Presentation at Human Rights in the Extractive Industries: Conflicts and Regulatory Responses, Friedrich-Alexander University Erlangen-Nurnberg, July 20-22, 2016.

Human Rights and the Extractive Industries, short course taught at Faculty of Law, UNIFA, Port-au-Prince, Haiti, May 2016.

Climate Change and the Limits of International Criminal Law, Presentation at Climate Change and the UN Security Council, George Washington University Elliott School of International Affairs, March 29, 2016. Invited presentation.

Evidence-Based Stakeholder Engagement, Presentation at Law & Society, May 29, 2015.

Evidence-Based Stakeholder Engagement, Presentation at European Society for International Law Business and Human Rights Research Workshop, Sept. 3, 2014. Invited presentation.

Human Rights and Humanitarian Law, Lecture at conference sponsored by the International Committee of the Red Cross, March 1, 2014. Invited presentation.

Stakeholder Engagement Plans and the Potential of Randomized Control Trials, Presentation at conference sponsored by the Indiana Journal of Law and Social Equality, April 4, 2014. Invited presentation.

The Future of the Guiding Principles, American Society of International Law—Annual Meeting, March 25, 2011. Invited presentation.

Regulating Information Flows, Regulating Conflict: An Analysis of United States Conflict Minerals Legislation, Goettingen University, Germany, October 7, 2010. Invited presentation.

The Effect of the Financial Crisis on Developing Countries, American Society of International Law—Midwest Meeting, February 22, 2010. Invited presentation.

Comments on the Limits of Corporate Social Responsibility, Vanderbilt International Law Roundtable, February 11, 2010. Invited Commenter.

Toward a Multilateral Sovereign Investment Agency, Georgetown University Law Center, March 30, 2009. Invited presentation, with co-author Christiana Ochoa.

The Social Returns on Investment: The Impact of China's Investments in Africa, Indiana University-Bloomington, March 6, 2009. Invited presentation at China in Africa Symposium sponsored by the African Studies Program, the East Asian Studies Center, and the Center for International Business Education and Research.

Toward a Multilateral Sovereign Investment Agency, University of Minnesota Law School, March 5, 2009. Faculty workshop.

Market Discipline and the Promise of Private-Sector Development, University of California-Berkeley School of Law, March 14, 2008. Stephan A. Reisenfeld Symposium, invited presentation.

Curse or Cure? The Effects of Unconditioned Wealth, Indiana University-Bloomington Law School, February 29, 2008. Faculty workshop.

Curse or Cure? The Effects of Unconditioned Wealth, Chicago-Kent Law School, February 6, 2008. Faculty workshop.

Curse or Cure? The Effects of Unconditioned Wealth, Georgetown University Law Center, January 25, 2008. Faculty workshop.

Curse or Cure? The Effects of Unconditioned Wealth, University of Chicago Law School, November 15, 2007. Faculty workshop.

China in Africa: Breaking and Remaking the Human Rights Paradigm, April 1, 2007. Faculty workshop at Notre Dame Law School.

China in Africa: Breaking and Remaking the Human Rights Paradigm, March 8, 2007. Presentation at UIUC conference on legal developments in China.

Communities, Paralegals, and Legal Aid in Africa, February 16, 2007. Presentation at The Rule of Law and Delivering Justice in Africa, Loyola University Chicago School of Law.

Did Globalization Kill the Criminal Law? The Corrosive Effects of Globalization on Compliance with the Criminal Law and the Vitality of Norms, January 7, 2007. American Association of Law Schools Annual Meeting. My paper was selected for inclusion on a panel entitled "New Voices in International Human Rights Workshop."

Did Globalization Kill the Criminal Law? The Corrosive Effects of Globalization on Compliance with the Criminal Law and the Vitality of Norms, August 2, 2006. Presentation at Big 10 Untenured Conference, Indiana University (Bloomington) School of Law.

Is Selective Globalization Possible?, June 6, 2006. Presentation at Juris Genesis: New Voices on the Law, Washington University in St. Louis School of Law.

Selective Globalization: Communities, Vulnerability and Invasive Behaviors, May 11, 2006. Invited presentation at the University of Illinois College of Law Faculty Retreat.

Selective Globalization: Communities, Vulnerability and Invasive Behaviors, April 12, 2006. Invited presentation at the Washington University (St. Louis) School of Law.

Globalization and the Movement and Regulation of Criminal Activity, April 4, 2006. Invited presentation as part of the University of Illinois Center for Global Studies Prisms Lecture series.

Human Trafficking, the United States, and the Limits of Law, February 24, 2006. Invited presentation at the University of Illinois Joint Area Centers Conference on Criminal Trafficking and Slavery.

Deterrence, Status and the Substitution Process, February 11, 2005. Invited presentation at the Indiana University School of Law-Indianapolis.

Human Rights Education, February 5, 2005. Invited presentation at New York University School of Law.

Criminal Sentencing and the Impact of Blakely, August 26, 2004. Invited presentation at the Future of American Sentencing: A National Roundtable on *Blakely* at Stanford Law School.

Globalization and Regulation, October 28, 2003. Presentation of a work in progress before the faculty at the University of Georgia School of Law.

The Death Penalty and the Findings of the Governor's Commission on Capital Punishment, February 7, 2003. Presentation about various aspects of death penalty litigation and the reforms proposed by Gov. George Ryan.

The Trafficking Victim's Protection Act of 2000: Three Years Later, February 29, 2003. I spoke about the demand side of trafficking in persons.

The Protection Project Training for Service Providers Working With Victims of a Severe Form of Trafficking, July 25, 2003. I was invited to speak about recent changes to U.S. law regarding the prosecution of sex tourists.

SCHOLARLY ENGAGEMENT

Why Lawyers Matter: Criminal Defense in the Digital Age (April 19, 2024), University of Illinois College of Law. Organizer and host, with the Federal Public Defender of the

Central District of Illinois. The conference included presentations on ways that digital information is used in criminal investigations and prosecutions, an overview of recent empirical evidence about criminal defense lawyering, and federal criminal sentencing issues, among other topics. Attendees were eligible for 6.5 hours of free CLE credit.

International Criminal Court Scholars Forum (June 2, 2023), conference in Washington, DC with attendees from around the world. Co-organizer and host. This annual event brings together scholars, judges of the International Criminal Court, and members of the ICC defense and prosecution teams to discuss scholarly works. The 2023 Forum included a keynote address from Ambassador David Scheffer, former U.S. Ambassador-at-Large for Global Criminal Justice.

Why Lawyers Matter: Culturally Competent Defense Work for Diverse Clients, April 28, 2023, University of Illinois College of Law. Organizer and host, with the Federal Public Defender of the Central District of Illinois. The conference included presentations on the linkages between intersectionality and collateral consequences and how this affects criminal defense mitigation, how to best represent transgender clients, empirical evidence regarding sentencing outcomes for defendants with diverse backgrounds, ways to address the immigration law consequences of criminal convictions, and best practices for preserving issues on appeal. Attendees were eligible for 6.5 hours of free CLE credit.

Ukraine: Responses to Atrocity Crimes, February 22, 2023, hybrid online/in-person event for the New York City Bar Association. Co-organizer and presenter. This event explored the prospects for a tribunal on the crime of aggression, challenges in gathering and using digital evidence, and the strength of possible prosecutions for war crimes and crimes against humanity.

International Criminal Court Scholars Forum, June 9-10, 2022, online conference with attendees from around the world. Co-organizer and host. This annual event brings together scholars, judges of the International Criminal Court, and members of the ICC defense and prosecution teams to discuss scholarly works. The 2022 Forum included a keynote address from Beth Van Schaack, current U.S. Ambassador-at-Large for Global Criminal Justice.

Why Lawyers Matter: New Tricks, Old Dogs and Professionalism in the Face of Client Criticism, April 29, 2022, University of Illinois College of Law. Organizer and host, with the Federal Public Defender of the Central District of Illinois, of a conference that examined the effects of new technologies, including license plate readers and facial recognition devices, on criminal defense work in the federal courts.

Digital Activism and International Law in Ukraine, March 8, 2022, Center for Global Studies, University of Illinois. Organizer of an event that explored digital activism, social media platform responses, online fundraising efforts to help people affected by the war, and legal issues, including war crimes, as these pertain to the current situation in Ukraine.

International Criminal Court Scholars Forum, June 30, 2021, University of Illinois &

NYU Center for Global Affairs. Organizer, with Prof. Jennifer Trahan, of an annual conference that brings together scholars, judges of the International Criminal Court, and members of the ICC defense and prosecution teams to discuss scholarly works.

International Criminal Court Scholars Forum, June 29 & 30, 2020, University of Illinois & NYU Center for Global Affairs. Organizer, with Prof. Jennifer Trahan, of an annual conference that brings together scholars, judges of the International Criminal Court, and members of the ICC defense and prosecution teams to discuss scholarly works.

Why Lawyers Matter: Criminal Defense During the Pandemic, April 9, 2021, University of Illinois College of Law. Organizer, with Steven Beckett, of a conference examining the impact of the COVID-19 pandemic on the provision of criminal defense services to indigent criminal defendants.

Why Lawyers Matter: Criminal Law in a Time of Uncertainty, April 12, 2019, University of Illinois College of Law. Organizer, with Steven Beckett, of a conference examining the impact of the First Step Act on federal criminal law practice.

Why Lawyers Matter: Terry v. Ohio, Police - Community Relations, Implicit Racism, and Lawyer Ethics, April 20, 2018, University of Illinois College of Law. Organizer, with Steven Beckett, of a conference examining the impact of *Terry v. Ohio* on the administration of criminal justice.

Why Lawyers Matter: Anatomy of a Murder Trial, April 28, 2017, University of Illinois College of Law. Organizer, with Steven Beckett, of a conference examining the a flawed murder trial and the need for legal representation to assist innocent defendants.

Why Lawyers Matter: Miranda v. Arizona, Then and Now, April 9, 2016, University of Illinois College of Law. Organizer, with Steven Beckett, of a conference examining the impact of *Miranda* on the administration of criminal justice.

Why Lawyers Matter: Indigent Defense in Crisis, March 3, 2011, University of Illinois College of Law. Organizer, with Steven Beckett, of a conference examining the problems in the provision of legal representation to indigent criminal defendants, and explored potential solutions.

Why Lawyers Matter: Prosecutors and Ethics, March 12, 2009, University of Illinois College of Law. Organizer, with Steven Beckett and Cynthia Geerdes, of a conference examining the regulation of prosecutorial ethics.

Financial Globalization and Human Rights: Defining the Research Agenda, February 16, 2008, University of Chicago Law School. Organizer, with Professors Christiana Ochoa and Tom Ginsburg, of a full-day colloquium that brought together scholars, lawyers, policy-makers, and advocates. The Colloquium explored three principal questions. First, whether private capital, in the form of sovereign wealth funds, hedge funds, and financial markets, has rendered public capital from sources like the World

Bank irrelevant to international development. Second, when states and firms make deals for large-scale development projects, what are the implications for state sovereignty and local communities. Third, whether states that rely heavily on revenue from the sale of natural resources less democratic and more likely to engage in human rights abuses than other states.

The New Human Rights Arena: Transnational Criminal Law, August 24-25, 2007, University of Illinois College of Law. Organizer, with Margareth Etienne, of a conference to examine scholarship at the intersection of human rights, international law and criminal law.

Why Lawyers Matter: Building and Rebuilding Justice Systems after Katrina, April 6, 2007. Organizer, with Cynthia Geerdes and Steven Beckett, of a conference commemorating the Supreme Court decision *Powell v. Alabama* and evaluating the rebuilding of the legal system in New Orleans and the Gulf Coast in the wake of Hurricane Katrina.

Illinois Program for Research in the Humanities Reading Group - The Criminal Justice System, 2004-2005. Co-organizer of a reading group to study the criminal justice system. The group was awarded a \$1000 grant to fund its activities.

PUBLIC & UNIVERSITY SERVICE AND ENGAGEMENT

Media Engagement. I have been interviewed on or for the ABA Journal, Al Jazeera, the Atlantic Monthly, the Bloomberg Law Podcast, the Christian Science Monitor, the International Herald Tribune, NBC News, Time Magazine, the Wall Street Journal, WBBM (radio), and WTAX (radio).

Kyiv Mohyla Academy Peer-to-Peer Writing Project. Along with adjunct professor Taisa Markus and Dean Volodymyr Venher, I helped to create and administer the KMA writing project. This projects pairs law students at KMA, a law school in Ukraine, with peer mentors at US law schools. Students from seven US law schools participate in the program. I am currently the coordinator for the University of Illinois.

Co-Chair, International Criminal Court Committee of the American Branch of the International Law Association. In that capacity, I co-authored a report on recommendations for resetting the US/ICC relationship.

Documenting Global Change. In collaboration with Professor Nancy Benson of the College of Communications, I was awarded a grant of approximately \$29,000 from the Center for Global Studies to document the impact of globalization on local communities in the developing world.

Africa Digital Law Library. I was awarded a grant in the amount of \$7,700 to develop a proposal and beta version of a searchable database of statutes from every country in Africa. The digital law library will be free to all users, hosted by the University of Illinois College of Law, and updated annually.

Awarded Professional Schools Course Development Grant in the amount of \$10,900 from the Center for African Studies to develop a course on the impact of globalization on Africa and the developing world.

Board of Advisors, Lemann Center for Brazilian Studies, University of Illinois at Urbana-Champaign.

Advisory Committee, Center for African Studies, University of Illinois at Urbana-Champaign.

Advisory Committee, Center for Global Studies, University of Illinois at Urbana-Champaign.

Coordinating Committee, Illinois Global Institute, University of Illinois at Urbana-Champaign.

Campus Committee on Admissions, University of Illinois at Urbana-Champaign.

Advisory Committee to Develop Core Curriculum for Graduate Minor in Global Studies, Center for Global Studies, University of Illinois at Urbana-Champaign.

College of Law Committee Service. Executive Committee (elected by faculty), Admissions Committee (chair), Appointments Committee (chair), Clerkship Committee (chair), Curriculum Committee (chair), Lectures Committee (chair), Technology Committee (chair), Self-Study Committee, Visiting Assistant Professors and Visitors Committee (chair), Experiential Learning Committee, International Committee, Diversity Committee (chair), Ad Hoc Clinics Committee, Ad Hoc Adjunct Hiring Committee, College of Law representative to University Faculty Senate.

Peer Reviewer. African Journal of Legal Studies, Law and Society Review, Melbourne Journal of International Law, University of New South Wales Law Journal,

OTHER PROFESSIONAL EXPERIENCE

Southern Center for Human Rights, Atlanta, GA, 1996-2001

Attorney. Represented poor people facing the death penalty in Alabama and Georgia at trial, on direct appeal, and in habeas corpus proceedings. Wrote motions and briefs to state courts in Alabama and Georgia, federal courts, and the U.S. Supreme Court. Negotiated with prosecutors and interviewed victims' families. Advised attorneys handling capital cases and taught continuing education seminars on defense of death penalty cases. Investigated human rights abuses in the administration of criminal justice and at prisons and jails. Coordinated recruitment, training, and supervision for Human Rights Internship Program. Wrote reports for donors regarding funded activities.

United States District Court, Montgomery, AL, 1995-1996

Law Clerk to Judge Myron H. Thompson. Researched, drafted, and edited opinions and orders, attended trials and hearings, provided legal advice to judge.

Louisiana Crisis Assistance Center, New Orleans, LA, Summer 1994

Intern investigator. Interviewed mitigation witnesses and compiled life history for capital murder case; drafted chapters for death penalty defense manual.

Lawyers' Committee for Civil Rights under Law, Washington, DC, Summer 1993

Law Clerk. Drafted legal memoranda and motions and evaluated voting rights cases.

District Attorney's Office, Penn Yan, NY, 1991-1992

Investigator/paralegal. Prepared cases to be prosecuted, drafted indictments and accusations, assisted at trials, interviewed witnesses, negotiated plea bargains.

Peace Corps, Democratic Republic of Congo, 1990-1991

Volunteer. Worked with fish farmers and their families to integrate fish farming, agroforestry, and animal husbandry into one farming system. Conducted seminars for farmers on improved seed varieties, organic gardening and improved cropping techniques. Organized first-ever seminar for wives of fish farmers.

Admitted to the New York and Georgia (inactive) bars

Languages: English, French (basic), Kikongo