

St. Vincent College
300 Fraser Purchase Road
Latrobe, PA. 15650
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Bruce A. Antkowiak

Education

1974-1977 Harvard Law School, Cambridge, Massachusetts

Juris Doctor, 1977

Graduated Magna Cum Laude

Felix Frankfurter Scholarship Recipient

1970-1974 St. Vincent College, Latrobe, PA

B.A. in Political Science

Graduated Summa Cum Laude

Distinctions: John J. Maloney Award for “Most Outstanding Member of the Senior Class”; Award for Academic Excellence in Political Science; Student Government Award; Graduated First in Class of 235; 4.0 Cumulative G.P.A.; Four Year Academic Scholarship and Class President four years

Professional Positions

July, 2011 – Present:

Counsel to the Archabbey and College: St. Vincent College, Latrobe, Pennsylvania

Professor of Law and Director of the Program in Criminology, Law, and Society: St. Vincent College, Latrobe, Pennsylvania

Pre-law Advisor: St. Vincent College, Latrobe, Pennsylvania

August, 2008 - Present –Associate Professor of Law, Duquesne University School of Law, Pittsburgh, Pennsylvania

August, 2002:

Assistant Professor, Duquesne University School of Law
Pittsburgh, Pennsylvania

Courses Presented 2002 -Present:

Criminal Law (2008- present), Constitutional Law (2002 – present), Criminal Process (2004 – present), Trial Advocacy (2004 – 2008), Labor Law (2002 -2003), Federal Criminal Law (Summers 2002 – present); Director: First Year Legal Research and Writing Program (2002 – 2007); Advisor: Innocence Project (2004); Clinical Advisor – Criminal Law Clinic (2005 - present); Forensic Science Institute Course on Expert Witnesses (2007 - present). Advisor/Coach: Law School National Trial Moot Court Programs (2002 – Present).

August, 1989 to 2002:

Adjunct Professor - Duquesne University, School of Law
Pittsburgh, Pennsylvania

Courses Presented:

Federal Criminal Law (1989 to 2002)
Legal Research and Writing (Day and Evening Sessions 2001/2002)
Trial Advocacy Advisor: Moot Court Program (2001-2002)

January, 1981 to 2002:

Lecturer / Adjunct Professor - Saint Vincent College, Latrobe,
Pennsylvania

Courses Presented:

Constitutional Law (1989 to 2001)
Labor Law (1991 to 1995)
State and Local Government (1993)

September, 1987 to 1995:

Lecturer - Seton Hill College, Greensburg, Pennsylvania
Courses Presented: Labor Law; Business Law

Publications

A. Law Review Articles

The Pinkerton Problem, 115 Penn State Law Review 607 (Winter 2011)

The Rights Question, Vol. 58, No. 3 Kansas Law Review 615 (2010)

The Irresistible Force, 18 Temple Political & Civil Rights Law Review 1 (2008).

The Art of Malice, 60 Rutgers Law Review 437 (2008): This article criticized the jury instruction of the permissible inference of malice from the use of a deadly weapon and was cited by the Supreme Court of South Carolina in reversing its traditional position on the validity of that instruction. See, *State v. Belcher*, 685 S.E.2d 802 (S.C. 2009).

Picking Up the Pieces of the Gordian Knot: Towards a Sensible Merger Methodology: Jointly published in: International Journal on Punishment and Sentencing, Vol. 3, no. 1 (2007); New England Law Review, Vol. 41, Number 2 (2007). This article was cited by the Supreme Court of Wyoming in *Snow v. State*, 216 P.3d 505 (Wyo. 2009) and by the Superior Court of Pennsylvania in *Commonwealth v. Jones*, 2010 PA Super 140, *6, n.3 (Pa. Super. 2010) and *Commonwealth v. Wade*, 2011 PA Super.246 (November 11, 2011).

Courts, Judicial Review and the Pursuit of Virtue, 45 Duq. L. Rev. 467 (2007)

Saving Probable Cause, 40 Suffolk University Law Review 569 (2007). This article was cited by the Supreme Court of Tennessee in *State v. Meeks*, 262 S.W.3d 710 (Tenn. 2008).

Contemplating Brazilian Federalism: Reflections on the Promise of Liberty, 43 DUQ. L. REV. 599 (2006)

Judicial Nullification, Vol. 38, No.3, Creighton University Law Review, (April, 2005).

Five Hot Topics: Issues of Pressing Importance in Pennsylvania Appellate Courts, 42 Duquesne University Law Review, No. 3 (Spring 2004)

The Ascent of an Ancient Palladium: The Resurgent Importance of Trial by Jury and the Coming Revolution in Pennsylvania Sentencing, 13 Widener Law Journal 11 (2003)

B. Books / Treatise

- Editor and Principal Author, *Pennsylvania Suggested Standard Jury Instructions--Criminal*, Second Edition, (Pennsylvania Bar Institute) originally published in 2005; supplemented in 2007, 2008 and 2010.
- Editor and Principal Author, *Pennsylvania Criminal Procedure: Elements, Analysis, Application*, Second Edition, Pennsylvania Bar Institute, (January, 2009)

- Editor and Principal Author, *Pennsylvania Criminal Procedure: Elements, Analysis, Application*, First Edition, Pennsylvania Bar Institute, (January, 2007)
- Chapter, *Criminal Law and Procedure*, Wecht Institute Publication, Textbook on Forensic Science and Law (CRC Press, 2006)

C. Other publications

- *Law Schools Must Reform*, Pittsburgh Post-Gazette, January 4, 2011.
- *Suppressing the Sound of Incrimination: A Passage Through the Pennsylvania Wiretap Act*, Pennsylvania Bar Quarterly (2003)

D. Older publications

“Balancing Employment Opportunities And Job Hazards for Pregnant Employees”, Hospital Law Newsletter, October, 1984

“Bargaining Units In Hospitals After St. Francis II”, Hospital Law Newsletter, February, 1985

“Stately Champions”, Pittsburgh, Press (Alle-Kiski Division), March 20, 1988

Awards

Honorary Doctor of Laws Degree, St. Vincent College, Latrobe, Pennsylvania, May 7, 2011. Delivered Commence Address at the 2011 Graduation Ceremony

Excellence in Teaching Award, 2011: Presented by the Student Bar Association of Duquesne University School of Law

Duquesne Law School Teacher of the Year--- Association of American Law Schools, January 3, 2008

Excellence in Teaching Award, 2007: Presented by the Student Bar Association of Duquesne University School of Law

AV Preeminent Peer Review Rating – Martindale Hubbell

Alumnus of Distinction Award, St. Vincent College (2002)

Director of the Office of the United States Attorneys, United States Department of Justice, Award for Superior Performance as an Assistant United States Attorney (May, 1980)

Special Achievement Award, United States Department of Justice (May 1980)

Special Achievement Award, United States Department of Justice (February, 1983)

Letters of Recognition and Commendation: Drug Enforcement-Administration, Pittsburgh; Federal Bureau of Investigation; Allegheny County, Police, Narcotics Division; City of Pittsburgh Police, Narcotics Section (July, 1983)

Professional Activities & Presentations

A. Scholarly Presentations

Projected:

Expert Witnesses in Pennsylvania: A Legal and Ethical Overview, March 18, 2012 (CLE Board approval pending)

Vehicle Stops and Searches in Pennsylvania, PBI, March 23 and 30, 2012.

Criminal Law Symposium, PBI – Harrisburg, May 31- June1, 2012.

Completed:

National Business Institute CLE: Criminal Law, August 11, 2011

Hot Topics in Criminal Law, Washington County Bar Association, August 6, 2010.

Pennsylvania Criminal Law and Procedure, PMBR, Philadelphia, Pennsylvania, July 5, 2010.

Pennsylvania Superior Court Conference: New Issues on the Horizon, Pennsylvania Superior Court Annual Meeting, June 16, 2010.

Criminal Law Symposium, Pennsylvania Bar Institute, June 4, 2010

Jury Trial Management Conference, Administrative Office of Pennsylvania Courts, April 29-20 and May 6-7, 2010

Rights and the Role of the Supreme Court, Supreme Court Institute, March 29, 2010

The Complexity of Conspiracy, (Substantive and ethical issues in conspiracy cases), Allegheny County District Attorney's Office, March 5, 2010

Great Defenses, (Presented on malice, use of expert testimony, identification issues and ethics), Pennsylvania Association of Criminal Defense Lawyers, December 4, 2009

Enlightened by the Scots: The Search for American Constitutional Rights, CLE, Duquesne University, October 17, 2009.

Stopping and Searching Automobiles in Pennsylvania, June 5, 2009, Pennsylvania Bar Institute Statewide Criminal Law Symposium, Harrisburg, Pennsylvania

Searching for the Soul of the American Constitution, paper presented to University of Glasgow Seminar, *The Scottish Enlightenment and Scottish History*, conducted by Professor Colin Kidd, November 24, 2008, University of Glasgow.

Principles of Direct Examination, Federal Bar Association CLE, Wilmington, Delaware, June 12, 2008

Joint Defense Agreements, CLE, Pennsylvania Bar Institute, April 17, 2008

Malice, Automobile Searches, Ethics and Judicial Recusal, CLE, Duquesne University School of Law, March 15, 2008

Guilty Pleas and Closing Arguments, Allegheny County District Attorney / Public Defender CLE, January 18, 2008.

Searches of Automobiles, Pennsylvania Association of Criminal Defense Attorneys CLE, Pittsburgh, PA December 7, 2007

Jury Selection, Duquesne University School of Law CLE, jointly presented with Elizabeth More Ventura, November 3, 2007.

Constitutional Criminal Procedure: Crawford/Burdens of Proof/Ethics, Duquesne University Law School, April, 2007.

Substantive Law Update & Ethical Considerations, Allegheny County District Attorney/Public Defender's Office CLE, March 2, 2007.

Pennsylvania State Trial Judges Association:

- *Constitutional Issues Beyond Search and Seizure*, Pittsburgh, Pennsylvania, February 21, 2003
- *Disclosure of Documents Subject to Privilege*, July 23, 2004
- *Confrontation Clause & the Doctrine of Merger*, February, 2007

Probable Cause in a Nervous Age, Oxford University Round Table, on Criminal Law and Procedure, March 2006, Lincoln College, Oxford University: (2006).

The En Banc Arguments of the Superior Court of Pennsylvania, March 9, 2006, PCN Television.

Judicial Review in the Americas and Beyond, Duquesne University School of Law, November 10-11, 2006.

Bar Examination Preparation Lectures given on *Criminal Procedure, Constitutional Law, Evidence* and the *Pennsylvania DUI Statute* (2003-2007)

Constitutional Criminal Procedure, Duquesne University Law School CLE Program, 2005-2007.

Pittsburgh Council for International Visitors: hosted meeting of Russian local government officials including presentation on *The United States Constitution*, October, 2005.

Role of the Criminal Defense Counsel, Allegheny County Office of the Public Defender, October, 2005

Theories of Punishment, Classic Law Film Series, Washington County Bar Association, Washington and Jefferson College, October, 2005.

Federalism in the Americas, Conference, Duquesne University School of Law, November 13 – 14, 2004.

Presentation: Pennsylvania Superior Court Judges Association:

- *Topics of Current Concern*, June 4, 2003
- *Legal Déjà Vu: Jeopardy Implications for the Courts*, June 16, 2004

The New Criminal Jury Instructions, CLE: District Attorney/Public Defender Offices of Allegheny County, March 17, 2006.

Expert Testimony at Trial, Mid-Atlantic Association of Forensic Scientists, May 18, 2005.

Pretrial Motions in Federal Criminal Cases, CLE: Federal Public Defenders, Pittsburgh, PA, May 2, 2003

Trial Advocacy CLE, Westmoreland Bar Association, April 23, 2003

US Sentencing Guidelines CLE and Certification Seminar, US District Court, Erie, Pennsylvania, January 6, 2003

Keynote Speaker, Lawrence County Bar Association Law Day, May 2, 2005

Conducting An Effective Cross-examination, CLE, Pittsburgh, Pennsylvania, April 26, 2002.

Keynote Speaker, Johns Hopkins University Center for Talented Youth, Duquesne University, 2003-2007; Panelist: 1999-2002.

B. Law School / Civic Service

Advisor, Duquesne Law School Criminal Law Journal (2009)

Law School Committees (2008-2009): Research Assistants, Special Ad Hoc Committee on Law Librarian Status, Community Committee

Summer Bar Review: presented review sessions for graduates preparing for the Bar on Constitutional Law, Criminal Law, Criminal procedure and Evidence every summer for the past several years

Keynote Speaker, Mercer County Law Day, May 5, 2009

Chair, Committee to Review Reappointment of Federal Public Defender in the Western District of Pennsylvania, appointed by Chief Judge Anthony Scirica, United States Court of Appeals for the Third Circuit, 2008

President's Faculty Awards for Excellence Committee, 2008

Supervising Attorney: United States Court of Appeals for the Armed Forces Amicus Brief/Argument, March 15, 2007.

Law School Orientation Chairperson: 2003-7

Member: United States Association of Constitutional Law

Assisted in obtaining grants for the Law School in excess of \$30,000 from PBI and Allegheny County for Clinical Programs and Publications

Curriculum Committee: Helped Revise Criminal Law Curriculum (2003-2005)

Chairman, Third Circuit Commission for the Selection of the Federal Public Defender, 2003

Instituted Carol Los Mansmann Appellate Advocacy Competition for First Year Students 2003, 2004

Moderator: David Gergen Lecture Student Q&A 2003

Committee on Legal Ethics and Professional Responsibility to Pennsylvania Bar Association, 1993 to Present

Diocese of Greensburg: Lay Representative to Pennsylvania Catholic Conference, 1988 to 1993.

Board Of Directors: St. Anne's Home, Greensburg, Pennsylvania, 1993-1999

Basketball Coach: St. Joseph High School, Natrona Heights, Pennsylvania, 1992-2000

Professional Practice

May 1988 and following:

Antkowiak Law Office
Westmoreland County, Pennsylvania
Practice Concentration in Criminal Defense in State and Federal Courts Representing Private and Indigent Clients

1986 to 1999:

Special Solicitor for Court Administrator
Westmoreland County Courthouse
Greensburg, Pennsylvania

July, 1983 to May, 1988:

Mansmann, Cindrich & Titus
Pittsburgh, Pennsylvania
Associate - Litigation

June, 1978 to July, 1983:

Assistant United States Attorney
Western District of Pennsylvania

Pittsburgh, Pennsylvania
Chief, Narcotics and Organized Crime Section (1978 –1983)
Supervision of staff attorneys; prosecution and supervision of cases involving loan-sharking, contract murder, public corruption, and local, state, national and international narcotics violations

October, 1977 to June, 1978:
Assistant United States Attorney
Western District of Pennsylvania
Pittsburgh, Pennsylvania - Appellate Division

Summer, 1976; August-October 1977:
Law Clerk: Office of the United States Attorney
Pittsburgh, Pennsylvania

Summer, 1975:
Neighborhood Legal Services Association
Legal Assistant: Homewood/Tarentum Offices

**Special
Appointments**

Special Counsel: Judicial Conduct Board
Commonwealth of Pennsylvania (1995-1996)

Special Criminal Court Master at the appointment
of the Honorable John Zotollo, Court of Common Pleas
of Allegheny County (2001)

Special Deputy Attorney General,
Commonwealth of Pennsylvania (1997-1998)

Special Outside Investigative Counsel,
Pittsburgh Water Authority (1997)

Admitted to Practice

Supreme Court of Pennsylvania, 1977
Supreme Court of the United States, 1984
United States Court of Appeals for the Third Circuit, 1985
United States District Court: Western District of Pennsylvania, 1977
United States District Court: Middle District of Pennsylvania 1991

References

Nicholas Cafardi, Dean Emeritus and Professor of Law
Duquesne University School of law
600 Forbes Avenue
Pittsburgh, PA 15282
412-396-4706

Jules Epstein, Professor of Law

Widener University School of Law
4601 Concord Pike
P.O. Box 7474
Wilmington, DE 19803
302.477.2162

Any current faculty member at Duquesne University School of Law.