

## *Resume*

### **Myrl L. Duncan**

(Office)

Washburn University School of Law  
1700 SW College Ave.  
Topeka, KS 66621  
(785) 670-1630

#### **EDUCATION**

J.S.D., Columbia University, 1988  
LL.M., Columbia University, 1981  
J.D., Georgetown University Law Center, 1975

B.A. (History), University of Kansas, 1970  
- Phi Beta Kappa  
- Owl Society (Junior Men's Honorary Society)

#### **BAR ADMISSIONS**

Kansas, 1975  
U.S. District Court, Kansas, 1975

#### **PROFESSIONAL EMPLOYMENT**

##### **ACADEMIC:**

##### **Teaching Experience -**

Professor of Law, Washburn University, 1985-Present.  
Associate Professor of Law, Washburn University, 1982-1985.  
Assistant Professor of Law, Washburn University, 1978-1982.  
Visiting Assistant Professor of Law, Washburn University, 1977-1978.

Visiting Professor of Law, Northwestern School of Law, Lewis and Clark  
College, Summer 2000.

Co-Professor (with faculty of Brunel University, Uxbridge, England), courses in  
Comparative Employment Discrimination and Comparative Legal Systems,  
Washburn's Study Abroad Program, Summer 1992.

##### **Courses Taught During the Past Ten Years -**

Property I; Environmental Law; Public Land Law; Employment Discrimination;  
Water Rights; Native American Law; Endangered Species Seminar; Legal Methods;  
Research & Writing.

## **Significant Non-teaching Experience - Academic**

Natural Resources Law Institute Fellow, Northwestern School of Law, Lewis & Clark College, 1995-96.

## **Significant Non-teaching Experience - Administrative**

- Faculty Advisor, Washburn Law Journal, 1999-present
- Co-Chair, Washburn University Law Library Building Committee, 1987-92

## **NON-ACADEMIC:**

- Law Clerk - Judge J. Richard Foth, Kansas Court of Appeals, 1977.
- Law Clerk - Commissioner J. Richard Foth, Kansas Supreme Court, 1975-77.

## **PUBLICATIONS**

### *Law Review Articles*

"RECONSIDERING THE BUNDLE OF STICKS: LAND AS A COMMUNITY-BASED RESOURCE," 32 Envtl L. 773-807 (2002).

"PROPERTY AS A PUBLIC CONVERSATION, NOT A LOCKEAN SOLILOQUY: A ROLE FOR INTELLECTUAL AND LEGAL HISTORY IN TAKING ANALYSIS," 26 Envtl. L. 1095-1160 (1996).

"THE RIGHTS OF NATURE: A TRIUMPH FOR HOLISM OR PYRRHIC VICTORY," 31 Washburn L.J. 62-70 - (1992).

"HIGH NOON ON THE OGALLALA AQUIFER: AGRICULTURE DOES NOT LIVE BY FARMLAND PRESERVATION ALONE," 27 Washburn L.J. 16-103 (1987).

"AGRICULTURE AS A RESOURCE: STATEWIDE LAND USE PROGRAMS FOR THE PRESERVATION OF FARMLAND," 14 Ecology L.Q. 401-83 (1987).

"TOWARD A THEORY OF BROAD-BASED PLANNING FOR THE PRESERVATION OF AGRICULTURAL LAND," 24 Nat. Resources J. 61-135 (1984).

"THE FUTURE OF AFFIRMATIVE ACTIONS: A JURISPRUDENTIAL/LEGAL CRITIQUE," 17 Harv. C.R. - C.L.L. Rev., 503-553 (1982).

### *Other*

- a. Book chapter: "Farm Belt Response to Global Warming," in A Global Warming Reader (William H. Rodgers and Michael Robinson-Dorn, co-editors) (Carolina Academic Press 2009) (in progress).
- b. "Observations on a Sabbatical Spent With Lewis and Clark," Circuit Rider, Fall 1996.

- c. "Regulatory Takings, A Conversation Not a Soliloquy," 7 National Resource Law Institute News, 1996.
- d. "New Ethic Needed to Sustain High Plains Agriculture", Kansas Natural Resource Journal, Aug./Sept. 1986. Excerpted in The Greater Prairie Chicken (Ks. Sierra Club Newsletter), Dec. 1986.
- e. "Water Law's Public Aspects Reveal Conservation Potential", Kansas Natural Resource Council Journal, Aug./Sept. 1986.
- f. "Reflections on the People's Republic", Circuit Rider, Summer, 1983.
- g. "Foreign Ownership of Kansas Land", Wichita Business, May-June, 1983. Co-authored with Jim Wadley.
- h. 1980 Co-Author, The Courts, Kansas Bar Association, Law in Education Background Paper Series.

## **SIGNIFICANT PRESENTATIONS**

"Water Law in Kansas" at a public meeting, "More Water for Salina: What Can We Do?" Sponsored by the Land Institute, Salina, March 11, 2007.

"Prior Appropriation on the Ogallala Aquifer: The Age of Conservation Meets the Great American Bar B Q," presentation to Delegation of Groundwater Experts from Asia (Nepal, India, China, Bangladesh), December 11, 2006.

"Water and the Takings Clause," continuing professional education lecture delivered to hydrologists, engineers, geologists and other water professionals, Kansas Water Office, September 17, 2002.

"Water and the Future of Environmental Protection," 1998 Symposium on Water Resources: Past, Present and Future (in conjunction with the 130th Annual meeting of the Kansas Academy of Sciences), Wichita, Kan., April 20, 1998.

"The Future of Environmental Regulation" at Water 2010: A Kansas Water Plan Vision Summit sponsored by the Kansas Water Office, Salina, Nov. 13, 1997.

"Perspectives on the Takings Debate," Kansas-Nebraska Workshop on the Environment for Legislators (Sponsored by U. of Iowa/Joyce Foundation), Lawrence, Kansas, June 17, 1995.

"Perspectives on the Takings Clause" at Kansas Conservation Forum, Topeka, January 22, 1994.

"The Rights of Nature" at the Annual Prairie Festival at the Land Institute, Salina, Kansas, June 2, 1991.

"Remedial Writing Instruction" - AALS Mini-Workshop on Legal Writing throughout the Law School Curriculum, AALS Annual Meeting, Washington, D.C., Jan. 3, 1991.

"The Ogallala and Beyond: Stewardship or Depletion?", Fall Festival of Kansas environmental groups, Rock Springs Ranch, October 28, 1989.

"Comparable Worth: Pay Equity for Women" - Salina Human Relations Week, September 12, 1985.

"Comparable Worth: Pay Equity for Women" - Washburn/Topeka Bar Institute, October 26, 1984.

"Comparable Worth: Pay Equity for Women" - W.U. Alumni Ass'n/YWCA Women's Day, April 14, 1984.

"Organizing the Legal Research & Writing Program" - Conference of Oklahoma Law Schools, Lake Eufala, Oklahoma, May 5, 1979.

### **SIGNIFICANT PROFESSIONAL AND PUBLIC SERVICE**

Member, Board of Directors, Kansas Land Trust, 1997-2004; 2006 - Present.

Member, Board of Directors, Sunflower Music Festival (Topeka, Ks), 2006 - Present.

Member, Kansas Board of Law Examiners, 1986-1993.

Member, Board of Directors of Kansas Natural Resource Council, 1983-1991, Vice-President, 1985-86; 1986-87; 1988-89.

Member, Board of Directors, Kansas Chapter ACLU, 1979-1982.