

Michael F. Sturley
University of Texas Law School
727 East Dean Keeton Street
Austin, Texas 78705
telephone: (512) 232-1350
fax: (512) 471-6988
e-mail: <msturley@mail.law.utexas.edu>

Current Position

Stanley D. and Sandra J. Rosenberg Centennial Professor, School of Law, University of Texas at Austin

Subjects: Admiralty; Maritime Appellate Litigation; Maritime Law: Commercial Problems (seminar); Payment Systems (commercial law); Property (first-year course); Insurance

Legal Education

Yale Law School J.D., 1981

Oxford University, Magdalen College

Honour School of Jurisprudence
B.A., 1980, First Class Honours; M.A., 1985
Winter Williams Law Prize, 1979

Undergraduate Education

Yale College B.A., *summa cum laude*, 1977

Phi Beta Kappa, Distinction in History,
Yale National Scholar, Presidential Scholar, Thomas-Nyce Memorial
Scholar

Prior Legal Employment

1983-1984 Associate, Sullivan & Cromwell
New York, New York

1982-1983 Law Clerk to Justice Lewis F. Powell, Jr.
United States Supreme Court
Washington, D.C.

1981-1982 Law Clerk to Judge Amalya L. Kearsse
United States Court of Appeals, Second Circuit
New York, New York

Publications

See attached List of Publications

Other Professional Honors and Activities

Member of the American Law Institute

Adviser for the RESTATEMENT (THIRD) OF THE LAW OF PROPERTY (SERVITUDES);
Member of the Members Consultative Groups for the RESTATEMENT (THIRD) OF THE
LAW OF PROPERTY-SECURITY (MORTGAGES), the Uniform Commercial Code,
Amendments to Articles 3 & 4, and the Uniform Commercial Code, Article 5

Maritime Law Section of the Association of American Law Schools

Chairman, 1991-93; Chairman-Elect, 1989-91; Secretary, 1987-89; Member of the
Executive Committee, 1993-98; Annual Meeting Speaker, 1990, 1993, 1996, 1997

Proctor Member, Maritime Law Association of the United States

Committees: Carriage of Goods, Comité Maritime International, Uniformity; Ad Hoc
Marine Insurance Study Group (Co-Chair); Ad Hoc Study Group on Liability
Rules (Reporter); Ad Hoc Judicial Education Committee (Vice Chair); Ad Hoc
Committee on State Certification Programs; Elliot B. Nixon Prize Committee
U.S. Delegate, Comité Maritime International's International Sub-Committee on
Uniformity in the Law of Carriage of Goods by Sea

Comité Maritime International (CMI) Titulary Member; Rapporteur, CMI's International
Sub-Committee on Issues of Transport Law (and Issues of Transport Law Working Group)

Senior Advisor, United States Delegation to Working Group III (Transport Law) of the
United Nations Commission on International Trade Law (UNCITRAL), since 2002

United Nations Commission on International Trade Law (UNCITRAL) Experts' Group on
Transport Law, since 2002

Book Review Editor and Member of the Editorial Board, *The Journal of Maritime Law
and Commerce*, since 1993

M.D. Anderson Foundation Visiting Professor, Queen Mary and Westfield College,
University of London, Autumn, 1990

Planning Committee Co-Chair (and regular speaker), Annual Admiralty and Maritime Law
Conference, University of Texas Continuing Legal Education Program

Admitted to practice in New York (1984); before the U.S. Supreme Court (1987) and the
U.S. District Courts for the Southern and the Eastern Districts of New York (1984)

Michael F. Sturley
List of Publications

The United Nations Commission on International Trade Law's Transport Law Project: An Interim View of a Work in Progress, 39 TEXAS INTERNATIONAL LAW JOURNAL 65 (2003)

The Fate of the MLA's Proposed Amendments to the Carriage of Goods by Sea Act, 1 BENEDICT'S MARITIME BULLETIN 105 (2003)

Recent Developments in Admiralty and Maritime Law at the National Level and in the Fifth and Eleventh Circuits, 27 TULANE MARITIME LAW JOURNAL 495 (2003) (with David W. Robertson)

The Admiralty Extension Act Solution, 34 JOURNAL OF MARITIME LAW & COMMERCE 209 (2003) (with David W. Robertson)

Prejudgment Interest in Seamen's Personal Injury Cases: Supreme Court Precedent Lost in a Sea of Procedural Confusion, 33 JOURNAL OF MARITIME LAW & COMMERCE 423 (2002) (with David C. Frederick)

Understanding Panama Railroad Co. v. Johnson: The Supreme Court's Interpretation of the Seaman's Elections Under the Jones Act, 14 UNIVERSITY OF SAN FRANCISCO MARITIME LAW JOURNAL 229 (2001-02) (with David W. Robertson)

A US Perspective on Marine Insurance Law, in 2 D. RHIDIAN THOMAS, THE MODERN LAW OF MARINE INSURANCE 405 (2002)

Recent Developments in Admiralty and Maritime Law at the National Level and in the Fifth and Eleventh Circuits, 26 TULANE MARITIME LAW JOURNAL 193 (2001) (with David W. Robertson)

ADMIRALTY AND MARITIME LAW IN THE UNITED STATES (Durham, NC: Carolina Academic Press, 2001) (with David W. Robertson & Steven F. Friedell).

Review of ADMIRALTY AND MARITIME LAW IN THE UNITED STATES:
Edward V. Cattell, Jr., 33 JOURNAL OF MARITIME LAW & COMMERCE 409 (2002)

TEACHER'S MANUAL FOR ADMIRALTY AND MARITIME LAW IN THE UNITED STATES (Durham, NC: Carolina Academic Press, 2001) (with David W. Robertson & Steven F. Friedell).

STATUTORY SUPPLEMENT TO ADMIRALTY AND MARITIME LAW IN THE UNITED STATES (Durham, NC: Carolina Academic Press, 2001) (with David W. Robertson & Steven F. Friedell).

Bills of Lading, in 8 BENEDICT ON ADMIRALTY, chapter 16 (New York: LEXIS Publishing, 7th rev. ed. 2001) (with annual revisions in 2002 & 2003)

The Proposed Amendments to the Carriage of Goods by Sea Act: An Update, 13 UNIVERSITY OF SAN FRANCISCO MARITIME LAW JOURNAL 1 (2000-01)

Michael F. Sturley
List of Publications (continued)

The Proposed Restatement of U.S. Marine Insurance Law, in 2 Marc Huybrechts (ed.), MARINE INSURANCE AT THE TURN OF THE MILLENNIUM 167 (2000)

Scope of Application, Duration of Coverage, and Exceptions to Coverage in International Regimes Relevant to International Transport Law, in 1 CMI YEARBOOK 1999, at 122 (2000)

Forum Selection and Arbitration Clauses Under Section 3(8) of the U.S. Carriage of Goods by Sea Act: Statutory Intent and Judicial Interpretation, in EKMETALLEYSE TOY PLOIOY KAI SYMBATIKE ELEYTHERIA: 2o DIETHNES SYNEDRIO NAYTIKOY DIKAILOY [SHIP'S OPERATION AND FREEDOM OF CONTRACT: SECOND INTERNATIONAL CONFERENCE ON MARITIME LAW] 141 (Piraeus: Piraeus Bar Association, 2000).

Carriage of Goods by Sea, 31 JOURNAL OF MARITIME LAW & COMMERCE 241 (2000) (contribution to "The Future of Maritime Law in the Federal Courts: A Faculty Colloquium")

Proposed Amendments to the US Carriage of Goods by Sea Act: A Response to English Criticisms, 1999 LLOYD'S MARITIME & COMMERCIAL LAW QUARTERLY 519

Marine Insurance in the United States: The U.S. Supreme Court's Wilburn Boat Decision and Its Impact on Marine Insurance, in Marc Huybrechts (ed.), MARINE INSURANCE AT THE TURN OF THE MILLENNIUM 145 (1999)

The Right to a Jury Trial in Jones Act Cases: Choosing the Forum Versus Choosing the Procedure, 30 JOURNAL OF MARITIME LAW & COMMERCE 649 (1999) (with David W. Robertson)

Inadequate Maintenance, Wear and Tear, Error in Construction, 242 MARIUS 106 (1998)

The Development of Cargo Liability Regimes, in CARGO LIABILITY IN FUTURE MARITIME CARRIAGE: THE EIGHTH AXEL AX:SON JOHNSON COLLOQUIUM ON MARITIME LAW 10 (Swedish Maritime Law Association, 1998)

Book Review, 1998 LLOYD'S MARITIME & COMMERCIAL LAW QUARTERLY 453 (reviewing M. BOOLS, THE BILL OF LADING: A DOCUMENT OF TITLE TO GOODS: AN ANGLO-AMERICAN COMPARISON (1997)) (reprinted in 25th Anniversary Issue, *Lloyd's Maritime & Commercial Law Quarterly*, May 1999, at 84)

Was Preble Stolz Right?, 29 JOURNAL OF MARITIME LAW & COMMERCE 317 (1998)

Restating the Law of Marine Insurance: A Workable Solution to the Wilburn Boat Problem, 29 JOURNAL OF MARITIME LAW & COMMERCE 41 (1998)

An Overview of the Considerations Involved in Handling the Cargo Case, 21 TULANE MARITIME LAW JOURNAL 263 (1997)

Michael F. Sturley
List of Publications (continued)

Bill of Lading Forum Selection Clauses in the United States: The Supreme Court Charts a New Course, 1996 LLOYD'S MARITIME & COMMERCIAL LAW QUARTERLY 164 (reprinted in 25th Anniversary Issue, *Lloyd's Maritime & Commercial Law Quarterly*, May 1999, at 1)

Proposed Amendments to the Carriage of Goods by Sea Act, 18 HOUSTON JOURNAL OF INTERNATIONAL LAW 609 (1996)

Uniformity in the Law Governing the Carriage of Goods by Sea, 26 JOURNAL OF MARITIME LAW & COMMERCE 553 (1995)

Cargo Law, 8 BENEDICT ON ADMIRALTY, chapter XXI (7th rev. ed. 1995)

Revising the U.S. Carriage of Goods by Sea Act: The Work of the Ad Hoc Liability Rules Study Group, 1994 IL DIRITTO MARITTIMO 685

Contracts of Carriage Governed by the Carriage of Goods by Sea Act, 2A BENEDICT ON ADMIRALTY, chapter V (7th rev. ed. 1994) (with annual revisions 1995-2002)

Filing and Responding to a Petition for Certiorari, 24 JOURNAL OF MARITIME LAW & COMMERCE 595 (1993)

The Law of Treaties and Admiralty, 6 BENEDICT ON ADMIRALTY supp. (7th rev. ed. 1993)

Forum Selection Clauses in Cruise Line Tickets: An Update on Congressional Action "Overruling" the Supreme Court, 24 JOURNAL OF MARITIME LAW & COMMERCE 399 (1993)

Changing Liability Rules and Marine Insurance: Conflicting Empirical Arguments About Hague, Visby, and Hamburg in a Vacuum of Empirical Evidence, 24 JOURNAL OF MARITIME LAW & COMMERCE 119 (1993)

Ad Valorem Rates Under Article 4(5) of the Hague Rules: A Response to Mendelsohn (and DeGurse), 23 JOURNAL OF MARITIME LAW & COMMERCE 621 (1992) (with Steven F. Grover)

Cert Pool and Exhaustion of Remedies, in THE OXFORD COMPANION TO THE SUPREME COURT OF THE UNITED STATES 133 & 269-70 (K. Hall ed. 1992)

Prepared Statement, in *Cargo Liability and the Carriage of Goods by Sea Act (COGSA): Oversight Hearing before the Subcommittee on Merchant Marine of the House Committee on Merchant Marine and Fisheries*, 102d Cong., 2d Sess. 138-41 (1992).

Bill of Lading Choice of Forum Clauses: Comparisons between United States and English Law, 1992 LLOYD'S MARITIME & COMMERCIAL LAW QUARTERLY 248

Michael F. Sturley
List of Publications (continued)

Book Review, 23 JOURNAL OF MARITIME LAW & COMMERCE 332 (1992) (reviewing M. DAVIES & A. DICKEY, SHIPPING LAW (1990))

International Commercial Transactions in Context, 27 TEXAS INTERNATIONAL LAW JOURNAL 543 (1992) (reviewing C. DEBATTISTA, SALE OF GOODS CARRIED BY SEA (1990))

Deviation, 2A BENEDICT ON ADMIRALTY, chapter XII (7th rev. ed. 1992) (with annual revisions 1993-2002)

Strengthening the Presumption of Validity for Choice of Forum Clauses: Carnival Cruise Lines v. Shute, 23 JOURNAL OF MARITIME LAW & COMMERCE 131 (1992)

The History of the Hague Rules and the United States Carriage of Goods by Sea Act, 1991 IL DIRITTO MARITTIMO 3

Basic Cargo Damage Law: Historical Background, 2A BENEDICT ON ADMIRALTY, chapter II (7th rev. ed. 1991) (with annual revisions 1992-2002)

The History of COGSA and the Hague Rules, 22 JOURNAL OF MARITIME LAW & COMMERCE 1 (1991)

THE LEGISLATIVE HISTORY OF THE CARRIAGE OF GOODS BY SEA ACT AND THE *TRAVAUX PRÉPARATOIRES* OF THE HAGUE RULES (1990) (comp. & ed.)

Reviews of THE LEGISLATIVE HISTORY OF COGSA:

Malcolm Clarke, 1991 CAMBRIDGE LAW JOURNAL 547

Martin Davies, 20 AUSTRALIAN BUSINESS LAW REVIEW 529 (1992)

David C. Frederick, 17 TULANE MARITIME LAW JOURNAL 365 (1993)

Steven Friedell, 23 JOURNAL OF MARITIME LAW & COMMERCE 325 (1992)

Richard C. Mason, 7 TEMPLE INT'L & COMPARATIVE LAW J. 161 (1993)

David Morán Bovio, 10 ANUARIO DE DERECHO MARÍTIMO 1051 (1993)

"A.P.," 1991 IL DIRITTO MARITTIMO 1204

F.D. Rose, 1993 LLOYD'S MARITIME & COMMERCIAL LAW QUARTERLY 575

Lord Roskill, 108 LAW QUARTERLY REVIEW 501 (1992)

William Tetley, 26 EUROPEAN TRANSPORT LAW 572 (1991)

The Legal Impact of the Federal Trade Commission's Holder in Due Course Notice on a Negotiable Instrument: How Clever Are the Rascals at the FTC?, 68 NORTH CAROLINA LAW REVIEW 953 (1990)

Statutory and Bill of Lading Provisions Limiting Liability, 2A BENEDICT ON ADMIRALTY, chapter XVI (7th rev. ed. 1990) (with annual revisions 1991-2002)

The Future of the COGSA Fair Opportunity Requirement: Is There Life After Carman Tool and Chan?, 20 JOURNAL OF MARITIME LAW AND COMMERCE 559 (1989)

Observations on the Supreme Court's Certiorari Jurisdiction in Intercircuit Conflict Cases, 67 TEXAS LAW REVIEW 1251 (1989)

Michael F. Sturley
List of Publications (continued)

The Fair Opportunity Requirement Under COGSA Section 4(5): A Case Study in the Misinterpretation of the Carriage of Goods by Sea Act, 19 JOURNAL OF MARITIME LAW AND COMMERCE 1 & 157 (1988)

International Uniform Laws in National Courts: The Influence of Domestic Law in Conflicts of Interpretation, 27 VIRGINIA JOURNAL OF INTERNATIONAL LAW 729 (1987)

The "Land Obligation": An English Proposal for Reform, 55 SOUTHERN CALIFORNIA LAW REVIEW 1417 (1982)

Easements in Gross, 96 LAW QUARTERLY REVIEW 557 (1980)

