

MICHAEL LEWYN

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Legal

Education: University of Toronto, L.L.M., 2010
University of Pennsylvania, J.D., 1986 (top 5% of class)

Honors: Graduated **magna cum laude**, Order of the Coif, Moot Court Board

Undergraduate

Education: Wesleyan University, B.A., 1983

Teaching

Experience: Associate Professor, Touro Law Center (2011-): teach property, environmental law, land use, trusts and estates; director of Land Use and Sustainability Institute
Visiting Associate Professor, University of Pittsburgh Law School (2015-16): taught property, trusts and estates, environmental law, seminar on urban sprawl and the law
Visiting Associate Professor, University of Missouri at Kansas City School of Law (2014-15): taught property
Associate Professor, Florida Coastal School of Law (2006-2011): taught property, trusts and estates, environmental law, land use, seminar on urban sprawl and the law, and products liability.
Visiting Associate Professor, George Washington University Law School (2005-06): taught property and torts.
Visiting Associate Professor, Southern Illinois University School of Law (2004-05): taught land use, criminal procedure, conflicts, and seminar on suburban sprawl.
Visiting Associate Professor, Rutgers, The State University of New Jersey School of Law, Camden (2003-04): taught property and torts.
Associate Professor, John Marshall Law School, Atlanta, GA (2000-03): taught property, land use, torts, products liability, and professional responsibility.
Visiting Assistant Professor, University of Miami School of Law (1992-94): taught civil procedure, criminal law, employment discrimination, antitrust, election law, and legal writing.

Major Books: *Government Intervention and Suburban Sprawl: The Case for Market Urbanism* (Palgrave 2017)

Book Chapters: “Engineering Standards in Highway Design Litigation” in *Engineering Standards For Forensic Application* (2018)

Major

Publications: “Zoning and the Bar Exam” (accepted by Journal of Land Use and Environmental Law)
“The Case Against The Case For Zoning” (accepted by Georgetown Environmental Law Review)

“Bringing Judaism Downtown: A Smart Growth Policy for Orthodox Jews”, 51 University of Baltimore Law Review 37 (2021).

“Downtown Condos for the Rich: Not All Bad”, 51 New Mexico L. Rev. 400 (2021).

“In Defense of the American Community Survey”, 18 Conn. Pub. Int. L.J. 109 (2019)

“The Criminalization of Walking”, 2017 University of Illinois Law Review 1167 (2017)

“The Middle Class, Urban Schools, and Choice”, 4 Belmont Law Review 85 (2017)

“Attacking Smart Growth”, 33 Touro Law Review 769 (2017).

“Yes to Infill, No to Nuisance”, 42 Fordham Urban Law Journal 841 (2015)

“The (Somewhat) False Hope of Comprehensive Planning”, 37 University of Hawaii Law Review 39 (2015)

“No Parking Anytime: The Legality And Wisdom of Maximum Parking And Minimum Density Requirements”, 54 Washburn L.J. 285 (2015).

“How Environmental Review Can Generate Car-Induced Pollution: A Case Study”, 13 Sustainable Development Law and Policy 16 (2014)

“Sprawl in Canada and the United States”, 44 Urban Lawyer 85 (2012).

“What Would Coase Do (About Parking Regulation)?”, 22 Fordham Environmental Law Review 89 (2010)

“Character Counts: The ‘Character of the Government Action’ In Regulatory Takings Actions”, 40 Seton Hall Law Review 597 (2010)

“Sprawl in Europe and America”, 46 San Diego Law Review 85 (2009)

“Why Pedestrian-Friendly Street Design is Not Negligent”, 47 University of Louisville Law Review 339 (2008)

“You Can Have It All: Less Sprawl and Property Rights Too”, 80 Temple Law Review 1193 (2007).

“Five Myths About Sprawl”, 23 Harvard BlackLetter Law Journal 81 (2007)

“New Urbanist Zoning For Dummies”, 58 Alabama Law Review 257 (2006)

“The Law of Sprawl: A Road Map”, 25 Quinnipiac Law Review 147 (2006)

“How Overregulation Creates Sprawl (Even In A City Without Zoning)”, 50 Wayne Law Review 1171 (2004)

“Twenty-First Century Planning and the Constitution,” 74 University of Colorado Law Review 651 (2003) (reprinted in 2004 West Zoning and Planning Law Handbook)

“How City Hall Creates Sprawl: A Case Study”, 30 Ecology Law Quarterly 189 (2003)

“Sprawl, Growth Boundaries and the Rehnquist Court,” 2002 Utah Law Review 1 (2002)

“Thou Shalt Not Put A Stumbling Block Before the Blind: The Americans with Disabilities Act and Public Transit for the Disabled,” 52 Hastings Law Journal 1037 (2001)

“Campaign of Sabotage: Big Government’s War Against Public Transportation,” 26 Columbia Journal of Environmental Law 259 (2001)

“Suburban Sprawl: Not Just An Environmental Issue,” 84 Marquette Law Review 301 (2000) (reprinted in 2001 West Zoning and Planning Law Handbook)

“The Case For Color-Blind Distress Sales”, 19 Hastings Communication and Entertainment Law Journal 31 (1995)

“When is Cumulative Voting Preferable to Single-Member Districting”?, 25 New Mexico Law Review 197 (1995)

“When Is Time Brokerage A Transfer of Control”?, 6 Fordham Intellectual Property, Media and Entertainment Law Journal 1 (1995)

“How Radical is Lani Guinier?,” 74 Boston University Law Review 927 (1994)

“How to Limit Gerrymandering,” 45 Florida Law Review 403 (1993)

“Are Spread Out Cities Really Safer?,” 41 Cleveland State Law Review 279 (1993)

Popular

Writing: Op-eds in numerous newspapers, including *Newsday* and *The American Conservative*; regular blogger on urban policy at *planetizen.com* and *marketurbanism.com*. Also writes quarterly mini-articles (10-20 pages) for *Real Estate Law Journal*

Presentations: listed at works.bepress.com/lewyn

Major Service: Director, Land Use and Sustainability Institute, Touro Law Center
Editor, Municipal Lawyer (New York State Bar Association publication)
Secretary, Association of American Law Schools Property Section
Peer reviewer, NYU Law Review, Land Use and Environmental Law Review, Mercatus Center at George Mason University, Center for Growth and Opportunity at Utah State University, and Congress for New Urbanism

Judicial

Clerkships: Hon. Theodore McMillian, U.S. Court of Appeals for the Eighth Circuit (1990-91)
Hon. Morris Arnold, U.S. District Court for the Western District of Arkansas (1988-90)
U.S. Department of Labor, Office of Administrative Law Judges (1986-87)

Law Firm

Experience: Associate, Phillips, Lytle, Hitchcock, Blaine & Huber, Buffalo and New York, NY (1997-99)
Associate, Climaco, Climaco, Seminatore, Lefkowitz & Garofoli, Cleveland, OH (1996- 97)
Associate, Mullin, Rhyne, Emmons & Topel, Washington, DC (1994-96)

References: Available upon request.