

Jim Hawkins
University of Houston Law Center
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Academic Appointment

THE UNIVERSITY OF HOUSTON LAW CENTER
Professor of Law, 2017 – present
Alumnae College Professorship in Law, 2018 – present
George Butler Research Professor, 2016 – 2018
Associate Professor of Law (with tenure), 2013 – 2017
Assistant Professor of Law, 2008 – 2013

Awards: SBA Professor of the Year Award (2021); Order of the Barons Professor of the Year (2011-2012); Provost's Certificate of Excellence for recent exceptional contributions to the Law Center (2015).

Research and Teaching Interests: Contracts, Consumer Protection Law, Commercial Law/Business Law, Consumer Credit

Classes Taught: Secured Financing, Contracts, Texas Consumer Law, Bankruptcy, Sales & Leasing, Writing Seminars: Consumer Credit Law & Policy, Credit Card Law & Policy, Advanced Contract Law

Committee Service Highlights: Chair, Admissions Committee (2016-present); Chief Justice, Honor Court (2019-2021); Chair, Curriculum Committee (2014-2016); Member, Strategic Planning Committee (2013-2014); Member, Executive Committee (2013-2014)

Service Outside Committee Assignments: Faculty Mentor for Law Horns (2014-present); Chair of AALS Section on Commercial and Related Consumer Law (2015-16); Chair-Elect (2014-15); Executive Committee Member (2013-14; 2016-present)

Education

THE UNIVERSITY OF TEXAS SCHOOL OF LAW
J.D., May 2006, *with highest honors*

- Grand Chancellor (highest GPA in class after 2 years)
- Chief Articles Editor, *Texas Law Review*
- Fellow, Center for Law, Business, and Economics
- School of Law Scholarship, 2005; Robert S. Strauss Scholarship, 2004; W. Page Keeton Scholarship, 2003

BAYLOR UNIVERSITY
B.A. in Philosophy, May 2000, *magna cum laude*

Articles, Essays, and Book Chapters

Can Technology Foster Price Transparency in Credit Card Processing Markets?, CAMBRIDGE HANDBOOK ON EMERGING ISSUES AT THE INTERSECTION OF COMMERCIAL LAW AND TECHNOLOGY (Cambridge University Press; Stacy-Ann Elvy & Nancy Kim, eds., forthcoming 2023).

Uncertain Terms, 97 NOTRE DAME L. REV. 1 (2021) (with Leah Fowler and Jessica Roberts).

Advertising Injustices: Marketing Race and Credit in America, 70 EMORY L.J. 1619 (2021) (with Tiffany Penner).

Earned Wage Access and the End of Payday Lending, 101 BOSTON UNIVERSITY LAW REV. 705 (2021).

Winner of the American College of Consumer Financial Services Lawyers' 2020 Writing Competition for "Best Professional Article."

When Health Tech Companies Change Their Terms of Service, 367 SCIENCE 745 (Feb. 14, 2020) (with Jessica Roberts).

Protecting Consumers as Sellers, 94 INDIANA L.J. 1407 (2019).

The Behavioral Economics of Lawyer Advertising: An Empirical Assessment, 2019 U. OF ILLINOIS L. REV. 1005 (with Renee Knake).

Nontransparency in Electronic Health Record Systems, in TRANSPARENCY IN HEALTH AND HEALTHCARE: LEGAL POSSIBILITIES AND LIMITS (Cambridge University Press 2019) (with Barbara J. Evans & Harlan M. Krumholz).

Exploiting Advertising, 80 LAW & CONTEMPORARY PROBLEMS 43 (2017, peer-reviewed).

Towards Behaviorally Informed Policies for Consumer Credit Decisions in Self-Pay Medical Markets, in BEHAVIORAL ECONOMICS, LAW, AND HEALTH POLICY (John Hopkins University Press 2016).

Using Advertisements to Diagnose Behavioral Market Failure in Payday Lending Markets, 51 WAKE FOREST LAW REV. 57 (2016).

Are Bigger Companies Better for Low-Income Borrowers?: Evidence from Payday and Title Loan Advertisements, 11 J. OF LAW, ECONOMICS & POLICY 303 (2015, peer-reviewed).

Law's Remarkable Failure to Protect Mistakenly Overpaid Employees, 99 MINNESOTA L. REV. 89 (2014).

Dude, Where's My Car Title: The Law, Behavior, and Economics of Title Lending Markets, 2014 U. OF ILLINOIS L. REV. 1013 (with Kathryn Fritzdixon and Paige Marta Skiba).

Selected for the 14th Yale/Stanford/Harvard Junior Faculty Forum (June 2013)

Selling ART: An Empirical Assessment of Advertising on Fertility Clinics' Websites, 88 INDIANA L.J. 1147 (2013).

The CARD Act on Campus, 69 WASHINGTON & LEE L. REV. 1471 (2012).

Credit on Wheels: The Law and Business of Auto Title Lending, 69 WASHINGTON & LEE L. REV. 535 (2012).

Winner of the American College of Consumer Financial Services Lawyers' 2011 Writing Competition for "Best Professional Article."

Regulating on the Fringe: Reexamining the Link Between Fringe Banking and Financial Distress, 86 INDIANA L.J. 1361 (2011).

The Federal Government in the Fringe Economy, 15 CHAPMAN L. REV. 23 (2011).

Doctors as Bankers: Evidence from Fertility Markets, 84 TULANE L. REV. 841 (2010).

Financing Fertility, 47 HARVARD J. ON LEGISLATION 115 (2010).

Renting the Good Life, 49 WILLIAM & MARY L. REV. 2041 (2008).

Just Until Payday, 54 UCLA L. REV. 855 (2007) (with Ronald Mann).

Papers, Petitions, and Parades: Free Expression's Pivotal Function in the Early Labor Movement, 28 BERKELEY J. OF EMPLOYMENT & LABOR L. 63 (2007).

Free Speech and World War I, in ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES (Macmillan 2008) (3000 word entry).

Free Speech Between the World Wars, in ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES (Macmillan 2008) (5000 word entry).

Other Publications

Consumer Credit in America, 80 LAW & CONTEMPORARY PROBLEMS 1 (2017, with Creola Johnson, Pamela Foohey, & Nathalie Martin).

Female Perspectives in Commercial and Consumer Law, 34 COLUMBIA J. OF GENDER AND LAW 1 (2017).

Can Voluntary Price Disclosures Fix the Payday Lending Market?, 6 HARVARD BUSINESS LAW REVIEW ONLINE 64 (2016).

The Federal Government Takes on the Rent-to-Own Industry, 15 J. OF CONSUMER & COM. L. 60 (2012).

When Your Car Dealership Goes Broke, 12 J. OF CONSUMER & COM. L. 165 (2009).

When Justice is Unjust: The Attorney-Client Privilege in the Hands of the Department of Justice, 36 THE ADVOCATE (Fall 2006).

Referee Work

AMERICAN LAW AND ECONOMICS REVIEW

JOURNAL OF CONSUMER AFFAIRS

EL PROFESIONAL DE LA INFORMACIÓN

Academic Presentations

“Advertising Injustices: Marketing Race and Credit in America,” Colloquium on Race, Racism & American Media, University of Houston Law Center (February 2022, with Tiffany Penner).

“Earned Wage Access and the End of Payday Lending,” Faculty Workshop, William & Mary Law School (March 2021).

“Earned Wage Access and the End of Payday Lending,” Student Colloquium, University of Houston Law Center (January 2020).

“The End of Payday Lending,” Berkeley Consumer Law Conference, UC Berkeley (February 2019).

“The End of Payday Lending,” Faculty Workshop, University of Houston Law Center (February 2019).

“Consumers as Sellers,” Property Implications of the Sharing Economy Workshop, Pennsylvania State University (October 2017).

“Non-Transparency in Electronic Health Record Systems,” Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics Annual Conference, Harvard Law School (April 2017).

“Exploiting Advertising,” Consumer Credit in America, Duke Law School (September 2016).

“Assessing Plagiarism Norms Among Lawyers,” Texas Legal Scholars Workshop, Southern Methodist University (August 2016).

“Using Advertisements to Diagnose Behavioral Market Failure,” Young Bankruptcy Scholars’ Work-in-Progress Workshop, Brooklyn Law School (November 2015).

“Using Advertisements to Diagnose Behavioral Market Failure,” Canadian Law and Economics Association Annual Meeting (September 2015).

“Using Advertisements to Diagnose Behavioral Market Failure,” Texas Legal Scholars Workshop, University of Houston Law Center (August 2015).

“Are Bigger Companies Better for Low-Income Borrowers?: Evidence from Payday and Title Loan Advertisements,” Faculty Workshop, University of Houston Law Center (March 2015).

“Are Bigger Companies Better for Low-Income Borrowers?: Evidence from Payday and Title Loan Advertisements,” International Conference on Contracts, UNLV Law School (February 2015).

“Auto Title Lending,” Small Dollar Credit Roundtable, Urban Institute (October 2014).

“Towards Behaviorally Informed Policies for Consumer Credit Decisions in Self-Pay Medical Markets” Petrie-Flom Center’s 2014 Annual Conference: Behavioral Economics, Law, and Health Policy, Harvard Law School (May 2014).

“Law’s Remarkable Failure to Protect Mistakenly Overpaid Employees,” Faculty Workshop Series, South Texas College of Law (March 2014).

“Dude, Where’s My Car Title,” AALS Section on Contracts and Section on Commercial and Related Consumer Law, American Association of Law Schools Annual Meeting (January 2014).

“Dude, Where’s My Car Title,” Canadian Law and Economics Association Annual Meeting (September 2013).

“Dude, Where’s My Car Title,” 14th Yale/Stanford/Harvard Junior Faculty Forum, Yale Law School (June 2013).

“The CARD Act on Campus,” Poster Presentation, Conference on Empirical Legal Studies, Stanford Law School (November 2012).

“Selling ART: An Empirical Assessment of Advertising on Fertility Clinics’ Websites,” Assisted Reproductive Technology Roundtable, Indiana University Maurer School of Law (September 2012).

“Credit on Wheels,” Teaching Consumer Law Conference, University of Houston Law Center (May 2012).

“The CARD Act on Campus,” Faculty Workshop, University of South Carolina School of Law (March 22, 2012).

“Credit on Wheels,” *Regulation in the Fringe Economy*, Symposium with the Washington and Lee Law Review (November 10, 2011).

“Credit on Wheels,” Payday Lending Roundtable, Columbia Law School Center for Transactional Studies (September 23, 2011).

“Credit on Wheels,” Faculty Workshop Series, University of Houston Law Center (September 2, 2011).

“Regulating on the Fringe,” 2011 Federal Reserve Community Affairs Research Conference (Apr. 28, 2011).

“The CARD Act on Campus,” Roundtable Discussion on the Credit Card Accountability Responsibility and Disclosure Act of 2009, AALS Section on Commercial and Related Consumer Law, American Association of Law Schools Annual Meeting (January 2011).

“Regulating on the Fringe,” Beyond Financial Reform: Mapping Regulatory Objectives, Institutional Forms, and Accountability in the Post-Crisis Landscape, AALS Section on Financial Institutions and Consumer Financial Services, American Association of Law Schools Annual Meeting (January 2011).

“The Federal Government in the Fringe Economy,” *Wall Street to Main Street: The Future of Financial Regulation*, Symposium with the Chapman Law Review (January 2011).

“Regulating on the Fringe,” Faculty Workshop Series, South Texas College of Law (September 23, 2010).

“Regulating on the Fringe,” Conglomerate Junior Scholars Workshop (August 2010), available at <http://www.theconglomerate.org/2010/08/conglomerate-junior-scholars-workshop-jim-hawkins-on-regulating-on-the-fringe.html>.

“The Consumer Financial Protection Agency,” Teaching Consumer Law Conference, University of Houston Law Center (May 2010).

Invited Participant, “Creating a Research Agenda for Small Dollar Credit,” US Treasury (March 4, 2010).

“Regulating on the Fringe,” Faculty Workshop Series, University of Houston Law Center (March 2010).

“Doctors As Bankers: Evidence from Fertility Markets,” Canadian Law and Economics Association Annual Meeting (October 2009).

“Financing Fertility,” Law & Society Annual Meeting (May 2009).

“Financing Fertility,” Harvard–Texas Joint Conference on Commercial Law Realities (March 2009).

“Financing Fertility,” Faculty Workshop Series, University of Houston Law Center (March 11, 2009).

“Renting the Good Life,” Teaching Consumer Law Conference, University of Houston Law Center (May 23, 2008).

“Just Until Payday,” Center for Law, Business, and Economics Fall Workshop Series, University of Texas School of Law (September 12, 2006).

Government Testimony, Other Conferences, and Presentations

Testimony at a hearing before the House Subcommittee on Financial Institutions and Consumer Credit entitled “Examining Rental Purchase Agreements and the Potential Role for Federal Regulation,” available at <http://financialservices.house.gov/Calendar/EventSingle.aspx?EventID=252659> (July 26, 2011).

“Short Term Lending,” Money and Justice, University of Houston Center for Consumer Law Continuing Legal Education Program (April 29, 2016).

“Mistaken Overpayments,” Breaking Down Consumer Credit and Debt CLE, University of Houston Law Center (March 27, 2015).

“Consumer Credit Changes under the New Consumer Protection Act,” The Dodd-Frank Act, University of Houston Center for Consumer Law Continuing Legal Education Program (October 22, 2010).

“Fraudulent Transfers after *Tousa*,” Bankruptcy Section of Houston Bar Association CLE (October 12, 2010).

“When Your Car Dealer Goes Broke,” Starting a Consumer Practice—Know the Law!, University of Houston Center for Consumer Law Continuing Legal Education Program (October 23, 2009).

Select Media Appearances

Michelle Singletary, *Despite New CARD Law, Credit Card Companies Still Targeting Young Adults*, THE WASHINGTON POST (Jan. 12, 2011), at A18.

Jessica Silver-Greenberg and Mary Pilon, *Cards Return to School: How Banks Are Circumventing Campus Credit Restrictions*, THE WALL STREET JOURNAL (May 7, 2011), at B8.

Becky Yerak and Wangui Maina, *Campus Credit on the Decline*, CHICAGO TRIBUNE (July 31, 2011), at C4.

Farnoosh Torabi, *Credit Cards Breaking Rules on Campus?*, CBS MONEYWATCH (Jan. 12, 2011), available at <http://moneywatch.bnet.com/saving-money/blog/so-money/credit-cards-breaking-rules-on-campus/1278/?tag=coll;blog-river>

Tim Chen, *The New Rules for Student Credit Cards*, US NEWS & WORLD REPORT MY MONEY (Jan. 19, 2011), available at <http://money.usnews.com/money/blogs/my-money/2011/01/19/the-new-rules-for-student-credit-cards>

Richard Burnett, *College Students' Credit-Card Demand Waning*, MIAMI HERALD & ORLANDO SENTINEL (Mar. 8, 2011).

Interview with Andrew Schneider, National Public Radio, KUHF-FM Bauer Business Focus, Feb. 18, 2011, available at http://app1.kuhf.org/houston_public_radio-news-display.php?articles_id=1297986734

Loren Steffy, *Payday Lending Measures Are Weaklings*, HOUSTON CHRONICLE (June 3, 2011), at D1.

Martha C. White, *Should Colleges Earn Money From Prepaid Student Debit Cards?*, TIME.COM (May 1, 2012), <http://moneyland.time.com/2012/05/01/should-colleges-earn-money-from-prepaid-student-debit-cards/>

Allie Grasgreen, *You Could Still Qualify!*, INSIDE HIGHER ED (Apr. 26, 2012), <http://www.insidehighered.com/news/2012/04/26/study-suggests-limitations-card-acts-effectiveness>

Ken Bensinger, *High Prices Are Driving More Motorists to Rent Tires*, LOS ANGELES TIMES (June 8, 2013).

Hannah Seligson, *Data Murky on Fertility Rates*, NY TIMES (Apr. 29, 2014), at D6.

Professional Employment

FULBRIGHT & JAWORSKI, LLP, Houston, Texas
Associate, September 2007 – March 2008

THE HONORABLE JERRY E. SMITH, Fifth Circuit Court of Appeals
Law Clerk, September 2006 – August 2007

WILLIAMS & CONNOLLY, LLP, Washington, D.C.
Summer Associate, Summer 2005

GIBBS & BRUNS, LLP, Houston, Texas
Summer Associate, Summer 2005

PROFESSOR BERNARD BLACK, University of Texas School of Law
Research Assistant, Fall 2005 – Spring 2006

DEAN WILLIAM POWERS, University of Texas School of Law
Teaching Assistant, Summer 2004 – Fall 2004