

DAVID HESS

Ross School of Business, University of Michigan
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ACADEMIC APPOINTMENTS

- 2006-2007 Ross School of Business, University of Michigan, Ann Arbor, MI
 Bank One Corporation Assistant Professor of Business Administration
- 2003- Ross School of Business, University of Michigan, Ann Arbor, MI
 Assistant Professor of Business Law & Business Ethics
- 2001-2003 Rutgers Business School, Newark & New Brunswick, NJ
 Lecturer, Department of International Business & Business Environment

EDUCATION

The Wharton School, University of Pennsylvania, Philadelphia, PA
Ph.D. in Management (Major Field: Corporate Strategy), 2003
M.A. in Applied Economics and Management Science, 2000

University of Iowa College of Law, Iowa City, IA
J.D. with *high distinction*, 1995

Grinnell College, Grinnell, IA
B.A. in Economics, 1992

PUBLICATIONS

Journal Articles

Hess, D. (forthcoming 2009). "Catalyzing Corporate Commitment to Combating Corruption: Understanding the Role of the Public Sector in Private Anti-Corruption Initiatives." *Journal of Business Ethics*

Ford, C. & Hess, D. 2009. "Can Corporate Monitorships Improve Corporate Compliance?" *Journal of Corporation Law*, vol. 34 (3): 679-737.

Hess, D. 2008. "The Three Pillars of Corporate Social Reporting as New Governance Regulation: Disclosure, Dialogue and Development." *Business Ethics Quarterly*, vol. 18 (4): 447-482.

Hess, D. & Ford, C. 2008. "Corporate Corruption and Reform Undertakings: A New Approach to an Old Problem." *Cornell International Law Journal*, vol. 41 (2): 307-346.

Hess, D. & Warren, D. E. 2008. "The Meaning and Meaningfulness of Corporate Social Initiatives." *Business & Society Review*, vol. 113 (2): 163-197.

Hess, D. 2007. "Public Pensions and the Promise of Shareholder Activism for the Next Frontier of Corporate Governance: Sustainable Economic Development." *Virginia Law & Business Review*, 2(2): 221-263.

Hess, D. 2007. "A Business Ethics Perspective on Sarbanes-Oxley and the Organizational Sentencing Guidelines." *Michigan Law Review*, vol. 105 (8): 1781-1816.

Hess, D. 2007. "Social Reporting and New Governance Regulation: The Prospects of Achieving Corporate Accountability through Transparency." *Business Ethics Quarterly*, 17(3): 455-478.

Hess, D. & Dunfee, T.W. 2007. "The Kasky-Nike Threat to Corporate Social Reporting: Implementing a Standard of Optimal Truthful Disclosure as a Solution." *Business Ethics Quarterly*, 17 (1): 5-32.

Hess, D., McWhorter, R. & Fort, T. 2006. "The 2004 Amendments to the Federal Sentencing Guidelines and Their Implicit Call for a Symbiotic Integration of Business Ethics." *Fordham Journal of Corporate & Financial Law*, vol. 11 (4): 725-764.

Hess, D. 2005. "Protecting and Politicizing Public Pension Fund Assets: Empirical Evidence on the Effects of Governance Structures and Practices." *University of California-Davis Law Review*, vol. 39 (1): 187-224.

Hess, D., Rogovsky, N., & Dunfee, T.W. 2002. "The Next Wave of Corporate Community Involvement: Corporate Social Initiatives." *California Management Review*, vol. 44 (2): 110-125.

- Reprinted in Andrew Crane, Dirk Matten & Laura Spence, eds., *Corporate Social Responsibility: Readings and Cases in a Global Context* (Routledge, 2007).

Dunfee, T.W. & Hess, D. 2001. "Getting From Salbu to the 'Tipping Point': The Role of Corporate Action Within a Portfolio of Anti-Corruption Strategies." *Northwestern Journal of International Law & Business*, vol. 21 (2): 471-490.

Hess, D. 2001. "Regulating Corporate Social Performance: A New Look at Corporate Social Accounting, Auditing, and Reporting." *Business Ethics Quarterly*, vol. 11 (2): 307-330.

Hess, D. & Dunfee, T.W. 2000. "Fighting Corruption: A Principled Approach." *Cornell International Law Journal*, vol. 33 (3): 593-626.

Dunfee, T. W. & Hess, D. 2000. "The Legitimacy of Direct Corporate Humanitarian Investment." *Business Ethics Quarterly*, vol. 10 (1): 95-109.

Hess, D. 1999. "Social Reporting: A Reflexive Law Approach to Corporate Social Responsiveness." *Journal of Corporation Law*, vol. 25 (1): 41-84.

Hess, D. 1995. "Note, The Iowa Franchise Act: Towards Protecting the Reasonable Expectations of Franchisees and Franchisors." *Iowa Law Review*, vol. 80 (2): 333-62.

Book Chapters

Hess, D. (forthcoming 2010). "Ethics in Finance: Pension Funds," in John Boatright (ed.), *Finance Ethics*. Wiley.

Hess, D. (forthcoming 2009). "Corruption Issues in the Value Chain: Private-to-Private & Private-to-Public Corruption," in Transparency International, *Corruption and the Private Sector*. Cambridge University Press.

Hess, D. 2006. "Corporate Social Responsibility and the Law," in José Allouche (ed.), *Corporate Social Responsibility*, 154-180. Hampshire, UK: Palgrave Macmillan.

Hess, D. & Impavido, G. 2004. "Governance of Public Pension Funds: Lessons from Corporate Governance and International Evidence," in Musalem, A. R. & Palacios, R. (eds.) *Public Pension Fund Management*, pp. 49-89. Washington D.C.: The World Bank.

Hess, D. & Dunfee, T.W. 2003. "Taking Responsibility for Bribery: The Multinational Corporation's Role in Combating Corruption," in Sullivan, R. (ed.) *Business and Human Rights: Dilemmas and Solutions*, pp. 260-271. Sheffield, UK: Greanleaf Publishing.

- Reprinted in Tom Beauchamp, Norman E. Bowie and Denis G. Arnold, eds., *Ethical Theory and Business* (Prentice-Hall, 8th ed., 2008).

Useem, M. & Hess, D. 2001. "Governance and Investments of Public Pensions," in Olivia S. Mitchell & Edwin C. Husted (eds.), *Pensions in the Public Sector*: pp. 132-152. Philadelphia: University of Pennsylvania Press.

Book Reviews

Hess, D. (forthcoming). "Pension Fund Governance: A Global Perspective on Financial Regulation." *Journal of Pension Economics & Finance*.

Hess, D. 2006. "Business Ethics and the Natural Environment." *Business Ethics Quarterly*, vol. 16 (4): 631.

News Media, Encyclopedia Entries & Other

Hess, D. 2008. "Responsible Investing Requires Full Disclosure." *Pensions and Investments*, June 9, 2008, at 12.

Hess, D. 2008. "If Kilpatrick were a CEO, he'd be fired: Ethical errors end corporate careers quicker than any other mistake." *Detroit News*, February 5, 2008, at 7A.

Hess, D. 2007. "Blue Sky Laws," "CAFE Regulations," "Chicago School of Economics," "Compensatory Damages," "Market for Lemons," "Negligence," and "Unfair Competition," in Robert W. Kolb (ed.), *Encyclopedia of Business Ethics and Society*. Thousand Oaks, CA: Sage Publications.

Hess, D., Fort, T., McWhorter, R. Krehmeyer, D. 2006. "Fostering a Culture of Trust: Implications of the Federal Sentencing Guidelines." *Business Roundtable Institute for Corporate Ethics Bridge Paper*.

Hess, D. & Dunfee, T.W. 2002. "The Private Sector Role in Alleviating Human Misery," in Daniele Giovannucci (ed.) *A Guide to Developing Agricultural Markets and Agro-enterprises*, World Bank (online book).

Hess, D. 2001. "Leadership" and "Leverage and Leveraged Buy-outs," in Jonathan Michie (ed.), *Reader's Guide to the Social Sciences*. London: Fitzroy Dearborn.

Dunfee, T. W. & Hess, D. 2000. "Bankruptcy," in *Grolier Multimedia Encyclopedia*. Bethel, CT: Grolier.

Hess, D., Dunfee, T. W. & Taka, I. 1998. *Nomura II: Japanese Business Ethics*. CaseNet, South-Western College Publishing.

PRESENTATIONS

Academic Association Conference Papers

"Can the Department of Justice Improve Corporate Ethics?: Deferred Prosecution Agreements and Corporate Monitorships in Practice." Society for Business Ethics Annual Meeting, Chicago, IL, August 2009.

“Can Deferred Prosecution Agreements Improve Corporate Compliance and Ethics?” Tri-State Academy of Legal Studies in Business Annual Meeting, South Bend, IN, October 2008.

“Three Pillars of Corporate Social Reporting as New Governance Regulation” Academy of Legal Studies in Business Annual Meeting, Long Beach, CA, August 2008.

“Corporate Corruption and Reform Undertakings.” Tri-State Academy of Legal Studies in Business Annual Meeting, East Lansing, MI, November 2007.

“Public Pensions and the Promise of Shareholder Activism for the Next Frontier of Corporate Governance.” Society for Business Ethics Annual Meeting, Philadelphia, PA, August 2007.

“Improving Corporate Philanthropy and Corporate Social Initiatives.” International Association for Business and Society Annual Meeting, Florence, Italy, June 2007.

“Sarbanes-Oxley and the Regulation of Organizational Ethics.” Academy of Legal Studies in Business Annual Meeting, St. Petersburg, FL, August 2006.

“Corporate Social Initiatives as Strategic Responses to Institutional Pressures.” (with D. E. Warren) Academy of Management Annual Meeting, Atlanta, GA, August 2006.

“Corporate Social Reporting as New Governance Regulation.” Tri-State Academy of Legal Studies in Business Annual Meeting, East Lansing, MI, November 2005.

“The 2004 Amendments to the Federal Sentencing Guidelines and Their Implicit Call for a Symbiotic Integration of Business Ethics.” (with T. Fort & R. McWhorter) Society for Business Ethics Annual Meeting, Honolulu, HI, August 2005.

“The Kasky-Nike Threat to Corporate Social Reporting: Is a Standard of Optimal Truthful Disclosure a Solution?” (with T. W. Dunfee) Academy of Legal Studies in Business Annual Meeting, Ottawa, ON, August 2004.

“The Choice of Organizational Governance Form for Corporate Social Initiatives.” Academy of Management Annual Meeting, New Orleans, LA, August 2004.

“Public Pension Fund Activism and the Symbolic Management of Shareholders.” Academy of Management Annual Meeting, Washington D.C., August 2001.

“Getting Serious About Corruption: Corporate Strategies to Combat Corruption,” (with T. W. Dunfee) Academy of Management Annual Meeting, Toronto, ON, August 2000.

“Legal Rights Under TANF: A Historical Perspective,” (with J.J. Shook) Law and Society Annual Meeting, Miami, FL, May 2000.

“The Desirability (and Legality) of Direct Corporate Humanitarian Investment,” (with T. W. Dunfee) Academy of Legal Studies in Business Annual Meeting, St. Louis, MO., August 1999.

“A Reflexive Law Approach to Legislating Corporate Social Responsiveness,” Society for Business Ethics Annual Meeting, San Diego, CA, August 1998.

Invited Presentations & Other Conference Papers

“Corporate Monitorships and New Governance Regulation,” (with C. Ford). New Governance and the Business Organization Conference, University of British Columbia, Vancouver, BC, May 2009.

“Institutional Reform and Novel Remedies in North American Securities Law Enforcement,” (with C. Ford). TMX Group Annual Lecture, Vancouver, BC, September 2008.

“Activist Investing.” Public Funds Roundtable, Institutional Investor Institute, San Diego, CA, April 2007.

“Public Pensions and the Promise of Shareholder Activism for the Next Frontier of Corporate Governance.” Huber Hurst Research Seminar, The Wharton School, University of Pennsylvania, Philadelphia, PA, February 2007.

“A Business Ethics Perspective on Sarbanes Oxley and the Organizational Sentencing Guidelines.” The Louis & Myrtle Moskowitz Conference on The Impact of Sarbanes-Oxley on Doing Business, University of Michigan Law School, Ann Arbor, MI, November 2006.

“Corporate Social Reporting: Disclosure, Dialogue and Development.” 13th Annual International Conference Promoting Business Ethics, Niagara University, Niagara Falls, NY, October 2006.

“The Three Pillars of Corporate Social Reporting as a Regulatory Mechanism.” Trans-Atlantic Business Ethics Conference, The Wharton School, University of Pennsylvania, Philadelphia, PA, October 2006

“The Kasky-Nike Threat to Corporate Social Reporting: Is a Standard of Optimal Truthful Disclosure a Solution?” (with T. W. Dunfee). Ethical Aspects of Commercial Speech Conference, George Washington University School of Business, Washington, D.C., February 2006.

Presenter and panelist. Symposium on “The Corporation.” Erb Institute, University of Michigan, Ann Arbor, MI. October 2005.

“Protecting Public Pension Fund Assets: Empirical Evidence on the Effects of Governance Structure.” Capital Matters Conference, Harvard Law School, Cambridge, MA, April 2005.

“Corporate Corruption.” Ethics in the Public Eye Lecture Series, University of Michigan Health System, Ann Arbor, MI., March 2005.

“Social Reporting and Corporate Governance.” Markkula Center for Applied Ethics Conference on the Accountable Corporation, Santa Clara University, Santa Clara, CA, February 2005.

“Optimal Truthful Disclosure and Corporate Social Reporting.” *Anne Ballantyne Lecture*, McCombs School of Business, University of Texas, Austin, TX, January 2005.

“What Works and What Hurts in Protecting Human Rights in International Business.” McCombs School of Business, University of Texas, Austin, TX, January 2005.

Discussant and panelist. Conference on “Contractarian Approaches to Business Ethics.” The Wharton School, University of Pennsylvania, Philadelphia, PA, November 2004.

Presenter and panelist. Symposium on “The Corporation.” Institute for Historical Studies, University of Michigan, Ann Arbor, MI. October 2004.

“When Do Firms Adopt Meaningful Social Initiatives?” Interdisciplinary Committee on Organizational Studies, University of Michigan, Ann Arbor, MI. September 2004.

“Best Practices in the Governance of Public Pension Funds.” World Bank Conference on the Principles of Pension Fund Management, Washington, D.C., May 2003.

Presenter and panelist. Cornell International Law Journal Symposium: “Fighting International Corruption and Bribery in the 21st Century,” Cornell Law School, Ithaca, New York, March 31-April 1, 2000.

“Governance and Investments of Public Pensions,” (with M. Useem) Pension Fund Research Council Impact Conference, University of Pennsylvania, Philadelphia, PA, April 1999.

“Union and Employee Nominated Directors,” National Center on Employee Ownership Annual Meeting, San Francisco, CA, April 1999.

AWARDS & HONORS

- *Rising Star of Corporate Governance*, Millstein Center for Corporate Governance & Performance, Yale University (2009)
- *Faculty Pioneer Award - Rising Star*, The Aspen Institute (2008)
- *Outstanding Paper*, 2008 Tri-State Academy of Legal Studies in Business Annual Meeting.
- *Faculty Award of Excellence - Early Career Achievement*, Academy of Legal Studies in Business (2008)
- *Outstanding Paper*, 2007 Tri-State Academy of Legal Studies in Business Annual Meeting.
- *Bank One Corporation Assistant Professor of Business Administration*, Ross School of Business, University of Michigan, 2006-2007.
- *Best Paper*, 2005 Society for Business Ethics Annual Meeting.

TEACHING

The Ross School of Business, University of Michigan

- *Business Ethics* (Executive MBA)
- *Corporate Social Responsibility and Business Ethics* (undergraduate and graduate)
- *Cultural Norms in Global Business* (MBA)
- *Ethics of Corporate Management* (MBA)
- *Law of Enterprise Organization* (undergraduate)
- *Legal Environment of Business* (undergraduate)

Lectures & Workshops in Law and Ethics, University of Michigan

- *Ross Leadership Initiative*, Ross School of Business (MBA)
- *Leadership in Plant Operations*, Ross School of Business (Executive Education)
- *Financial Engineering*, College of Engineering (MS)
- *Topics in Manufacturing*, Tauber Manufacturing Institute, Ross School of Business (MBA & MSE)
- *LEAD (Leadership Education and Development) Program*, Ross School of Business (high school)
- *BBA Senior Seminar*, Ross School of Business (undergraduate)

Rutgers Business School, Rutgers, The State University of New Jersey

- *Business, Government & Society* (undergraduate)
- *Legal Environment of Business* (MBA)

The Wharton School, University of Pennsylvania

- *Corporate Social Responsibility and Ethics* (undergraduate)
- *Introduction to Management* (undergraduate)

EDITORIAL RELATED EXPERIENCE

- Editorial Board
 - *American Business Law Journal*, Staff Editor, 2009-
- Ad hoc reviewer for:
 - *Academy of Legal Studies in Business Annual Meeting Proceedings*
 - *Academy of Management Annual Meeting*
 - *Academy of Management Review*
 - *Academy of Management Perspectives*
 - *American Business Law Journal*
 - *Business Ethics Quarterly*
 - *California Management Review*
 - *Journal of Asian Business*
 - *Journal of Business Ethics*
 - *Journal of Management Inquiry*
 - *Routledge (book publishers)*
 - *Society for Business Ethics Annual Meeting*
 - *Socio-Economic Review*
 - *Strategic Management Journal*
 - *Thunderbird International Business Review*
- Associate Editor, *Iowa Law Review*, 1994-1995.

SERVICE

The Ross School of Business, University of Michigan

- Steering Committee for the President's Initiative on Ethics in Public Life, University of Michigan 2005-2008
- Faculty Sponsor for Undergraduate Research Opportunity Program, 2004-2005
- Walter V. Shipley Business Leadership Case Competition Judge for University of Michigan Entrants
- Faculty Affiliate:
 - *Erb Institute for Global Sustainable Enterprise*, University of Michigan
 - *Nonprofit and Public Management Center*, University of Michigan

Academic Associations & Other

- Tri-State Academy of Legal Studies in Business
 - 2007-2010 Officer Rotation: Secretary, Vice-President/Program Chair, President
- Liaison between Academy of Legal Studies in Business and the Society for Business Ethics
- Mentor in Academy of Legal Studies in Business Mentorship Program
- Society for Business Ethics, Annual Meeting Best Paper Award Committee (2009)
- Faculty Judge, Aspen Institute Dissertation Proposal Award (2009)

Dissertation Committees

- Joseph Warburton, Finance Department, Ross School of Business, University of Michigan (2009)
- Kate McGovern, Human & Organizational Systems, Fielding Graduate University (2009)