

Dr. Cynthia L. Ostberg

Director of the Legal Scholars Program

Professor of Political Science

University of the Pacific

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Education

Ph.D. Political Science, Northern Illinois University, 1995

Fields of Study: Public Law, Comparative Politics, and American Government

Dissertation: A Comparison of U.S. and Canadian Supreme Court Decisions after the Addition of the Charter of Rights & Freedoms to the Canadian Constitution, Craig R. Ducat, dissertation director.

M.A. Political Science, Northern Illinois University, 1993

B.A. Anthropology, University of California, Berkeley, 1985

Professional Experience

Professor of Political Science, Pre-Law Advisor
& Director of the Pacific Legal Scholars Program, 2007-present, University of the Pacific

Professor of Political Science/Pre-Law Advisor, 2006-present, University of the Pacific

Associate Professor of Political Science/Pre-Law Advisor, 2000-2006, University of the Pacific

Assistant Professor of Political Science/Pre-Law Advisor, 1994-2000, University of the Pacific

Books & Peer Reviewed Articles

C. L. Ostberg and Matthew E. Wetstein. 2018. Strategic Behavior and Leadership Patterns of Modern Chief Justices. *55 Osgoode Hall Law Journal* 478-514.

Matthew E. Wetstein and C. L. Ostberg. *Value Change in the Supreme Court of Canada*. Toronto: Toronto University Press, 2017.

Matthew E. Wetstein and C. L. Ostberg. 2017. The Environmental Revolution and the Supreme Court of Canada: Empirical Analysis of Postmaterialist Value Change across Four Decades. *Social Science Quarterly*, 98 (1): 107-19.

Donald R. Songer, Susan W. Johnson, C. L. Ostberg, and Matthew E. Wetstein. 2012. *Law, Ideology, and Collegiality: Judicial Behaviour in the Supreme Court of Canada*. Montreal: McGill-Queen's University Press.

- Matthew E. Wetstein, C. L. Ostberg, Donald R. Songer, and Susan W. Johnson. 2009. Ideological Consistency and Attitudinal Conflict: A Comparative Analysis of the U.S. and Canadian Supreme Courts. *Comparative Political Studies* 42 (6): 763-92.
- C. L. Ostberg and Matthew E. Wetstein. 2007. *Attitudinal Decision Making in the Supreme Court of Canada*. Vancouver, BC: University of British Columbia Press.
- C. L. Ostberg and Matthew E. Wetstein. 2006. The Canadian Supreme Court: Attitudinal Conflict in Right to Counsel Cases. *Political Science Quarterly* 121 (4): 677-97.
- Matthew E. Wetstein and C. L. Ostberg. 2005. Strategic Leadership and Political Change on the Canadian Supreme Court: Analyzing the Transition to Chief Justice. *Canadian Journal of Political Science* 38 (3): 653-73. Article was a finalist for the John McMenemy Prize for the best article published in volume 38 of the *Canadian Journal of Political Science*.
- C. L. Ostberg, Matthew E. Wetstein, and Craig R. Ducat. 2004. Leaders, Followers, and Outsiders: Task and Social Leadership on the Canadian Supreme Court in the Early Nineties. *Polity* 36 (3): 505-28.
- C. L. Ostberg, Matthew E. Wetstein, and Craig R. Ducat. 2003. Acclimation Effects on the Supreme Court of Canada: A Cross-Cultural Examination of Judicial Folklore. *Social Science Quarterly* 84 (3): 704-22.
- C. L. Ostberg, Matthew E. Wetstein, and Craig R. Ducat. 2002. Attitudinal Dimensions of Supreme Court Decision Making in Canada: The Lamer Court, 1991-1995. *Political Research Quarterly* 55 (1): 237-58.
- C. L. Ostberg, Matthew E. Wetstein, and Craig R. Ducat. 2001. Attitudes, Precedents, and Cultural Change: Explaining the Citation of Foreign Precedents by the Supreme Court of Canada. *Canadian Journal of Political Science* 34 (2): 377-99.
- C. L. Ostberg. 2000. Charting New Territory? Fifteen Years of Search and Seizure Decisions by the Supreme Court of Canada. *American Review of Canadian Studies* 30 (1): 35-54.
- Matthew E. Wetstein and C. L. Ostberg. 1999. Search and Seizure Decisions of the Canadian Supreme Court: Extending an American Model of Judicial Decision Making Across Countries. *Social Science Quarterly* 80 (4): 757-74.
- C. L. Ostberg and Matthew E. Wetstein. 1998. Dimensions of Attitudes Underlying Search and Seizure Decisions of the Supreme Court of Canada. *Canadian Journal of Political Science* 31 (4): 767-87.
- C. L. Ostberg. 1998. The Canadian Supreme Court and Free Expression Cases under the Charter of Rights and Freedoms. *American Review of Canadian Studies* 28: 489-516.

Lettie Wenner and Cynthia Ostberg. 1994. Reagan and Bush Appointees in the Ninth Circuit. *Judicature* 77: 217-20.

Research Grants and Awards

Spring 2017. San Joaquin County Bar Association Annual Law Day Award for outstanding contribution to the legal community.

Spring 2017. Aid to Scholarly Publications Programme Grant from the Canadian Federation for the Humanities and Social Sciences. Publication subvention grant (\$8,000) from the ASPP program to underwrite production costs for *Value Change in the Supreme Court of Canada* (University of Toronto Press, 2017).

Fall 2012. Faye and Alex Spanos Distinguished Teaching Award, College of the Pacific, September 2012, Stockton, CA.

Spring 2012. Phi Beta Kappa Excellence in Teaching Award, Northern California Chapter, May 2012, Berkeley, CA.

Summer 2011. Aid to Scholarly Publications Program Grant from the Canadian Federation for the Humanities and Social Sciences. Publication subvention grant (\$7,000) from the ASPP program to underwrite production costs for *Law, Ideology, and Collegiality: Judicial Behaviour in the Supreme Court of Canada* (McGill-Queen's University Press, 2012).

Summer 2010. Eberhardt Research Fellowship Award. Leadership on the Supreme Court of Canada, \$2,600, University of the Pacific.

Summer 2006. Finalist for the John McMenemy Prize given to the best article published in the *Canadian Journal of Political Science*, Volume 38 (2005). Matthew E. Wetstein and C. L. Ostberg. 2005. Strategic Leadership and Political Change on the Canadian Supreme Court: Analyzing the Transition to Chief Justice. *Canadian Journal of Political Science* 38 (3): 653-73.

Spring 2006. Aid to Scholarly Publications Program Grant from the Canadian Federation for the Humanities and Social Sciences. Publication subvention grant (\$7,000) from the ASPP program to underwrite production costs for *Attitudinal Decision Making in the Supreme Court of Canada* (Vancouver, UBC Press, 2007).

Summer 2004. Canadian Studies Faculty Research Award, Government of Canada. Media Analysis of the Ideology of Canadian Supreme Court Nominees, \$5,000, Canadian Embassy to the United States.

Summer 2004. Eberhardt Research Fellowship Award. Economic Liberalism and Business Decisions of the Supreme Court of Canada, \$3,500, University of the Pacific.

Summer 2000. Eberhardt Research Fellowship Award. Leadership on the Supreme Court of Canada, \$3,500, University of the Pacific.

Summer 2000. Nominated for the American Judicature Society Award for best conference paper on law and the courts presented at a conference in 1999. Matthew E. Wetstein, C. L. Ostberg, and Craig R. Ducat. 1999. The Bases of Conflict Underlying the Decision of Charter Cases in the Early and Late Dickson Courts, presented at the annual meeting of the APSA.

Summer 1997. Scholarly Activity Grant. The Canadian Supreme Court Data Base Project, \$1,500, University of the Pacific.

Fall 1995. Dissertation was a finalist and won honorable mention in the Association for Canadian Studies in the U.S. (ACSUS) dissertation award competition.

Fall 1993. NIU Dissertation Completion Grant Award.

Recent Research, Service to the Discipline, Presentations, Book Reviews

C. L. Ostberg and Matthew E. Wetstein. 2016. Postmaterialist Value Change in First Amendment Cases. Prepared for presentation at the annual meeting of the Canadian Political Science Association, University of Calgary, Calgary, Canada, June 1-3, 2016.

C. L. Ostberg. 2013. Book Review of Emmett McFarlane, *Governing from the Bench: The Supreme Court of Canada and the Judicial Role*, Vancouver: UBC Press. *The Law and Politics Book Review* 23 (6): 251-54.

C. L. Ostberg and Matthew E. Wetstein. 2013. Post-materialist Values in the Supreme Court of Canada: An Empirical Examination of Environmental Cases. Prepared for presentation at the annual meeting of the Canadian Political Science Association, University of Victoria, Victoria, Canada, June 3-7, 2013.

American Association of University Women Lecture. 2011. Gender Differences on the Supreme Court of Canada.

Osher Lifelong Learning Institute Lecture. 2010. Gender Differences in Two Supreme Courts.

Tenure and Promotion Evaluation. 2009. Lori Hausegger, Boise State University.

Panel Discussant. 2008. Decision Making in the Supreme Court of Canada, Canadian Political Science Association, June 2008.

C. L. Ostberg and Matthew E. Wetstein 2008. Limitations to the Ideological Estimation of Supreme Court Behavior: Evidence from the Supreme Courts of Canada and the United States. Prepared for presentation at the annual meeting of the Midwest Political Science Association, Chicago, IL, April 3, 2008.

- Panel Chair. 2008. Comparative Public Law, Midwest Political Science Association, April 2008.
- C. L. Ostberg and Matthew E. Wetstein. 2007. A Decidedly Different Voice? Examining Gender Differences in the U.S. and Canadian Supreme Court. Prepared for presentation at the annual meeting of the Midwest Political Science Association, Chicago, IL, April 13, 2007.
- C. L. Ostberg. 2007. Book review of Christopher Manfredi, *Feminist Activism in the Supreme Court*, Vancouver: University of British Columbia Press, *American Review of Canadian Studies* 37 (3).
- C. L. Ostberg and Matthew E. Wetstein. 2007. Examining Gender Differences in the Canadian and U.S. Supreme Courts in Economic Disputes. Prepared for presentation at the annual meeting of the Canadian Political Science Association, Saskatoon, Saskatchewan, June 1, 2007.
- C. L. Ostberg and Matthew E. Wetstein. 2005. Ideological Consistency on the Supreme Court of Canada. Prepared for presentation at the biennial meeting of the Association for Canadian Studies in the U.S., St. Louis, MO, November 2005.
- C. L. Ostberg. 2005. Why Americans Should Care about Canada? Lecture prepared for the Tuesday World Forum Series, School of International Studies, University of the Pacific, March 1, 2005.
- C. L. Ostberg and Matthew E. Wetstein. 2004. Measuring Judicial Ideology on the Supreme Court of Canada. Prepared for presentation to the Canadian Embassy to the United States for the 2004 Canadian Studies Faculty Research Program, September 2004.
- C. L. Ostberg, Susan Johnson, Donald Songer, and Matthew E. Wetstein. 2004. The Nature and Extent of Attitudinal Decision Making on the Supreme Court of Canada. Prepared for presentation at the annual meeting of the American Political Science Association, Chicago, September 3, 2004.
- C. L. Ostberg and Matthew E. Wetstein. 2004. Equality Cases and Attitudinal Model in the Supreme Court of Canada. Prepared for presentation at the annual meeting of the Canadian Political Science Association, Winnipeg, June 5, 2004.
- Panel Discussant. 2004. Canadian Political Science Association, Panel on Free Speech and Affirmative Action Jurisprudence in the U.S., June 2004.
- C. L. Ostberg and Matthew E. Wetstein. 2004. Economic Cases and the Attitudinal Model in the Canadian Supreme Court. Prepared for presentation at the annual meeting of the Midwest Political Science Association, Chicago, IL, April 17, 2004.

- C. L. Ostberg, Matthew E. Wetstein, and Craig R. Ducat. 2002. Explaining Conflict on a Collegial Court: Canadian Supreme Court Decision Making in the Post-Charter Era. Prepared for presentation at the Association for Canadian Studies Conference in Celebration of the 20th Anniversary of the Charter of Rights and Freedoms, Ottawa, Ontario, April 2002.
- Panel Chair, 2002. California Appellate Court Justices, University of the Pacific, Stockton, CA, October 2002.
- C. L. Ostberg, Matthew E. Wetstein, and Craig R. Ducat. 2000. Power and Influence on the Canadian Supreme Court in the Early 'Nineties. Prepared for presentation at the annual meeting of the Canadian Political Science Association, Quebec, August 2000.
- Matthew E. Wetstein, C. L. Ostberg, and Craig R. Ducat. 1999. The Bases of Conflict Underlying the Decision of Charter Cases in the Early and Late Dickson Courts. Prepared for presentation at the annual Meeting of the American Political Science Association, Atlanta, September 1999. The paper was nominated for the American Judicature Society Award for best conference paper on law and the courts in 1999.
- Matthew E. Wetstein, C. L. Ostberg, and Craig R. Ducat. 1999. Dimensions of Post-Charter Judicial Decision Making: The Lamer Court, 1991-1995. Prepared for presentation at the annual Meeting of the Canadian Political Science Association, Sherbrooke, Quebec, June 1999.
- C. L. Ostberg, Matthew E. Wetstein, and Craig R. Ducat. 1998. Imitation and Less Sincere Forms of Flattery: The Use of Foreign Precedent by the Canadian Supreme Court. Prepared for presentation at the annual Meeting of the American Political Science Association, Boston, MA, September 1998.
- C. L. Ostberg. 1997. The Canadian Supreme Court and Free Expression Cases under the Charter of Rights and Freedoms. Prepared for presentation at the Annual Meeting of the Canadian Political Science Association, St. John's, Newfoundland, June 1997.
- C. L. Ostberg. 1996. Continental Divide: Canadian Law in Transition. Lecture prepared for presentation at the Tuesday World Forum, Office of International Programs at the University of the Pacific, November 1996.
- C. L. Ostberg. 1996. Charter Jurisprudence: A Comparative Canadian-U.S. Perspective. Lecture presented at a meeting of the Canadian Studies Program, University of California, Berkeley, CA, September 1996.
- C. L. Ostberg and Matthew E. Wetstein. 1996. The Canadian Supreme Court and Individual Liberties. Prepared for presentation at the annual meeting of the Western Political Science Association, San Francisco, CA, April 1996.

- C. L. Ostberg. 1995. The Canadian Supreme Court and Search and Seizure Cases: A Decade of Decisions under the Charter of Rights and Freedoms. Prepared for presentation at the biennial meeting of the Association for Canadian Studies in the United States, Seattle, WA, November 16, 1995.
- C. L. Ostberg and Matthew E. Wetstein. 1995. The Canadian Supreme Court and the Attitudinal Model: Criminal Rights Cases under the Charter of Rights & Freedoms. Prepared for presentation at the annual meeting of the Midwest Political Science Association, Chicago, IL, April 8, 1995.
- C. L. Ostberg. 1994. You have the Right to Remain Silent: The Right to Counsel in Canada and the United States. Presentation given at the Research Colloquium of the School of International Studies, University of the Pacific, October 30, 1994.

Research Interests

Canadian Public Law, Charter of Rights & Freedoms, Comparative Law, American Public Law

Courses taught:

Constitutional Law I (Powers of Government)
Constitutional Law II (First Amendment)
Judicial Process
Criminal Law
Legal Studies Seminar
Legal Practice Seminar
The Presidency
Quantitative Methods
U.S. Government
Senior Seminar in Political Science
Mentor Seminar II (freshman public policy analysis course)
Mentor Seminar III (senior ethics course)
Political Science Capstone Course

Committee and University Service

Institutional Priorities Committee (2017-2019)
Athletic Advisory Board (2018-present)
University Academic Council (2014-2016, 2009-2011, 2001-2004)
Chair of the Pacific Legal Scholars Board (2008-present)
University Compensation Committee (2014-2016)
Ad Hoc Committee for the Social Entrepreneurship Minor (2013-14)
Library Committee (2012-2016)
Chair, Political Science Promotion and Tenure Committee (2014)

Member, Promotion and Tenure Committee, English Department (2013-2014)
Ad Hoc Committee for LSAT Waiver Process with the American Bar Association (2012-2014)
Distinguished Professor of Law Award Committee, McGeorge School of Law (2012-2013)
Search Committee for the Dean of McGeorge School of Law (2011-2012)
Search Committee for Director of Enrollment Services (Spring 2008)
Review Committee for the Dean of McGeorge School of Law (2007-2008)
Internship Supervisor (judicial, law enforcement, and government agency interns)
Co-Chair, Pre Law-Task Force (2006-2007)
Mentor Seminar Planning Committee (2005-2007)
Professional Relations Committee (2006-2007)
Courses and Standards Committee (2004-2007, 1995-1996)
Faculty Advisor for Phi Alpha Delta Pre-Law Association (1999-present)
Interim Department Chair (Fall 2003)
Executive Board, Academic Council (2003-2004)
College of the Pacific Council (1998-2003)
University Faculty Grievance Committee (2003-2004)
Pre-Law Advisor for the University (1994-present)
3+3 BA/JD Law Program Coordinator (1999-present)
Co-Chair of the McGeorge School of Law Program Review Committee (2000-2001)
History Program Review Committee (2001-2002)
Counseling Center Program Review Committee (2001-2002)
Judicial Process Committee (2001-2002)
Faculty Research Committee (1997-2000)
Gender Studies Board (1997-2003)
Institutional Priorities Task Force (1997-1998)
Faculty Liaison for the Student Grievance Committee (1996-1997)
Advisory Board of *The Pacifcan* (1996-1997)

Organized Events for the Pacific Legal Scholars or the University/Community

Dean Erwin Chemerinsky, Free Speech on College Campuses, March 22, 2018
Professor Mike Vitiello, The Legalization of Marijuana in California, November 2017
Judge Stephenson Gala Reception, September 9, 2017
Justice Ming Chin, Judge Morrison England, Justice Arthur Scotland, and Professor Mike Vitiello. Know Impartiality, Know Justice: Preserving Access to Justice in California. December 11, 2016
Cindy Ostberg, Talk on Environmental Law in Canada, October, 2016
Little Fawn Boland, Tribal Water Rights and Stewardship, October, 2016
Professor Mireles, Talk on Intellectual Property, October, 2016
Tori Verber Salazar, Head District Attorney of San Joaquin County, November 4, 2015
Judge Stephenson, Ethics Class, Humphrey's Law School, October 3, 2015
Judge Kozinski, Ninth Circuit Federal Court of Appeals, September 9, 2015
Richard Trudell, Native Law in the 21st Century, October 27, 2015
Professor Raquel Aldana. Human Trafficking in Latin America, April 12, 2015
Steve Mathias. Co-hosted with Political Science department, United Nations Assistant Secretary General for Legal Affairs, February 12, 2015

Clark Kelso, Howard Moseley, and Professor Mike Vitiello. Prison Overcrowding in California: Healthcare Challenges and Solutions, November 14, 2014

Suzanne Schultz and Kristine Reed. Domestic Violence, Sexual Assault, and Elderly Abuse, October 23, 2014

Paul Fraidenburg. Civil litigator in aviation, trade & technology, September 10, 2014

Judge Connie Callahan. Ninth Circuit Federal Court of Appeals, September 25, 2014

Judge Barbara Kronlund. Legal and Judicial Career in San Joaquin County, March 25, 2014

Kirupa Pushparaj. Intellectual Property and Software/Tech Start-ups, February 28, 2014

Judge Michael Mulvihill. Swearing in Ceremony, January 22, 2014

Professor Drew Liebert. Legislative Process, Strategy & Ethics Class, State Capitol, November 7, 2013

Brigadier General Mark Martins. Lead Prosecuting Attorney in Guantanamo Bay Cuba, October 29, 2013

Judge Morison England. Federal District Court in Sacramento, September 16, 2013

Judge Ron Northup. The Story of a Judge in San Joaquin County, March 26, 2013

A Conversation with Chief Justice of the California Supreme Court Tani Cantil-Sakauye, September 17, 2012

Little Fawn Boland. Co-hosted with Ethnic Studies, Tribal Nations Law in Flux, October 23, 2012

The Water War: Challenges and Litigation Surrounding Water in San Joaquin, March 1, 2011

Professor Raquel Aldana. Immigration and Undocumented Students lecture, February 1, 2011

Judge William Murray, Judge Linda Lofthus, Judge Ron Northup. Law & Courts: Challenges Facing California Judges in the 21st Century, November 4, 2011

Inn of Court Event with 100 Attorneys & Judges on campus, October 14, 2011

Karen Tse. Developing an International Bridges to Justice Chapter for Pacific, October 12, 2011

Tim Naccarato. Jags in Combat lecture, September 28, 2011

Karen Tse. Transformation and Justice: From Fear to Hope (International Bridges to Justice lecture). April 1, 2010.

Michael Dukakis. Health Care Politics in the U.S.: A Conversation with Michael Dukakis. January 25, 2010

Michael Mulvihill and Suzanne Schultz. Domestic Violence Law (panel discussion). October 15, 2009.

Judge Barbara Kronlund. Juvenile Delinquency Law (panel discussion). April 28, 2009.

Judge Jose Alva. Juvenile Dependency Law (panel discussion). April 21, 2009.

Sionaidh Douglas-Scott. European Human Rights Law. April 9, 2009.

Justice Ming Chin, Judge Ronald Robie, Judge Roger Warren, Brian Landsberg. Know Impartiality, Know Justice: Preserving Access to Justice in California. December 11, 2008.

Professional Associations & Service

American Political Science Association
Midwest Political Science Association
Law and Courts Section of APSA
Canadian Political Science Association
Association for Canadian Studies in the United States

American Judicature Society

Manuscript reviewer for Broadview Press

Manuscript reviewer for McGill-Queen's University Press

Manuscript reviewer for *Law and Society Review*

Manuscript reviewer for the *Canadian Journal of Political Science*

Manuscript reviewer for the *American Review of Canadian Studies*

Manuscript reviewer for the *Osgoode Hall Law Journal*

Manuscript reviewer for the *Journal of Empirical Legal Studies*