

International Center for Law and Religion Studies

LEADERSHIP BIOS

DIRECTOR, W. COLE DURHAM, JR.



Contact Information

Address: Brigham Young University
412 JRCB
Provo, UT 84604

Email: durhamc@lawgate.byu.edu

Telephone: (801) 422-6842

W. Cole Durham, Jr., is Director of the International Center for Law and Religion Studies and Susa Young Gates Professor of Law at Brigham Young University. Among his many honors is the 2009 International First Freedom Award, bestowed by the First Freedom Center of Richmond, Virginia.

A graduate of Harvard College and Harvard Law School, Professor Durham has been heavily involved in comparative law scholarship throughout his career, with a special emphasis on comparative constitutional law and the relationship of church and state. He has published and consulted widely on these subjects and is a member of several U.S. and international advisory boards dealing with religious freedom and church-state relations. He has testified at the state level, in Congress, and in legislatures and courts in various foreign countries on religious freedom issues.

Professor Durham has served as the Secretary of the American Society of Comparative Law and is an associate member of the International Academy of Comparative Law (IACL) in Paris. He was IACL 2010 General Reporter on the topic Religion and the Secular State. He has served as co-chair of the Organization for Security and Co-operation in Europe (OSCE) Advisory Panel of Experts on Freedom of Religion or Belief and as vice-president of the International Academy for Freedom of Religion and Belief. He currently serves as the chair of both the Comparative Law Section and the Law and Religion Section of the American Association of Law Schools, is an Editor-in-Chief of the Oxford Journal of Law and Religion. In 2011 he was named President of the International Consortium of Law and Religion Studies (ICLARS, Milan).

MANAGING DIRECTOR, ROBERT T. SMITH



Contact Information

Address: Brigham Young University
452C JRCB
Provo, UT 84604
Email: smithr@lawgate.byu.edu
Telephone: (801) 422-3446

Robert Smith has served as the Managing Director of the International Center for Law and Religion Studies since 2006. In this role he oversees the activities of the Center, including supervising the Annual International Law and Religion Symposium and numerous international conferences each year, in addition to overseeing academic publications and participating in law-reform consultations. He serves as the Center's Regional Advisor for the United States and teaches a course on the taxation of religious organizations at the J. Reuben Clark Law School.

Professor Smith is a co-author, along with W. Cole Durham, Jr. and William Bassett, of the treatise *Religious Organizations and the Law*, published by Thomson West. This four-volume, four-thousand-page work for lawyers representing religious organizations in the United States is updated annually. Professor Smith has also co-authored numerous articles on religious freedom and other legal topics, and he is a speaker at international conferences on religious topics.

Before joining the law school, Professor Smith served as Executive Vice-President and General Counsel to CaseData Corporation. Previously, he was a shareholder and chairman of the Corporate and Tax department at the law firm of Kirton & McConkie in Salt Lake City. He also practiced with large law firms in Washington, D.C. and Chicago, Illinois. He spent his early career working as a CPA for Deloitte & Touche in California and Washington, D.C.

Professor Smith received a bachelor's degree in accounting from BYU and is a magna cum laude graduate of the University of Notre Dame, where he earned a Masters of Business Administration. He is also a magna cum laude graduate of the J. Reuben Clark Law School, where he was named to the Order of the Coif and served as Editor-in-Chief of the Brigham Young University Law Review.

ASSOCIATE DIRECTOR, ELIZABETH A. CLARK



Contact Information

Address: Brigham Young University
452B JRCB
Provo, UT 84604
Email: clarke@law.byu.edu
Telephone: (801) 422-2112

As Associate Director of the International Center for Law and Religion Studies, Elizabeth Clark has co-organized and taken part in dozens of conferences and academic projects with other scholars and with government leaders from around the world. She has from the beginning been a primary organizer of the annual International Law and Religion Symposium at Brigham Young University. She has taken part in drafting commentaries and legal analyses of pending legislation and developments affecting religious freedom, and has assisted in drafting amicus briefs on international religious freedom issues for the U.S. Supreme Court, including the Center's brief in the landmark 2012 case *Hosanna-Tabor Evangelical Lutheran Church and School v. EEOC*.

Before joining the Center, Professor Clark was an associate in the Washington, D.C., office of Mayer, Brown & Platt, where she was a member of the Appellate and Supreme Court Litigation Group. Professor Clark also clerked for Judge J. Clifford Wallace on the U.S. Court of Appeals for the Ninth Circuit. Professor Clark graduated summa cum laude from the BYU Law School, where she was Editor-in-Chief of the BYU Law Review.

Drawing on her multilingual talents in Russian, Czech, German and French, Professor Clark has been active in writing and lecturing on church-state and comparative law topics. She has taught classes on Comparative Law, Comparative Constitutional Law, International Human Rights, and European Union law at the J. Reuben Clark Law School at Brigham Young University. She has published numerous articles and chapters on church-state issues and has been an associate editor of three major books: *Facilitating Freedom of Religion and Belief* and two books on law and religion in post-Communist Europe. Professor Clark has also testified before Congress on religious freedom issues.

ASSOCIATE DIRECTOR, GARY B. DOXEY



Contact Information

Address: Brigham Young University
452B JRCB
Provo, UT 84604
Email: doxeyg@lawgate.byu.edu
Telephone: (801) 422-3010

Gary Doxey joined the International Center for Law and Religion Studies in 2005 as Managing Director. He now serves as Associate Director of the Center and teaches full-time in BYU's Department of History.

Before joining the Center, Professor Doxey was assistant professor of History at BYU and served in Utah state government as the Governor's Chief of Staff, General Counsel to the Governor, Deputy Commissioner of Financial Institutions, and Associate General Counsel to the Utah Legislature. He has been the principal author of numerous state laws and policies, has testified on many occasions before the state legislature, and was the 2004 recipient of the Amicus Curiae "Friend of the Court" Award, the highest honor bestowed by the Utah judiciary on a non-judge, for his role in helping to improve and support the courts.

Professor Doxey has taught at both Brigham Young University and the University of Utah. He is the author of numerous scholarly publications. He was a judicial clerk for the United States Bankruptcy Court for the District of Utah. He has a Ph.D. from Cambridge University and a J.D. from BYU. He and his wife have six children.

ASSOCIATE DIRECTOR, BRETT G. SCHARFFS



Contact Information

Address: Brigham Young University
512 JRCB
Provo, UT 84604

Email: scharffsb@law.byu.edu

Telephone: (801) 422-9025

Brett Scharffs is Francis R. Kirkham Professor of Law at the J. Reuben Clark Law School and Associate Director of the International Center for Law and Religion Studies at Brigham Young University. His teaching and scholarly interests include comparative law and religion, philosophy of law, and international business law.

Professor Scharffs is a graduate of Georgetown University, where he received a B.S.B.A in international business and an M.A. in philosophy. He was a Rhodes Scholar at Oxford University, where he earned a B.Phil in philosophy. He received his J.D. from Yale Law School, where he was Senior Editor of the Yale Law Journal.

Professor Scharffs was a law clerk on the U.S. Court of Appeals, D.C. Circuit, and worked as a legal assistant at the Iran-U.S. Claims Tribunal in The Hague. Before teaching at BYU, he worked as an attorney for the New York law firm Sullivan & Cromwell. He has previously taught at Yale University and the George Washington University Law School, and he is a visiting professor each year at Central European University in Budapest and is a regular contributing scholar in law education programs in China and Vietnam.

In his fifteen-year academic career, Professor Scharffs has written more than 50 articles and book chapters and has made more than 150 scholarly presentations in more than 20 countries. His casebook, *Law and Religion: U.S., International, and Comparative Perspectives*, co-written with his colleague, W. Cole Durham, Jr., was published by Aspen / WoltersKluwer in early 2010. The work had been translated into Chinese and Vietnamese, and the second English edition will appear in 2013. Scharffs is currently awaiting publication of *Law and the Limits of Logic*, by Harvard University Press. He recently served as a program chair of the Law and Religion Section of the Association of American Law Schools (AALS).

Professor Scharffs and his wife Deirdre Mason Crane Scharffs have three children.

SENIOR FELLOW FOR LATIN AMERICAN PROGRAMS AND EXECUTIVE
DIRECTOR AND ADVISOR FOR LATIN AMERICA, SCOTT E. ISAACSON



Contact Information

Address: Kirton & McConkie
1800 Eagle Gate Tower
50 East South Temple
P.O. Box 45120
Salt Lake City, UT 84145
Email: sisaacson@kmclaw.com
Telephone: (801) 323-5903

A shaping force behind the conception and formation of the International Center for Law and Religion Studies, Scott E. Isaacson at present serves the Center as Executive Director and Regional Advisor for Latin America. He is a Member of the Latin American Consortium for Religious Liberty (Consortio Latinoamericano de Libertad Religiosa) and a shareholder in the Law Firm of Kirton & McConkie, where he is a member of the International Law Section with a practice focusing on international commercial transactions and international law for not-for-profit organizations.

From 1998 through 2004 he served as International Legal Counsel, Office of General Counsel, The Church of Jesus Christ of Latter-day Saints, supervising all Church legal work in South America, managing international real estate acquisitions and construction, complex litigation and international arbitration, international tax compliance for not-for-profit organizations, government relations, and legal implementation of new programs. Previous to this appointment Scott was with the firms of King & Isaacson, P.C., Salt Lake City, Utah, and Davis Graham & Stubbs, Salt Lake City and Denver, Colorado.

The author of numerous scholarly publications, Mr. Isaacson is a graduate of Brigham Young University magna cum laude in English. A Hinckley Scholar during his undergraduate years, he was one of those extremely rare persons who achieved a perfect score on the Law School Admissions Test (LSAT), after which he entered the BYU Law School, where he was J. Reuben Clark Scholar, Law Review and Law Review Note and Comment Editor, and research and writing assistant to Dean Rex E. Lee.

SENIOR FELLOW FOR COMPARATIVE LAW AND INTERNATIONAL POLICY AND
ADVISOR FOR EUROPE, DAVID M. KIRKHAM



Contact Information

Address: Brigham Young University
452B JRCB
Provo, UT 84604

Email: kirkhamd@lawgate.byu.edu

Telephone: (801) 422-2871

David Kirkham joined the International Center for Law and Religion Studies at the Brigham Young University Law School in July 2007 as Senior Fellow for Comparative Law and International Policy. Prior to his work at the Center he served as Associate Dean and Professor of International Politics and Democratic Studies in the College of International and Security Studies at the George C. Marshall European Center for Security Studies, Garmisch-Partenkirchen, Germany.

Professor Kirkham has earlier served as Director of International Plans and Programs, Director of International History, and Associate Professor of History at the United States Air Force Academy. His work also comprises several years as an international negotiator and diplomat for the U.S. Government and the United Nations, including as Senior Humanitarian Affairs Officer at the UN Office for the Coordination of Humanitarian Affairs in Geneva (with duties primarily in Africa). He began his career in the early 1980s with a five-year law practice for the U.S. Air Force in England and in Washington, D.C. He has lived fifteen years of his adult life in five European countries (Germany, Switzerland, the United Kingdom, France, and Belgium) and officially represented the United States, the UN, and now BYU in over forty nations on six continents.

Professor Kirkham conducts research and teaches at the Law School and in the BYU Department of Political Science. His published writings and teaching address international ethics and human rights, global democratization, revolutions and constitutions, diplomacy, the United Nations, international humanitarian relief, and the global challenges posed by ideological extremism. He speaks French and German and holds a Ph.D. from The George Washington University and a Juris Doctorate from the J. Reuben Clark Law School. He and his wife, Judy, have eight children.

MANAGING EDITOR, DONLU D. THAYER



Contact Information

Address: Brigham Young University
452D JRCB
Provo, UT 84604
Email: @lawgate.byu.edu
Telephone: (801) 422-3019

Donlu Thayer is the Center's Managing Editor, with responsibility for overseeing and editing print and electronic publications, including maintaining the Center's newsletters, three websites, and daily International Headline News digests. She also serves as a Case Note Editor for the Oxford Journal of Law and Religion.

Before joining the Center in 2009, Thayer had a long career as a teacher, writer, and editor, including work for BYU Press and for the New World Archaeological Foundation. She taught in the Brigham Young University English Department and Honors Program intermittently during 1970–2009, courses including beginning and advanced composition, intensive reading and writing, technical writing, creative writing, and thesis writing. After attending law school, she created and taught the Honors Program course Advanced Writing for Pre-Law Students. In 2009 she received the JoAnn Britsch Teaching Excellence Award.

Thayer attended Brigham Young University as a Karl G. Maeser Scholar, graduating in 1970 as co-valedictorian of the College of Humanities, magna cum laude, with a double major in French and English, a University minor in German, and secondary teaching certification. She received a master's degree in English from BYU in 1972 and in 2004 graduated from the J. Reuben Clark Law School, where she received the Faculty Award for Meritorious Service, the J. Reuben Clark Public Interest Service Award, and the Schooley Outstanding Mediator Award and was Justice of the Cowley Chapter of Pi Alpha Delta Law Fraternity International.

A certified mediator with specialized training in domestic mediation and high-risk victim offender dialogue, Thayer served as executive director of Community Dispute Resolution Services of Utah County. She is married to writer and BYU Professor Emeritus Douglas H. Thayer, and they have six children, six children-in-law, and nineteen grandchildren.

COORDINATOR AND ADMINISTRATIVE ASSISTANT, DEBORAH A. WRIGHT



Contact Information

Address: Brigham Young University
452D JRCB
Provo, UT 84604
Email: wrightd@lawgate.byu.edu
Telephone: (801) 422-6842

Deborah Wright has been with the International Center for Law and Religion Studies since 2001. She supervises the administrative staff and coordinates the activities of all Center personnel. The organization and scheduling of the Center's many conferences, on campus and all around the world, fall upon her capable shoulders. Most especially, the continued success of the annual International Law and Religion Symposium would be impossible without Deborah's competence and tireless efforts in the year-round efforts of organization, planning, communication, and coordination of events and facilities, of faculty, students, delegates, hosts, and visitors, all of which combine to bring to pass such a complex undertaking.

Deborah is the patient voice on the phone, the unflagging e-mail correspondent, for hundreds of Center friends worldwide. For the staff and students in Provo she is the modest, unfailing "quiet giant" at the Center's heart that makes everything else possible. Everyone who touches the Center's activities learns to be profoundly grateful for Deborah, and everyone in the Center's office at Brigham Young University is utterly dependent upon her.

WEBSITE DEVELOPMENT MANAGER, MARSHALL MORRISE



Contact Information

Address: Brigham Young University
452 JRCB
Provo, UT 84604

Email: morrisem@lawgate.byu.edu

Telephone: (801) 422-2112

Marshall Morrise is the manager of website development for the Center. Born in Provo, Marshall grew up primarily in Roy, Utah. He entered BYU in 1974, and after serving an LDS mission to Pusan, Korea, graduated from BYU with a B.S. in computer science and a minor in Asian languages. Marshall began working at the BYU Law School as a student in January 1979. Upon graduation in 1980, he began working at the law school full time as a research associate under Professors Larry Farmer and Stan Neeleman.

Marshall received a master's degree in instructional science from BYU in August 1987, and shortly thereafter formed Capsoft Development Corporation, licensing from BYU the CAPS technology he helped develop at the law school. He was president and CEO of Capsoft for ten years, during which time the company developed the HotDocs technology. He sold the business to Matthew Bender & Co. in September 1997. Matthew Bender was subsequently purchased by LexisNexis parent Reed Elsevier in August 1998. Marshall served as a director of software product development for Matthew Bender and LexisNexis until December 2009, when the HotDocs business was sold. Shortly thereafter, Marshall began working with the Center, first as a contractor and then as a regular employee.

Marshall is married to Susan Lorraine Hall of Roy, Utah, and they are the parents of five sons and a daughter.