

# International Center for Law and Religion Studies

## LEADERSHIP BIOS

Director, W. Cole Durham, Jr.



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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 the many honors he has received are the 2009 International First Freedom Award, bestowed by the First Freedom Center of Richmond, Virginia, and a 2013 honorary doctorate from Ovidius University in Constanța, Romania.

A graduate of Harvard College and Harvard Law School, Professor Durham has been heavily involved in comparative law scholarship throughout his long 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 chair of both the Comparative Law Section and the Law and Religion Section of the American Association of Law Schools. He is President of the International Consortium of Law and Religion Studies (Milan) and an Editor-in-Chief of the *Oxford Journal of Law and Religion*.

## Managing Director, Robert T. Smith



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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, 4000-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. He recently testified before a House Congressional Committee on International Freedom of Religion.

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 *BYU Law Review*.

## Associate Director, Gary B. Doxey



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Professor Gary Doxey, formerly Managing Director of the International Center for Law and Religion Studies, rejoined Center as Associate Director in 2009 after three years during which he served as president of the Mexico City South Mission of The Church of Jesus Christ of Latter-day Saints. In April 2011 Professor Doxey called as an Area Seventy of the Church.

Professor Doxey has spent much of his career in Utah state government, serving as deputy commissioner of financial institutions and as associate general counsel to the Utah Legislature. Before joining the law school, Professor Doxey served under Governor Olene S. Walker of Utah as chief of staff – the state’s top appointed official, head of the cabinet, and chief operating officer of the executive branch. Prior to that, he served six years as general counsel to Utah Governor Michael O. Leavitt.

Professor Doxey is also a professor of history at Brigham Young University and has taught at the University of Utah. He spent his early legal career as a commercial law practitioner and 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 speaks or reads several languages and is the author of many scholarly publications. In January 2011 he was named chair of the Center's Development Committee.

Associate Director, Brett G. Scharffs



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

Dean 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*.

Dean 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. He is a regular contributing scholar in law education programs in China and Vietnam.

In his seventeen-year academic career, Dean Scharffs has written more than 50 articles and book chapters and has made more than 150 scholarly presentations in 20 countries. His casebook, *Law and Religion: U.S., International, and Comparative Perspectives*, co-written with his colleague, W. Cole Durham, Jr., and published in 2010, has been translated into Chinese and Vietnamese (Turkish in process) and will be in second edition in early 2015. He is currently finishing work on another book, *Law and the Limits of Logic*, which will be published 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).

Associate Director, Elizabeth A. Clark



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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 assuming the principal drafting role for 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, European Union Law, and Professional Responsibility 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.

Senior Editor, Donlu D. Thayer



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Donlu Thayer is the Center's Senior Editor, with responsibility for overseeing print and electronic publications, including maintaining the Center's three websites, creating the Center's newsletters, and producing the Law and Religion Headline News sent daily to subscribers worldwide. She has participated as writer or editor in many publication projects sponsored by the Center or produced by Center personnel, including briefs for the US Supreme Court and the European Court of Human Rights.

Thayer was editor for reports on the topic *Religion and the Secular State*, prepared for the 18th World Congress of the International Academy of Comparative Law (Javier Martínez-Torrón and W. Cole Durham, Jr., General Reporters), and she performs editorial management for the forthcoming comprehensive *Encyclopedia of Law and Religion* (Cole Durham and Gerhard Robbers, General Editors). She is editor with Cole Durham of two forthcoming volumes in the new ICLARS (International Consortium for Law and Religion Studies/Milan) Series with Ashgate, and she is Assistant Managing Editor of the *Oxford Journal of Law and Religion*.

Before joining the Center in 2009, Thayer had a long career as a teacher, writer, and editor. She was an editor for BYU Press and was for many years editor for the New World Archaeological Foundation. She taught writing for Brigham Young University's English Department and Honors Program intermittently during 1970–2008.

Thayer holds bachelors, masters, and law degrees from Brigham Young University. A mediator with specialized training in domestic mediation and high-risk victim offender dialogue, she was for a brief time executive director of Community Dispute Resolution Services in Utah County. She is a member of the Utah State Bar.

Senior Fellow for Comparative Law and International Policy, David M. Kirkham



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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 and Regional Advisor for the European Union and the Council of Europe. Prior to his work at the Center, Professor Kirkham 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 had 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 career also involved 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.

In addition to his work for the Center, Kirkham is a Professor 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.

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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 and other events, on campus and all around the world, fall upon her capable shoulders. The continued success of the annual International Law and Religion Symposium would be impossible without Deborah's competence in the year-round effort of bringing to pass such a complex event.

Deborah 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 ICLRS office at Brigham Young University is utterly dependent upon her.