

Dr. Timothy Stephen Kaye

Professor of Law
Stetson University College of Law
1401 61st Street South
Gulfport
Florida 33707
Email: tkaye@law.stetson.edu

Status: British national — Lawful Permanent Resident of the USA

Education

UNIVERSITY OF WARWICK, United Kingdom

Ph.D. in Law, July 1991.

Economic & Research Council Scholarship.

Thesis entitled *Contract Ideology, Law and Social Change*.

UNIVERSITY OF SHEFFIELD, United Kingdom

LL.B. *Magna cum Laude*, June 1983.

Law Teaching

STETSON UNIVERSITY COLLEGE OF LAW, Gulfport, Florida

August 2005 to date: Professor of Law.

May 2024: Winner (with Prof. Ashley Chase) of the Innovations in Technology Award from the American Association of Law Libraries for TryFile, which provides a simulation of legal e-filing systems, such as CM/ECF, so that students can learn how to create and submit documents that comply with court requirements. Among other things, TryFile automatically checks to ensure that documents are, for example, in PDF/A format, do not contain identifying or confidential metadata, and use the appropriate font and font size.

August 2023 to date: Benchler for one of the newly-created Stetson Inns. Modeled on the English Inns of Court, the Inns have been created to ease the assimilation of law students into not just

the College of Law but into the legal profession as a whole. They are designed to promote self-reflection, to foster a sense of purpose and resiliency, and to encourage the absorption of the values of the legal profession. Each of the eight Inns is led by a senior professor, known as a Benchers, and I am one of them.

May 2023 to date: Builder and and maintainer of Stetson University's Institutional Animal Care and Use Committee's [website](#), which manages the process of applying for ethics approval for research on animal subjects.

December 2021: Elected Graduation Speaker by the graduating class.

Fall 2021 to date: Builder and and maintainer of Stetson University's Institutional Review Board's [website](#), which manages the process of applying for ethics approval for research on human subjects. We have named the website Pollard IRB for Charlie Pollard, one of the victims of the Tuskegee Syphilis Study, which was the impetus for the National Research Act of 1974 that established Institutional Review Boards and other ethical principles that guide human subjects research. Charlie Pollard sued the government and won in *Pollard v. United States* (1973) for violating constitutional rights and for racially-motivated discriminatory practices. Pollard IRB serves as a reminder of the importance of ethical research practices.

Spring 2021 to date: Builder and and maintainer of Stetson University College of Law's [Faculty Research Repository](#), an online, public repository of scholarship published by Stetson law faculty.

August 2020 to date: Member of Stetson University's Institutional Research Board, responsible for reviewing proposals for research on human subjects to ensure that such research is conducted ethically.

Spring 2019 to date: Builder and and maintainer of Stetson University College of Law's [Faculty Activities Repository](#), an online repository for internal Stetson use that both facilitates the highlighting of faculty activities and simplifies the writing of faculty annual reports.

September 2018 to May 2020: Member of the Faculty Evaluation Task Force, which both identified problems with the process of faculty evaluation and proposed a new policy (which I drafted and which was adopted by the College of Law) to address them.

January 2017 to July 2019: Co-Chair of Legal Tech Task Force, which organized three legal tech CLE conferences, created an online Legal Tech Dashboard, and negotiated for innovative study, writing, and legal software to be made available to everyone on campus.

Spring 2016: Homer & Dolly Hand Award for Excellence in Faculty Research (the highest award for scholarship that the University gives).

Spring 2013: Dickerson-Brown Award for Excellence in Faculty Scholarship (awarded for outstanding works of scholarship that have contributed to the enhancement of the academic reputation of the College of Law).

January 2013 to date: Faculty Coordinator, designer, and webmaster of the innovative law review, the [Stetson Journal of Advocacy and the Law](#), which is the first online law review designed to

be read online. The *Journal* can be read on any device with an internet connection, including a smartphone. It provides an interactive Table of Contents both for the *Journal* as a whole and for each article, together with hovernotes and endnotes that are hyperlinked to sources. It also offers fully-indexed PDF, ePub, and Kindle versions for download.

September 2012 to August 2014: Faculty Liaison to the College of Law's Board of Overseers.

August 2009 to July 2011: Chair, Library & IT Committee.

August 2007 to July 2009: Co-Chair, Faculty Appointments Committee.

Fall 2006: Winner of the Golden Apple Award for Teaching.

Courses taught: Torts, Advanced Torts Seminar, Products Liability, Remedies, Jurisprudence, Jurisprudence Seminar, Technology Issues in Law Practice Management, Theories of Constitutional Interpretation, European Convention on Human Rights, Comparative Disability Discrimination Law, General Data Protection Regulation (GDPR), Advanced Comparative Torts (with Rt. Hon. Beverley McLachlin, Chief Justice of the Supreme Court of Canada).

UNIVERSITY OF BIRMINGHAM, United Kingdom

September 2000 to August 2005: Associate Dean for Admissions.

September 1988 to August 2000: Lecturer in Law.

Courses taught: Contracts, Torts, Advanced Torts, Jurisprudence, Employment Law.

VYTAUTAS MAGNUS UNIVERSITY, Kaunas, Lithuania

June 2000 to June 2005; May 2014; June 2015: Visiting Professor of Law.

Courses taught: Torts, International Sales of Goods.

UNIVERSITY OF BAYREUTH, Bayreuth, Germany

October 2002: Visiting Professor of Law.

Course taught: Torts.

UNIVERSITY OF BUCKINGHAM, United Kingdom

July 1998 and July 1999: Visiting Lecturer in Law.

Course taught: Education Law.

UNIVERSITY COLLEGE, CARDIFF, United Kingdom

September 1985 to August 1988: Lecturer in Law.

Courses taught: Contracts, Criminal Law, Employment Law.

Other Activities

TryFile

June 2022 to date: Co-founder (with Prof. Ashley Chase).

Note: TryFile is an e-filing simulator that allows lawyers, paralegals, and students to become familiar with the document requirements for e-filing in the federal system.

ClassicPress

June 2022 to date: President of the ClassicPress Initiative, a non-profit responsible for funding the ClassicPress software project.

January 2020 to December 2020: Member of the Management Committee of ClassicPress.

September 2018 to December 2019: Member of the Founding Committee of ClassicPress.

Note: ClassicPress is an open source project, originating as a hard fork of WordPress, that is designed to be a more secure, stable, and accessible web platform for those who need an easy-to-use, cloud-based content management system (CMS).

webby-books.com

January 2016 to date: Founder and Owner.

Design and code Webby Books (a.k.a. web e-books) to provide an innovative alternative to traditional legal casebooks. Embracing modern technology and the internet by developing casebooks as interactive websites, Webby Books can be read on any device with an internet connection. Features include:

- A fully responsive design that changes according to the size of the browser
- An interactive Table of Contents that is always in view
- Hyperlinking both within the book and to external sources
- Numerous interactive flowcharts and other diagrams that can be expanded almost infinitely without loss of definition

- A commenting facility that enables readers to post comments right by the text to which a comment relates
- The ability to have the Webby Book behave like an audio book (particularly useful for car travel)
- An interactive glossary with pronunciations
- A discussion forum for broader discussions
- The ability to hyperlink to specific paragraphs in the text (which aids both forum discussions and email messages)
- The ability for each user both to highlight passages in the text and add confidential notes to specific pages of the Webby Book
- Questions included in every chapter that may be used for class assignments or essay-writing practice
- Hypotheticals included with almost every chapter
- Multiple-choice quizzes for every chapter

LNAT CONSORTIUM LTD, Oxford, United Kingdom

January 2004 to February 2005: Co-founder and original Chairman and Chief Operating Officer.

Established an admissions test for British law schools, somewhat similar to the LSAT. See <https://lnat.ac.uk>.

CRONER CONSULTING/WOLTERS KLUWER, Leicester & London, United Kingdom

March 2002 to July 2005: Consultant on Education Law.

HIGHER EDUCATION ACCREDITATION CENTER, Tallinn, Estonia

March 2000 to March 2003: Chairman and Member of International Team of Experts.

Inspected and made recommendations regarding accreditation of law schools.

MARTINEAU JOHNSON SOLICITORS, Birmingham, United Kingdom

January 1997 to September 2002: Consultant on Education Law.

UK GOVERNMENT: DEPARTMENT FOR EDUCATION AND EMPLOYMENT

August 2000: Together with barrister, Leila Segal, I was commissioned to prepare the departmental guidance to be sent to all maintained schools in England and Wales on the implications of the Human Rights Act 1998.

NATIONAL ASSOCIATION OF ESTATE AGENTS, Warwick, United Kingdom

November 1988 to July 1989; July 1998 to May 2002: Legal Adviser and Lobbyist.

Wrote report which led to the passage into law of Part 5 of the Housing Act 2004.

ASSOCIATION OF MAGISTERIAL OFFICERS, Crawley, United Kingdom

May 1990 to September 1992: Consultant on Employment Law.

Advised on work redesignation issues and sex discrimination claims.

INDEPENDENT INQUIRY INTO THE WEST MIDLANDS POLICE SERIOUS CRIME SQUAD, Birmingham, United Kingdom

October 1989 to July 1991: Project Director.

Conducted non-partisan inquiry into allegations of malpractice by elite squad; wrote inquiry report which was cited in the United Kingdom Parliament, by the UK Court of Appeal, and by the Runciman Commission on Criminal Justice.

Publications

The Identity Criterion: Resuscitating a Cardozian, Relational Approach to Duty of Care in Negligence, 49 Hofstra L. Rev. 945 (2021).

Webby Books: Interactive Content within a Universal Design 16 NETWORK: A Journal of Faculty Development (2019).

A Sound Taxonomy of Remedies 36 Quinnipiac L. Rev. 79 (2017).

Law of Torts (webby-books.com, 2016).

ABA Fundamentals: Products Liability Law (American Bar Association, 2015).

Shaking the World Gently: A Webfestschrift in Honor of Professor Robert Dale Bickel (editor, 2013).

Shaking the World Gently in *Shaking the World Gently: A Webfestschrift in Honor of Professor Robert Dale Bickel* (2013).

Torts as Relational Contracts in *Shaking the World Gently: A Webfestschrift in Honor of Professor Robert Dale Bickel* (2013).

Products Liability Law: Cases, Commentary, and Conundra (2012).

Law, Justice, and Miscommunications: Essays in Applied Legal Philosophy (editor, 2011).

Sneering But Adhering: Communication, Kelsen, and Hart's Habit of Obedience in *Law, Justice, and Miscommunications: Essays in Applied Legal Philosophy* (2011).

The Confusion of Perspectives, Policies and Practices in Wal-Mart v. Dukes 26(8) Westlaw J. Emp. 14 (2011). Reprinted in *Wal-Mart v. Dukes: Class Actions Under Scrutiny* (Tricia Gorman ed., 2011).

Torts in Three Dimensions: Lessons from Birth Stetson University College of Law Research Paper No. 2011-01.

Rights Gone Wrong: The Failure of Fundamentalist Tort Theory 79 Miss. L.J. 931 (2010).

Divided by a Common Language: Why the British Adoption of the American Anti-Discrimination Model Did Not Lead to an Identical Approach to Age Discrimination Law 3 J. of Intl. Aging, L. & Policy 17 (2009).

Law and Risk: An Introduction in *Risk and the Law* (Gordon Woodman & Diethelm Klippel eds., 2008).

Risk and Predictability in English Common Law in *Risk and the Law* (Gordon Woodman & Diethelm Klippel eds., 2008).

Aim Higher: Challenging Farrington and Palfreyman's The Law of Higher Education 33 J. Coll. & Univ. L. 559 (2007).

Criticizing the Image of the Student as Consumer: Examining Legal Trends and Administrative Responses in the US and UK (with Robert D. Bickel & Tim Birtwistle) 18 Educ. & L. 85 (2006).

Childhood Obesity, School Food and Education: The Role of the Law in The Law as an Agent of Change in Education (Roderick Flynn ed., 2006).

Review of Lloyd L. Weinreb, Legal Reason: The Use of Analogy in Legal Argument 26 J. Mind & Behavior 307 (2005).

Religion and Education in England and Wales in Cultural and Educational Rights in the Enlarged Europe (Jan de Groof & Gracienne Lauwers eds., 2005).

Negligence: School Trips, Bullying and Stress in The Education Law Handbook (Leila Segal ed., 2005).

Educational Negligence in The Education Law Handbook (Leila Segal ed., 2005).

LNAT: The National Admissions Test for Law 39 L. Teacher 192 (2005).

Loss of Education is Damage to Property 8 Educ., Pub. L. & Individual 12 (2003).

School Premises in Butterworths Education Law Manual (Nicholas Hancox ed., 2002).

The Human Rights Act 1998 - One Year On: A Focus on Further and Higher Education 6 Educ., Pub. L. & Individual 58 (2001).

Education, Education, Education: Commodity for Sale or Property Right? in Property and Protection (Frank Meisel & Peter Cook eds., 2000).

Review of John Ford et al., Education Law and Practice 19 Civ. Just. Q. 204 (2000).

Infant Class Sizes in the New Admissions Framework: A Devolution of Power 11 Educ. & L. 253 (1999).

Academic Judgement, the University Visitor and the Human Rights Act 1998 11 Educ. & L. 165 (1999).

Review of Jan de Groof and Hilde Penneman (eds.), The Legal Status of Pupils in Europe 24 Educ. L. Rev. 208 (1999).

Admissions to School: Manual of the Education Law Programme (1998; 2d ed., 1999).

Review of Neville Harris, Special Educational Needs and Access to Justice 17 Civ. Just. Q. 71 (1998).

Protecting the Consumer in the Home-Buying Process (1998).

Admissions to School: Efficiency versus Parental Choice? (1998) 10 Educ. & L. 19.

Blackstone Book of Moots (with Lynne Townley, 1996).

Do Consumers Make Contracts with Water Companies? 7 Water L. 48 (1996).

Unfair Terms in Water Supply Contracts 7 Water L. 81 (1996).

Acts Speak Louder than Statements, or Nine into One Will Go 58 Mod. L. Rev. 574 (1995).

Corporate Manslaughter: Who Pays? The Ferryman? in Corporate and Commercial Law: Modern Developments (David Feldman & Frank Meisel eds., 1995).

Implementing an E.C. Directive on Unfair Terms 3 Web J. Curr. Leg. Issues (1995).

Review of John Cartwright, Unequal Bargaining: A Study of Vitiating Factors in the Formation of Contracts 11 Civ. Just. Q. 218 (1992).

“Unsafe and Unsatisfactory”? Report of the Independent Inquiry into the West Midlands Police Serious Crime Squad (1991).

Caveat Emptor: A Conflict of Ideologies 140 New L.J. 911 (1990).

Surveying the Scene: A Valuer’s Duty of Care 52 Mod. L. Rev. 841 (1989).

Improving Conveyancing in England and Wales (1989).

Review of G. Rubin, War, Law and Labour; W. Hamish Fraser, Conflict and Class 10 J. Leg. Hist. 119 (1989).

Natural Law Theory and Legal Positivism: Two Sides of the Same Practical Coin? 14 J.L. & Soc’y 303 (1987).

Review of H. Hill, Black Labor and the American Legal System; C. Tomlins, The State and the Unions; M. Poole, Industrial Relations 13 J.L. & Soc’y 442 (1986).

A Village at War in State of Siege (Jim Coulter & Susan Miller eds., 1984).

Conference Papers and Presentations

Technology at Stetson Law, Cyberspace Law Institute, Gulfport, FL, January 2019.

Webby Books: Interactive Content within a Universal Design Faculty Resource Network National Symposium: Transforming Teaching Through Active Learning, Orlando, FL, November 2018.

Webby Books: Interactive Content within a Universal Design (with Anna Parsons) Institute for Law Teaching & Learning Conference, *Exploring the Use of Technology in the Law School Classroom*, Gonzaga University School of Law, Spokane, WA, June 2018.

Feedback: Fixing Problems You Didn't Know You Had IAALS 5th Annual Educating Tomorrow's Lawyers Conference, Denver, CO, September, 2016.

Torts as Relational Contracts 6th International Conference on Contracts: Stetson University College of Law, Gulfport, FL, February 2011.

Torts in Three Dimensions University of Tennessee School of Law, Knoxville, TN, October 2010.

Fundamentals of Campus Risk Management 31st National Conference on Law and Higher Education: Orlando, FL, February 2010.

Can This Health System Be Saved? Law, Culture, Politics and Reform Round Table on Social Justice: St. Petersburg, FL, November 2009.

Issues in Study Abroad 29th National Conference on Law and Higher Education: Clearwater, FL, February 2008.

Law Schools with A Religious Mission: A Skeptical View South East American Law Schools Annual Conference: Amelia Island, FL, August 2007.

Managing Risks of Travel and Study Abroad Managing Law Schools in a Complex Legal Environment: Conference on the Fundamentals of Risk Management and Legal Compliance: Tampa, FL, June 2007.

Confronting the Perception of Higher Education as a Commodity and the Student as Customer or Product (with Robert D. Bickel) 28th National Conference on Law and Higher Education: Clearwater, FL, February 2007.

Understanding and Managing the Elements of a Negligence Case (with Robert D. Bickel) 28th National Conference on Law and Higher Education: Clearwater, FL, February 2007.

Risk Management and Study Abroad Programs (with Kim Novak) ASJA International Conference: Clearwater, FL, February 2007.

Diversity and Right to Higher Education: Critical Mass and Indirect Discrimination Annual Conference of the Canadian Association for the Practical Study of Law in Education: Montreal, Canada, April 2006.

Study Abroad Programs in Europe 27th National Conference on Law and Higher Education: Clearwater, FL, February 2006.

Academic Freedom: A UK Perspective 27th National Conference on Law and Higher Education: Clearwater, FL, February 2006.

LNAT: The National Admissions Test for Law Admissions in a Brave New World: A National Conference for Teachers and Careers Advisors: University of Manchester, UK, June 2005.

LNAT: The National Admissions Test for Law AimHigher Regional Conference: Barnsley, UK, May 2005.

Childhood Obesity, School Food and Education: The Role of the Law Annual Conference of the Canadian Association for the Practical Study of Law in Education: Regina, Canada, May 2005.

Fighting Fit: Pupils' Health and School Safety 4th Annual Education Law Update Conference: London, UK, April 2005.

LNAT: The National Admissions Test for Law U.C.A.S. Entry to Law Conference: London, UK, March 2005.

Criticizing the Image of the Student as Consumer: Examining Legal Trends and Administrative Responses (with Robert D. Bickel and Tim Birtwistle) 26th National Conference on Law and Higher Education: Clearwater, FL, February 2005.

LNAT — The National Admissions Test for Law Social Market Foundation: London, UK, September 2004.

Rights of the Child at School 3rd Annual Education Law Update Conference: London, UK, May 2004.

Recent Education Case Law Education Law Association Seminar: York, UK, November 2003.

Support Staff and the Law: Changes in the Legal Culture 2nd Annual Education Law Update Conference: London, UK, April 2003.

Risk and Predictability in English Common Law Anglo-German Risk and the Law Colloquium: Bayreuth, Germany, March 2003.

Litigation and Liability in Education Law Education Law Association Seminars: London, Birmingham and Bristol, UK, November 2002.

Public Law and the Underpinning of Special Educational Needs and Disability Discrimination: Legislation and Codes of Practice Disability Discrimination and Special Educational Needs Conference: London, UK, September 2002.

Education Provision and Negligence Claims Education Law Association Seminar: Birmingham, UK, June 2002.

Educational Negligence: Could Your School be at Risk? Education Law Update Annual Conference: London, UK, April 2002 (repeated in Manchester, UK, November 2002).

Be Fair: Equal Opportunities, Discrimination and Human Rights in School Education Law Update Annual Conference: London, April 2002 (repeated in Manchester, UK, November 2002).

Negligence: The Legal Context of Bullying Conference on Bullying and Related Negligence Claims: Manchester, UK, November 2001.

Human Rights in Further Education Conference on Education Law for Further Education Providers: London, UK, May 2001.

Negligence in Education Buckinghamshire LEA Special Educational Needs Conference: Buckingham, UK, March 2001.

Convention Rights and their Potential Effects (with Nicola Hart) Universities UK Conference on Rights and Responsibilities: The Implications of the Human Rights Act for Education: London, UK, January 2001.

Negligence — Claims for Damages by Children with Special Educational Needs Education Law Conference: London, UK, October 2000 (repeated December 2000).

Academic Judgement and the Human Rights Act 1998 Annual Conference of Midlands Group of University Administrators: Warwick, UK, October 1999.

The Human Rights Act 1998: School Law in Practice Education Law Conference: Forte Hotel, Bloomsbury, London, UK, September 1999.

Admissions in the New Framework: A Devolution of Power Midlands Schools' Bursars' Conference: Walsall, UK, June 1999.

Behaviour Policies: Discipline and Sanctions Education Law Conference: Cardiff, UK, March 1999.

Protecting the Consumer in the Home-Buying Process Estate Agents' Industry Forum: Warwick, UK, February 1999.

An Introduction to Contract Law Centre for Education Management — Administrators' Annual Conference: Droitwich, UK, January 1999.

Purchasing, Contract Law and the F.E. Sector Annual Conference of Association of College Registrars and Administrators: London, UK, December 1998.

Academic Judgement as a Form of Discretion Annual Conference of Midlands Group of University Administrators: Warwick, UK, October 1998.

Confining and Structuring Academic Judgement Annual Conference of Midlands Group of University Administrators: Warwick, UK, October 1997.

Maternity Rights: Holidays and Dismissals Industrial Tribunals (Birmingham Region) Chairmen's Conference: Birmingham, UK, June 1997.

Standing Grant Gilmore on His Head; or Duty, Son of Contract Faculty of Law Seminar: University of Birmingham, UK, January 1996.

Employment and Redeployment of Staff: The Lawyers' View West Midlands Magistrates' Court Conference: Birmingham, UK, April 1990.

Let's Try Truth National Association of Estate Agents Annual Conference: London, UK, June 1989.

Law as an Engine of Social Change Socio-Legal Group Annual Conference: Edinburgh, UK, April 1989.

Individualism and Pluralism in English Contract Law University of Gdansk, Poland, December 1987.

Contract for First-Years: Common Law or Common Syllabus? Critical Legal
Conference: Newcastle-Upon-Tyne, UK, September 1987.