

EVAN C. McKENZIE
Curriculum Vitae

Associate Professor of Political Science

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University of Illinois at Chicago
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Law Offices of Evan C. McKenzie
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EMPLOYMENT HISTORY

Teaching:

1997-present: **Associate Professor of Political Science**, University of Illinois at Chicago
(1994-97, **Assistant Professor of Political Science** at UIC)

Undergraduate courses: American Government, Judicial Process, Constitutional Law, Civil Rights and Liberties, The Privatization of Public Life.

Graduate courses: Introduction to Policy and Governance, Introduction to Public Policy Analysis, Urban Politics, Topics in State and Local Government, Advanced Public Policy Workshop, Administrative Law

Administrative experience 1994-present: Associate Department Head, Acting Departmental Undergraduate Director, Department Head Search Committee, Campus Research Board Social Science Committee, Chair of Departmental Promotion and Tenure Committee, College of Liberal Arts and Sciences Strategic Plan Committee, Faculty Law Interests Committee

1999-present: **Adjunct Instructor**, The John Marshall Law School

LL. M. Program in Real Estate Law: Course: RE 617: The Law of Condominiums, Cooperatives, and Other Common Interest Communities

1990-1994 **Assistant Professor of Political Science**, Albright College, Reading, Pennsylvania

Courses: American Government; Constitutional Law; Civil Liberties; Political Theory; Political Parties and Interest Groups

Administrative experience: Faculty Executive Committee

1985-1989: **Adjunct Instructor**, School of Public Administration and Urban Studies, San Diego State University.

Courses: The Administration of Criminal Justice; The Prosecution Function in the Criminal Justice System.

1982-1985: **Adjunct Instructor**, Criminal Justice Administration Department, National University.

Course: The Juvenile Offender.

Law Practice:

2004-present: **Attorney in private practice**, Lake County, Illinois.

Practice emphasizing legal representation, expert witness services, and consulting on matters dealing with condominium and homeowner associations, land use, and related issues.

1985-1990: **Attorney in civil litigation practice**, San Diego, California.

Practice at three firms; emphasis on cases involving homeowner associations in construction defect and insurance bad faith litigation and other civil litigation. Firms were Higgs, Fletcher and Mack; Law Offices of C. Bradley Hallen; Aguirre and Eckmann.

1981-1985: **Deputy District Attorney**, San Diego County.

I handled cases ranging from petty theft to homicide, and prosecuted over eighty jury trials in Municipal and Superior Court.

EDUCATION

Doctor of Philosophy in Political Science 1989, University of Southern California. **Master of Arts**, 1979. Major field: Law and Public Policy. Minor fields: American Politics and Political Theory. Dissertation: "Private Covenants and Public Law: A Perspective on the Rise of Private Governments in Common Interest Housing."

Juris Doctor 1975, University of California at Los Angeles Law School. Moot Court.

Bachelor of Arts with High Honor in Political Science 1972, California State University at Los Angeles.

PROFESSIONAL ACTIVITIES

Books:

Privatopia: Homeowner Associations and the Rise of Residential Private Government. New Haven: Yale University Press, 1994 (cloth), 1996 (paper). Recipient of "Best Book on Urban Politics Award" from American Political Science Association in 1995.

The Kids Nobody Wants: Treating the Seriously Delinquent Youth. Reno, Nevada: National Council of Juvenile and Family Court Judges, 1982. (with Robert A. Roos)

Articles, Book Chapters, Monographs, and Reports (* indicates refereed journal):

2006. Emerging trends in state regulation of private communities in the U.S. *Geojournal* Vol 6 nos 1-2, pp. 89-102

2006. "The Dynamics of Privatopia: Private Residential Governance in the USA," in Glasze, G., Webster CJ and Frantz, K. (eds.), *Private Cities: Local and Global Perspectives*. London: Routledge.

2005. "De opmars van privatopia: Gemeentelijke verplichting tot privaat beheer ontleed." *Agora* Vol. 21, No. 5*

*2005. "Planning Through Residential Clubs: Homeowners' Associations." *Economic Affairs*, 25(4): 28-31.

*2005. Constructing the *Pomerium* in Las Vegas: A case study of emerging trends in American gated communities. *Housing Studies*, 20 (2): 187-203.

*2003. Common Interest Housing in the Communities of Tomorrow. *Housing Policy Debate*, 14 (1-2): 203-234.

"Privatopia: Der Erfolg von 'Gated Communities' Symbolisiert die Transformation der Gesellschaft: Privilegierte Kinken Sich Aus." *GDI-Impuls* 2.02 (Summer 2002) pp. 54-60.

"The Politics of School Desegregation in Oak Park, Illinois," *Great Cities Institute Working Paper*, University of Illinois at Chicago, May 2000.

"Reflections on a New Paradigm for the Governance of Common-Interest Communities," book chapter in Bill Overton (ed.), *Community First: Emerging Visions Reshaping America's Condominium and Homeowner Associations* (Alexandria, VA: Community Associations Institute, 1999).

"Doing Well, Doing Good, or Doing Both? Rethinking the Practice of Community Association Law," *Journal of Community Association Law*, Vol. 2, No. 1, 1999.

"Reinventing Common Interest Developments: Reflections on a Policy Role for the Judiciary," *John Marshall Law Review*, Vol. 31, No. 2, Winter 1998, pp. 397-427.

*"Homeowner Associations and California Politics: An Exploratory Analysis," *Urban Affairs Review*, September 1998.

*"Suburban Youth Gangs and Public Policy: An Alternative to the War on Violence," *Journal of Emotional and Behavioral Problems* May 1996

"Homeowner Association Private Governments in the American Political System," *Papers in Political Economy*, No. 73-76, Political Economy Research Group, University of Western Ontario.

"Morning in Privatopia," *Dissent*, Spring 1989; reprinted in Dennis Judd and Paul Kantor (eds.), *Enduring Tensions in Urban Politics*, (New York: Macmillan, 1992).

"Invisible Kingdoms," *California Lawyer*, Vol. 5, No. 12, December 1985 (with Michael Lee Bowler)

"Prison Sentencing Laws Need Reform," *California Journal*, March, 1985, (with Robert A. Roos)

"It's Time to Revise Prison Sentencing Again," *California Lawyer*, October, 1984 (with Robert A. Roos)

"Computer Programs and Copyright Law: The Object Code Controversy," *San Fernando Valley Law Review*, 11 San. Fern. V.L.R. 1 (1983)

"A Survey of Innovative Treatment Programs for Seriously Delinquent Youth." A 1981 report to the San Diego County Bar Foundation.

*"The Mentally-Disordered Juvenile Offender," *Juvenile and Family Court Journal*, Vol. 30, No. 4, November 1979 (with Robert A. Roos)

You Have the Right (Anchorage: Alaska Federation of Natives, 1976). An introduction to the criminal justice system of rural Alaska used in a community legal education program.

Book Reviews:

Review of Clarence Stone, et al., Building Civic Capacity: The Politics of Reforming Urban Schools, for *Journal of Politics*

Review of Richard E. Foglesong, Married to the Mouse: Walt Disney World and Orlando, for *Journal of Politics*.

Review of Ingrid Gould Ellen, Sharing America's Neighborhoods: The Prospects for Stable Racial Integration for *Urban Affairs Review*.

Review Essay of Charles M. Haar, Suburbs Under Siege: Race, Space, and Audacious Judges; Susan E. Clarke and Gary L. Gaile, The Work of Cities. By Susan E. Clarke and Gary L. Gail; and Nick Jewson and Susanne MacGragor (eds.), Transforming Cities: Contested Governance and New Spatial Divisions, for *Journal of Politics*.

Review of Mark Fenster, Conspiracy Theories: Secrecy and Power in American Culture. For *Government Information Quarterly*

Review of Edward Blakely and Mary Gail Snyder, Fortress America: Gated Communities in the United States, for *Political Science Quarterly*.

Review of Daniel Pipes, Conspiracy: The Paranoid Style in American Politics for *Government Information Quarterly*

Review of David Kirp, et al., Our Town: Race, Class and the Soul of Suburbia, September 1996 *Urban Affairs Review*.

Review of Kathleen M. Eisenbeis, Privatizing Government Information: The Effects of Policy on Access to Landsat Satellite Data, for *Government Information Quarterly*

Review of Henry H. Perritt, Public Information in the National Information Infrastructure for *Government Information Quarterly*, vol. 12, no. 4 (Winter 1995)

Invited Lectures, Conference Papers and Other Presentations (partial list):

“How Universal is the Spread of Privately Governed Gated Communities, and What Are the Implications for Urban Theory?”—presented at UIC Great Cities Institute, April 24, 2007

“How Universal is the Growth of Private Urban Governance, and What Are the Implications for Urban Theory?” UIC Urban Scholars Symposium, April 10-11, 2007. Also served as panel chair for panel on Los Angeles.

Participant in “Roundtable on Local Government and Regional Government in the US,” Forum on Federations conference at UIC, Jan 18, 2007

“Fence Me In: Local Leaders Learn How Homeowners Associations and Gated Communities Are Evolving Across the Nation,” National League of Cities Congress of Cities, Reno NV, December 9, 2006

“Does Privatopia Have a Future? Current Trends in Legislative Reform of Common Interest Developments,” Keynote Address, Conference at Center for California Homeowner Association Law, San Jose CA, October 25, 2006.

Panel Chair and Discussant, American Political Science Association, September 2006. Panel on “Governing Cities: Federalism, Taxes, and Eminent Domain”

“Choice, Consent, and Legitimacy in Community Association Governance: The Impact of Recent Trends in State and Local Public Policy.” Paper presented at Policy Conference of the Association for Public Policy and Management, November 5, 2005, Washington, DC.

Keynote address, “Private residential governance in the USA: Why is it happening and what does it mean?” International Conference on Gated Communities. University of Mainz, Germany. June 5-9, 2002

“Diversity Assurance and Pro-integrative Initiatives in Ten Communities,” conference on Building Blocks for Inclusive Communities. Cleveland, Ohio. November 7-9 2002.

Wayne Hyatt Annual Lecture, “Common Interest Housing in the Communities of Tomorrow”, 24th Annual Community Association Law Seminar, New Orleans, January 31-February 1, 2003.

“The Perils of Suburban Ethnography,” American Anthropological Association Annual Meeting, New Orleans, Louisiana, November 21-24, 2002.

“Diversity Assurance and Pro-integrative Initiatives in Ten Communities,” Building Blocks for Inclusive Communities Conference, Cleveland, Ohio, November 7-9, 2002.

“Urban Space Since September 11,” Chicago Historical Society and Center for Public Intellectuals, panel discussion, October 15, 2002.

“Oak Park and Common Interest Developments Compared,” Harvard Law School, “Thinking About Cities” class, Profs. Gerald Frug and David Barron, October 3, 2002

Keynote address, “Private Residential Governance in the USA: Why is it Happening and What Does it Mean?” International Conference on Private Residential Governance, University of Mainz, Germany, June 5-9 2002.

“Reconsidering the Oak Park Strategy: An Assessment of Integration Maintenance Policies in a Chicago Suburb,” Midwest Political Science Association Annual Meeting, April 25-28, 2002.

“Extending the State in Las Vegas? An Inquiry into the Means and Ends of Private Residential Governance,” Western Political Science Association Annual Meeting, Long Beach, CA, March 22-24, 2002.

Keynote Address, “Common Interest Housing In the Communities of Tomorrow,” Second Communities of Tomorrow Summit, American Institute of Architects, Washington, DC, March 21, 2002

Panel Discussion, “Government, Inc. When Private Organizations do the Business of Government,” Privatization: The Legal Implications of Shifting Boundaries between Public and Private. Hastings College of the Law, Public Law Research Institute, November 9, 2001

“Private and Fortified Enclaves in Post Liberal America,” The Vulnerable Citizen Conference, University of Illinois at Chicago, October 19-20, 2001

“Gated Communities: Good or Bad?” American Bar Association State and Local Government Section Meeting, Savannah, Georgia. October 13, 2001.

“Constructing the *Pomerium* in Las Vegas,” paper presented at the Conference on Democracy, Violence and Cities: New Segregations and Changes in Public Space. University of California at Irvine, June 1-2, 2001.

“Politics by Design: The New Urbanism.” Poster Session, Midwest Political Science Association Annual Meeting, April 20, 2001.

“Field Research in Oak Park, Illinois,” Organizer and participant, University of Illinois at Chicago Office of Social Science Research, April 13, 2001.

“Fair Housing, Integration, and Diversity; The Changing Dynamics of Racial Policy in a Chicago Suburb,” paper presented at Western Political Science Association Annual Meeting, March 15-17, 2001.

“Succession Theory and the Chicago School,” paper presented at Great Cities Institute Winter Forum, Chicago, Illinois, December 1, 2000.

“Representing Race in Urban Politics,” Panel Chair and presenter, Great Cities Institute Winter Forum, December 1, 2000,

New Legislators Briefing on “Corrections and Community Crime Prevention,” Illinois State Legislature, December 1, 1999

“Emerging Trends in Residential Private Governance,” at Lambda Alpha Conference on Building Community, De Paul University, November 12, 1999

“School Desegregation in Oak Park,” presentation at Oak Park Long Term Diversity Conference, November 5, 1999

Invited lecture on “Managed Integration Public Policies in Oak Park, Illinois,” Institute of Government and Public Affairs, University of Illinois, November 1, 1999

Panel discussion on “Self Governance Problems” at conference on “Affordable Housing Resources and Prospects, Midwest and Chicago Strategies.” John Marshall Law School/American Bar Association, October 22-23, 1999.

Invited lecture on “Managed Integration Public Policies in Oak Park, Illinois,” Law and Society Program, University of Illinois at Chicago, October 15, 1999

Invited lecture on “Suburban Youth Gangs and Public Policy: A Case Study,” presented at panel on youth gangs at Illinois Academy of Criminology, Chicago, May 8, 1998.

Panel Discussion on “Making Places for Community: Transactional Lawyers in New Urban Work,” at American Association of Law Schools/American Political Science Association Workshop on Inner Cities, San Francisco, January 7, 1998

Invited Lecture on “Gated Communities,” with panel discussion, presented to annual meeting of American Planning Association, D.C. Area Chapter, Washington, DC, November 1997

Invited Lecture on “Reinventing Master Planned Developments,” John Marshall Law School, Chicago, October 1997.

Invited Lecture on “Super-predators and the Politics of Juvenile Justice,” presented to the Board of Directors of the John Howard Association for Prison Reform, Chicago, 15 April 1997.

Lecture on “The Juvenile Court in the Twenty First Century,” Great Cities Institute, University of Illinois-Chicago, 18 February 1997

Invited Lecture on “Gated Communities and Suburban Youth Gangs,” and panel discussion, in program on Gateways and Barriers: Defining Borders of a Community at The Urban Forum, National Building Museum, Washington, DC, 12 November 1996

Invited Lecture on “Suburban Youth Gangs and Public Policy,” and panel discussion, in program on Urban-Suburban Gangs in Contemporary Society, Illinois Academy of Criminology, Chicago, 16 October 1996

Invited Lectures on youth gangs and public policy, at “Reclaiming Youth at Risk: From Risk to Resilience”, Sponsored by Journal of Emotional and Behavioral Problems/Black Hills Seminars, South Dakota, June 1996

Invited Lecture on "Homeowner Associations and American Politics" at Political Economy Workshop, University of Western Ontario, Canada, December 4, 1995

"On-Line Data Access for Teaching Public Law in Political Science Departments," paper presented at the Western Political Science Association 1995 Annual Meeting, Portland, Oregon, March 16-18, 1995. [paper presented by Matthew A. Cahn in my absence]

"Directions in Public Policy Regarding Residential Private Governments in the Intergovernmental System," paper presented at the Annual Meeting of the American Political Science Association, New York City, New York, September 1-4, 1994.

"Homeowner Associations as an Emerging Force in California Politics," paper presented at the Annual Meeting of the Western Political Science Association, Albuquerque, New Mexico, March 10-12, 1994

Keynote speaker at Annual Seminar of the Executive Council of Homeowners, Santa Clara, California, October 23, 1993. Address: "The Future of Homeowner Associations."

"From Exclusivity to Exclusion: Homeowner Associations and Housing Segregation," paper presented at the 1993 American Political Science Association Annual Meeting, Washington, D.C., September 2-5, 1993.

"The Green Machine Meets the Growth Machine: Factors in Intergovernmental Relations and Environmental Policy in California," paper presented at the Western Political Science Association Annual Meeting, San Francisco, California, March 19-21, 1992 (with Matthew A. Cahn).

"Private Government: The Future of Democracy?" paper presented at conference on "Rethinking Democracy" held at Albright College, December 6-7, 1991.

"The New World Order and Democracy," roundtable presentation at conference on "Rethinking Democracy" held at Albright College, December 6-7, 1991.

"The Politics of Legal Education: Private Government or Public Policy?" paper presented at the Pennsylvania Political Science Association Annual Meeting, Carlyle, Pennsylvania, April 12-13, 1991.

"Private Covenants and Public Law," paper presented at the Western Political Science Association Annual Meeting, Salt Lake City, Utah, March 30-April 1, 1989

"Treating the Seriously Delinquent Youth," address given at Juvenile Justice Training Institute. Bend, Oregon, August 18-21, 1982. Co-sponsored by the Oregon Juvenile Judges Association and the National College of Juvenile Justice.

"Treating the Seriously Delinquent Youth," address given at 45th Annual Conference of the National Council of Juvenile and Family Court Judges. Portland, Oregon, July 11-16, 1982.

Organizer and speaker, Conference on Dispositional Alternatives for the Serious Juvenile Offender. San Diego, California, May 23-26, 1982, co-sponsored by Delta Institute and the National Council of Juvenile and Family Court Judges. Delivered conference theme address entitled "Considerations in the Treatment of the Seriously Delinquent Youth," and served on several panels.

Participant, United Nations Meeting of Experts on Juvenile Justice. National Judicial College, Reno, Nevada, May 27-June 1, 1979.

Newspaper and Magazine Articles:

Monthly column for Chicago Journal, September 2000 to May 2003.

"Welcome Home. Do as We Say." New York Times, August 18, 1994

"Trouble in Privatopia," The Progressive, October 1993; Chicago Tribune, October 30, 1993; San Diego Union-Tribune, January 9, 1994; San Francisco Chronicle, January 9, 1994.

"Political Science at the Laundromat," USA Today, May 12, 1992; Cleveland Plain Dealer, May 7, 1992; Little India, June, 1992.

"The Plot Against PC: Fat Cat Conservatives on the Prowl," San Francisco Examiner, July 1, 1991.

"Cold War Rekindled?" Christian Science Monitor, February 25, 1991

"Shades of Patty Hearst: What if Fawn Hall Were at Left, not Right?" San Diego Transcript, June 23, 1987

"There's a Loophole to Bypass Authority of the Presidency," San Diego Tribune, January 12, 1987 (With Michael Bowler)

"Politics and the California Bench," San Diego Magazine, October, 1986 (with Michael Lee Bowler)

"Do Police Have Duty to Protect?" San Diego Transcript, April 15, 1986

"The New City States," San Diego Magazine, April, 1986 (with Michael Lee Bowler)

"Behind-the-Scenes Look at Securing UN Crime Congress in San Francisco," Los Angeles Daily Journal, March 6, 1981

"Justice for Juveniles?" Anchorage Daily News, September 4, 1976.

Awards

Great Cities Faculty Fellowship, University of Illinois at Chicago, Great Cities Institute (awarded for 1996-7 Academic Year)

American Political Science Association, Urban Politics Section, award for "Best Book on Urban Politics," for Privatopia: Homeowner Associations and the Rise of Residential Private Government (awarded in 1995)

San Diego Press Club prize for "Best Consumer Article," for "The New City-States" (awarded in 1986)

Society of Professional Journalists awards for "Politics and the California Bench," and "The New City-States" (awarded in 1986)

Outstanding Undergraduate in Political Science 1972, California State University at Los Angeles

Reviewer of Manuscripts for:

Routledge
University of Minnesota Press
The Brookings Institution
Georgetown University Press
Urban Affairs Review
Journal of Policy History
City and Community

Grants Awarded:

UIC Great Cities Program, 1995--for study of homeowner associations.

UIC Office of Social Science Research, 1995--for study of homeowner associations.

Gertrude Anderson Trust, 1981-83--for study and evaluation of juvenile delinquency treatment programs.

San Diego County Bar Foundation, 1981--for study of juvenile delinquency treatment programs.

National Endowment for the Humanities, 1977: for completion of Valdez, 1976.

National Endowment for the Humanities, 1976: for production of Justice Delayed.

State of Alaska, 1976: for production of Justice Delayed.

Kellogg Foundation, 1976: for production of State of Alaska v. Thomas Okpik.

Selected Other Activities:

Numerous press citations and radio and television appearances as authority on homeowner associations, gated communities, and privatization. Examples: ABC's 20/20; National Public Radio's "Fresh Air," "Talk of the Nation," and "All Things Considered," New York Times, Wall Street Journal, Smart Money, Chicago Tribune, Los Angeles Times.

Member of award committee for Best Book on Urban Politics prize, American Political Science Association, 2002.

Expert witness, Committee for a Better Twin Rivers v. Twin Rivers Homeowners Association (New Jersey)

Expert witness, Pollard v. Heard. (Illinois)

Member of Board of Directors, Oak Park Regional Housing Center

Member (1995-2002) and Chair (1999-2002) Oak Park Township Youth Services Committee

Member of award committee for Best Dissertation on Urban Politics prize, American Political Science Association, 1996.

Addresses and workshops on "Political Extremism," at three conferences of the League of Women Voters of Chicago, State of Illinois, and national convention 1995-96.

"Why Does America Have So Much Crime?" Panel presentation at Berks County Democratic Party Annual Educational Seminar, Reading, Pennsylvania, May 8, 1993, and March 26, 1994.

Co-producer and co-host of "Professor's Roundtable," a monthly program on Berks Community Cable Television, 1993-4; numerous appearances on Berks Community Cable Television and Pottstown Cable Television on programs including "Alternative News and Different View," "Builders' Forum," and "Centering on Peace."

Taught course entitled "To Preserve These Rights," a continuing education course for teachers concerning the Bill of Rights, sponsored by the Pennsylvania Humanities Council and taught at Schuylkill Intermediate Unit, November 7 to December 14, 1991.

Commissioner, San Diego County Juvenile Delinquency Prevention Commission, 1981

Memberships:

Midwest Political Science Association

American Political Science Association

Admitted to law practice; California (1980-now inactive); United States Supreme Court (1986); Illinois (2004).