

**JENA MARTIN**  
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## **PUBLICATIONS:**

### **Books:**

- INTERNATIONAL HUMAN RIGHTS: A CASEBOOK, Carolina Academic Press (4<sup>th</sup> ed.)(forthcoming 2020)(ed., with David Weissbrodt)
- WHEN BUSINESS HARMS HUMAN RIGHTS: AFFECTED COMMUNITIES THAT ARE DYING TO BE HEARD, Anthem Press (2020)(ed., with Karen Bravo and Tara Van Ho)
- WHEN THE LEVEES BREAK: EXAMINING THE FAILINGS OF OUR SECURITIES MARKETS, Lexington Books (2017)(with Karen Kunz)
- THE BUSINESS & HUMAN RIGHTS LANDSCAPE: MOVING FORWARD, LOOKING BACK, Cambridge University Press (2015)(ed., with Karen Bravo)

### **Articles:**

- *It's Complicated: The Challenge of Prosecuting TNCs for Criminal Activity under International Law*, 29 IND. INT'L & COMP. L. REV. 219 (2019)
- *Easing "the Burden of the Brutalized": Applying Bystander Intervention Training to Corporate Conduct*, 68 CATHOLIC U. L. REV. 1 (2019) (lead article)
- *Parallel Worlds: Comparing Rural Development to Development in Global Communities*, 120 WV. L. REV. 1107 (2018)(co-authored with Karon Powell)(invited symposium piece)
- *Hiding in the Light: The Misuse of Disclosure to Advance the Business and Human Rights Agenda* 56 COLUMBIA TRANSNATIONAL L. J. 530 (2018)
- *Changing the Rules of the Game: Beyond a Disclosure Framework for Securities Regulation* 118 WV. L. REV. 59 (2015).
- *Business and Human Rights, What's the Board got to do with it?*, 2013 ILL. L. REV. 959 (2013)
- *The End of the Beginning?: A Comprehensive Examination of the U.N.'s Business and Human Rights Agenda from a Bystander Perspective*, 17 FORDHAM J. CORP. FIN. L. 871 (2012)(lead article)
- *What's in a Name? Transnational Corporations as Bystanders to the Rule of Law in a Globalized Society*, 85 ST. JOHN L. REV. 1 (2011)(lead article)
- *The SEC and Shareholder Empowerment - Analyzing the New Proxy Regime and its Impact on Corporate Governance*, BANKING & FINANCIAL SERVICES REPORT (2011)
- *In Praise of Process: An Exploration of the SEC, Rule 14a-(8)(i)(8) and AFSCME v. AIG*, 5 U.MD. J. BUS. L. & TECH 23 (2010)
- *The Good, The Bad & The Ugly? A New Way to Look at the Intercountry Adoption Debate*, 13 U.C. DAVIS J. INT'L L. & POL'Y 173 (2007)

### **Refereed Articles:**

- *Into the Breach: The Increasing Gap between Algorithmic Trading and Securities Regulation*, Vol. 44, JOURNAL OF FINANCIAL SERVICES RESEARCH No. 2 (peer reviewed journal) (co-authored with Karen Kunz)(Oct. 2013)

**Book Chapters:**

- “The Use of Disclosure-Based Regulation to Advance the State’s Duty to Protect” *in* RESEARCH HANDBOOK ON HUMAN RIGHTS AND BUSINESS, Elgar Publishing (forthcoming 2020)(Surya Deva & David Birchall eds.)
- “The Evolving Business and Society Landscape: Can Human Rights Make a Difference,” (with Michael Addo) *in* THE BUSINESS & HUMAN RIGHTS LANDSCAPE: MOVING FORWARD, LOOKING BACK, Cambridge University Press (2015)(Martin & Bravo, eds.)
- “Transnational Corporations as Bystanders under International Law,” *in* BUSINESS AND HUMAN RIGHTS, Sage Publications (2013)(Manoj Sinha, ed).

**FELLOWSHIP:**

Inaugural Ralph C. Young Fellowship Recipient (2019 – 2021)

- Multi-year fellowship awarded by the Center for Consumer Law and Education
- Research centered around data-privacy issues affecting consumers
- Final deliverable will be a white paper suggesting guidelines for bill-drafting around these issues.

**TEACHING & RESEARCH INTERESTS:**

- Business and Human Rights
- Securities Regulation
- Business Ethics
- Data Privacy

**TEACHING & ADMINISTRATIVE EXPERIENCE:**

**Professor of Law** 8/09 – 6/14, Associate Professor; 7/14 – Present, Professor  
*West Virginia University College of Law, Morgantown, WV*

- Teaching load includes: Securities Regulation, Corporations & Business Associations, International Business Transactions, Corporate Accountability and Corporate Governance, and International Human Rights
- Faculty Co-Administrator, Comparative Law in Mexico
- Faculty Co-Administrator, Comparative Law in Brazil
- Co-Administrator, Comparative Law in Geneva

**Associate Dean for Innovation & Global Development**

6/15 – 6/17

*West Virginia University College of Law, Morgantown, WV*

- Two-year appointment with responsibilities in online curricular development and international programming.
- Oversaw the College of Law’s successful application for two of its foreign study abroad programs: in Geneva and Mexico.
- Responsible for moving the College of Law’s LL.M. programs for an online delivery.

- Oversaw curriculum development, faculty coordination with instructional designers and course mapping.

**Visiting Lecturer**

8/10 – Present

*West Virginia University College of Business & Economic, Morgantown WV*

- Teaching load includes: Legal Environment & Ethic; Negotiations. Teach in both an on-line and face to face environment.

**Legal Writing Instructor**

8/07 – 5/09

*Howard University School of Law, Washington, DC*

- Full-time member of the HUSL faculty
- Responsible for teaching Legal Reasoning, Research & Writing and Legal Writing II
- Was in charge of creating and implementing the entire curriculum for Legal Writing II
- Designed research and writing problems

**EDUCATION:**

**University of Texas Law School, LL.M. (International Law), 2006**

- 3.7 GPA (honors designations not awarded to LL.M. students)

**Howard University School of Law, J.D., *cum laude*, 1997**

- 13/118 (class rank)
- National Dean’s List
- *Howard Law Journal*

**McGill University, B.A. (History & Political Science), 1994**

- Recipient, Merit Scholarship

**OTHER EMPLOYMENT EXPERIENCE:**

**Legal Analyst**

10/06 – 3/08

*Contracted with Bloomberg, L.P.*

- Drafted articles on securities related issues for publication in Bloomberg’s *Law Reports*
- Researched legal issues regarding corporate governance, market regulation and other securities issues
- Monitored relevant publications and legislation for issues affecting corporate law

**Senior Counsel**

9/00 – 4/05

*U.S. Securities & Exchange Commission, Division of Enforcement, Washington, DC*

- Investigated violations of the federal securities laws
- Maintained primary responsibility for all aspects of the investigation including: taking testimony, developing an investigative plan, analyzing potential securities violations, performing document review and making recommendations to the Commission regarding appropriate legal action

- Substantive areas of investigation included foreign offering sales fraud, insider trading, market manipulation and financial fraud

**Associate**

9/97 – 7/00

*Ross, Dixon & Bell (formerly Ross, Dixon & Masback)*, Washington, DC

- Drafted motions, appellate briefs and trial briefs
- Conducted depositions
- Legal research on substantive areas including: insurance coverage issues, Title VII, bad faith, attorney work product & attorney-client privilege

**OUTSIDE CONSULTANCIES:**

- Consultant, International Corporate Accountability Roundtable, 9/17 – 2/18 (hired by ICAR to develop a teaching tool for a joint ICAR and Amnesty International Project: *The Corporate Crimes Principles*. Final deliverable was an 87-page teaching note).
- Independent Counsel, U.S. Glass, Inc., 2/13 – 3/13 (hired by a West Virginia corporation to write an opinion letter regarding securities exemption issues for a private placement transaction).
- Independent Counsel, Scrappy Cat Productions, LLC., 8/10 – 5/11 (hired by an L.A. corporation to develop private placement offering documents in connection with the production and release of the movie *Angel's Perch*).

**SELECT PRESENTATIONS & CONFERENCE EXPERIENCE:**

- Invited Moderator, "Voices from the Ground," UN Annual Forum on Business and Human Rights, (Geneva Switzerland), December 2019
- Invited Presenter, "Investment Law and Human Rights," International Law Weekend, International Law Association – American Branch New York, NY October 2019.
- Selected Presenter. "Securities Regulation and Business and Human Rights," Business and Human Rights Scholars Conference, *Essex University*, (Essex, UK) September 2019
- Selected Presenter, "It's Complicated," Indiana International Law Review Symposium, (Indianapolis, Indiana), March 2019
- Selected Presenter, "Author Meets Reader," Law & Society Conference, (Toronto, Ontario), June 2018.
- Invited Moderator, UN Annual Forum on Business and Human Rights, (Geneva Switzerland), December 2017.
- Conference Organizer, "Dying to be Heard Conference," Intra Law Department of Law Aarhus University & West Virginia University (sponsors), *Aarhus University*, (Aarhus, Denmark), October 2017.
- Presenter, "United Nations' Fourth Annual Forum on Business and Human Rights Panel: Book Launch," presenting, *The Business & Human Rights Landscape: Moving Forward, Looking Back*, *Cambridge University Press*, November 2015.
- Keynote Address, "Business, Human Rights, and Securities," West Virginia State Securities Compliance Workshop, (Charleston, WV), October 2015.

- Invited Participant, “United Nations’ Second Annual Forum on Business and Human Rights Panel: Presentation of some projects supported by the UNWG,” presenting, *Business and Human Rights in Small & Medium Enterprises: A Look at West Virginia*, (Geneva, Switzerland), December 2013.
- Conference Organizer, “Business and Human Rights: Moving Forward, Looking Back,” *West Virginia University College of Law*, September 2013.
- Keynote Address, “Ethics in Private Investigations,” Private Investigator and Security Professionals of West Virginia, October 2012.
- Invited Workshop Participant, “Teaching Business and Human Rights: A Professional Workshop,” Columbia University Law School, May 2012.
- Invited Panelist, “Inside the Boardroom,” Illinois University Symposium, presenting *Business and Human Rights, What the Board got to Do with it?*, March 2012.
- Invited Panelist, “Socio-Economics in the Academy and the Economy,” presenting, *An Update on Business and Human Rights*, January 2012.
- Invited Panelist, “Section on Socio-Economics” presenting, *An Update on Business and Human Rights*, American Association of Law Schools Annual Meeting, January 2012.
- Selected Panelist, “Minority Groups,” presenting *Bottoms Up: A New Approach to Regulation in the wake of a Crisis*, American Association of Law Schools Annual Meeting January 2011.
- Selected Panelist, “New Voices in Human Rights,” presenting *TNCs as Bystanders under International Law*, American Association of Law Schools Annual Meeting, January 2011.
- Selected Panelist, “Socio-Economics in the Academy and the Economy,” presenting, *Proxy Access and Shareholder Empowerment - University of California- Berkeley (Boalt Hall School of Law & Haas School of Business)*, January 2011.
- Invited Panelist, “Financial Market Discipline in the Obama Era,” presenting, *Beyond a Disclosure Framework for Securities Regulation*, National People of Color Conference (Seton Hall Law School), September 2010.
- Invited Moderator, Precursors to a Crisis: Regulatory Failures, Symposium on “The Financial Crisis, Regulatory and Corporate Governance Critiques and Reforms” University of Utah College of Law, September 2009.
- Invited Presenter, Roundtable Discussion “Securities Regulation and the Financial Crisis” presenting, *In Praise of Process: An Exploration of the SEC, Rule 14a-(8)(i)(8) and AFSCME v. AIG - University of Maryland School of Law’s Conference: Corporate Governance and Securities Law Responses to the Financial Crisis*, April 2009.

#### **MEDIA APPEARANCES, BLOG & PROFESSIONAL CONTRIBUTIONS:**

- Signatory, Rule 15 Submission Before the Supreme Court of the United Kingdom, *Okpabi and others v. Royal Dutch Shell Plc and another*, May 31, 2019

- Guest Contributor, Columbia Law School: the CLS Blue Sky Blog May 2, 2019 (discussing securities regulation and the limits of a disclosure framework)
- The Conversation, (nationwide circulation – reprinted in the St. Louis Dispatch and the Chicago Tribune) August 8, 2018 (commenting on Congressman’s Chris Collins’ indictment and insider trading)(co-authored with Karen Kunz)
- Minnesota Public Radio, MPR News with Kerri Miller (Chris Farrell, guest host) (Minneapolis, Minnesota), May 29, 2018
- Guest Contributor, Bringing Human Rights Home Law Profs Blog April 24, 2018 (commenting on the U.S. Supreme Court’s decision in *Jesner v. Arab Bank*)
- Contributor, Teaching Note, “Corporations ‘101’ ” Teaching Business and Human Rights Handbook, Columbia University, October 2017
- Guest Contributor, Bringing Human Rights Home Law Profs Blog October 11, 2017 (commenting on the oral arguments in the business and human rights case before the U.S. Supreme Court in *Jesner v. Arab Bank*)
- The Conversation, (nationwide circulation – reprinted in Salon.com and the Chicago Tribune) May 2, 2017, updated May 29, 2018 (commenting on Dodd-Frank and securities regulation)(co-authored with Karen Kunz)
- WV Record (Charleston WV) February 13, 2017 (commenting on the future of securities market regulation)
- Consulted by WV Securities Commissioners on Crowdfunding Bill March 2016
- U92, (Morgantown WV), Radio interview November 3, 2016 (radio interview on human trafficking)
- Founder, *the Business of Human Rights*, October 2012 – April 2014 (weekly blog located on the College of Law’s website that helps to promote a dialogue on business and human rights)
- Channel 12, WBOY (Pittsburgh PA), November 3, 2010 (commenting on the *Citizens United* case in the context of the West Virginia and Ohio elections).

### **HONORS & AWARDS:**

- Dean’s Award of Distinction in Teaching – Adjunct, Business Law & Ethics (College of Business & Economics) 2015
- “50 Under 50,” Law Professors of Color, *Lawyers of Color* (2014)
- WVU ADVANCE Grant Recipient, grant provided to organize a conference on Business and Human Rights (2012 – 2013)
- Significant Scholarship Award, WVU College of Law, (awarded for “*The End of the Beginning?: A Comprehensive Examination of the U.N.’s Business and Human Rights Agenda from a Bystander Perspective*”)(2012)
- WVU Public Service Grant Recipient, provided to fund an outreach program within the State of West Virginia to help local businesses understand contract pitfalls (2011 – 2012)
- *Shortlist Finalist*, Fletcher Fellowship (administered by Harvard University’s W.E.B. DuBois Institute for African and African American Research)(2010).
- *Next Generation Fellow*, The Next Generation Fellowship (part of the American Assembly Series, run by Columbia University). Invited participant in three-day conference to discuss the future of U.S. global policy. (2007)
- *Recipient*, Director’s Award, SEC Division of Enforcement. (2004)

## **PRO BONO WORK:**

### **Member, Editorial Board**

5/19 – Present

*The Business and Human Rights Journal* (Cambridge University Press)

- Invited member to the Editorial Board
- Review and approve articles for publication
- Discuss strategies for the Journal

### **Member, Board of Advisors**

9/18 – Present

*WVU Press*, Morgantown, WV

- Invited member to the Board of Advisors
- Review and approve books for publication
- Advise and support Director of the Press on issues of governance

### **Pro Bono Attorney/ Global Advocacy Team Member**

1/07 – 8/09

*The Robert F. Kennedy Memorial Center for Human Rights*, Washington, DC

- Key member of the Staff's human rights project in Haiti. Help develop litigation strategy concerning RFK's Freedom of Information Act (FOIA) lawsuit against the U.S. Department of Treasury. Duties include developing advocacy program and performing legal research on FOIA issues
- Perform research on the International Cooperative Framework; assist in developing an advocacy strategy for viewing developmental aid as a human right
- Assist in developing framework for a rights-based approach to development for the right to health and the right to food in Haiti

## **BAR ADMISSIONS:**

- West Virginia State Bar
- Maryland State Bar
- District of Columbia Bar (inactive)

## **LANGUAGES:**

- French (fluent)
- Spanish (basic proficiency)