

JENNIFER F. MERTON, ESQ.

EDUCATION

University of Connecticut School of Law Hartford, CT

- J.D. with Honors May 1990
- Legal Research Assistant to Professor John Noyes
- Upperclass Writing Requirement on the Carriage of Goods by Sea
- Honors: American Jurisprudence Award for the Highest Grade in Evidence for the Fall of 1989.

Mount Holyoke College South Hadley, MA

- A.B. in Politics *cum laude* 1987
- The University of Rochester's Study Abroad Program and House of Commons Intern in London, England, Spring 1986.
- Honors: Sarah Williston Scholar (top 15% of class), October 1985; Mount Holyoke Delegate to the 1985 Conference on United States Affairs at the United States Military Academy.

PROFESSIONAL EXPERIENCE

1990-Present Private, Part-Time Practice East Longmeadow, MA

Attorney at Law with Solo Practice

- Admitted to the Massachusetts Bar in December of 1990 after passing the July 1990 Bar Exam immediately following graduation.
- Primary practice area is estate planning and probate, elder law and long-term care planning, and family business planning and succession, including entity choice and formation.
- Other practice experience includes environmental cases with a focus on wetlands issues, business planning and sustainability issues, insurance denial appeals, criminal law, family law, real estate, contracts, collections, bankruptcy, and internet issues, including copyright and IP protections.

1987-Present Merton's Fiberglass Supply Springfield, MA

Office Coordinator for Family Business

- Developed business website and completed website redesign in conjunction with web design professionals. Also coordinated site's search engine placement, achieving top listings in many key word categories. Currently perform routine site maintenance and additions to site using the Dreamweaver computer program.
- Created twice yearly product catalogs, including the generation and editing of digital images, using Adobe's Pagemaker, InDesign, and Photoshop computer programs.
- Managed Accounts Payable, Accounts Receivable, and Business Records, including accounting and tax records.

ADMINISTRATIVE EXPERIENCE

2018-Present University of Massachusetts Amherst, MA

Associate Chair of the Management Department at the Isenberg School of Management

- Worked collaboratively with the Department Chair and the Department's Office Manager to schedule classes for the Management Department (both in-person and on-line), which included coordinating with other staff members regarding room allocation, uploading and verifying the schedule on the University's computer system, communicating with faculty about availability and accommodations, and resolving multiple scheduling changes and adjustments.
- Took primary responsibility for undergraduate student advising and presented the New Majors Orientation for both Fall and Spring semesters. Responded to student emails regarding Management Department core classes and electives and engaged in decision-making regarding alternatives to required classes. Approved study abroad courses and made recommendations about courses of study. Met with students one on one with individual concerns and questions related to their classes and curriculum, along with career concerns. Communicated with the advising staff at the Isenberg School of Management on a regular basis to support student success.
- Developed the Management Department plans of action and submitted related reports for various reporting requirements at both the University and AACSB levels, including the Integrative Experience Quinquennial (QQ) Review, the Educational Effectiveness Plan (EEP), and updates to the Management Department's Assurance of Learning Plan for the AACSB. Worked with other members of the Management Department and the Isenberg community to ensure that the Management Department classes meet AACSB learning objectives, including the development of assessments and collection of appropriate assessment data. Initiated curriculum review for SHRM alignment and in conjunction with the above reporting requirements. Previously served on the Assurance of Learning Committee within the Isenberg School of Management to provide guidance to and oversight of the assessment process. Currently serving on the Isenberg School of Management's Assurance of Learning and Curriculum Committee as part of my responsibilities.
- Updated the Management Department Checklist with recent course additions and changes. Communicated those changes to advising staff and coordinated uploading of corrected document. Updated Management Department information provided via University Communications, including the Management Department Guide.
- Coordinated the reporting requirements for the Management Department related to the Distinguished Teaching Award. Collected student evaluations and drafted departmental recommendations. Serving on Isenberg's Teaching Recognition Committee
- Worked with staff in Continuing Education/UWW to provide the Department's Human Resources Concentration for Management Majors and the Department's Human Resources Certificate for students in the online space. Scheduled faculty for all of the required online courses.

Coordinated with the Society for Human Resource Management to align our course offerings with their certification requirements (currently an on-going project which should be finalized soon.)

- Coordinated the Management Department's Scholarship Program. Underwent training on the new scholarship computer platform and had primary responsibility for reviewing all scholarship applications for the Management Department using that platform. Communicated decisions about scholarship awardees to Isenberg and University staff. Worked with Isenberg and University staff to integrate scholarship and alumni engagement efforts. Developed a proposal for a Spring Scholarship Recipient recognition event with alumni participation. Implemented departmental recognitions for seniors, along with a congratulatory email/newsletter (in lieu of in person event, which we hope to adopt when we return to in person learning.)
- Led the Management Department in the #UMassGives annual giving campaign in Spring 2019, in 2021 (Covid-19 interfered with the Spring 2020 campaign), and in Spring 2022. Communicated with faculty and staff in the department, as well as Management alumni, and provided social media support to the campaign at the departmental, college, and university levels. Coordinated with development staff both before and after the event. Provided follow-up to significant donors post-event.
- Initiated a communications and social media plan for the Management Department. Instituted a Management Department Calendar and provided information to faculty to familiarize them with this new resource. Communicated with faculty in the department regarding content contributions. Worked with Communications staff at Isenberg to promote the department via social media. Plans include a Management Department Facebook page, a LinkedIn page, and an Instagram account, along with more robust content generation activities.
- Initiated, developed, and implemented an alumni engagement plan for the Management Department, including the inaugural Young Alumni Working Group and the Management Alumni Council. Worked closely with development staff to develop a preliminary group of young alums for the Young Alumni Working Group (as well as developing a list for the Management Alumni Council, to be established in Fall 2022-COVID caused a delay in implementation), authored a mission statement and preliminary guidance documents for the group, and worked with the Management Department Chair and the Office Manager to create invitations and plan a reception for Fall 2019, and in Fall 2022. We coordinated an alumni event in Fall 2019 in conjunction with one of the Dean's receptions in Boston and we are holding a Management Department Reception for alumni in Fall 2022. We hope to continue these events on a regular basis going forward.
- Provided support each year to new faculty members. In Summer/Fall of 2021, I helped assist faculty with Blackboard site set-up and I coordinated new faculty gatherings, as I did in 2020, and in previous years. Additionally, in both Summer/Fall of 2022, 2021, 2020, and 2019, I set up meetings for new strategy faculty, including our PhDs, to meet with the simulation company representative to help them incorporate the

simulation into our core strategy course. Also advised new faculty and PhDs with student advising issues.

- Provided support to new faculty in the Berthiaume Center for Entrepreneurship. Provided a departmental presence at Berthiaume events and served as a judge for the Hult Prize Competition put on by Berthiaume. Worked with Berthiaume Center staff on a joint event as part of the Management Department's Ethics Speaker Series (Roger McNamee was the featured speaker promoting his new book "Zucked" regarding concerns about Facebook.) Provided assistance with ongoing integration efforts between the Management Department and Berthiaume. Drafted documents for distribution regarding policies and procedures for student events.
- Served as the faculty advisor to the Isenberg Management Association (IMA) (the student group affiliated with the Management Department.) Attended weekly meetings, including Executive Board and Club meetings. Facilitated faculty participation in Club activities, helped to recruit alumni panelists, and provided regular support for the Club's activities. Facilitated planning for a new simulation-based competition to be offered in Spring 2023, along with other new initiatives of the IMA.
- Served as one of the faculty advisors to the Social Entrepreneurship Club since its inception. Participated as a judge in the Hult Prize Competition, with which the Club is affiliated. Helped to plan and implement the Social Innovation Conference (attending both in Spring 2019 and at the original conference in Spring 2018.)

2011-Present University of Massachusetts Amherst, MA
Coordinator of the Law Lecturers at the Isenberg School of Management

- Tasked with scheduling the law-related classes offered through the Management Department, including all communications with the law lecturers regarding classes and curriculum. Provided on-boarding and continued support to law lecturers via trainings, sample documents/syllabi, and learning management system help. Responsible for heading up the law lecturer pool search every three years, including development of the search advertisement, review of applicants, and memorandum from the committee.
- Enhanced communication among the law lecturers with regular meetings and e-mails, collaborated with other law lecturers in planning speakers for the Introduction to Law students, and developed a law lecturers blog to facilitate the sharing of legal information between faculty and students.
- Developed and taught an Honors Colloquium in Fall of 2012 and Spring of 2013 open to all Introduction to Law students which is now available each semester, providing additional honors opportunities for students in the Isenberg School and enhancing continuity in the law curriculum.
- Worked with other members of the Isenberg community to ensure that the law classes at Isenberg meet AACSB learning objectives, developed assessments for legal reasoning and ethics, and provided appropriate assessment data. Currently serving on the Assurance of Learning

Committee within the Isenberg School of Management to provide guidance to and oversight of the assessment process.

- Participated in University events designed to enhance the student experience, including New Student Orientation and the Common Read, along with social events such as the Dash and Dine 5K. Most recently taught a First Year Seminar in conjunction with the common read "Orange is the New Black" that focused on the role of the lawyer in the criminal justice system.
- Previously served as Chair of the Faculty Senate's Status of Women Council from Fall 2016-Fall 2019, having served as a member of the Committee since Fall 2014. I continue to serve on that committee. Also serving on the Committee for Admissions and Records (served as Temporary Chair in Spring 2019 and again in Fall 2022) and the Student Legal Services Office Advisory Committee starting in Fall 2022.
- Currently serving on Isenberg's Assurance of Learning and Curriculum Committee, Isenberg's Business Minor Committee (which may have concluded), Isenberg's Student Governance and Student Organizations Task Force, Isenberg's Teaching Recognition Committee, and Isenberg's Personnel Committee for non-tenure stream faculty.

TEACHING EXPERIENCE

2013-Present University of Massachusetts Amherst, MA
Senior Lecturer in Law at the Isenberg School of Management

- Initiated, developed, and taught the first ever Isenberg Ethics Academy, a pre-college summer class which was taught in a hybrid format to accommodate both on-line and in person student cohorts. The first week of the class included lectures and synchronous class activities to introduce the dominant ethical frameworks and explore the role of ethics in business, while the second week was used to help with skills development as the students prepared their presentations for the culminating case competition. This was a very well-received class that I will be offered again in Summer 2022.
- Planned and implemented the First Annual Isenberg Ethics Competition in Fall 2016. The focus of this event was an ethics case competition in which five student teams competed for a spot on the Isenberg Ethics Case Competition Team. Additionally, there was a keynote speaker (noted business ethicist, Thomas White) and two workshops for all student attendees (one focused on current ethical issues and one focused on ethics case competition skills.) This has now become a yearly event. In Fall of 2020, we held the 5th Annual Isenberg Ethics Competition, which was held virtually. The 6th Annual Isenberg Ethics Competition took place in November of 2021 and we will be holding the 7th Annual Isenberg Ethics Competition in November of 2022. This competition has grown every year since its inception and continues to offer a keynote speaker and alumni panels in the morning, followed by the competition in the afternoon. It provides a great opportunity to reinforce the

school's commitment to ethics, it helps to supplement the ethics curriculum with extra-curricular participation, it allows students to develop analytical and presentation skills, it allows for networking between students and young alumni, and it fosters alumni engagement.

- Serving as advisor to the Isenberg Ethics Case Competition Team. The team successfully competed at five competitions in the 2021-2022 academic year (three of which were remote). Indeed, the team came in second overall in the Templeton Business Ethics Case Competition in February 2022. All of the competitions we attended were held remotely during the 2020-2021 academic year. In October of 2020, the team attended the Collegiate Ethics Case Competition sponsored by Eller College of Management at the University of Massachusetts and, for the second year in a row, won the Stephanie Chance Bright Line Ethics Essay. In December of 2020, we competed for the second time in the Northeast Regional Ethics Bowl, which helped us develop our analytical and extemporaneous speaking skills and come together as a team. In February of 2021, team members competed at the Templeton Business Ethics Competition at Stetson University (albeit via Zoom), putting in a strong performance against some very accomplished teams. In April of 2021, the team participated for the first time in the International Business Ethics and Sustainability Competition sponsored by Loyola Marymount University Case Competition. We, once again, competed in the International Business Ethics Case Competition in April of 2021 and came in second in our division for both the long (25 minute) presentation and the 10 minute ethics-focused presentation (this competition was held remotely this year). We competed at Eller in October of 2019 (winning the Stephanie Chance Bright Line Ethics Essay Award), Templeton in February of 2021 (coming in second in our division), and IBECC in April of 2021 (where we came in first in the long (25 minute) presentation. In December of 2018 we competed at the Regional Ethics Bowl held at Marist College and in February of 2019 we competed in the Templeton Business Ethics Case Competition at Stetson University. We have competed in the International Business Ethics Case Competition in April 2016 (2nd place in the full presentation for their division, 1st in the 10 minute, and 1st in the 90 second), April 2017 (1st place in the 10 minute and 2nd in the 90 second), and April 2018 (1st place in the full presentation)(IBECC was not held in April 2019.) Served as advisor and accompanied the Isenberg Team to the Inter-Collegiate Business Competition at Queen's University in Kingston, Ontario, Canada in January 2015, at which we won the Ethics Case Competition (placing first of six competing teams.) Also serving as advisor to the Isenberg Business Law Club since its inception in the 2014-2015 academic year.
- Served as coach/advisor to Isenberg MBA students participating in Aspen's Business and Society International MBA Case Competition, as well as in the Isenberg Ethics Case Competition and in the International Business Ethics Case Competition as part of the Isenberg Ethics Team. Over the course of multiple meetings, provided ethics and sustainability instruction, along with information and resources, reviewed ethics and sustainability issues in past cases, outlined case competition techniques

and talking points, provided information and resources regarding presentation skills and coordinated with faculty in the Business Communication Program and the Center for Business and Professional Communication to work on skills related to the initial written submission, along with the subsequent Power Point presentation for the finals. In 2018, the Isenberg team received an honorable mention and in 2019 the Isenberg team was one of the five finalists and won a second-place recognition at the finals in New York City.

- Developed an integrated Ethics Curriculum, including a standardized handout and a continuously updated Ethics Resources and Reading List to be used in all of the Introduction to Law classes, as well as developing and implementing an ethical and legal reasoning assessment in all Introduction to Law classes. Developed and presented instruction in ethics, including Power Point Presentations and related activities, for Transitions courses and various Entrepreneurship courses at Isenberg and for Computer and Electrical Engineering Students and others in the wider University of Massachusetts-Amherst community.
- Taught both the Introduction to Law and the Law of Enterprise Organization courses, along with Environmental Law, offered through the Management Department. Additionally, developed and taught the Honors Colloquium for Management 260. Incorporated ethical reasoning into all course curriculum, with a particular focus on ethics in the Introduction to Law course.
- Updated research and writing assignments for my Introduction to Law classes, with adjustments to the multi-step series of assignments, culminating in the final analytical paper. Created specialized research and analysis classes for each stage of the research and writing process, to provide students with extra, out-of-class assistance with the assignments. By having students focus their research on cases currently in front of the Supreme Court of the United States and by requiring a broad array of specific sources, the assignment remains current and is less susceptible to plagiarism problems and helps acquaint students with relevant legal sources, both primary and secondary.
- Previously supervised Commonwealth Honors College Capstone Thesis work, including a review of business ethics literature, a study of sustainability reporting and developments in the regulatory environment and their implications, a look at recent developments in the case law and regulations governing mandatory arbitration clauses, and an exploration of women on boards and the C-Suite, with an emphasis on regulatory developments involving mandatory board quotas. I will be supervising a senior honors thesis this coming year involving the regulatory and legal issues surrounding NFTs and cryptocurrencies, as well as a thesis focusing on the barriers to access to justice posed by language.
- Previously supervised many independent study projects ranging from insider trading developments, to the most recent insider trading case to reach the Supreme Court of the United States, to regulatory initiatives under Dodd-Frank, to an analysis of the legal treatment of mandatory arbitration clauses. Previously supervised a Senior Honors Thesis tracing legal developments in the area of private securities litigation from

Basic v. Levenson to *Erica John Fund, Inc. v. Haliburton*, as well as working with an independent study student on a two semester research project focusing on developments in derivatives regulations.

1999-2013 University of Massachusetts Amherst, MA
Lecturer in Law at the Isenberg School of Management

- Developed an Environmental Law class, originally offered in the Spring of 2013 and now offered every Spring, which was designed as a component of the Management Department's Sustainability Concentration/Certificate. Completed a comprehensive review of textbooks and class materials in the area of environmental law. Attended the Association of Researchers in Corporate Sustainability Conference at Yale in May of 2012 to ensure inclusion of recent sustainability research in class materials and attended the Massachusetts Continuing Legal Education Environmental, Land Use, and Energy Law Conference in January of 2013 to discuss new laws and regulatory trends. Continued participation in these and other sustainability conferences, including the first New Metrics Conference in Boston and the Ethical Business conference in New York.
- Taught both the Introduction to Law and the Law of Enterprise Organization courses offered through the Management Department. Created the syllabus and all examinations and assignments for both courses, modifying each component every semester to respond to student comments and concerns and to reflect current trends in both teaching and the law.
- Generated a structured research and writing assignment for all courses to help students develop appropriate research and writing skills necessary for success in their professional lives, while also helping them to acquire substantive knowledge of the law and the American legal system. Worked with Barbara Morgan, the law reference librarian, both to create these assignments and to provide additional legal research training to students to facilitate their success. Also, generated assignments and class exercises to further develop oral communication and advocacy skills.
- Worked with various members of the Isenberg community to enhance continuity between the core courses, including the development and implementation of a common core course assignment. Fully committed to continue to work with other faculty to enhance continuity in student learning and to further other goals for the Isenberg School.
- Provided extra assistance to students with questions about the class material or their research projects and other assignments, both during office hours and via e-mail or the telephone. Advised students interested in attending law school and wrote numerous letters of recommendation.
- Worked with many students on independent study projects, including a multi-semester project on Art Law, culminating in a Power Point Presentation offered to Introduction to Law students at the Isenberg School and in an Art Law Blog. Supervised a Commonwealth Honors College Capstone Thesis regarding the newly enacted Benefit Corporation Legislation in Massachusetts and the implications for social

entrepreneurship and corporate sustainability, including a legal research component, as well as a qualitative research component involving interviews with benefit corporations and social entrepreneurs. In addition to the paper presented at the NARBLA Conference in April 2014, the project culminated with a panel of social entrepreneurs in conjunction with Sustainable UMass and the Isenberg Law Lecturers.

1996-1999 Elms College Chicopee, MA
Assistant Professor and Adjunct Faculty

- Taught a variety of courses in the Paralegal and Legal Studies Department, including a two-semester introductory course entitled Legal Studies I and II, Advanced Legal Research and Writing, Principles of Litigation, Corporations, and Interviewing, Counseling and Negotiation.
- Developed a newly offered course in Jurisprudence, which outlined the influences on judicial decision-making, while emphasizing the writing and oral communication skills of the students.
- Attended all faculty and department meetings, provided community outreach services on behalf of the college, and met with students for tutoring and advising.

1995-1996 University of Connecticut Storrs, CT
Adjunct Faculty at the School of Business

- Taught introductory Business Law and a course in Business Organizations, lecturing across a wide array of substantive legal topics, emphasizing ethics and the structure of the American Legal System
- Developed course materials, assignments, and exams. Supervised, edited, and graded a legal research and writing assignment each semester. Encouraged and mediated classroom discussions and generated small-group exercises to promote learning.

OTHER EXPERIENCE

1990 Superior Court, Tolland Judicial District Rockville, CT
Judicial Clerk of the Honorable Michael A. Mack, A.J.

- Researched and wrote drafts for court decisions on Trade Secrets Law and on the interpretation of separation agreements in divorce proceedings. Researched and discussed cases from the short calendar.

Summer 1989 Superior Court, Tolland Judicial District Rockville, CT
Temporary Assistant Clerk

- Observed courtroom proceedings, administered the Oath to witnesses, marked exhibits, wrote up judicial orders issued from the bench, and notified all parties of record when orders were issued. Reviewed judgments submitted by the parties, corresponded with attorneys, handled court files. Gained extensive familiarity with court forms and procedures.

RECENT PUBLICATIONS/RESEARCH

Jennifer F. Merton, Esq., *Planning for Incapacity and Death* (Initially prepared for a “Final Affairs Fair” in March of 1999, updated for a program of the same name in February of 2002, updated to reflect the myriad changes in the law for an Elder Law and Long-Term Care Insurance Seminar in October of 2003, and currently being updated for an upcoming event to reflect the recent adoption of the Massachusetts Uniform Probate Code and the Massachusetts Uniform Trust Code.)

Jennifer F. Merton, Esq., [The Estate Planning Notebook](#) (Provided to clients to assist them in organizing their financial and estate planning documents, including wills, durable powers of attorney, health care proxies, and information about their finances and wishes to assist them and their families in the event of disability or death.)

Jennifer F. Merton, Esq., *Respecting the Wishes of the Grantor: New Developments and Developments under the Massachusetts Uniform Probate Code and the Massachusetts Uniform Trust Code* (current research projects/papers which I hope to present at the North Atlantic Regional Business Law Association in April of 2020.) I am also working on a paper regarding how to advise clients with special collections (art, wine, a family cottage, guns, ephemera, etc...).

Jennifer F. Merton, Esq. and Rishi Bahl (Senior Finance Major who completed his Commonwealth Honors College Capstone Thesis), *The Benefits of the Benefit Corporation? Implications for Corporate Sustainability* (current research project which we presented in April 2014 at the North Atlantic Regional Business Law Association)(currently working on an update to this initial Benefit Corporation analysis.)

Ben Branch and Jennifer Merton, *Fiduciary Duty and Social Responsibility*, BQuest/Business Quest, published by Richards College of Business, University of West Georgia, Carrollton, Georgia, U.S.A., edited by Carole E. Scott (2017 Commentary Articles) (<https://www.westga.edu/~bquest/2017/fiduciary2017.pdf>)

Jennifer F. Merton, *Providing Clear Title for Late Estates: Challenges Under the Massachusetts Uniform Probate Code*, (current research project which I presented in April 2019 at the North Atlantic Regional Business Law Association and which I will be submitting for consideration to the *Business Law Review* (the peer-reviewed, official publication of the North Atlantic Regional Business Law Association.)

Jennifer F. Merton and Nicole Rabovsky, *The Legality of Gender Quotas in the United States: An Analysis of Current Litigation Challenging California’s Corporate Board Gender Quota*, Conference Proceedings, Academy of Legal Studies in Business, 2020 (accepted for publication after a double-blind, peer-review process).

Jennifer F. Merton and Kelly O'Connor, *Quotas for Corporate Boards: A Litigation Update*, Conference Presentation in the Constitutional Law Development Track, Academy of Legal Studies in Business, 2022

Jennifer F. Merton, *NFTs and the Metaverse: The Role of Law*, Conference Presentation in the Technology Law Development Track, Academy of Legal Studies in Business, 2022.

SELECTED PROFESSIONAL AND VOLUNTEER AFFILIATIONS

Hampden County Bar Association, Massachusetts Bar Association, American Bar Association, Women's Bar Association, and Pioneer Valley Estate Planning Council. Pending membership in the Western Massachusetts Estate Planning Council. Active member of Girl Scouts of Central and Western Massachusetts, serving as Troop Leader in East Longmeadow since 1988, and Program Chair of "Girl Scouts of Today: Lawyers of Tomorrow" since its inception in 1998.

Alliance for Researchers in Corporate Sustainability, Association for Practical and Professional Ethics, Society for Business Ethics, North Atlantic Regional Business Law Association, Academy of Legal Studies in Business, Academy of Management, and Summit on the Academic Profession of Business Law.