

PROMOTION RECOMMENDATION
The University of Michigan
Stephen M. Ross School of Business

David W. Hess, associate professor of business law, with tenure, Stephen M. Ross School of Business, is recommended for promotion to professor of business law, with tenure, Stephen M. Ross School of Business.

Academic Degrees

Ph.D.	2003	University of Pennsylvania, The Wharton School, Management, Philadelphia, PA
M.A.	2000	University of Pennsylvania, The Wharton School, Applied Economics and Management Science, Philadelphia, PA
J.D.	1995	University of Iowa, College of Law, Iowa City, IA
B.A.	1992	Grinnell College, Economics, Grinnell, IA

Professional Record:

2010 – Present	Associate Professor of Business Law and Business Ethics, University of Michigan, Stephen M. Ross School of Business, Ann Arbor, MI
2006 – 2007	Bank One Corporation Assistant Professor of Business Administration, University of Michigan, Stephen M. Ross School of Business, Ann Arbor, MI
2003 – 2010	Assistant Professor of Business Law and Business Ethics, University of Michigan, Stephen M. Ross School of Business, Ann Arbor, MI
2001 – 2003	Lecturer, Department of International Business and Business Environment, Rutgers Business School, Newark & New Brunswick, NJ

Summary of Evaluation:

Teaching: Professor Hess is a dedicated teacher who brings his research into his courses, has developed simulations and cases, and has been creative in his use of materials such as surveys, legal filings, and government reports. Although there is some variability in Professor Hess' teaching ratings, particularly in new courses, his post-tenure graduate evaluations have averaged 4.4 on a five-point scale, and his undergraduate evaluations average 4.6 on the same. In addition, Professor Hess has been exceptionally generous in his willingness to develop required courses for new Ross programs. Post-tenure he has developed four new courses, each for a different degree program. Some of his courses primarily contain law content while others are ethics-focused. Currently he is one of three area faculty members working on the Business Law and Ethics course for the Online MBA program. He has taught ethics and business law courses to students enrolled in our BBA, MM, MAcc, Weekend, and day MBA programs. In short, Professor Hess has a broad teaching portfolio that he has been able and willing to adapt to the changing needs of Ross and the Business Law Area.

Research: Professor Hess has focused his research in three areas at the intersection of law and ethics: (1) use of social reporting (also known as non-financial disclosures) to move companies toward self-regulatory models, (2) firm-level implementation of ethics and compliance programs,

including the use of corporate monitors, and (3) the responsibility of international business to combat corruption, including violations of human rights.

Professor Hess' post-tenure work on social reporting illustrates the way his research contributes to a field in multiple ways. His *Minnesota Journal of International Law* and forthcoming *American Business Law Journal* articles consider ways in which social reporting frameworks could improve businesses' efforts to support human rights and decrease corruption. These are compelling, weighty problems with application throughout the developing and developed world. Pre-tenure, Professor Hess published two articles on ethics and compliance in A journals. Post-tenure he continued his scholarly work in the area with an A journal article that analyzed empirical studies on ways to encourage ethical behavior and proposed legal reforms based on his analysis.

Professor Hess is particularly adept at using an existing theory, mechanism, or set of studies and applying that to a new, unique setting. In simpler terms, he makes connections that others have not seen. That requires creativity and being well versed in research and theory beyond what some might view as being part of his field.

Recent and Significant Publications:

- Hess, D. (Reporter) & Goldstock, R. (Chair) (forthcoming). AMERICAN BAR ASSOCIATION STANDARDS FOR CRIMINAL JUSTICE ON MONITORS (awaiting full Standards Committee final approval).
- Hess, D. (forthcoming 2019). "The Transparency Trap: Non-Financial Disclosure and the Responsibility of Business to Respect Human Rights." *American Business Law Journal*, 56(1): __.
- Hess, D. 2017. "Business, Corruption, and Human Rights: Towards a New Responsibility for Corporations to Combat Corruption." *Wisconsin Law Review*, 2017(4): 641-693.
- Hess, D. 2016. "Ethical Infrastructures and Evidence-Based Corporate Compliance and Ethics Programs: Policy Implications from the Empirical Evidence." *New York University Journal of Law & Business*. 12(2): 317-368.
- Hess, D. 2012. "Enhancing the Effectiveness of the Foreign Corrupt Practices Act through Corporate Social Responsibility." *Ohio State Law Journal*, 73(5): 1121-1144.

Service: Professor Hess has served both internally and externally in a number of roles. He has served the larger research community through his work for multiple journals, including serving as the ethics section editor for the Business Law section of the *Journal of Business Ethics* from 2012-2016. Last year he hosted a well-regarded workshop at Ross. He also has co-organized the annual Big Ten Business Law Research Seminar at Ross. As the reporter, Professor Hess led the Task Force on the ABA Monitorship standards through a multi-year process involving representatives of multiple interest groups with differing objectives. Earlier in 2018, he was selected to serve as a Board Member of the Global Business and Human Rights Scholars Association.

He has been active also in serving in different roles at the Academy of Legal Studies in Business (ALSB) and the Society of Business Ethics (SBE). He has served on the ALSB's faculty awards committee (from 2009-2013) and as a judge for the best paper in business ethics (2017 to present). He also was selected as a mentor to junior faculty members in each academy.

Within Ross and the university, Professor Hess has taken on various service roles as well, including faculty director of the Non-profit and Public Management Center (2011-2014) and faculty director for the Center for Social Impact (2014-2015). He has served on university-level committees as well as on Ross' Curriculum Committee (2010-2017), the Community Values Committee (2013-14 and 2017-18), and the Diversity, Equity, and Inclusion Committee (2017-18).

External Reviewers:

Reviewer A: "My objective opinion is that Professor Hess's research quality and quantity post-tenure should be rated as excellent. I have reviewed the draft copy of the ABA standards...only someone of his expertise could write the comments that explain the rationale for the standards. It is exactly this kind of culminating work that is appropriately recognized in the post-tenure promotion process."

Reviewer B: "He studies interesting, important problems, does so in a creative and methodologically rigorous manner, and ends up with articles that are intellectually fluid, diverse and, in the end, highly impactful. Dr. Hess' work is well researched and exceedingly well written, with a real impact on the literature."

Reviewer C: "Hess is without a doubt one of the thought leaders in understanding and combating corruption on a number of levels... I know of no one else in the business ethics and law world who is doing work at the depth and breadth of Professor Hess. ...immanently qualified to be promoted to Full Professor. In fact I was a bit surprised that he was not already at that level, given his accomplishments."

Reviewer D: "Professor Hess is a first-rate law and business ethics scholar with an outstanding international reputation deserving of promotion to the rank of Full Professor at a top research university. Notably, Professor Hess's [sic] selection as a Reporter for the ABA Standards for Monitoring establishes him as the recognized international expert in monitors to ensure compliance in a wide variety of enforcement circumstances."

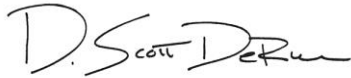
Reviewer E: "Professor Hess's [sic] work is of a high quality no matter how you slice it. Professor Hess's work as reporter for the American Bar Association's Standards for Criminal Justice Monitors is outstanding, in my opinion."

Reviewer F: "This is an easy case. David Hess has an extremely strong case for promotion to full professor... In my opinion, Professor Hess's [sic] case would warrant promotion to full professor at Wharton. He has built an unusually strong research identity as a business ethicist and business law scholar who marries these two perspectives in creative and insightful ways."

Reviewer G: "Quality, focus, and scholarly impact are all excellent... Professor Hess has become one of the named scholars in the area of bribery and corruption, and he has an international reputation for his work in the area."

Summary of Recommendation: Professor Hess has demonstrated a willingness and ability, over his career, to contribute to Ross and the university by serving in leadership roles and on several committees. He has also served the larger research community through his work for multiple

journals and in various roles in academic associations. Professor Hess has been exceptionally generous in his willingness to develop required courses for new Ross programs with four new courses post-tenure, each for a different degree program. With the support of the business law area and the Executive Committee, I am pleased to recommend the promotion of David W. Hess to professor of business law, with tenure, Stephen M. Ross School of Business.

A handwritten signature in black ink that reads "D. Scott DeRue". The signature is written in a cursive style with a horizontal line underneath the name.

D. Scott DeRue
Edward J. Frey Dean of Business
Stephen M. Ross School of Business

May 2019