

Evan Wallach

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Evan Jonathan Wallach (born November 11, 1949) is an American lawyer and judge of the United States Court of Appeals for the Federal Circuit. A former judge of the United States Court of International Trade, he is one of the nation's foremost experts on war crimes and the law of war.^{[1][2]}

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Early life, education, and career

Wallach was decorated for his service during the Vietnam War, and received a Bachelor of Arts at the University of Arizona in 1973, followed by a Juris Doctor at the University of California Berkeley in 1976. He received a Bachelor of Laws with honors in International Law from University of Cambridge in 1981. Wallach also served in the United States Army Judge Advocate General's Corps in the International Affairs Division of the Office of TJAG at The Pentagon during the Gulf War, where he assisted in advising on the law of war and investigating war crimes allegedly committed by Iraqi leaders. He has taken JAG Officer's Basic and Advanced Courses.

Law of war

As an adjunct law professor Wallach specialises in the law of war. From 1989 - 1995 he served as Judge Advocate General in the Nevada Army National Guard, with the rank of major. His responsibilities included giving annual lectures to Military Police regarding their legal obligations on treatment of prisoners.^[3] During the Gulf War he served at the Pentagon in the International

Evan Wallach



Judge of the United States Court of Appeals for the Federal Circuit

Incumbent

Assumed office

November 18, 2011

Appointed by Barack Obama

Preceded by Arthur Gajarsa

Judge of the United States Court of International Trade

In office

August 14, 1995 – November 18, 2011

Appointed by Bill Clinton

Preceded by Edward Re

Succeeded by Claire Kelly

Personal details

Born November 11, 1949
Superior, Arizona, U.S.

Alma mater Diablo Valley College
University of Arizona
University of California, Berkeley
Hughes Hall, Cambridge
University of Virginia

Awards Bronze Star
Air Medal
Meritorious Service Medal (2)
Nevada Medal of Merit
Vietnam Campaign Medal (3 battle

Affairs Division of the Office of The Judge Advocate of the Army, where he assisted in advising on the law of war and investigating war crimes allegedly committed by Iraqi leaders.

Since 1997 he has been adjunct professor in Law of War at both New York Law School and Brooklyn Law School. Since 2001 he has been a visiting professor in Law of War at the University of Münster.

Wallach is a member of the International Law of War Association, which is a "loose confederation of military lawyers, academics, and government officials including members of the judiciary, who are interested in the advancement of a legal regime to ameliorate suffering and for the regulation of the use of armed force in armed conflicts".^[4]

	stars)
	Gallantry Cross with Palm
Military service	
Allegiance	 United States
Service/branch	United States Army
Years of service	1969–1971 1989–1995
Rank	Major
Battles/wars	Vietnam War

Judicial service

On June 27, 1995, President Clinton nominated Wallach to serve as a Judge for the United States Court of International Trade, to the seat vacated by Judge Edward D. Re. He was confirmed by the Senate on August 11, 1995, and received his commission on August 14, 1995, serving on that court until his elevation to the Federal Circuit. President Obama nominated him on July 28, 2011 to serve on the United States Court of Appeals for the Federal Circuit.^[5] His nomination was reported out of the Senate Judiciary Committee on October 6, 2011, by voice vote. On November 8, 2011, his nomination was confirmed by the Senate by a vote of 99 ayes to 0 nays.^[6] He received his commission on November 18, 2011.^[7]

Publications

Wallach has had articles published both in mainstream media and legal journals, and has been widely cited in the media.^{[8][9]} Some of these include:

- Outline of the law of war.^[10]
- Waterboarding Used to Be a Crime.^[3]
- Afghanistan, Quirin, and Uchiyama: Does the Sauce Suit the Gander?^[11]
- The Logical Nexus Between The Decision To Deny Application of The Third Geneva Convention To The Taliban and al Qaeda, and the Mistreatment of Prisoners in Abu Ghraib.^[12]
- The Procedural and Evidentiary Rules of the Post World War II War Crimes Trials: Did They Provide an Outline for International Legal Procedure?^[13]
- Drop by Drop: Forgetting the History of Water Torture in U.S. Courts.^[14]

References

- ↑ "Judge Evan Wallach". National Endowment for the Arts.
- ↑ "Judge Evan J. Wallach". United States Court of International Trade. 2007-09-04.
- ↑ Evan Wallach (2007-11-02). "Waterboarding Used to Be a Crime". Washington Post.
- ↑ "Who We Are". International Law of War Association.

5. <http://www.whitehouse.gov/the-press-office/2011/07/28/president-obama-nominates-judge-evan-jonathan-wallach-united-states-court>
6. Senate Vote Record (http://www.senate.gov/legislative/LIS/roll_call_lists/roll_call_vote_cfm.cfm?congress=112&session=1&vote=00199)
7. Biographical Directory of Federal Judges (<http://www.fjc.gov/servlet/nGetInfo?jid=3219&cid=999&ctype=na&instate=na>)
8. Robyn Blumner (2006-10-21). "Law allows torture, even if Bush doesn't call it that". *Milwaukee Journal Sentinel*.
9. Joan Walsh (2007-11-04). "When waterboarding was a crime". *Salon*.
10. Evan Wallach. "Interactive Outline Of The Law Of War". International Law of War Association.
11. Evan J. Wallach (2003). "Afghanistan, Quirin, and Uchiyama: Does the Sauce Suit the Gander?" (PDF). *The Army Lawyer*.
12. Evan J. Wallach (2005). "The Logical Nexus Between The Decision To Deny Application of The Third Geneva Convention To The Taliban and al Qaeda, and the Mistreatment of Prisoners in Abu Ghraib". *Case Western Reserve Journal of International Law* **37**: 541–638.
13. Evan Wallach (1999). "The Procedural and Evidentiary Rules of the Post World War II War Crimes Trials: Did They Provide an Outline for International Legal Procedure?". *The Columbia Journal of Transnational Law* **37**.
14. Evan Wallach (2007). "Drop by Drop: Forgetting the History of Water Torture in U.S. Courts" (PDF rough draft). *The Columbia Journal of Transnational Law* **45** (2).

External links

- Evan Wallach (<http://www.fjc.gov/servlet/nGetInfo?jid=3219&cid=999&ctype=na&instate=na>) at the *Biographical Directory of Federal Judges*, a public domain publication of the Federal Judicial Center.

Legal offices		
Preceded by Edward Re	Judge of the United States Court of International Trade 1995–2011	Succeeded by Claire Kelly
Preceded by Arthur Gajarsa	Judge of the United States Court of Appeals for the Federal Circuit 2011–present	Incumbent

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Categories: 1949 births | Alumni of Hughes Hall, Cambridge

| American military personnel of the Vietnam War

| Judges of the United States Court of Appeals for the Federal Circuit

| Judges of the United States Court of International Trade | Living people | Recipients of the Air Medal

| Recipients of the Bronze Star Medal | United States court of appeals judges appointed by Barack Obama

| United States Article I federal judges appointed by Bill Clinton

| University of California, Berkeley School of Law alumni | University of Arizona alumni

| University of Nevada, Las Vegas faculty

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United States Court of Appeals for the Federal Circuit

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EVAN J. WALLACH, CIRCUIT JUDGE

Text Size



EVAN J. WALLACH was appointed to the United States Court of Appeals for the Federal Circuit by President Barack Obama in 2011, confirmed by the Senate on November 9, 2011, and assumed the duties of his office on November 18, 2011. Prior to his appointment, he served for sixteen years as a judge of the United States Court of International Trade, having been appointed to that court by President William J. Clinton in 1995.

Judge Wallach worked as a general litigation partner with an emphasis on media representation at the law firm of Lionel Sawyer & Collins in Las Vegas, Nevada from 1982 to 1995. He was an associate at the same firm from 1976 to 1982.

While working with the firm, Judge Wallach took a leave of absence to serve as General Counsel and Public Policy Advisor to Senator Harry Reid from 1987 to 1988. From 1989 to 1995, he served in the Nevada National Guard as a Judge Advocate. In 1991, while on leave from his firm, he served as an Attorney/Advisor in the International Affairs Division of the Judge Advocate of the Army at the Pentagon.

Judge Wallach, a recognized expert in the law of war, has taught at a number of law schools, including Brooklyn Law School, New York Law School, George Mason University School of Law, and the University of Muenster in Muenster, Germany.

Judge Wallach has received a number of awards, including: the ABA L berty Bell Award in 1993; the Nevada Press Association President's Award in 1994; and the Clark County School L brarians Intellectual Freedom Award in 1995.

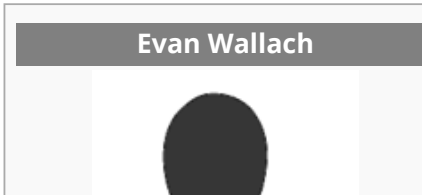
Judge Wallach served on active duty in the Army of the United States from 1969 to 1971. During his military career, he was awarded the Bronze Star, the Air Medal, the Good Conduct Medal, the Meritorious Service Medal, the Nevada Medal of Merit, the Valorous Unit Citation, a Vietnam Campaign Medal, and the RVN Cross of Gallantry with Palm.

Judge Wallach received his B.A. in Journalism from the University of Arizona in 1973, his J.D. from the University Of California, Berkeley in 1976, and an LLB with honors in International Law from Cambridge University in 1981.

Evan Wallach

Evan Wallach is a federal judge for the United States Court of Appeals for the Federal Circuit. He was nominated to the court by Barack Obama. Previously, he was a judge on the United States Court of International Trade.

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3 Judicial career
3.1 Federal court nomination



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Sergeant in the United States Army from 1969 to 1971. Wallach graduated from University of Arizona with his bachelor's degree in 1973 and received his J.D. degree from University of California Berkeley Boalt Hall School of Law in 1976. Wallach also obtained a LL.B. degree from Cambridge University in England in 1981.^[1]

Professional career

- **1976-1995:** Attorney in private practice, Nevada
- **1986-1987:** General counsel and public policy advisor, U.S. Sen. Harry Reid
- **1981-1982:** Political Science Instructor, University of Nevada-Reno^[1]

Judicial career

Federal court nomination

On July 28, 2011, Barack Obama nominated Wallach to fill the position vacated by Arthur Gajarsa on the United States Court of Appeals for the Federal Circuit.^[2] Obama commented on

Nomination Tracker	
Candidate:	Evan Wallach
Court:	United States Court of Appeals for the Federal Circuit
Progress:	Confirmed 103 days after nomination.
✓ Nominated:	July 28, 2011
✗ ABA Rating:	
✓ Questionnaire:	Questionnaire (http://judiciary.senate.gov/imo/media/doc/EvanWallach-PublicQuestionnaire.pdf)
✗ Hearing:	
✗ QFRs:	
✓ Reported:	November 6, 2011
✓ Confirmed:	November 8, 2011
Vote:	99-0

Wallach's nomination, stating "Judge Wallach has distinguished himself throughout his legal career in both the public and private sectors. He possesses a keen intellect and a commitment to fairness and integrity that will serve him well as a judge on the Federal Circuit."^[3] The ABA rated him Unanimously Well Qualified.

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(mailto:photo.editor@ballotpedia.org)

Judge

United States Court of Appeals for the Federal Circuit

Tenure
November 8, 2011 - Present

Predecessor Arthur Gajarsa

Elections and appointments

Appointed by Barack Obama

Approval vote 99-0

Education

Bachelor's University of Arizona, B.A., 1973

J.D. University of California Law, J.D., 1976

Past experience

United States Court of International Trade
1995 - 2011

Military service

Service/branch U.S. Army 1969 - 1971

Personal

Born Superior, AZ

Wallach had a hearing before the Senate Judiciary committee on September 7, 2011, and his Committee Questionnaire is available here (<http://judiciary.senate.gov/imo/media/doc/EvanWallach-PublicQuestionnaire.pdf>) and his Questions for the Record is available here (<http://judiciary.senate.gov/imo/media/doc/EvanWallach-QFRs.pdf>). He was reported by the committee on October 6, 2011.^[4]

Wallach was confirmed by a Senate vote of 99-0 on November 8, 2011.^[5]

Court of International Trade

Wallach was nominated to the United States Court of International Trade by former President Bill Clinton on June 27, 1995, to a seat vacated by Edward Re when Re assumed senior status. Wallach was confirmed by the U.S. Senate on August 11, 1995, on Senate voice vote and received commission on August 11, 1995.^[6]

See also

- United States Court of Appeals for the Federal Circuit

External links


- Judge Wallach's Biography (<http://www.fjc.gov/servlet/nGetInfo?jid=3219&cid=999&ctype=na&instate=na>) from the Federal Judicial Center

References

1. *Federal Judicial Center*, Wallach, Evan Jonathan, accessed November 3, 2015 (<http://www.fjc.gov/servlet/nGetInfo?jid=3219&cid=999&ctype=na&instate=na>)
2. *Whitehouse.gov*, Presidential Nominations Sent to the Senate, July 28, 2011 (<http://www.whitehouse.gov/the-press-office/2011/07/28/presidential-nominations-sent-senate>)
3. *Whitehouse.gov*, President Obama Nominates Judge Evan Jonathan Wallach to the United States Court of Appeals for the Federal Circuit, July 28, 2011 (<http://www.whitehouse.gov/the-press-office/2011/07/28/president-obama-nominates-judge-evan-jonathan-wallach-united-states-court>)
4. *Senate Judiciary Committee*, 112th Congress Nomination Materials, accessed September 9, 2011 (<http://www.judiciary.senate.gov/nominations/judicial?c=112>)
5. *United States Senate Committee on the Judiciary*, 112th Congress Confirmation Materials, accessed November 9, 2011 (<https://web.archive.org/web/2/http://judiciary.senate.gov/nominations/112thCongress.cfm>)
6. *The Library of Congress*, Presidential Nominations 104th Congress (1995 - 1996), PN479-104, accessed November 3, 2015 (<http://thomas.loc.gov/cgi-bin/ntquery/z?nomis:104PN0047900:/>)

Political offices		
Preceded by: Arthur Gajarsa	Court of Appeals for Federal Circuit 2011–Present	Succeeded by: NA

Political offices		
Preceded by: Edward Re	Court of International Trade 1995-2011	Succeeded by: Claire R. Kelly



Federal judges who have served the U.S. Court of Appeals for the Federal Circuit

[show]

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Federal judges nominated by Barack Obama



Federal judges who have served the United States Court of International Trade

[show]



Federal judges nominated by Bill Clinton

[show]

Categories: Federal judge, Federal Circuit | Current federal judge | Appointed by Barack Obama
| Federal judiciary nominee, July 2011 | Confirmed November 2011 | Former federal judge, Court of International Trade
| Confirmed 1995 | Appointed by Bill Clinton | Army veteran

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For Immediate Release

July 28, 2011

President Obama Nominates Judge Evan Jonathan Wallach to the United

States Court of Appeals for the Federal Circuit

WASHINGTON, DC – Today, President Obama nominated Judge Evan Jonathan Wallach to the United States Court of Appeals for the Federal Circuit. Judge Wallach is currently a judge on the United States Court of International Trade.

“Judge Wallach has distinguished himself throughout his legal career in both the public and private sectors,” said **President Obama**. “He possesses a keen intellect and a commitment to fairness and integrity that will serve him well as a judge on the Federal Circuit.”

Judge Evan Jonathan Wallach: Nominee for the United States Court of Appeals for the Federal Circuit

Judge Evan Jonathan Wallach has been a judge on the United States Court of International Trade, based in New York, since 1995. He has also served as an adjunct law professor on the law of war at numerous institutions, including Brooklyn Law School and New York Law School, since 1997. Born in Superior, Arizona, Judge Wallach enlisted in the United States Army in 1969, and served in the Vietnam War from 1970 to 1971 as a terrain reconnaissance sergeant in the 8th Engineer Battalion. He was awarded the Bronze Star Medal. He returned from the war to complete his B.A. at the University of Arizona in 1973. He received his J.D. from University of California at Berkeley's Boalt Hall School of Law in 1976, and also received an LL.B. in public international law from University of Cambridge Law School in 1981. In 1976, after completing law school, Judge Wallach joined the law firm of Lionel Sawyer & Collins in Las Vegas as a litigation associate, becoming a partner in 1983. He took a leave of absence from the firm from 1980 to 1981 to study at Cambridge in the United Kingdom, and then another leave of absence from 1987 to 1988 to serve as general counsel and public policy advisor to Senator Harry Reid. From 1989 to 1995, Judge Wallach served in the Nevada Army National Guard as an attorney-advisor, providing legal counsel for his brigade's commanders and all brigade personnel. In 1991, he entered active service during the Persian Gulf War, serving as an attorney-advisor in the International

Affairs Division of the Office of the Judge Advocate General of the Army at the Pentagon. Judge Wallach was appointed to the Court of International Trade in 1995. Since that time, he has presided over more than 230 cases to verdict or judgment addressing questions of international trade and customs law. He has also frequently sat by designation on several federal trial and appellate courts, hearing more than 80 cases on the Courts of Appeals for the Second, Third, and Ninth Circuits.

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