

**IRENE TEN CATE**  
Brooklyn Law School  
irene.tencate@brooklaw.edu  
646-241-2465  
[SSRN](#) | [Google Scholar](#)

---

## EMPLOYMENT

### Brooklyn Law School

*Associate Professor of Legal Writing*, 2023 – present

*Assistant Professor of Legal Writing*, 2021 – 2023

*Co-Director*, Dennis J. Block Center for the Study of International Business Law, 2023 – present

*Associate Director*, Dennis J. Block Center for the Study of International Business Law, 2022 – 2023

- Gateway to Lawyering (2021 – 2023, fall 2024)
- Fundamentals of Legal Drafting – Litigation (fall 2023)
- International Economic Law Colloquium (spring 2023, co-convenor)
- Directed Research (fall 2022, spring 2023, summer 2023, fall 2023)
- Fundamentals of American Law (1L orientation, 2021 – 2024)

### Fordham University School of Law

*Visiting Professor of Law*, fall 2024

- Criminal Law

### University of Houston Law Center

*Visiting Associate Professor*, spring 2024 (in residence), summer 2024 (remote), fall 2024 (remote)

*Clinical Assistant Professor*, Lawyering Skills & Strategies Program, 2018 – 2021 (approved for promotion to Clinical Associate Professor as of Aug. 2021)

*Faculty*, UHLC and LSAC Pre-Law Pipeline Programs, 2020 – 2023

- Free Speech and the University (fall 2024)
- Criminal Law (spring 2024, summer 2024)
- Conflict of Laws (spring 2024)
- Lawyering Skills & Strategies (2018 – 2021)
- Legal Writing (Pipeline Programs, summers of 2020 – 2023)
- Law school application workshops and conferences (Pipeline Programs, summers of 2021 – 2023)

### Jenner & Block LLP, New York, NY

*Litigation Associate*, 2015 – 2018

*Commercial Litigation / Arbitration*: Wrote numerous appellate submissions and briefs in support of dispositive motions; represented Japanese client in high-stakes four-party ICC arbitration.

*In-House*: Part-time secondment at Hain Celestial from Dec. 2016 – Apr. 2017.

*Asylum Law*: Represented asylum applicants at all stages of the process; briefed issues of first impression regarding the material support and firm resettlement bars in the Second and Fifth Circuits. Work on one of my cases was recognized with the Catholic Immigration Legal Network's 2018 Pro Bono Award.

*Other Pro Bono*: Wrote amicus brief for Ninth Circuit on Dutch constitutional law aspects of ownership rights in Nazi-looted art; represented plaintiffs (including on appeal to the Second Circuit) in a challenge to Connecticut's quarantines of individuals who arrived from Ebola-stricken countries.

## **Marquette University Law School**

*Visiting Assistant Professor*, 2012 – 2014

- Civil Procedure (spring 2013, spring 2014)
- Pretrial Practice (spring 2013, spring 2014)
- Business Associations (fall 2012, fall 2013)

## **Columbia Law School**

*Associate-in-Law*, 2010 – 2012, *Teaching Program Fellow*, fall 2008

Course package:

- Legal Practice Workshop (2010 – 2012)
- Supervised Research (fall 2011)

## **Skadden, Arps, Slate, Meagher & Flom LLP**, New York, NY

*Litigation and International Arbitration Associate*, 2003 – 2010, *Summer Associate*, summer 2002

*Commercial Litigation / Arbitration*: Represented clients in securities fraud cases and M&A and other business disputes; wrote submissions to Second Circuit for first federal appellate decision to apply new scienter standards to the safe harbor for forward-looking statements; assisted arbitrators.

*Pro Bono*: Took and defended depositions for the City Law Department; wrote amicus brief for NYCLU about speech rights in a privately-owned shopping center; defended public interest attorney against defamation claim; represented contemporary art museum in dispute that presented novel copyright issues; conducted research and prepared factual analyses for death penalty case.

## **ICC Court of International Arbitration**, Paris, France

*Intern*, Common Law team, September 2003

## **Cleary Gottlieb Steen & Hamilton LLP**, Brussels, Belgium

*Corporate Associate*, 2000 – 2001

## **De Brauw Blackstone Westbroek**, The Hague, The Netherlands

*Intern*, Administrative Law group, spring 1998

## **EDUCATION**

### **Columbia Law School**

J.D., 2003; LL.M., 1999; exchange student, fall 1997

- Honors: Harlan Fiske Stone Scholar (1999, 2003)  
Recipient of the Stibbe Steppingstone Scholarship and other merit-based scholarships
- Activities: Associate Editor, *Columbia Journal of Transnational Law*  
Editor, *Columbia Journal of Gender and Law*  
Columbia Asylum Project – helped prepare application of French-speaking asylum applicant  
International Legal Assistance Network – helped challenge Uganda’s single-party system  
WITNESS – wrote guide about proceedings before the European Court of Human Rights

### **University of Amsterdam**

*Meester in de Rechten* (LL.B.), 1998

- Thesis: *Waardering van Bewijs in het Nederlandse en het Amerikaanse Burgerlijke Proces*  
 (“Evaluation of Evidence in Dutch and American Civil Procedure”)
- Activities: Tutored first-year law students  
Participated in the Trenité van Doorne Summer School  
Completed several courses at the University of Amsterdam’s philosophy department; studied cello performance at the Amsterdam Conservatory for two years  
Served on the board of an amateur orchestra; helped organize a concert tour to Bologna

## SCHOLARSHIP

### Selected Works-in-Progress:

*Arbitrator Selection Default Rules* – Argues that arbitration institutions should adopt a minoritarian default rule in favor of institutional selection of arbitrators to protect parties that are inexperienced in international dispute resolution, under-resourced, or from regions that are under-represented in the arbitrator pool.

*The ISDS Lawmaking Conundrum* – Analyzes a series of inconsistent awards addressing consequences of ICSID denunciation and reflects on the limits of lawmaking in ISDS in light of the horizontal structure of arbitration, persistent questions about the legitimacy of ICSID, and the rise of alternative forums.

*Growing Pains: Grades and the First-Year Legal Writing Course* (with Kate Brem) – Analyzes tradeoffs involved in assigning grades or scores throughout the semester in the legal writing course and offers suggestions for navigating the tensions inherent in intra-semester formative assessment.

### Law Journal Articles:

*Splitting the Baby*, 61 COLUM. J. TRANSN'L L. 338 (2023)

*The Costs of Consistency: Precedent in Investment Treaty Arbitration*, 51 COLUM. J. TRANSN'L L. 418 (2013)

- Proposal was one of three winning entries blindly selected out of approximately sixty submissions for presentation at the Institute for Transnational Arbitration's inaugural Winter Forum

*International Arbitration and the Ends of Appellate Review*, 44 N.Y.U. J. INT'L L. & POL. 1109 (2012)

*Speech, Truth, and Freedom: An Examination of John Stuart Mill's and Justice Oliver Wendell Holmes's Free Speech Defenses*, 22 YALE J. L. & HUM. 35 (2010)

- Cited in *Thompson v. Police* [2012] NZHC 2234, [2013] 1 NZLR 848 at [71] & n. 50 (N.Z.)
- Excerpted in VINCENT BLASI, IDEAS OF THE FIRST AMENDMENT
- Discussed in JEROME A. BARRON ET AL., CONSTITUTIONAL LAW PRINCIPLES & POLICY: CASES & MATERIALS
- Featured on Legal Theory Blog

*Multi-Party and Multi-Contract Arbitrations: Procedural Mechanisms and Interpretation of Arbitration Agreements under U.S. Law*, 15 AM. REV. INT'L ARB. 133 (2004) (student note)

- Cited in *Markel Int'l Ins. Co. v. Westchester Fire Ins. Co.*, 442 F. Supp. 2d 200, 204 (D.N.J. 2006)

*Absence of Consent Trumps Arbitral Economy: Consolidation of Arbitrations Under U.S. Law*, 12 AM. REV. INT'L ARB. 335 (2003) (with Rona G. Shamoon)

### Shorter Pieces and Practitioner Publications:

*Boundaries*, LWI LIVES (Aug. 2020)

*Guide to Enforcement of Foreign Arbitral Awards and Court Judgments in the United States*, JENNER & BLOCK PRACTICE SERIES (2017) (co-author)

*Book Review: Yearbook on International Investment Law & Policy 2010-2011*, 35 J. POL'Y MODELING 852 (2013) (invited contribution)

*Over Vrijheid, Grote Vragen, en de Werkgroep Rechtsfilosofie* (On Liberty, Big Questions, and the Legal Theory Seminar) (2013), invited contribution for Festschrift for Prof. Joep van der Vliet, University of Amsterdam

*Selecting the Right Arbitrator*, 818 PRACTICING LAW INSTITUTE LITIGATION & ADMINISTRATIVE PRACTICE COURSE HANDBOOK SERIES 349 (2010) (with Dana H. Freyer)

## **Selected Blog Posts:**

*Do You Want to Be a Fulltime Legal Writing Professor?*, Summary, Judgment Blog (July 13, 2020)

*Lewd and Lascivious Behavior Laws: A Milwaukee Story*, Marquette University Law School Faculty Blog (Nov. 11, 2013)

*Marriage Equality and the Popularity Paradox*, Marquette University Law School Faculty Blog (June 30, 2013)

*Binders Full of Women . . . Arbitrators?*, Marquette University Law School Faculty Blog (cross-posted on the IntlLawGrrls Blog) (Nov. 2, 2012)

## **SELECTED PRESENTATIONS (since 2018)**

*Transcending Law School Faculty Hierarchies* (moderator)  
AALS 2025 Annual Meeting, San Francisco, Jan. 2025

*Arbitrator Selection Default Rules* (presenter)  
American Society of International Law Research Forum, University of Chicago Law School,  
Nov. 2024

*Scholarly Identity* (discussant)  
Legal Writing Institute Biennial Conference, Indiana University School of Law, July 2024

*Writing About Legal Writing* (presenter)  
Legal Writing Institute Biennial Conference, Indiana University School of Law, July 2024

*Due Process and the “Reasoned Award”* (moderator)  
Institute for Transnational Arbitration Annual Workshop, Austin, June 2024

*Legal Communication as Second-Language Acquisition* (presenter)  
Global Legal Skills Conference, Bari University, Italy, June 2024

*The Gordian Knot of Hybrid Assessment* (presenter)  
Empire State Legal Writing Conference, Fordham University School of Law, May 2024

*Practicing Inclusion in the Legal Writing Course* (moderator)  
Lone Star Legal Writing Conference, University of Houston Law Center, Apr. 2024

*Meet the Editors: A Conversation About Publishing* (presenter, with Wayne Schiess & Katherine Vukadin)  
Lone Star Legal Writing Conference, University of Houston Law Center, Apr. 2024

*Beyond NextGen: Working Together to Help Our Students Flourish* (moderator)  
AALS 2024 Annual Meeting, Washington, D.C., Jan. 2024

*Status and the Intra-Skills Divide* (presenter, with Megan Davis & Brittany Persson)  
Legal Writing Institute One-Day Workshop, Arizona State University, virtual, Dec. 2023

*Gender, Race, and Trade Policy in the USMCA* (moderator)  
International Business Law Symposium, Brooklyn Law School, Oct. 2023

*Implementing ABA 303(c) in the Legal Writing Classroom* (discussant)  
Southeastern Association of Law Schools Annual Conference, Boca Raton, July 2023

*Psychology and Professional Identity Development* (panelist)  
Southeastern Association of Law Schools Annual Conference, Boca Raton, July 2023

*Growing Pains: Grades and the First-Semester Legal Writing Course* (presenter, with Katherine Brem)  
Southeastern Association of Law Schools Annual Conference, Boca Raton, July 2023  
Legal Writing Institute One-Day Workshop, Stetson University College of Law, virtual, Dec. 2021  
Empire State Legal Writing Conference, virtual, May 2021

*Eastern Europe's Regional Security* (moderator)  
International Law Society, Brooklyn Law School, Apr. 2023

*Judging Legal Writing* (presenter, with Catharine Du Bois)  
Lone Star Legal Writing Conference, Texas Tech University School of Law, Apr. 2023

*Six Faces of Globalization* (organizer and moderator of book discussion panel)  
Dennis J. Block Center for the Study of International Business Law, Brooklyn Law School, Mar. 2023

*The Gentrification of Legal Writing* (presenter)  
Rocky Mountain Legal Writing Conference, Las Vegas, Feb. 2023

*Lessons from the Professor Down the Hall* (presenter, with Megan Davis)  
Legal Writing Institute One-Day Workshop, Charleston School of Law, Dec. 2022

*Splitting the Baby* (presenter)  
International Business Law Scholars' Roundtable, Brooklyn Law School, Sept. 2022  
Rutgers Law School—Camden, Faculty Workshop, Nov. 2021  
American Society of International Law Research Forum, virtual, Nov. 2020

*Teaching Evaluations: The Good, the Bad, and the Ugly* (moderator)  
Legal Writing Institute Biennial Conference, Georgetown University Law Center, July 2022

*AALS Section Q&A: Legal Writing, Reasoning & Research* (panelist)  
Organized in conjunction with the AALS Faculty Recruitment Conference, virtual, Aug. 2021

*The ALWD Scholars Fora & Workshops Reunion Special and Casting Call* (video presentation, contributor)  
Association of Legal Writing Directors Biennial Conference, virtual, June 2021

*Under, Here, Because, Therefore* (presenter, with Megan Davis)  
Legal Writing Institute One-Day Workshop, Charleston School of Law, Dec. 2019  
Empire State Legal Writing Conference, New York Law School, May 2019

*New Techniques in International Litigation and Adjudication* (moderator / discussant)  
American Society of International Law Research Forum, New York, Nov. 2019

*Arbitral Judging* (presenter)  
American Society of International Law Research Forum, New York, Nov. 2019  
American Society of Comparative Law Works-in-Progress Conference, Columbia, MO, Oct. 2019

*The Performance Enhancement Paradox* (presenter)  
Law & Society Association Annual Meeting, Washington, D.C., May 2019  
Central States Law School Association, Texas A&M University School of Law, Oct. 2018

## LAW SCHOOL COMMITTEES

### Brooklyn Law School

Faculty Advisor, *Brooklyn Journal of International Law* (2022 – 2024)  
Student Academic Organizations Committee (2022 – 2024)  
Student Diversity & Inclusion Committee (2021 – 2022, fall 2023)  
Professional Development Committee (2021 – 2022)

### University of Houston Law Center

Admissions Committee (2020 – 2021)  
Student Affairs Committee (2018 – 2021)  
Library Committee (2018 – 2020)  
Graduate Legal Studies Committee (2018 – 2019)

### Marquette University Law School

Faculty Blog Committee (2012 – 2014)

## OTHER INSTITUTIONAL SERVICE

Co-organized the Block Center International Business Law Scholars' Roundtable (Sept. 2022, Sept. 2024)

Conducted a workshop on the Multistate Performance Test as part of Brooklyn Law School's Summer Bar Initiative (July 2024, with Flora Midwood)

Participated in a faculty panel on Brooklyn Law School's Admitted Students' Day (May 2024)

Co-organized the Block Center Symposium USMCA: Promises and Challenges for the Future of North American Trade (Oct. 2023)

Conducted Brooklyn Law School's Thesis Workshop for new journal members (Sept. 2023)

Organized and moderated Brooklyn Law School's Summer Writing Workshop for tenure-track, long-term-contract-track, and visiting faculty (summer 2023)

Served as appellate and trial judge in the Jerome Prince Memorial Evidence Competition at Brooklyn Law School (2022 – 2023), the University of Houston Law Center's Street Law Program (2019), and Columbia Law School's Stone Moot Court Program (2017) and 1L Moot Court Program (2016 – 2018); participated as judge in moot court practice rounds at Marquette University Law School (2012 – 2014)

Served as faculty advisor for first-year J.D. students and foreign LL.M. students at Brooklyn Law School (2022 – 2023)

Served as mentor for first-year J.D. students at the University of Houston Law Center (2018 – 2021)

Conducted outreach to admitted students for the University of Houston Law Center (spring 2020)

Reviewed student notes for *Marquette Law Review* (2013 – 2014)

Co-organized and moderated Columbia Law School's Associates & Fellows Workshop (2010 – 2011)

## EXTERNAL LEADERSHIP AND SERVICE

### Editor Positions

- *Legal Writing: The Journal of the Legal Writing Institute*: Editor in Chief (2024 – present); Assistant Editor in Chief (2022 – 2024); Essay Editor (2020 – 2022); Assistant Editor (2019 – 2020)
- *Legal Writing Institute Monograph Series*: member of the Editorial Board (2020 – 2022)
- American Bar Association Section of International Law, *2019 International Law Year in Review*: deputy editor

### External Reviews

- *American Political Thought*
- *ICSID Review – Foreign Investment Law Journal*
- *McGill Journal of Dispute Resolution*

### Legal Writing Discipline Building

- Served as facilitator at the Scholars Forum organized in conjunction with the Empire State Legal Writing Conference (May 2024)
- Served as facilitator at the Sirico Scholars' Workshop for legal writing faculty (July 2023)
- Co-organized the Legal Writing Institute's writing retreat (Dec. 2019)

### Legal Writing Committees

- Diversity Committee, AALS Section on Legal Writing, Reasoning, and Research (2021 – 2022)
- Outreach Committee, AALS Section on Legal Writing, Reasoning, and Research (2020 – 2021)
- Scholars Forum, Association of Legal Writing Directors (2020 – 2021)

### Other

- Profiled in LWI LIVES (Oct. 2018)
- Was consulted regarding Justice Holmes's free speech legacy for WNYC's Radiolab: More Perfect podcast series (Aug. 2017)

## BAR ADMISSIONS

New York, U.S. Supreme Court, Second Circuit, Fifth Circuit, S.D.N.Y., E.D.N.Y., immigration courts.

## LANGUAGES

Native Dutch speaker; proficient in French and German; basic knowledge of Spanish.

## MUSIC

As an active amateur cellist, I have performed on the stages of Carnegie Hall, the Amsterdam Concertgebouw, and the Beijing Concert Hall, as well as in schools, nursing homes, a high-security prison, and town squares all over Europe. From 2008 – 2010, I programmed a chamber music concert series at the New York City Bar Association.