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**Professor of Law**  
**Roger Williams University School of Law**  
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**EDUCATION**

**UNIVERSITY OF MICHIGAN LAW SCHOOL**, Ann Arbor, Michigan

J.D., 1994

Magna cum laude

Executive Note Editor, *Michigan Law Review* (1993-1994)

**VASSAR COLLEGE**, Poughkeepsie, New York

B.A., 1990

General Honors. English Department Honors. Phi Beta Kappa.

**PRESENT EMPLOYMENT**

**PROFESSOR**, Roger Williams University School of Law, Bristol, R.I.

July 2009–present

**ASSOCIATE PROFESSOR**

July 2005-June 2009

Courses: Constitutional Law I, Constitutional Law II, First Amendment, Great Constitutional Issues of the Nineteenth Century, Supreme Court; Environmental Law, Fisheries Law and Policy, International Environmental Law, Natural Resources Law, and Wildlife Law

**PAST EMPLOYMENT**

**VISITING ASSOCIATE PROFESSOR**, Department of Political Science, Brown University, Providence, R.I.

Fall 2009-Summer 2010, Spring 2011

Courses: Constitutional Law: Governmental Powers, Constitutional Law: Individual Rights

**ASSOCIATE**, Shearman & Sterling, Washington, D.C.

June 2001–May 2005

Drafted briefs, motions, and complaints on behalf of corporate and foreign government clients.

Drafted district court, appellate, and Supreme Court briefs on behalf of Kuwaitis held as enemy combatants at Guantanamo Bay, Cuba. Met with clients at Guantanamo Bay.

Presented oral arguments before the federal courts of appeals in cases addressing foreign sovereign immunity and international comity.

**ATTORNEY, Appellate Section, Environment and Natural Resources Division, United States Department of Justice.** Washington, D.C.

October 1997–May 2001

Briefed and argued cases in federal appellate courts and state supreme courts in cases including constitutional challenges to environmental statutes, criminal prosecutions of corporations, enforcement of hazardous waste laws, and the protection of Indian religious freedom.

Drafted briefs on behalf of the United States in several Supreme Court cases.

Received Department of Justice Special Achievement Award (2000) and Special Commendation for Outstanding Service (1999), and National Oceanic and Atmospheric Administration General Counsel's Award (1998).

**BRISTOW FELLOW, Office of the Solicitor General, United States Department of Justice.** Washington, D.C.

1996–1997

Prepared appeal recommendations and briefs in Supreme Court cases.

**LAW CLERK, The Honorable Louis H. Pollak, United States District Court for the Eastern District of Pennsylvania.** Philadelphia, Pa.

1995–1996

Provided legal research and drafted judicial opinions in federal district and circuit court cases.

## PUBLICATIONS

**ARTICLE**, *The American Liberty League and the Rise of Constitutional Nationalism*, – Temple L. Rev. – (forthcoming 2013).

**ARTICLE**, *The Tea Party Movement and the Perils of Popular Originalism*, 53 Ariz. L. Rev. 827 (2011).

**ARTICLE**, *Equitable Balancing in the Age of Statutes*, 96 Va. L. Rev. 486 (2010).

**ARTICLE**, *Aliens in the Garden*, 80 Colo. L. Rev. 685 (2009).

**ARTICLE**, *Habeas Without Rights*, 2007 Wis. L. Rev. 1165 (2007).

**ARTICLE**, *Is There a “Religious Question” Doctrine? Judicial Authority to Examine Religious Beliefs and Practices*, 54 CATH. U. L. REV. 497 (2005).

**ESSAY**, *Can Popular Constitutionalism Survive the Tea Party Movement?*, 105 Nw. L. Rev. 1807 (2011).

**ESSAY**, *The Tea Party’s Constitution*, 88 Denver L. Rev. 559 (2011) (invited symposium essay).

**COLUMN**, *Habeas Is About Power, Not Rights*, RHODE ISLAND BAR JOURNAL (2008).

**OP-ED**, *Primaries, Constitutional Nationalism, and History*, National L. J. (Feb. 20, 2012), available at <http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202542726026&slreturn=1>.

**OP-ED**, *The Accidental Terrorist, Or Why Habeas Corpus Must Not Be Sacrificed in the War on Terrorism*, Providence Journal (Sept. 28, 2006), reprinted in Knight-Ridder newspapers across the country.

**BLOG POST**, *Why Presidents Cannot Run Against the Court*, Balkinization (Apr. 14, 2012), <http://balkin.blogspot.com/2012/04/why-presidents-cannot-run-against-court.html>

**BLOG POST**, *Broccoli and the Conservative Imagination*, Balkinization (May 1, 2012), <http://balkin.blogspot.com/2012/05/broccoli-and-conservative-imagination.html>.

**NOTE**, *Employment Discrimination Claims Under ERISA Section 510: Should Courts Require Exhaustion of Arbitral and Plan Remedies?*, 93 MICH. L. REV. 193 (1994).