



Curriculum Vitae of Fred O. Smith, Jr.

ACADEMIC APPOINTMENTS

Emory University, School of Law—Atlanta, GA

Professor of Law 2021-Present
Associate Professor of Law (with tenure) 2017-2021
Visiting Professor of Law 2015-2017
Awards: Most Outstanding Professor in 2019 and 2022

Stanford Law School—Palo Alto, CA

Visiting Professor of Law Fall 2023

Columbia University, School of Law—New York, NY

James S. Carpentier Visiting Professor of Law Fall 2022

University of Chicago, School of Law—Chicago IL

Visiting Associate Professor of Law Fall 2020
Walter V. Schaefer Visiting Associate Professor of Law Fall 2018

University of California, Berkeley Law School— Berkeley, CA

Assistant Professor of Law 2010- 2017

EDUCATION

Stanford Law School, J.D., 2007

Honors: Kirkwood Moot Court Finalist; American Constitutional Society National Moot Court Finalist

Harvard University, B.A. in Sociology and Afro-American Studies, 2004

Honors: *Magna Cum Laude* Honors Thesis

JUDICIAL CLERKSHIPS

The Honorable Sonia Sotomayor 2013-14
United States Supreme Court—Washington, D.C.

The Honorable Barrington Parker 2009-10
United States Court of Appeals, Second Circuit—New York, NY

The Honorable Myron H. Thompson 2007-08
Middle District of Alabama— Montgomery, AL

LAW REVIEW PUBLICATIONS

Reconstructing Klein, 90 U. CHI. L. REV. __ (2023) (forthcoming) (with Helen Hershkoff)

Communities of Competitors, 24 THEORETICAL INQUIRIES IN LAW __ (2023) (peer review)

Policing Mass Incarceration, 134 HARV. L. REV. 1853 (2022) (invited book review of Erwin Chemerinsky's *Presumed Guilty*)

Abstaining Equitably, 97 NOTRE DAME L. REV. 101 (2022) (invited annual Federal Courts issue featuring Hon. Amy Coney Barrett)

- On Time, (In)equality, and Death*, 120 MICH. L. REV. 195 (2021)
- Federalism in the States: What States Can Teach About Commandeering*, 2021 WIS. L. REV. 1257 (2021)
(invited symposium)
- The Other Ordinary Persons*, 79 WASH. & LEE L. REV. 107 (2021) (invited symposium on the legacy of Hon. Roger Gregory)
- Beyond Qualified Immunity*, 119 MICH. L. REV. ONLINE 121 (2021) (invited essay in multi-journal symposium entitled Reckoning and Reform)
- The Constitution After Death*, 120 COLUM. L. REV. 1471 (2020)
- Cited by the Chief Justice of the Puerto Rico Supreme Court in *Pueblo v. Ocasio Santiago*, 2021 TSPR 64 n.1 (2021) (Oronoz Rodríguez, C.J., dissenting).
- Remediating Resistance*, 71 ALA. L. REV. 641 (2020) (invited centennial symposium on the legacy of Hon. Frank M. Johnson, Jr.)
- Restoring Hope*, 68 AM. U. L. REV. F. 49 (2019) (invited response to Michael L. Wells, *Qualified Immunity After Ziglar v. Abbasi: The Case for A Categorical Approach*, 68 AM. U. L. REV. 379 (2018))
- Abstention in the Time of Ferguson*, 131 HARV. L. REV. 2283 (2018)
- Cited in *Jamison v. McClendon*, 476 F. Supp. 3d 386, 409 n. 166 (S.D. Miss. 2020)
- Formalism, Ferguson, and the Future of Qualified Immunity*, 93 NOTRE DAME L. REV. 2093 (2018)
(invited annual Federal Courts issue on qualified immunity)
- Can Unions Be Sued for Following the Law?*, 132 HARV. L. REV. F. 24 (2018) (with Aaron Tang)
- Cited in *Berman v. New York State Pub. Emp. Fed'n*, No. 16-CV-204 (DLI)(RLM), 2019 WL 1472582, at *4 n. 3 (E.D.N.Y. Mar. 31, 2019)
- Undemocratic Restraint*, 70 VAND. L. REV. 845 (2017)
- Local Sovereign Immunity*, 116 COLUM. L. REV. 409 (2016)
- Cited in *Galindo v. City of Flagstaff*, 452 P.3d 1185, 1187 n. 2 (Utah, 2019)
- Due Process, Republicanism, and Direct Democracy*, 89 N.Y.U. L. REV. 582 (2014)
- Cited in *Bishop v. Smith*, 760 F.3d 1070, 1100 (10th Cir. 2014) (Holmes, J., concurring)
- Awakening the People's "Giant": Sovereign Immunity and the Constitution's Republican Commitment*, 80 FORDHAM L. REV. 1941 (2012)
- Crawford's Aftershock: Aligning the Regulation of Non-Testimonial Hearsay with the Purposes and History of the Confrontation Clause*, 60 STAN. L. REV. 1497 (2008)
- Gendered Justice: Do Male and Female Judges Rule Differently on Questions of Gay Rights?*, 57 STAN. L. REV. 2087 (2005)

BOOKS

- FEDERAL COURTS IN CONTEXT, 1st ed. (2023) (casebook) (with Erwin Chemerinsky, Seth Davis, and Norman Spaulding)
- CONSTITUTIONAL TORTS, 5th ed. (2020) (casebook) (with Sheldon H. Nahmod, Tom Eaton, and Michael L. Wells)

SHORTER PUBLICATIONS

- The Most Endangered Branch?* Balkinization Blog (February 2022) (invited review for Symposium on Aziz Huq, *The Collapse of Constitutional Remedies* (Oxford University Press, 2022), <https://balkin.blogspot.com/>)
- No Harm, No Foul? Privacy law and Judicial Remedies*, JOTWELL (February 2022) (reviewing Danielle Keats Citron & Daniel J. Solove, *Privacy Harms*, 102 B.U. L. REV. _ (2022)), <https://courtslaw.jotwell.com/no-harm-no-foul-privacy-law-and-judicial-remedies/>
- Against Conflating “Cases” and “Controversies,”* Balkinization Blog (August 2021) (invited review for Symposium on James E. Pfander, *Cases Without Controversies: Uncontested Adjudication in Article III Courts* (Oxford University Press, 2021), <https://balkin.blogspot.com/2021/08/against-conflating-cases-and.html>)
- Point/Counterpoint: Qualified Immunity*, 104 JUDICATURE 66 (2021) (invited)
- Assessing the Rise of the Governmental Plaintiff*, JOTWELL (October 2020) (reviewing Seth Davis, *The New Public Standing*, 71 STAN. L. REV. 1229 (2019)), <https://courtslaw.jotwell.com/assessing-the-rise-of-the-governmental-plaintiff/>
- Opinion: To fix today, we must confront our past around race*, ATLANTA JOURNAL-CONSTITUTION (May 30, 2020)
- How Remedies Disappear*, JOTWELL (August 2019) (reviewing Leah Litman, *Remedial Convergence and Collapse*, 106 CAL. L. REV. 1477 (2018), <https://courtslaw.jotwell.com/how-remedies-disappear/>).
- The Politically Powerful and Judicial Review*, JOTWELL (September 7, 2018) (reviewing Aaron Tang, *Rethinking Political Power in Judicial Review*, 107 CAL. L. REV. 1755 (2019), <https://courtslaw.jotwell.com/the-politically-powerful-and-judicial-review/>).
- The Trouble with Qualified Immunity*, JOTWELL (September 14, 2017) (reviewing William Baude, *Is Qualified Immunity Unlawful?*, 106 CAL. L. REV. 45 (2018), <https://courtslaw.jotwell.com/the-trouble-with-qualified-immunity/>).
- Our republic depends on playing by the rules*, THE ATLANTA JOURNAL-CONSTITUTION, Feb 4, 2017, <https://www.ajc.com/news/opinion/our-republic-depends-playing-the-rules/aZVZXctomAT8AYUzbXjGLP/>
- What Now: Lessons and Questions from Ferguson, Missouri*, EMORY LAWYER (Summer 2015)
- Supreme Court Broadens Power to Invalidate Laws Deemed “Improper,”* S.F. CHRONICLE (June 20, 2012)
- The Impact of Judicial Activism on the Moral Character of Its Citizens*, ENGAGE (September 2012)

WORKS IN PROGRESS

- Jurisdiction in a Time of Reckoning*
Reconstructing Klein (with Helen Hershkoff)
Accountability After Death
Qualified Immunities
The Declining Significance of Finality

RESEARCH PRESENTATIONS

- American Association of Law Schools**—San Diego, CA January 2023
Serving on panel hosted by Federal Courts Section of AALS: “Dispelling the Myth: The Business of the Federal Judicial System, Today”

Junior Federal Courts Workshop —Gainesville, FL Commentating on a paper by a junior scholar at annual workshop	December 2022
Florida State University —Tallahassee, FL Presenting at Florida State University Law School’s Faculty Colloquium	November 2022
University of Illinois —Champaign, IL Presenting at University of Illinois Law School’s Faculty Colloquium	October 2022
University of Pennsylvania —Philadelphia, PA Presenting at University of Pennsylvania Law School’s Faculty Colloquium	October 2022
University of Texas —Austin, TX Commentating on John Golden’s <i>Congressional Power, Public Rights, and Non-Article III Adjudication</i> at Colloquy for Constitutional Studies Program	September 2022
Emory University —Atlanta, GA Presented <i>Decentralizing Immunity</i> at Conference on State Constitutional Law hosted by the Emory Center on Federalism and Intersystemic Governance	July 2022
Tel Aviv University —Tel Aviv, Israel Presented <i>Communities of Competitors</i>	June 2022
George Mason University —Washington, D.C. Presented <i>Reconstructing Klein</i> (with co-author Helen Hershkoff) at Gray Center Roundtable	May 2022
Federal Bar Association —Jacksonville, FL Presented on qualified immunity at annual conference	April 2022
Campbell Law School —Raleigh, NC Presented on governmental immunities at law review symposium	March 2022
Duke Law School —Durham, NC Presented on abstention at Civil Rights Colloquium	January 2022
University of Virginia Law School —Charlottesville, VA Presented <i>Rights after Death</i>	November 2021
University of Oklahoma Law School —Norman, OK Presented <i>Rights after Death</i> at Faculty Lecture Series (Online)	November 2021
Arizona State University Law School —Tempe, AZ Presented <i>Decentralizing Qualified Immunity</i> at Works-in-Progress Roundtable (Online)	October 2021
Fordham Law School —New York, NY Presented <i>Beyond Qualified Immunity</i> at Criminal Law Colloquium (Online)	February 2021
University of California, Berkeley —Berkeley, CA Commentated on <i>State Courts and Federal Pleading Standards</i> by Marcus Gadson at Langston Workshop (Online)	July 2021
Columbia Law School —New York, NY Presented <i>Time, Equality, and Death</i> at Faculty Workshop (Online)	October 2020
University of Chicago Law School —Chicago, IL Presented <i>Time, Equality, and Death</i> at Work-in-Progress Colloquium (Online)	October 2020
Connecticut Law School —Hartford, CT Participated in Connecticut Law Review symposium on the political question doctrine (Online).	October 2020

Duke Law School —Durham, NC Presented <i>Time, Equality, and Death</i> at Faculty Colloquium (Online)	September 2020
University of Texas Law School —Austin, TX Presented <i>Time, Equality, and Death</i> at Faculty Colloquium (Online)	September 2020
University of California, Irvine —Irvine, CA Presented <i>Time, Equality, and Death</i> at Faculty Colloquium	March 2020
Emory Law School — Atlanta, GA Presenting <i>The Constitution After Death</i> at Faculty Colloquium	February 2020
University of Warsaw — Warsaw, Poland Presented <i>Remediating Resistance</i> at an invited lecture	December 2020
University of Tennessee Law School Presented <i>The Constitution After Death</i> at Distinguished Visiting Scholar Series	October 2019
University of Arkansas-Fayetteville Law School Presented <i>The Constitution After Death</i> at Faculty Colloquium	September 2019
Chicago-Kent Law School —Chicago, IL Presented <i>The Constitution After Death</i> at Faculty Colloquium	September 2019
Howard University Law School — Washington, DC Commentated on <i>Saving Justice</i> by Brandon Hasbrouck	July 2019
University of Illinois Law School —Champaign, IL Presented <i>Dignifying the Dead</i> at Constitutional Law Colloquium	March 2019
Stanford Law School — Palo Alto, CA Presented <i>Spiritual Reparations</i> at Race and the Law Colloquium	January 2019
University of Alabama Law School —Tuscaloosa, AL Presented <i>Remediating Resistance</i> at Symposium on Legacy of Hon. Frank Johnson	January 2019
University of Chicago Law School — Chicago, IL Presented <i>Death, Rights, and the Constitution</i> at Works in Progress Colloquium	October 2018
Loyola Law School —Los Angeles, CA Presented <i>Spiritual Reparations</i> at Faculty Colloquium	August 2018
Fordham Law School —New York, NY Presented <i>Formalist Fragmentation: The Future of Qualified Immunity</i> at Faculty Colloquium	March 2018
University of Nevada, Las Vegas —Las Vegas, NV Commentated at Conference on the Thirteenth Amendment	March 2018
Seattle Law School — Seattle, WA Presented <i>Formalist Fragmentation: The Future of Qualified Immunity</i> at Faculty Colloquium	February 2018
Northwestern Law School — Chicago, IL Presented <i>Abstention in the Time of Ferguson</i> at Public Law Colloquium	February 2018
Shanghai Academy of Social Sciences — Shanghai, China Presented on Federalism at International Conference of Regional Cooperation Law	December 2017
University of Chicago Law School — Chicago, IL Presented <i>Abstention in the Time of Ferguson</i> at Constitutional Law Colloquium	November 2017

University of California, Berkeley Law School — Berkeley, CA Presented on Current Themes in Federalism at “Federalism Now” Conference	November 2017
University of Florida, Levin College of Law — Gainesville, FL Presented <i>Abstention in the Time of Ferguson</i> in Distinguished Lecture Series	October 2017
University of California, Davis Law School — Davis, CA Presented <i>Abstention in the Time of Ferguson</i> at Law Faculty Colloquium	August 2017
Southeastern Association of Law Schools — Boca Raton, FL Presented <i>Abstention in the Time of Ferguson</i>	August 2017
Louisiana State University School of Law —Baton Rouge, LA Presented <i>Abstention in the Time of Ferguson</i> at LSU Law Faculty Colloquium	April 2017
Ninth Annual Junior Federal Courts Workshop —Atlanta, GA Presented <i>Abstention in the Time of Ferguson</i>	April 2017
Emory University Law School —Atlanta, GA Presented <i>Undemocratic Restraint</i> at Emory Faculty Colloquium	March 2017
Loyola Chicago Law School —Chicago, IL Presented <i>Abstention in an Age of Accountability</i> at the Constitutional Law Colloquium	November 2016
Thurgood Marshall School of Law —Houston, TX Presented on <i>Executive Orders and Separation of Powers</i>	October 2016
University of North Carolina, School of Law —Raleigh, NC Presented <i>Undemocratic Restraint</i> at Southeastern Association of Law Schools Junior Scholars Workshop	October 2016
Midwest Law and Economic Association —Atlanta, GA Presented <i>Abstention in an Age of Accountability</i> at MLEA Annual Meeting	September 2016
Southeastern Association of Law Schools —Amelia Island, FL Presented <i>Undemocratic Restraint</i> at Annual Meeting	August 2016
University of Washington Law School —Seattle, WA Presented <i>Undemocratic Restraint</i> at Civil Procedure Workshop	July 2016
University of Miami —Miami, FL Presented <i>Undemocratic Restraint</i> at the John Mercer Langston Workshop	July 2016
Duke Law School —Durham, N.C. Presented <i>Undemocratic Restraint</i> at the Culp Colloquium	May 2016
Emory Law School —Atlanta, GA Participated on panel on “When States Can Be Sued” at National Association of Attorney Generals Southern Region Meeting	April 2016
University of California, Los Angeles —Los Angeles, CA Presented <i>Undemocratic Restraint</i> at the UCLA Law Faculty Workshop.	April 2016
Loyola Chicago Law School —Chicago, IL Presented <i>On Judicial Prudence</i> at the Constitutional Law Colloquium	November 2015
University of California, Berkeley —Berkeley, CA Presented <i>Is Judicial Prudence Ever Prudent?</i> at the Berkeley Law School Faculty Workshop	October 2015

University of San Francisco—San Francisco, CA October 2015
Presented *Is Judicial Prudence Ever Prudent?* at the University of San Francisco Law School Faculty Workshop

William and Mary Law School—Williamsburg, VA September 2015
Presented *On Judicial Prudence and Republican Restraint* at the William and Mary Law School Faculty Workshop

University of California, Irvine—Irvine, CA September 2015
Presented *On Judicial Prudence* at the Federal Courts Junior Faculty Workshop

University of California, Irvine—Irvine, CA July 2015
Presented *Local Sovereign Immunity* at the John Mercer Langston Writing Workshop

Duke Law School—Durham, NC May 2015
Presented *Local Sovereign Immunity* at the Culp Colloquium

University of California, Berkeley—Berkeley, CA February 2015
Presented *Local Sovereign Immunity* at the Berkeley Law Faculty Workshop

Stanford Law School—Palo Alto, CA February 2015
Presented *Local Sovereign Immunity* at the Stanford Law Faculty Workshop

Emory Law School—Atlanta, GA October 2014
Presented *Local Sovereign Immunity* at the Emory Law Faculty Workshop

Loyola Chicago Law School—Chicago, IL November 2014
Presented *Equal Sovereignty* at the Constitutional Law Colloquium

Emory Law School—Atlanta, GA April 2013
Presented *The Thirteenth Amendment, Labor Rights, and Sovereign Immunity* at Vulnerability and the Human Condition Initiative Workshop

Loyola Chicago Law School—Chicago, IL November 2012
Presented *Due Process, Republicanism and Direct Democracy* at the Constitutional Law Colloquium

William and Mary Law School—Williamsburg, VA October 2012
Presented *Local Sovereign Immunity* at the Federal Courts Junior Faculty Workshop

Law and Society International Conference—Honolulu, HI June 2012
Presented *The Thirteenth Amendment and Labor Rights*

Bahcesehir University—Istanbul, Turkey May 2012
Presented about separation of powers as a part of a Constitutional Law Workshop series.

Duke Law School—Durham, NC May 2012
Presented *The Other Ex parte Young Fiction* at the Culp Colloquium

University of California, Berkeley Law School—Berkeley, CA January 2012
Presented *Iqbal, Arar, and the Future of Government Accountability* at the Thelton Henderson Center for Social Justice's Workshop

University of California, Berkeley Law School—Berkeley, CA January 2012
Presented *Til Voters Do Us Part* at Center for the Study of Law and Society Workshop

New York University—New York, NY February 2011
Presented *Baldwin, Republicanism and a Forgotten Guarantee* at James Baldwin's Global Imagination Conference

University of Georgia—Athens, GA January 2011
Presented *The Guarantee Clause and Sovereign Immunity* at the University of Georgia School of Law’s Faculty Workshop

COMMUNITY PRESENTATIONS

Association of American Law Schools—Washington, D.C. October 2022
Participating in a Supreme Court Preview moderated by Erwin Chemerinsky (Online)

American Association of Law Schools—Washington, D.C. July 2022
Participated in a moderated discussion about effective teaching techniques. (Online)

Federalist Society, Atlanta Lawyer Chapter—Atlanta, GA July 2022
Served on panel about the United States Supreme Court’s October 2022 Term with Georgia Solicitor General Stephen Petraney

ACLU Georgia—Atlanta, GA July 2022
Participated in a moderated discussion about the United States Supreme Court’s October 2022 Term

Emory Law School—Atlanta, GA May 2022
Law School Commencement “Most Outstanding Professor” Remarks

Buckhead/Cascade City Links Chapter—Atlanta, GA March 2022
“Conversations to Connect: The Federal Judiciary” Panel (Online)

University of Arizona Law—Tucson, AZ February 2022
Distinguished Commentator at National Conference of Constitutional Law Scholars (Online)

University of West Georgia—Carrollton, GA February 2022
Thomas Murphy Distinguished Lecture Series

South Carolina Bar Association Annual Convention—Greenville, SC January 2022
Speech on qualified immunity to South Carolina Bar

Athens Human Relations Council Annual MLK Banquet—Athens, GA January 2022
Keynote speaker at annual MLK Banquet (Online)

Indiana University-Purdue University Indianapolis—Indianapolis, IN December 2021
Panelist for “Religion & The Supreme Court” webinar, sponsored by The Center for the Study of Religion and American Culture

Bar Association of San Francisco—San Francisco, CA December 2021
Panelist for “Supreme Court Discussion” sponsored by the Appellate Section of Bar Association of San Francisco (Online)

Illinois Legislative Task Force—Springfield, IL October 2021
Testimony before Illinois Task Force on Constitutional Rights and Remedies (Online)

Eighth Circuit Judicial Conference—Colorado Springs, CO October 2021
Presenting at the Eighth Circuit Judicial Conference, “Law in a Time of Crisis”

Cooper Inn of Court—Atlanta GA September 2021
Supreme Court Term Review and Preview

Emory University Pathology Department—Atlanta, GA August 2021
Presented on *Race and Memory* (Online)

John Mercer Langston Conference—Berkeley, CA July 2021
Commentator at John Mercer Langston Conference (Online)

Fair Districts Georgia —Atlanta, GA Presented on panel about laws governing race in redistricting (Online)	May 2021
University of Arizona Law —Tucson, AZ Presented lecture on qualified immunity (Online)	April 2021
Loyola Chicago Law School — Chicago, IL Presented on qualified immunity during symposium on criminal justice (Online)	April 2021
Institute for Justice —Chicago, IL Panelist at conference, “Outrage Legislation: Section 1983 at 150 Years” (Online)	April 2021
Washington and Lee University — Lexington, VA Served on panel at symposium, “A Celebration of Judge Roger Gregory” (Online)	March 2021
Keker and Van Nest —San Francisco, CA Presented <i>What We Owe Our Ancestors</i> (Online)	March 2021
Stonewall Bar Association —Atlanta, GA Served on panel about legal professional paths (Online)	March 2021
Emory Law School — Atlanta, GA Panelist for OUTLAW Conference discussing LGBTQ+ legal rights (Online)	February 2021
Black History Community Run —Atlanta, GA Keynote Speaker for run sponsored by Front Runners ATL and Social Fitness ATL	February 2021
Stanford Law School — Palo Alto, CA Speaker for Supreme Court Litigation Clinic (Online)	October 2020
Stanford Law School — Palo Alto, CA Speaker in “Race Talks” series (Online)	October 2020
Seventh Circuit Bar Association —Chicago, IL Presented on panel about qualified immunity (Online)	October 2020
Lambda Legal –New York, NY Interview of Daniel Mize and Jonathan Gregg for Liberty Circle National Dinner (Online)	October 2020
Los Angeles ACS Chapter —Los Angeles, CA Panelist on discussion about structural racism (Online)	September 2020
University of Virginia —Charlottesville, VA Speaker in Advanced Federal Courts Seminar (Online)	September 2020
Lambda Legal –Atlanta, GA Master of Ceremony for Southern Regional Office Fundraiser (Online)	September 2020
Georgia College, Constitution Day Lecture —Milledgeville, GA Keynote Address for Georgia College’s Constitution Day (Online)	September 2020
Emory Law, “Conversations about 21st Century Racism” Inaugural Lecture for “Conversations about 21st Century Racism” series (Online)	September 2020
LGBT Bar Association Annual Conference Participated on panel about balancing religious liberty and anti-discrimination norms (Online)	August 2020
NAACP Legal Defense Fund Qualified Immunity Roundtable Participated in roundtable on qualified immunity (Online)	July 2020

Faith and Politics Institute, Interview of Judge Myron Thompson June 2020
 Interviewed Hon. Myron Thompson about his work and the legacy of Hon. Frank Johnson (Online)

American Bar Association, Panel on LGBTQ+ Rights—Austin, TX February 2020
 Presented about transgender rights.

Center for Civil Innovation, Panel on Tax Incentives—Atlanta, GA February 2020
 Presented about economic development incentives and equity

Georgia Bar, Supreme Court Review—Atlanta, GA October 2019
 Gave presentation on federalism jurisprudence in the United States Supreme Court’s previous term

Georgia Law Review Symposium—Athens, GA October 2019
 Participated on panel about money bail reform and abolition.

Georgia College, Constitution Day—Milledgeville, GA September 2019
 Served on a panel about the Constitution of United States.

Federalist Society, Atlanta Lawyer Chapter— Atlanta, GA September 2019
 Served on panel hosted by the Atlanta lawyer chapter of the Federalist Society with Georgia Solicitor General Andrew Pinson

Baker Botts Diversity Panel—Atlanta, GA June 2019
 Moderated a panel on LGBTQ rights

NAACP LDF Conference on Fourteenth Amendment—Atlanta, GA February 2019
 Served on panel about the future of the Fourteenth Amendment

OutLaw Discussion, University of Chicago—Chicago, IL November 2018
 Discussed clerkships and academic careers with LGBT law students

Georgia Bar, Section 1983 Panel—Atlanta, GA November 2018
 Served on panel about the Supreme Court’s Section 1983 jurisprudence

JusticeFest—Athens, GA November 2018
 Served as keynote speaker for annual festival sponsored by the Economic Justice Coalition

Georgia Bar, Supreme Court Review—Atlanta, GA October 2018
 Gave presentation on federalism jurisprudence in the United States Supreme Court’s previous term

BLSA Careers in Law Panel, University of Chicago—Chicago, IL October 2018
 Served on panel about legal careers

Empowerment Summit—Atlanta, GA October 2018
 Served on panel about “Hot Topics in the Law”

Federalist Society, Atlanta Lawyer Chapter— Atlanta, GA September 2018
 Served on panel hosted by the Atlanta lawyer chapter of the Federalist Society with Georgia Solicitor General Andrew Pinson

American Constitution Society, University of Georgia—Athens, GA April 2018
 Presented lecture on Access to Courts

Conversation with Chief Justice Leah Ward Sears—Atlanta, GA February 2018
 Delivered remarks at panel featuring biography of former Chief Justice Leah Ward Sears of the Georgia Supreme Court

Conversation with Justice Sonia Sotomayor—Atlanta, GA February 2018
 Moderated a discussion with Justice Sonia Sotomayor of the United States Supreme Court

Emory Law School Alumni Weekend — Atlanta, GA Served on Panel about Constitutionalism in the American Presidency	October 2017
Emory Public Interest Committee Conference — Atlanta, GA Keynote Speaker	October 2017
Federalist Society, Atlanta Lawyer Chapter — Atlanta, GA Served on panel hosted by the Atlanta lawyer chapter of the Federalist Society with Georgia Solicitor General Sarah Warren	September 2017
Ebenezer Baptist Church — Athens, GA Keynote Speaker at Ceremony for Recent Graduates	May 2017
New Grove Baptist Church — Winterville, GA Keynote Speaker at Deacon Fellowship Program	March 2017
Conversation with Congressman John Lewis —Washington, D.C. Moderated a discussion with Congressman John Lewis for a Centennial Celebration of Emory Law	March 2017
American Constitution Society —Atlanta, GA Served on a panel at Emory Law School about hate crimes	January 2017
Emory Public Interest Committee Conference - Atlanta, GA Served on a panel about civil-rights oriented litigation	October 2016
The Association of Corporate Counsel —San Francisco, CA Served on panel about the United States Supreme Court with Hon. Alex Kozinski, Hon. James Robart, and Supreme Court advocate Aaron Street	October 2016
Black Law Students Association —Atlanta, GA Moderated panel about diversity and inclusion hosted by the Emory chapter of BLSA	September 2016
Federalist Society — Atlanta, GA Served on panel hosted by the Atlanta lawyer chapter of the Federalist Society with Georgia Solicitor General Britt Grant	September 2016
American Constitution Society —Atlanta, GA Served on panel hosted by Georgia Lawyer ACS Chapter about the Supreme Court with Georgia Supreme Court Justice David Nahmias and Supreme Court advocate Merritt McAllister	September 2016
The Decatur Book Festival —Atlanta, GA Moderated a discussion with Jim Obergefell, the lead plaintiff in <i>Obergefell v. Hodges</i> , in which the Supreme Court ruled in favor of marriage equality.	September 2016
The Reichstag —Berlin, Germany Presented on the Rise of Populism at conference sponsored by the American Council on Germany	July 2016
University of Miami —Miami, FL Commentator at John Mercer Langston Conference, University of Miami	July 2016
John Marshall Law School —Atlanta, GA Presented remarks about the Supreme Court to the new student chapter of the American Constitution Society	April 2016
Emory Law School —Atlanta, GA Panel about Justice Scalia’s jurisprudence sponsored by student chapter of American Constitution Society	April 2016

University of California, Berkeley—Berkeley, CA October 2015
Respondent to Randy Barnett at the Berkeley Political Science Department’s Baxter Liberty Initiative Lecture

Bar Association of San Francisco—San Francisco, CA October 2015
Panelist for “Supreme Court Preview” sponsored by the Appellate Section of Bar Association of San Francisco

Bryan Cave LLP—Atlanta, GA September 2015
Panelist on Supreme Court Preview panel sponsored by Atlanta Lawyer Chapter of the Federalist Society

Morrison Foerster LLP—San Francisco, CA July 2015
Moderator of “*Obergefell v. Hodges*: Marriage Equality at the Supreme Court” at panel sponsored by the American Constitution Society’s Bay Area Lawyer Chapter and the Bay Area Lawyers for Individual Freedom

University of California, Berkeley—Berkeley, CA February 2015
Respondent to Amanda Hollis-Brusky on *Ideas with Consequences: The Federalist Society and the Conservative Counterrevolution*

University of California, Davis—Davis, CA November 2014
Moderator of panel at conference entitled “Poverty, Precarity, & Work: Struggle and Solidarity in an Era of Permanent (?) Crisis”

University of California, Berkeley—Berkeley, CA September 2014
Panelist at “Marriage Equality and the Supreme Court,” sponsored by the Federalist Society’s UC Berkeley Student Chapter

Stanford Law School—Palo Alto, CA March 2013
Moderator of “A Conversation with Federal Judges” sponsored by the American Constitution Society

Bar Association of San Francisco—San Francisco, CA October 2012
Panelist for “Supreme Court Preview” sponsored by the Appellate Section of Bar Association of San Francisco

Orrick, Herrington & Sutcliffe LLP—San Francisco, CA October 2011
Moderator of “Supreme Court Preview: Upcoming Cases and Potential Controversies,” sponsored by the American Constitution Society’s Bay Area Lawyer Chapter and Bay Area Lawyers for Individual Freedom

University of California, Berkeley—Berkeley, CA September 2011
Panelist for discussion on judicial restraint sponsored by the Federalist Society’s UC Berkeley Student Chapter

MEDIA APPEARANCES

Georgia Public Radio, *Political Rewind: The right to be 'let alone': Georgia's privacy law used against abortion Ban*, August 10, 2022, <https://www.gpb.org/radio/programs/political-rewind> (radio panelist)

CNN, *New Day Weekend*, Amara Walker, August 7, 2022, <https://video.snapstream.net/Play/SznFDoglCTYVKu6pie3VJ?accessToken=cjocw6hl3kt9o> (television interview)

- Georgia Public Radio, Riley Bunch, *Georgia's abortion law likely to raise flurry of questions in court*, July 22, 2022, <https://www.gpb.org/news/2022/07/22/georgias-abortion-law-likely-raise-flurry-of-questions-in-court>
- CBS46, Crystal Bui, *Georgia parents can claim unborn child with detectable heartbeat on state taxes*, July 22, 2022, <https://www.cbs46.com/2022/07/22/georgia-parents-can-claim-an-unborn-child-with-detectable-cardiac-activity-their-state-income-taxes/>
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- Georgia Public Broadcasting, *Political Rewind: The #Defund Movement In Georgia*, August 31, 2020 <https://www.gpb.org/news/2020/08/31/political-rewind-the-defund-movement-in-georgia> (radio panelist)
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- New York Times, Eli Rosenberg, *A Muslim-American Activist’s Speech Raises Ire Even Before It’s Delivered*, May 26, 2017 (Newspaper Quotation), available at https://www.nytimes.com/2017/05/26/nyregion/linda-sarsour-cuny-speech-protests.html?_r=0
- New York Times, Eli Rosenberg, *Judge in Houston Strikes Down Harris County’s Bail System*, April 29, 2017, available at <https://www.nytimes.com/2017/04/29/us/judge-strikes-down-harris-county-bail-system.html>
- Athens Banner-Herald, *Legal scholar Fred Smith, Jr., to speak Sunday in Winterville*, Mar. 13, 2017, available at <http://onlineathens.com/features/2017-03-13/legal-scholar-fred-smith-jr-speak-sunday-winterville>
- Georgia Public Broadcasting, *Political Rewind*, Feb. 1, 2017 (Radio Interview), available at <http://gpbnews.org/post/tensions-escalate-over-scotus-cabinet-nominees>
- Yahoo News, Michael Walsh, *Dylann Roof’s request to represent himself was odd but not unprecedented*, Nov. 28, 2016 (Online News Quotation), available at <https://www.yahoo.com/news/dylann-roofs-request-to-represent-himself-was-odd-but-not-unprecedented-204443035.html>
- Atlanta Journal-Constitution, Janel Davis, *Supreme Court ruling revives importance of campus diversity*, June 23, 2016 (Newspaper Quotation), available at <http://www.myajc.com/news/news/local-education/supreme-court-ruling-revives-importance-of-campus-/nrmXx/>
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- WABE, *Expected Ga. Law Shift Could Affect Immigrant Students’ Suit*, Apr. 28, 2016 (Radio Quotation), available at <http://news.wabe.org/post/expected-ga-law-shift-could-affect-immigrant-students-suit>
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- New York Times, Shaila Dewan, *Court by Court, Lawyers Fight Policies That Fall Heavily on the Poor*, Oct. 23, 2015 (Newspaper Quotation), available at <http://www.nytimes.com/2015/10/24/us/court-by-court-lawyers-fight-practices-that-punish-the-poor.html>
- Athens Banner-Herald, Joe Johnson, *An Athens story: From sharecropping to the U.S. Supreme Court*, June 29, 2013 (Newspaper Feature), <http://onlineathens.com/local-news/2013-06-29/athens-story-sharecropping-us-supreme-court>

UNIVERSITY AND LAW SCHOOL SERVICE ACTIVITIES

- Emory Law Faculty Appointments (2017-Present)
- Chair (2020-21; 2021-22)
 - Business Law Subcommittee Chair (2019-2020)
 - Criminal Law Subcommittee Chair (2018-19)
- Chair, Naming Honors Committee for Emory University (2020-21)
- Member, Dean’s Faculty Advisory Committee, Emory Law School (2017-2018; 2021-22)

Faculty Advisor, Emory Law Journal (2017-2019; 2021-)
Chair, Search Committee for Emory Law's inaugural John Lewis Chair of Social Justice (2020-21)
Co-Founder, Berl Boykin Fierce Leadership Award, Emory University Campus Life (2020)
 Selection Committee for Award (2020, 2021)
Faculty Advisor, American Constitution Society, Emory Law Chapter (2020-)
Member, Committee on Interdisciplinary Research Proposals, Emory Law School (2018-2019)
Member, Vice Provost of Faculty Affairs Search Committee, Emory University (2017-18)
Academic Excellence Advisor, Black Law Students Association, Emory Law School (2015-)
Multistate Bar Exam Review Session Lecturer, Emory Law School (2017, 2018)
Advisor, Queer Caucus, Berkeley Law School (2010-2015)
Advisor, American Constitution Society, Berkeley Law School
Facilitator, Professionalism Program, Emory Law School (2018)
Selection Committee, Berkeley Law School Thelen Marrin Writing Prize (2015)
Berkeley Law School, Faculty Workshop Committee (2014-15)
American Constitution Student Chapter Advisor, Berkeley Law School (2010-13)
Civil Procedure and Litigation Reading Group, Berkeley Law School (2012)
Clerkships Committee, Berkeley Law School (2010-2013)

OTHER PROFESSIONAL SERVICE ACTIVITIES

Board Member, Lambda Legal National Board (2020-)
 Vice Chair (2022-)
 Co-Chair, Racial Equity, Access, Accountability, Diversity, and Inclusion Committee (2021-)
 Member, Strategic Planning Committee (2020-)
Elected Member, American Law Institute
Co-Organizer, John Mercer Langston Conference (2020-22)
Emerging Scholar Advisor and Mentor (2015-)
American Association of Law Schools, Federal Courts Section Executive Committee (2019-2020)
AALS Selection Committee, Best Untenured Article on Federal Jurisdiction (2019-2020)
Board, Invest Atlanta (2018-)
 Chair, Economic Development Committee (2018-2019)
Atlanta Mayoral LGBTQ+ Advisory Board (2018-2020)
Advisor, United States Supreme Court Fellows Program (2018-2019) (invited by Chief Justice John Roberts)
Advisory Board, Harvard Debate Council Diversity Project (2017-2019)
Co-Organizer, Ninth Annual Junior Federal Courts Conference, Atlanta (2017)
Contributor to JOTWELL, Court Section, (2017-)
Lambda Legal Atlanta Leadership Circle (2016-)
National Board, Civil Rights Corps (2016-Present)
 Interim Chair (2021-Present)
National Moot Court Problem Writer, National Black Law Students Association (2016, 2017)
American-German Young Leader, American Council on Germany, Berlin (2016)
Host Committee, Atlanta Black Jewish Coalition Seder (2016)
Board, Northern California Chapter of the American Constitution Society (2012-13)
Host Committee, Transgender Law Center Annual Gala (2012)

AMICUS BRIEFS

Reed v. Goertz, No. 21-442 (U.S. 2022) (Brief of Professor Fred Smith, Jr.) (Co-author)
United States v. Texas, 21-A85 (U.S. 2021) (Brief of Legal Scholars) (Signatory)
United States v. Texas, No. 21-50949 (5th Cir. 2021) (Brief of Legal Scholars) (Signatory)
Graff v. Aberdeen, 21-5031 (10th Cir. 2021) (Brief of Federal Courts Professors) (Co-author)
Governors Ridge Property Owners Ass'n v. McBrayer?, No. A21a0262 (Ga. Ct. App. 2020)
(Brief of Law Professors and Firearms Policy Coalition) (Signatory)
Daves v. Dallas County, No. 18-11368 (5th Cir. 2021) (Brief of Criminal, Procedural, and
Constitutional Law Professors) (Signatory)
Stewart v. City of Euclid, No. 20-951 (U.S. 2021) (Brief of Legal Scholars) (Signatory)
West v. Winfield, No. 19-899 (U.S. 2020) (Brief of Legal Scholars) (Signatory)
Walker v. City of Calhoun, No. 18-814 (U.S. 2019) (Brief of Criminal, Procedural, and
Constitutional Law Professor) (Signatory)
Doe v. Woodard, No. 18-1173 (U.S. 2019) (Brief of Legal Scholars) (Signatory)
Smart v. City of Wichita, No. 18-3242 (10th Cir. 2019) (Brief for Scholars of the Law of
Qualified Immunity) (Signatory)
Hester v. Gentry, No. 18-13894 (11th Cir. 2019) (Brief of Professor Fred Smith, Jr.) (Co-author)
Baxter v. Bracey, No. 18-1287 (U.S. 2019) (Brief for Scholars of the Law of Qualified
Immunity) (Signatory)
Allah v. Milling, No. 17-8654 (U.S. 2018) (Brief for Scholars of the Law of Qualified
Immunity) (Signatory)
Perry v. Schwartzenegger, No. 10-16696 (9th Cir. 2010) (Brief of Constitutional Law and Civil
Procedure Professors) (Signatory)

OTHER LEGAL EXPERIENCE

Bondurant, Mixson and Elmore, LLP— Atlanta, GA 2008-09
Drafted appellate briefs; complaints; trial court briefs; discovery requests; legal correspondence; and
memoranda on issues varying from voting rights to business disputes.

Western Judicial Circuit of Georgia, District Attorney's Office—Athens, GA 2007
Co-authored briefs; crafted suppression motions; examined witnesses and argued at arraignments and
suppression hearings; represented the State in adjudications involving juvenile offenders.

Stanford Supreme Court Litigation Clinic—Palo Alto, CA 2005-06
Co-drafted petitions for certiorari and briefs that were submitted to the United States Supreme Court;
authored memoranda evaluating potential cases; participated in appellate moot argument sessions.

Committee to Re-Elect Chief Justice Leah Ward Sears—Atlanta, GA 2004
Assisted in debate preparation; oversaw volunteers throughout the state of Georgia.

Justice George Carley, Supreme Court of Georgia— Atlanta, GA 2004
Drafted bench briefs and memoranda on cases and legal issues before the court.

Harvard Law School Professor Lani Guinier—Cambridge, MA 2003-04
Provided research assistance.

University of Georgia Legal Aid Clinic—Athens, GA 2003
Researched for appellate briefs and suppression motions; interviewed clients and witnesses in preparation for trials; advised in jury selection.

Rainbow Push Coalition, General Counsel's Office—Atlanta, GA 2002
Co-authored a report on corporate diversity; conducted; wrote press releases on sociopolitical issues.

Civil Rights Project of Harvard Law School—Cambridge, MA 2001-03
Conducted research; edited research papers and legal briefs.

BAR ADMISSIONS

State of Georgia