

Resume

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Education:

J.D., Boalt Hall School of Law, University of California at Berkeley, 1975.

Yale University Divinity School, New Haven, Connecticut, 1970-71. (Rockefeller Fellowship)

B.A., Oberlin College, Oberlin, Ohio, 1970.

Teaching and Administrative Experience:

Washburn University Law School, Professor, 1983 to present; Interim Dean 2006-07; Associate Dean for Academic Affairs, 2004-06; Associate Professor, 1980-83; Assistant Professor, 1977-80; Associate Dean, 1981-85; Acting Dean, Fall 1985.

Courses: Constitutional Law; Jurisprudence; Civil Liberties; Social Legislation; Constitutional Litigation; Comparative Law; Professional Responsibility.

Washburn Law School Summer Program in London, jointly taught courses in Comparative Legal Systems, Comparative Social Legislation and Comparative Constitutional Law, 1989.

Visiting Scholar, University of Hong Kong Department of Law (summer 1987); Syracuse University College of Law (fall 1983); Visiting Professor, University of Tasmania Department of Law, 1992.

Law Practice and Other Employment:

Legal Aid Society of Wichita, Inc., Staff Counsel, 1975-77; summer intern, 1973.

California Supreme Court, Chief Justice Donald R. Wright, Extern Clerkship, 1974.

California Rural Legal Assistance, Summer Intern, 1974.

Overseas Development Council, Washington, D.C., Associate Fellow, 1971-72.

Publications (since 1990):

MODERN CONSTITUTIONAL LAW, 3rd Edition (3 volumes published by Thomson/West, January 2011); MODERN CONSTITUTIONAL LAW, 2nd Edition, Volumes 2 & 3, with Chester J. Antieau, West Group (1997). MODERN CONSTITUTIONAL LAW, SUPPLEMENTS, (annual publication, 1998 - present).

Why 'Privileges or Immunities?': An Explanation of the Framers' Interpretation and the Supreme Court's Misinterpretation, in *Infinite Hope Finite Disappointment: The Story of the First Interpreters of the Fourteenth Amendment*, (Elizabeth Reilly, Editor) (Akron University Press, 2011)

Balance in Legal Education: Pervasive Principles, 60 J. OF LEGAL EDUCATION 122 (2010).

Charting the Course to Same Sex Marriage. 4 J. OF RACE, GENDER AND ETHNICITY 31 (2009).

The Path of Mentally Ill Offenders, 36 FORDHAM URBAN LAW JOURNAL 89 (2009).

Why Privileges or Immunities? 42 AKRON L. REV. 1111 (2009).

Measuring Judicial Success: Interpersonal Intelligence and Commitment to Enduring Values, 43 WASHBURN L.J. 35 (2007).

Lessons of Charleston Harbor: The Rise, Fall and Revival of Pro-Slavery Federalism, 36 MCGEORGE L. REV. 569 (2005).

Betrayal of the Little Girls with Dolls: The Broken Promise of Constitutional Protection for Victims of Race Discrimination, 90 CORNELL L. REV. 419 (2005).

Brown, Dominance, and Diversity, 43 WASHBURN L.J. 901 (2004).

Genomic Torts: A Response to Professor Feldman, 42 WASHBURN L.J. 153 (2003).

Taking "Privileges or Immunities" Seriously: A Call to Expand the Constitutional Canon, 87 MINN. L. REV. 153 (2002).

Nationhood, Equality and Democracy: Finding Redemption in George P. Fletcher's Secret Constitution, 46 HOW. L.J. 127 (2002).

Prison Conditions and Criminal Sentencing in Kansas: A Public Policy Dialogue, 11 KANSAS J.L. & PUB. POL'Y. 693 (2002).

Privileges or Immunities: The Missing Link in Establishing Congressional Power to Abrogate State Eleventh Amendment Immunity, 28 HASTINGS CONST. L. Q. 235 (2001).

Economic Analysis and Distributive Justice, with David Burress, 18 RESEARCH IN LAW AND ECONOMICS 15 (1997).

Moral Dimensions of Federalism, in GOVERNMENT STRUCTURES IN THE U.S.A. AND THE SOVEREIGN STATES OF THE FORMER U.S.S.R., (1996).

Constitutional Law in the United States and Australia: Finding Common Ground, 35 WASHBURN L.J. 1 (1995).

Converging Constitutions: A Comparative Analysis of Constitutional Law in the United States and Australia, 21 FEDERAL LAW REVIEW 202 (1993).

Approaches to Constitutional Interpretation, 12 UNIV. TASMANIA LAW REV. 150 (1993).

Summary of Constitutional Law, KANSAS BAR REVIEW, University of Kansas Division of Continuing Education (annual editions, 1981 - 2003).

Hong Kong: Revolution without Change. 20 HONG KONG LAW JOURNAL 279 (1990).

Selective list of Presentations and Seminar Participation (since 1992):

Panelist, *I've Got Issues: Healthcare Revisited*, KTWU (Kansas Public Television) August 2012.

Panelist, *Supreme Court's Health Reform Ruling*, Kansas Health Institute, Topeka, Kansas, July 2, 2012 (View webcast at the [Kansas Health Institute](#) website).

Workshop on Constitutional Law, Racial Profiling Advisory Board of the City of Wichita, Wichita, Kansas, June 30, 2012.

Panelist, *Affirmative Action, Fisher v. Texas*, Kansas City Metropolitan Bar Association, Kansas City, Missouri, May 24, 2012.

Winter School Course, *Constitutional Interpretation*, Free University of Tbilisi, Bazaleti Training Centre, Tbilisi, Republic of Georgia, February 2012.

Supreme Court Review, NAACP Annual Conference, Kansas City, Kansas, July 11, 2010.

Speed Bump or Train Wreck? Assessing Damages after the Constitution Hits Health Care Reform, Kansas Bar Association, Topeka, Kansas, May 6, 2011.

The Aftermath of Brown, *Brown v. Board of Education* National Historic Site, Topeka, Kansas, February 12, 2010.

The Path of Mentally Ill Offenders, Prison Conditions Colloquium, Fordham Law School, October 2008.

Origins of the Privileges or Immunities Clause, The Fourteenth Amendment: 140th Anniversary Symposium, Akron Law School, October 2008.

Humanistic Education, Association of American Law Schools, January 2008.

Student Rights Forum, Wichita State University, October 2007.

Separation of Powers in Kansas, Wichita Bar Assoc., June 2005; Topeka Bar Assoc., August 2005.

Eminent Domain After Kelo, Kansas League of Municipalities, October 2005.

Revisiting Brown v. Board of Education, Symposium, Cornell Law School, February 2004.

The Legacy of Brown v. Board of Education, Symposium, Washburn University School of Law, November 2003.

Genomic Torts, Symposium, October 2002.

Pathways to Rational Sentencing, Keynote Address, National Association of Sentencing Commissions, Kansas City, August 2001.

Small Group Teaching Techniques, Plenary Session, AALS Annual Meeting, January 1996.

Rule of Law Project, presentations to students and faculty at the University of Kiev, and consultation re. constitutional development and legal education in the Ukraine, November 1995.

Conference Faculty, Association of American Law Schools, *New Ideas for Experienced Teachers*, AALS, Minneapolis, June 1995.

Group Leader, Association of American Law Schools, Conference on Constitutional Law, Ann Arbor, Michigan (1993).

Converging Constitutions, Professional Development Seminar, Murdoch University Law Faculty, Perth, Australia (1992).

Approaches to Constitutional Interpretation, Professional Development Seminar, University of Tasmania Law Faculty (1992).

Moral Dimensions of Federalism, Conference on "Government Structures in the U.S.A. and the Sovereign States of the Former U.S.S.R.: Power Allocation Among Central, Regional and Local Governments," Co-sponsored by Hofstra University and the Russian Federation Permanent Mission to the United Nations (1992).

Law School and Professional Service Activities:

Member, American Bar Association; Kansas Bar Association, Topeka Bar Association.

Fellow, American Bar Foundation, 2010 – present.

Association of American Law Schools, Committee on Academic Freedom and Tenure, 2007 – present, chair 2008 - present; Resource Corps, 1996 - present; Professional Development Committee, 1996 -'99; Workshop for New Law Teachers Planning Committee Chair, 2001.

Recodification, Rehabilitation and Restoration Project Committee (created by the Kansas Legislature), Behavioral Health Subcommittee Chair, 2004-07.

Topeka/Shawnee County Victim Offender Mediation Program, Steering Committee, 1999 to present.

Kansas Judicial Council Judicial Branch/Board of Indigents' Defense Services Advisory Committee, 1996-'98.

Kansas Criminal Justice Committee on Recodification, Rehabilitation and Restoration, Behavioral Health Subcommittee Chair, 2004 to present.

Civil Justice Reform Act, Advisory Commission, 1991-'95. (Appointed by the Chief Judge of the United States District Court for the District of Kansas to recommend improvements in the procedures of the federal courts in this district.)

Project Director, Edna McConnell Clark Foundation grant, Washburn Law School, Kansas Prison Litigation (1987 to 1997). (Appointed in 1978 by United States District Court Judge Richard Rogers to represent the class of inmates at the Kansas State Penitentiary.)

American Civil Liberties Union of Kansas, Board of Directors (1987-'96); Legal Panel Chair (1976-'79); President's Award (1992).

Law School service includes: Faculty Recruitment Committee (1979-'87, 1988-'92, 1994, 2004-07; 2009-'11; Chair, 1986-'87, 1988-'92, 1994-'95; 1998-'00; 2009-'11); University Senate (Law School representative, 2009-present; Executive Committee 2011-'13); Curriculum Committee (Chair, 2003-'04; 2011-'13); Dean Search Committee, 2000; Self-Study Committee (2007; Chair, 1998-'99); Student Recruitment Sub-Committee (Chair, 1998-'99); Institutional Research Review Board (1989-'93); Professional Development Committee (Chair, 1981-'84, 1993-'94, 1997-'99; 2002-'03); Sabbatical Committee (1997-'99; Chair, 1997-'98, 2008 - 09). (Prior Law School service available on request.)