

PAUL HORWITZ

Gordon Rosen Professor of Law
University of Alabama School of Law
101 Paul Bryant Drive Tuscaloosa, AL 35487
Phone: (205) 348-6110 Email: phorwitz@law.ua.edu

ACADEMIC EXPERIENCE

University of Alabama School of Law
Gordon Rosen Professor of Law

Tuscaloosa, AL
Fall 2007-Present

Named Gordon Rosen Professor of Law, fall 2010. Full professor, spring 2011. Tenure granted, spring 2009. Teaching: Constitutional Law, Law and Religion, Legal Profession, Legislation and Regulation, Supreme Court Seminar, Law and Public Policy, Separation of Powers, Introduction to the Study of Law, Law Review Symposium. Committees: Faculty Development, Symposium. Past committees: Self-Study, Clinical Hiring (chair), Hiring (co-chair), Faculty Chair Hiring, Ad Hoc Grading Committee. Former faculty advisor, *Alabama Law Review*. Member, University Grants Committee. Former Faculty Senate member. Winner of Dean Thomas Christopher Award for contributions to the law school, 2010. University Faculty Research Day Award finalist, 2017.

Emory Law School
Visitor, Center for the Study of Law and Religion

Atlanta, GA
Spring 2019

Spent sabbatical semester working on longer projects on law and religion. Participated in events and presented work

Harvard Law School
Visiting Professor

Cambridge, MA
Winter 2016

Taught First Amendment and The Oath and the Constitution. Presented at faculty workshop and Public Law Workshop and participated or spoke in various other faculty and student events.

University of Notre Dame Law School
Visiting Professor

South Bend, IN
Winter 2007

Taught Constitutional Law I and Law and Religion.

Southwestern Law School
Associate Professor

Los Angeles, CA
Fall 2004-Winter 2007

Tenure-track professor. Taught Constitutional Law I & II, Constitutional Law Seminar: First Amendment Institutions, and Legal Profession.

University of San Diego School of Law
Visiting Professor

San Diego, CA
Fall 2003-Spring 2004

Taught Federal Courts, Constitutional Law I, and Legislation.

University of Iowa College of Law
Visiting Professor

Iowa City, IA
January-June 2003

Taught Constitutional Law I course to first-year students in small-group format; small-group duties included instruction and assignments in legal research and writing and oral advocacy. Taught Advanced Civil Procedure during summer session.

OTHER LEGAL EXPERIENCE

O'Melveny & Myers Associate Associate in Washington office of large Los Angeles-based firm. Focused on complex civil litigation and class action defense, appellate litigation, general civil litigation, and pro bono litigation.	Washington, DC Sept. 1999-January 2003
United States Court of Appeals for the Eleventh Circuit Law Clerk to the Hon. Ed Carnes	Montgomery, AL 1998-99
O'Melveny & Myers Summer Associate	Washington, DC Summer 1998
Borden & Elliot Associate	Toronto January-May 1998
Columbia Law School Research Asst., Profs. Kent Greenawalt, John Manning	New York Summer 1997
Borden & Elliot Student-at-law	Toronto 1995-96

EDUCATION

Columbia Law School, New York
LL.M., 1997.

- **James Kent Scholar**
- **Walter Gellhorn Prize** – awarded to highest ranked LL.M. candidate

Faculty of Law, University of Toronto
LL.B., 1995.

- **Dean's List**, 1994-95
- **Co-Editor-in-Chief**, *University of Toronto Faculty of Law Review*, 1994-95
- **Osgoode Society Legal History Prize**, 1995
- **Dean's Key Award**, 1995 – awarded for extraordinary contributions to extracurricular activities of an academic nature by a graduating student
- **Borden & Elliot Advocacy Award**, 1995
- **Arnup Cup Trial Advocacy Competition** – Team Member, 1995
- **Niagara International Law Moot** – Coach, 1994-95. Team Member, 1993-94; member of winning team and winner of Second Best Oralist, Best Canadian Team, and Best Respondent Argument awards
- **Moot Court Committee**, 1994-95 – Member

EDUCATION (CONT'D)

Columbia Law School, New York

Completed first-year studies, 1992-93.

Columbia University Graduate School of Journalism, New York

M.S. in Journalism, 1991 (honors).

- **Wechsler Award** for reporting on national issues

McGill University, Montreal

B.A. in English Literature, 1990 (first class honors).

- **James McGill Award** and **Shakespeare Scholarship** for academic distinction, 1989

PUBLICATIONS AND PRESENTATIONS

Books

- *The First Amendment*. Treatise and casebook, co-authored and co-edited with Michael Dimino, under contract with Aspen.
- *First Amendment Institutions* (Harvard University Press, 2013). Named as a Choice Outstanding Academic Title for 2013.
- *The Agnostic Age: Law, Religion, and the Constitution* (Oxford University Press, 2011).

Book Chapters

- “**Two (or More) Cheers for Heckler’s Veto Doctrine**” in *The Elgar Companion to Freedom of Speech and Expression* (Ashutosh Bhagwat & Alan K. Chen, eds., Edward Elgar Publishing, forthcoming).
- “**Fame, Infamy, and Canonicity in American Constitutional Law**” in *Law’s Infamy: Understanding the Canon of Bad Law* (Austin Sarat, Lawrence Douglas, & Martha Merrill Umphrey, eds., NYU Press, 2021).
- “**Of Mirrors and Media: The Blogger as Public Intellectual**” in *Public Intellectuals in the Global Arena: Professors or Pundits?* (Michael C. Desch, ed., Notre Dame Press, 2016).
- “**Religious Institutionalism—Why Now?**” (with Nelson Tebbe) in *The Rise of Corporate Religious Liberty* (Micah Schwartzman, Zoe Robinson, & Chad Flanders, eds., Oxford University Press, 2015).
- “**Law, Religion, and Kissing Your Sister**” in *Legal Responses to Religious Practices in the United States: Accommodation and its Limits* (Austin Sarat, ed., Cambridge University Press, 2012).
- “**Ordinary and Extraordinary Transitions**” in *Transitions: Legal Change, Legal Meanings* (Austin Sarat, ed., University of Alabama Press, 2011).
- “**Of Footnote One and the Counter-Jurisdictional Establishment Clause: The Story of Santa Fe Independent School District v. Doe**” in *First Amendment Stories* (Rick Garnett & Andrew Koppelman eds., Foundation Press 2011).
- “**Democracy as the Rule of Law**” in *When Governments Break the Law: The Rule of Law and the Prosecution of the Bush Administration* (Austin Sarat & Nasser Hussain, eds., New York University Press, 2010).
- “**Order in the Courts**” in *Sovereignty, Legality, and Emergency* (Austin Sarat, ed., Cambridge University Press, 2010).
- “**Anonymity, Signaling, and Silence as Speech**” in *Speech and Silence in American Law* (Austin Sarat, ed., Cambridge University Press, 2010).

Articles and Book Reviews

- Contribution to symposium on free speech, forthcoming in *Journal of Contemporary Legal Issues*.
- **“A Tribute to R. Kent Greenawalt: Scholar-Teacher, Teacher-Scholar”** 123 *Columbia Law Review* 939 (2023).
- **“A Few Grains of Incense: Law, Religion, and Politics From the Perspective of the ‘Christian’ and ‘Pagan’ Dispensations”** 58 *Journal of Catholic Legal Studies* 125 (2019).
- **“Coxford Lecture: Honour, Oaths, and the Rule of Law”** 32 *Canadian Journal of Law and Jurisprudence* 389 (2019).
- **“A Close Reading of *Barnette*, in Honor of Vincent Blasi”** 13 *FIU Law Review* 689 (2019).
- **“The Constitutional Marriage of Personality and Impersonality: Office, Honor, and the Oath”** 33 *Constitutional Commentary* 343 (2018).
- **“Positive Pluralism Now”** 84 *University of Chicago Law Review* 999 (2017) (book review).
- **“Clerking for Grown-Ups: A Tribute to Judge Ed Carnes”** 69 *Alabama Law Review* 663 (2018).
- **“Institutional Pluralism and the (Hoped-For) Effects of Candor and Integrity in Legal Scholarship”** 101 *Marquette Law Review* 925 (2018).
- **“Introduction to Symposium”** (with Chad Oldfather and Carissa Byrne Hessick) 101 *Marquette Law Review* 887 (2018).
- **“Against Martyrdom: A Liberal Argument for Accommodation of Religion”** 91 *Notre Dame Law Review* 1301 (2016).
- **“The Religious Geography of *Town of Greece v Galloway*”** 2014 *Supreme Court Review* 243 (2015).
- **“The *Hobby Lobby* Moment”** 128 *Harvard Law Review* 154 (2014).
- **“‘A Troublesome Right’: The ‘Law’ in Dworkin’s Treatment of Law and Religion”** 94 *Boston University Law Review* 1225 (2014).
- **“Introduction: Still Learning From *New York Times v. Sullivan*”** 66 *Alabama Law Review* 221 (2014).
- **“More ‘Vitiating Paradoxes’: A Reply to Steven D. Smith”** 41 *Pepperdine Law Review* 943 (2014).
- **“Institutional Actors in *New York Times v. Sullivan*”** 48 *Georgia Law Review* 809 (2014).
- **Book Review of James R. Hackney, *Legal Intellectuals in Conversation: Reflections on the Construction of Contemporary American Legal Theory*** 63 *Journal of Legal Education* 729 (2014).

Articles and Book Reviews (continued)

- **“Fisher, Academic Freedom, and Distrust”** 59 *Loyola Law Review* 489 (2013).
- **“Defending (Religious) Institutionalism”** 99 *Virginia Law Review* 1049 (2013).
- **“What Ails the Law Schools?”** 111 *Michigan Law Review* 955 (2013).
- **“Freedom of the Church Without Romance”** 21 *Journal of Contemporary Legal Issues* 59 (2013).
- **“Permeable Sovereignty and Religious Liberty”** 49 *Tulsa Law Review* 235 (2013).
- **“Rethinking the Law, Not Abandoning it: A Comment on “Overlapping Jurisdictions”** 4 *Faulkner Law Review* 351 (2013).
- **“Act III of the Ministerial Exception”** 106 *Northwestern University Law Review* 973 (2012). First published online as 106 *Northwestern University Law Review Colloquy* 156 (2011), and selected for publication in the print law review.
- **“The First Amendment’s Epistemological Problem”** 87 *Washington Law Review* 445 (2012).
- **Book Review: *Law’s Allure: How Law Shapes, Constrains, Saves, and Kills Politics*, by Gordon Silverstein**, 59 *Journal of Legal Education* 467 (2010).
- **“Our Boggling Constitution; or, Taking Text Really, Really Seriously”** 26 *Constitutional Commentary* 651 (2010). Selected by the *Green Bag* board of advisors as an exemplar of good writing in 2010-11 and reprinted in the *Green Bag’s 2012 Almanac & Reader*.
- **“Judicial Character (And Does it Matter)”** 26 *Constitutional Commentary* 97 (2009) Review essay.
- **“Honor’s Constitutional Moment: The Oath and Presidential Transitions”** 103 *Northwestern University Law Review* 1067 (2009). First published online as 103 *Northwestern University Law Review Colloquy* 259 (2008), and selected for publication in the print law review.
- **“Demographics and Distrust: The Eleventh Circuit on School Prayer in *Adler v. Duval County*”** 63 *University of Miami Law Review* 835 (2009).
- **“Religion and American Politics: Three Views of the Cathedral”** 39 *University of Memphis Law Review* 973 (2009). Also published by the Law and Religion Program of Boston College Law School in a special edition for distribution to members of the AALS Law and Religion Section.
- **“The Philosopher’s Brief”** 25 *Constitutional Commentary* 285 (2009).
- **Book Review: *Law and Judicial Duty*, by Philip Hamburger**, 10 *Engage* 131 (July 2009).
- **“Churches As First Amendment Institutions: Of Spheres and Sovereignty”** 44 *Harvard Civil Rights-Civil Liberties Law Review* 79 (2009).

Articles and Book Reviews (continued)

- **Book Review: *The Invisible Constitution*, by Laurence H. Tribe** 10 *Engage* 150 (February 2009).
- “**Three Faces of Deference**” 83 *Notre Dame Law Review* 1061 (2008).
- **Book Review: *How Judges Think*, by Richard A. Posner, and *Constitutional Conscience*, by H. Jefferson Powell** 9 *Engage* 143 (2008).
- “**Universities as First Amendment Institutions: Some Easy Answers and Hard Questions**” 54 *UCLA Law Review* 1497 (2007).
- “**Uncovering Identity**” 105 *Michigan Law Review* 1283 (2007) (review of Kenji Yoshino, *Covering: The Hidden Assault on Our Civil Rights* (2006)).
- “**“Evaluate Me!”: Conflicted Thoughts on Gatekeeping in Legal Scholarship’s New Age**” 39 *Connecticut Law Review CONNtemplations* 39 (2007). Invited contribution to premier issue of online law review supplement.
- **Book Review: *Silence and Freedom*, by Louis Michael Seidman** 8 *Engage* 147 (2007).
- “**Religious Tests in the Mirror: The Constitutional Law and Constitutional Etiquette of Religion in Judicial Nominations**” 15 *William & Mary Bill of Rights Journal* 75 (2006).
- “**Or of the [Blog]**” 11 *NEXUS* 45 (2006). Reprinted in *Freedom of the Press: Its Constitutional History and the Contemporary Debate* (Garrett Epps, ed. 2008).
- “**Grutter’s First Amendment**” 46 *Boston College Law Review* 461 (2005).
- “**Free Speech As Risk Analysis: Heuristics, Biases, and Institutions in the First Amendment**” 76 *Temple Law Review* 1 (2003). Reprinted in *First Amendment Law Handbook, 2004-2005 Edition* (James L. Swanson, ed. 2004).
- “**Law’s Expression: The Promise and Perils of Judicial Opinion Writing in Canadian Constitutional Law**” 38 *Osgoode Hall Law Journal* 101 (2000).
- “**Citizenship and Speech**” 43 *McGill Law Journal* 445 (1998).
- “**The Past, Tense: The History of Crisis – and the Crisis of History – in Constitutional Theory**” 61 *Albany Law Review* 459 (1997).
- **Book Review – *Foreign Affairs and the United States Constitution*, 2nd ed., by Louis Henkin** 35 *Columbia Journal of Transnational Law* 723 (1997).
- “**Scientology in Court: A Comparative Analysis and Some Thoughts on Selected Issues in Law and Religion**” 47 *DePaul Law Review* 85 (1997).
- “**The Sources and Limits of Freedom of Religion in a Liberal Democracy: Section 2(a) and Beyond**” 54 *University of Toronto Faculty of Law Review* 1 (1996). Winner of the Martin L. Friedland Prize for best article in a volume of the *Law Review*, a J.S.D. Tory Fellowship, and a McMillan Binch Essay Fellowship. Selected as lead article in volume.

Articles and Book Reviews (continued)

- **“Jury Selection After *Dagenais*: Prejudicial Pre-trial Publicity”** 42 *Criminal Reports* (4th) 220 (1996).
- **Book Review – Bankruptcy and Family Law**, by Robert Klotz 26 *Canadian Business Law Journal* 472 (1996).
- **“Anti-Abortion Protests and the Public Forum: A Comment on *Ontario (Attorney General) v. Dieleman*”** 17 *Advocates' Quarterly* 466 (1995).
- **“Bora Laskin and the Legal Process School”** 59 *Saskatchewan Law Review* 77 (1995).
- **“Regulating TV Violence: An Analysis of the Voluntary Code Regarding Violence in Television”** 52 *University of Toronto Faculty of Law Review* 345 (1994). Winner of a McMillan Binch Essay Fellowship.

Presentations and Miscellaneous

- Co-organizer, Annual Law and Religion Roundtable, University of Virginia School of Law, June 2023.
- Nootbaar Institute Fellow, Nootbaar Fellows Program, Pepperdine Caruso School of Law, 2020-present. Participate in regular symposia on law and religion.
- Co-organizer, Annual Law and Religion Roundtable, June 2021 (online).
- Participant, Liberty Fund Colloquium on Freedom of Assembly and Religious Liberty, March 2021 (online).
- Presenter, Biennial Colloquium in Law and Religion, Fall 2020.
- Presented paper on honor and the rule of law, Florida State University College of Law, Tallahassee, FL, March 2020.
- Co-organizer, Annual Law and Religion Roundtable, Pepperdine Caruso School of Law, June 2020.
- Co-organizer, Annual Law and Religion Roundtable, University of Toronto Faculty of Law, June 2019.
- Commentator on paper by Stanley Fish, Emory Law School, Center for the Study of Law and Religion, March 2019.
- Presenter, symposium on Steven D. Smith's *Pagans and Christians in the City*, St. John's Law School, February 2019.
- Presenter, paper on Steven D. Smith's *Pagans and Christians in the City*, Emory Law School, Center for the Study of Law and Religion, February 2019.
- Presenter, symposium on the 75th anniversary of *Barnette*, Florida International University Law School, fall 2018.
- Co-organizer, Annual Law and Religion Roundtable, University of Pennsylvania Law School, June 2018.
- Panelist, Conference, *The Constitution and Political Parties*, Stanford Law School, May 2018.
- Symposium participant, Symposium on Randy Kozel's *Settled Versus Right: A Theory of Precedent*, University of Richmond Law School, April 2018.
- Co-organizer, symposium, *A 'Restatement' of Ethics in Legal Scholarship*, Marquette Law School, Milwaukee, WI, Fall 2017.
- Co-organizer, Annual Law and Religion Roundtable, University of Notre Dame, June 2017. Also presented draft paper, *Conservative Critical Legal Studies*.
- 40th Annual Donald A. Giannella Memorial Lecture, *Unorthodox Policymaking and Religious Liberty*, Villanova Law School, April 2017.

Presentations and Miscellaneous (continued)

- Presenter, *Unspoken: Social Class and the American Legal Academy*, University of Georgia School of Law, March 2017.
- Respondent, Federalist Society, University of Alabama Chapter, talk on religious liberty by Hon. William Pryor, November 2016.
- Participant, “Tradition in Law and Politics” Conference of The Tradition Project, Center for Law and Religion, New York, October 2016.
- Co-organizer, Annual Law and Religion Roundtable, McGill University, June 2016.
- Keynote Speaker, Annual Interfaith Conference, Harvard Law School, April 2016 (student-run event).
- Presenter, *Against Martyrdom: A Liberal Argument for Accommodation of Religion*, Harvard Law School Public Law Workshop, March 2016.
- 2016 Coxford Lecture, *Honour, Oaths, and the Rule of Law*, University of Western Ontario Faculty of Law, March 2016.
- Presenter, *Against Martyrdom: A Liberal Argument for Accommodation of Religion*, Harvard Law School Faculty Workshop, March 2016.
- Participant, Book Panel for Jay Wexler’s *When God Isn’t Green*, Boston University Law School, March 2016.
- Participant, Book Panel for Catherine Ross’s *Lessons in Censorship*, Harvard Law School, February 2016.
- Co-chair and program co-organizer, Section on Scholarship, Association of American Law Schools, January 2016.
- Speaker, *Notre Dame Law Review Symposium, Religious Liberty and the Free Society: Celebrating the 50th Anniversary of Dignitatis Humanae*, November 2015.
- Co-organizer, Annual Law and Religion Roundtable, Georgetown University Law Center, June 2015.
- Closing speaker, *Overview and Commentary*, Symposium, *Imagining a More Just World*, University of Alabama School of Law, April 2015.
- Speaker, Alabama Civil Rights and Civil Liberties Law Review Symposium, *LGBT Antidiscrimination Law and Policy After Hobby Lobby*, March 2015.
- Organizer, Alabama Law Review Symposium, *50th Anniversary of the Voting Rights Act*, February 2015.
- Workshop speaker, “*The Religious Geography of Town of Greece v Galloway*,” Emory Law School, Atlanta, February 2015.

Presentations and Miscellaneous (continued)

- Workshop speaker, “*The Religious Geography of Town of Greece v Galloway*,” Washington University Law School, St. Louis, February 2015.
- Speaker, *Supreme Court Forum: 2013-2014 Term*, Harvard Law School, November 2014.
- Op-ed, “Amendment One is Useless, Costly, and Wrong,” *Tuscaloosa News*, October 17, 2014. Reprinted in other newspapers around the state of Alabama.
- Prepared report for interfaith coalition of religious groups on legal issues concerning Alabama’s proposed Amendment One, prohibiting state judicial use of “foreign” law, including religious law, fall 2014.
- Op-ed, “Hobby Lobby is Only the Beginning,” *New York Times*, July 1, 2014.
- Co-organizer and presenter, Annual Law and Religion Roundtable, Washington University in St. Louis, June 2014.
- Helped organize *Boston University Law Review* print symposium on Ronald Dworkin’s *Religion Without God*, fall 2013; symposium published in 2014.
- Participant, Symposium, *The New Religious Institutionalism*, DePaul Law School, October 2013.
- Workshop speaker, “*Freedom of the Church Without Romance*,” Richmond Law School, October 2013.
- Constitution Day speaker, College of Charleston, September 2013. Gave separate talks on “The Agnostic Age” and on “Honor, the Oath, and the Constitution.”
- Co-organizer and presenter, Annual Law and Religion Roundtable, Stanford Law School, June 2013.
- Speaker, *Lincoln and the Law in War and Peace*, Florence-Lauderdale Public Library, Florence, AL, May 2013.
- Panelist, discussion on same-sex marriage cases sponsored by University of Alabama Capstone Alliance, April 2013.
- Speaker, *Public Intellectualism in Comparative Context*, Notre Dame Institute for Advanced Study, April 2013.
- Speaker, *The Freedom of the Church*, Association of American Law Schools, Law and Religion Section, January 2013.
- Chair, Law and Religion Section, Association of American Law Schools, 2012.
- Speaker, *Religious Liberty and Justice*, Notre Dame Center for Ethics and Culture, November 2012.
- Speaker, *The Freedom of the Church in the Modern Era*, Inaugural Conference of the Institute for Law and Religion, University of San Diego School of Law, October 2012.

Presentations and Miscellaneous (continued)

- Workshop speaker, “*First Amendment Institutions*,” Arizona State University School of Law, September 2012.
- Keynote speaker, Aspiring Law Professors Conference, Arizona State University School of Law, September 2012.
- Co-organizer and presenter, Annual Law and Religion Roundtable, Harvard Law School, June 2012.
- Workshop speaker, “*Citizens United, Hosanna-Tabor, and the Return of British Pluralism*,” Southwestern Law School, March 2012.
- Conference presenter and respondent, “The Competing Claims of Law and Religion: Who Should Govern?,” Pepperdine Law School, Feb. 23-25, 2012.
- Presented draft chapters of “*First Amendment Institutions*,” University of St. Thomas (Minnesota) School of Law, October 2011.
- Moderator and respondent, Symposium, Matters of Faith, University of Alabama School of Law, October 2011.
- Roundtable conference on book “*First Amendment Institutions*,” featuring First Amendment scholars from various law schools and hosted by Notre Dame Law School, September 2011.
- Presented draft chapters of “*First Amendment Institutions*,” University of Virginia Law School, September 2011.
- Op-ed, “How to Respond to Rick Perry and ‘The Response,’” New York Times, August 6, 2011.
- Co-organizer and presenter, Annual Law and Religion Roundtable, Northwestern Law School, June 2011.
- Presented draft chapter of book manuscript, “*First Amendment Institutions*,” Brigham Young University Law School, April 2011.
- Presented draft chapters of book manuscript, “*First Amendment Institutions*,” University of San Diego College of Law, February 2011.
- Chair-elect, Law and Religion Section, Association of American Law Schools, 2011.
- Presented paper titled “Constitutional Agnosticism,” 2010 Religious Legal Theory Conference: Religion in Law, Law in Religion, St. John’s University School of Law, November 2010.
- Program committee co-chair, Law and Religion Section, Association of American Law Schools, Annual Convention 2011.
- Co-organizer and presenter, Annual Law and Religion Roundtable, Brooklyn Law School, June 2010.

Presentations and Miscellaneous (continued)

- Presented early chapters of book manuscript, “Constitutional Agnosticism,” Emory Law School, Atlanta, GA, March 2010.
- Presented early chapters of book manuscript, “Constitutional Agnosticism,” Columbia Legal Theory Workshop, Columbia Law School, New York, NY, February 2010.
- Commenter/moderator at symposium, “Transitions,” University of Alabama School of Law, January 29, 2010.
- Presented paper titled “Democracy as the Rule of Law” at *Prosecuting Bush* Symposium, Amherst College, Amherst, MA, October 2009.
- Panelist on individual rights at conference on *The Constitution in 2020*, Yale Law School, New Haven, CT, October 2009.
- Panelist on two panels concerning planning and promoting a scholarly career at annual conference of the Southeastern Association of Law Schools, August 2009.
- Presented draft paper titled “Judicial Character (And Does it Matter)” at Prawfsfest, Florida State University School of Law, Tallahassee, FL, April 30-May 1, 2009.
- Presented draft paper titled “Judicial Character (And Does it Matter)” at John Marshall Law School, Atlanta, GA, April 15, 2009.
- Commenter/moderator at symposium, “Speech and Silence in American Law,” University of Alabama School of Law, February 27, 2009.
- Commenter/moderator at symposium, “Sovereignty, Emergency, and Legality,” University of Alabama School of Law, October 17, 2008.
- Participant in roundtable on Kent Greenawalt’s *Religion and the Constitution*, Notre Dame Law School, October 2008.
- Constitutional Studies, summer seminar on religion and its contribution to American constitutional thought, George Washington University Law School, summer 2008.
- “Religion and American Politics: Three Views of the Cathedral,” presentation at Boston College Law School Symposium, “Electing Faith: The Intersection of Law and Religion in Politics Around the World,” Boston College Law School, March 18, 2008.
- Commenter/moderator at symposium, “Imagining a New Constitution in the United States for the 21st Century,” University of Alabama School of Law, January 11, 2008.
- “Boumediene v. Bush,” presentation at 2007 Supreme Court Preview, University of Alabama School of Law, September 25, 2007.
- “Three Faces of Deference,” presentation at 2007 Houston Higher Education Law Roundtable, University of Houston School of Law, May 2007.
- “Universities As First Amendment Institutions: Some Easy Answers and Hard Questions,” presentation at UCLA Law Review Symposium, “Constitutional ‘Niches’: The Role of Institutional Context in Constitutional Law, UCLA Law School, February 2, 2007

Presentations and Miscellaneous (continued)

- “Religious Tests in the Mirror,” presentation to the Federalist Society chapter, Pepperdine Law School, Malibu, CA, April 5, 2006.
- Panelist, “The Blogosphere and the Law,” Chapman Law School, Orange, CA, March 23, 2006.
- Panelist, “Religion, Division, and the Constitution,” Law & Religion Section, AALS Annual Meeting, January 7, 2006.
- Selected as Conference Fellow, A Comparative Examination of Hate Speech Protection, Nov. 6-7, 2005, Floersheimer Center for Constitutional Democracy, Benjamin N. Cardozo School of Law, New York, NY.
- Co-blogger on Prawfsblawg, <http://prawfsblawg.blogs.com>.
- “Pragmatism and Its Consequences: A Review of Richard A. Posner’s Law, Pragmatism, and Democracy” *Writ*, May 30, 2003.
- “A Conspiracy of Judges?: A Review of Robert H. Bork’s Coercing Virtue” *Writ*, Mar. 14, 2003.
- “Three Years of Managed Care Litigation: A Progress Report” *HMOs & Health Plans*, vol. 5, issue 2, p. 25, winter 2002 (newsletter of the American Health Lawyers Association HMOs and Health Plans Practice Group).
- “For Judges and Clerks, The Song Remains the Same: A Review of The Forgotten Memoir of John Knox, A Supreme Court Clerk’s Account of His 1936-37 Clerkship” *Writ*, October 4, 2002.
- “Courts Should Deny Class Action Status for Allegations of Future Injury” Washington Legal Foundation Legal Backgrounder, May 28, 1999 (co-author with Brian Anderson)
- Canadian Radio-Television and Telecommunications Commission—Presented remarks on the regulation of television violence at public hearings, Hull, Que., October 11, 1995.
- Co-editor and contributor, constitutional law section, Jotwell.
- Performed manuscript or proposal reviews for Harvard University Press, Cambridge University Press, Oxford University Press, University of Virginia Press, Yale Law Journal, Harvard Law Review, Law and Social Inquiry, Journal of Church and State, and other journals and legal publishers.
- Repeated contributor of book reviews and commentary, *Commonweal Magazine*.
- Widely quoted in national and local media. Op-eds published in local newspapers.