

## **NAT STERN**

### **I. PERSONAL INFORMATION**

Date of Birth: August 8, 1954

Place of Birth: Sumter, S.C.

University Address: Room 312  
B.K. Roberts Building  
Florida State University College of Law  
Tallahassee, FL 32306-1601

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### **II. EDUCATION AND DEGREES**

Harvard Law School  
Degree: Juris Doctor 1979

Brown University  
Degree: Bachelor of Political Science 1976

### **III. PRACTICE OF LAW**

Admitted to Georgia Bar, 1979  
Associate at Arnall, Golden and Gregory in Atlanta, Georgia,  
September 1979 to June 1981

### **IV. ACADEMIC POSITIONS**

Florida State University College of Law:  
Assistant Professor of Law, 1981-86  
Associate Professor of Law, 1986-91  
Professor of Law, 1991 - Present  
John W. and Ashley E. Frost Professor of Law, 1999-Present  
Associate Dean for Academic Affairs: March 1998 - May 1999

### **V. PUBLICATIONS**

Articles published as sole author:

*The Stubborn Survival of the Central Hudson Test for Commercial Speech*, 45 Seattle U. L. Rev. \_\_\_\_ (forthcoming 2021)

*The Enduring Enigma of Public Official Status in Libel Law*, 54 Loyola of Los Angeles Law Review \_\_\_\_ (forthcoming 2021).

*Guess Who? Reducing the Role of Juries in Determining Libel Plaintiffs' Identities*, 93 St. John's Law Review 919 (2020).

*Don't Answer That: Revisiting the Political Question Doctrine in State Courts*, 21 University of Pennsylvania Journal of Constitutional Law 153 (2018).

*Judicial Candidates' Right to Lie*, 77 Maryland Law Review 774 (2018).

*Separation of Powers, Executive Authority, and Suspension of Disbelief*, 54 Houston Law Review 125 (2016).

*The Indefinite Deflection of Congressional Standing*, 43 Pepperdine Law Review 1 (2015)

*Graphic Labels, Dire Warnings, and the Facile Assumption of Factual Content in Compelled Commercial Speech*, 29 Journal of Law & Politics 577 (2014) (symposium).

*The Force of a Legal Concept: The Steady Extension of the Actual Malice Standard*, 12 First Amendment Law Review 449 (2014) (symposium).

*Secondary Speech and the Protective Approach to Interpretive Dualities in the Roberts Court*, 22 William & Mary Bill of Rights Law Journal 133 (2013).

*Implications of Libel Doctrine for Nondefamatory Falsehoods Under the First Amendment*, 10 First Amendment Law Review 465 (2012).

*The Subordinate Status of Negative Speech Rights*, 59 Buffalo Law Review 847 (2011).

*The Intrinsic Character of Defamatory Content as Grounds for a Uniform Regime of Proving Libel*, 80 Mississippi Law Journal 1 (2010).

*Commercial Speech, "Irrational" Clients, and the Persistence of Bans on Subjective Lawyer Advertising*, 2009 BYU Law Review 1221(2009).

*The Certainty Principle as Justification for the Group Defamation Rule*, 41 Arizona State Law Journal 951 (2008).

*The Looming Collapse of Restrictions on Judicial Campaign Speech*, 38 Seton Hall Law Review 63 (2008).

*The Doubtful Validity of Victim-Specific Libel Laws*, 52 Villanova Law Review 533 (2007).

*Creating a New Tort for Wrongful Misrepresentation of Character*, 53 Kansas Law Review 81 (2004).

*Defamed but Retained Public Employees: Addressing a Gap in Due Process Jurisprudence*, 31 Hofstra Law Review 795 (2003).

*Private Concerns of Private Plaintiffs: Revisiting a Problematic Defamation Category*, 65 Missouri Law Review 597 (2000).

*In Defense of the Imprecise Definition of Commercial Speech*, 58 Maryland Law Review 58 (1999).

*Unresolved Antitheses of the Limited Public Figure Doctrine*, 33 Houston Law Review 1027 (1996).

*The Constitutionalization of Rule 10b-5* 27 Rutgers Law Journal 1 (1995).

*The Practicality of Outreach Statutes Enforcing Directors' Duty of Care*, 72 Nebraska Law Review 905 (1994).

*Circumventing Lax Fiduciary Standards: The Possibility of Shareholder Multistate Class Actions for Directors' Breach of the Duty of Due Care*, 72 Nebraska Law Review 1 (1993).

*Defamation, Epistemology, and the Erosion (But Not Destruction) of the Opinion Privilege*, 57 Tennessee Law Review 595 (1990).

*State Action, Establishment Clause, and Defamation: Blueprints for Civil Liberties in the Rehnquist Court*, 57 University of Cincinnati Law Review 1175-1242 (1989).

*The Burger Court and the Diminishing Constitutional Rights of Minors: A Brief Overview*, 19 Arizona State Law Journal 865 (1985).

*The Political Question Doctrine in State Courts*, 35 South Carolina Law Review 405 (1984).

*The Substantial Evidence Rule in Administrative Proceedings: Restrictions on the Use of Hearsay Since Richardson v. Perales*, 36 Arkansas Law Review 102 (1983).

*The Scope of Permissible Investments by Fiduciaries under Georgia Law*, 19 Georgia State Bar Journal 6 (1982).

*Enforceability of Restrictive Covenants in Employment Contracts*, 17 Georgia State Bar Journal 110 (1981).

*Challenging Ideological Exclusion of Curriculum Material: Rights of Students and Parents*, 14 Harvard Civil Rights-Civil Liberties Law Review 485 (1979) (student note).

Co-authored articles in legal journals:

Karen Oehme and Nat Stern, *Improving Lawyers' Health by Addressing the Impact of Adverse Childhood Experiences*, 53 Richmond Law Review 1311 (2019)

Mark Joseph Stern, Karen Oehme, Nat Stern, Ember Urbach & Elena Simonsen, *The Judicial and Generational Dispute over Transgender Rights*, 29 Stanford Law and Policy Review 159 (2018).

John S. Caragozian & Nat Stern, *Proponents' Standing To Defend Their Ballot Initiatives: A Post-Hollingsworth Work-Around?*, 9 Northeastern Law Journal 69 (2017).

Karen Oehme, Nat Stern Annelise Mennicke, *A Deficiency in Addressing Campus Sexual Assault: The Lack of Women Law Enforcement Officers*, 38 Harvard Journal of Law & Gender 401 (2015).

Karen Oehme, Ember Maselli, Nat Stern, *Unheard Voices of Domestic Violence Victims: A Call to Remedy Physician Neglect*, 15 Georgetown Journal of Gender and the Law 613 (2015).

Karen Oehme and Nat Stern, *The Case for Mandatory Training on Screening for Domestic Violence in the Wake of the Affordable Care Act*, 17 University of Pennsylvania Journal of Law & Social Change 1 (2014).

Nat Stern and Mark Joseph Stern, *Advancing an Adaptive Standard of Strict Scrutiny for Content-Based Commercial Speech Regulation*, 47 University of Richmond Law Review 1171 (2013).

Nat Stern and Karen Oehme, *A Comprehensive Blueprint for a Crucial Service: Florida's New Supervised Visitation Strategy*, 12 Journal of Law and Family Studies 199 (2009).

Nat Stern, Wendy P. Crook, and Karen Oehme, *Visitation Decisions in Domestic Violence Cases: Seeking Lessons from One State's Experience*, 23 Wisconsin Journal of Law, Gender & Society 113 (2008).

Nat Stern and Karen Oehme, *Increasing Safety for Battered Women and Their Children: Creating a Privilege for Supervised Visitation Intake Records*, 41 University of Richmond Law Review 499 (2007).

Nat Stern and Karen Oehme, *Defending Neutrality in Supervised Visitation to Preserve a Crucial Family Court Service*, 35 Southwestern Law Review 37 (2005).

Nat Stern and Karen Oehme, *Toward a Coherent Approach to Tort Immunity in Judicially Mandated Family Court Services*, 92 Kentucky Law Journal 373 (2003-2004).

Nat Stern and Karen Oehme, *The Troubling Admission of Supervised Visitation Records in Custody Proceedings*, 75 Temple Law Review 271 (2002).

Nat Stern and Kevin B. Getzendanner, *Gauging the Impact of Associated General Contractors on Antitrust Standing Under Section 4 of the Clayton Act*, 20 University of California at Davis Law Review 159 (1986).

Additional publications in non-legal journals:

*Protecting Lives, Careers, and Public Confidence: Florida's Efforts to Prevent Officer-Involved Domestic Violence*, 49 Family Court Review 84 (2011) (fourth author, with Karen Oehme, Darcy Clay Siebert, Carl F. Siebert, Nat Stern, Colby Valentine, and Elizabeth Donnelly).

*Disparate levels of stress in police and correctional officers: Preliminary Evidence from a Pilot Study on Domestic Violence*, 20 Journal of Human Behavior in the Social Environment 762 (2010) (third author, with Zachary Summerlin, Karen Oehme, Nat Stern, and Colby Valentine).

Tribute: *Steve Gey's Monumental Impact on the College of Law*, 35 Florida State University Law Review xxi (2008).

**VI. LAW SCHOOL AND UNIVERSITY SERVICE**

Academic Waivers Committee 2013-14 (chair), 2014-15 (chair), 2015-16 (chair), 2016-17 (chair), 2017-18 (chair), 2018-19 (chair), 2019-20 (chair) ); 2020-21 (chair); 2021-22 (chair)

Admissions Committee 1981-1982, 1982-1983, 1986-1987 (chair; spring semester), 1992-1993, 1993-1994 (chair); 1994-1995

Appointments Committee 1983-1984; 1987-1988 (spring semester); 1988-1989 (fall semester); 1991-1992 (chair); 1995-1996; 1996-1997 (chair); 1997-1998 (chair); 1999-2000; 2002-03 (chair); 2008 (spring and fall); 2010 (spring); 2011 (spring and fall)  
 Budget Committee 1990-1991; 2001-2002  
 Clinics Committee 1989-1990  
 Conduct Code Committee 1981-1982; 1982-1983  
 Co-curricular Activities Committee 1997-1998  
 Continuing Legal Education Committee 1984-1985  
 Curriculum Committee 1989-1990 (chair); 2003-04; 2004-05; 2005-06 (chair); 2006-07 (chair); 2007-08 (chair); 2008-09 (spring semester); 2009-10 (chair; fall semester); 2011 (spring); 2012-13 (chair)  
 Dean Search Committee 1983-1984; 1988-1989; 1996-1997 (chair)  
 Educational Environment Committee 1989-1990  
 Financial Aid Committee 1998-1999  
 Goldstein Professorship Committee 2000-2001; 2001-2002  
 Honor Code Committee 1984-1985  
 Law and Religion Conference Committee 1984-1987  
 Legal Research and Writing Committee 1985-1986, 2001-2002  
 Mason Ladd Speaker Committee 1993-1994  
 Minority Programs Committee 1982-1983; 1984-1985  
 Petitions Committee 1992-1993  
 Prizes and Awards Committee 1981-1982  
 Professorial Excellence Program (PEP) Committee 1996-1997  
 Promotion and Tenure Committee 1995-1996; 1996-1997; 2004-05; 2005-06  
 Resilience Project, Florida State University 2016-present  
 Research Leave Committee 1987-1988 (chair); 1989-1990 (chair); 1990-1991; 1992-1993; 1994-1995 (chair); 1999-2000; 2006-07 (chair); 2010-11; 2011-12  
 Self-Study Committee (for ABA-AALS inspection) 1999-2000; 2006-07; 2007-08  
 Simon Chair Committee 2000-2001 (chair); 2001-2002 (chair)  
 Speakers Committee 1984-1985; 1989-1990  
 Student Affairs Committee 2002-03; 2003-04; 2004-05 (chair)  
 University TIP [Teaching Incentive Program] Committee 1995-1996

## **VII. MOOT COURT**

- A. Faculty adviser to Florida State moot court organization: 1993-present
- B. Faculty coach to moot court teams entered in 47 national competitions and 3 state competitions.

## **VIII. AWARDS**

- A. Professor of the Year (multiple)
- B. Teaching Incentive Program (TIP) Award: 1994-1995; 1998-99

- C. Professorial Excellence Program (PEP) Award: 1998-99
- D. 1997 Houston Law Review Professional Writing Award
- E. University Teaching Award: 2007-08, 2014-15
- F. Guardian of the Flame Faculty Award: 2007-08
- G. 2010 Prudential-Davis Productivity Award: one of 7 individuals named in award given to the Law Enforcement Families Partnership.  
(2014: one of 8 individuals named in same award)
- H. Member of team that won a Certificate of Commendation in the 2011 Prudential - Davis Productivity Awards program competition.
- I. Open Door Award for mentoring students: 2018, 2020

## **IX. COURSES TAUGHT**

- A. Courses regularly taught
  - Twentieth Century American Legal History
  - Constitutional Law I
  - Constitutional Law II
  - Florida State University Summer for Undergraduates Law Program
  - Supreme Court Roleplay Seminar
  
- B. Other courses taught in past
  - Administrative Law (Federal)
  - Business Associations
  - Summer Preorientation Program [for entering law students seeking help in transition to law school]