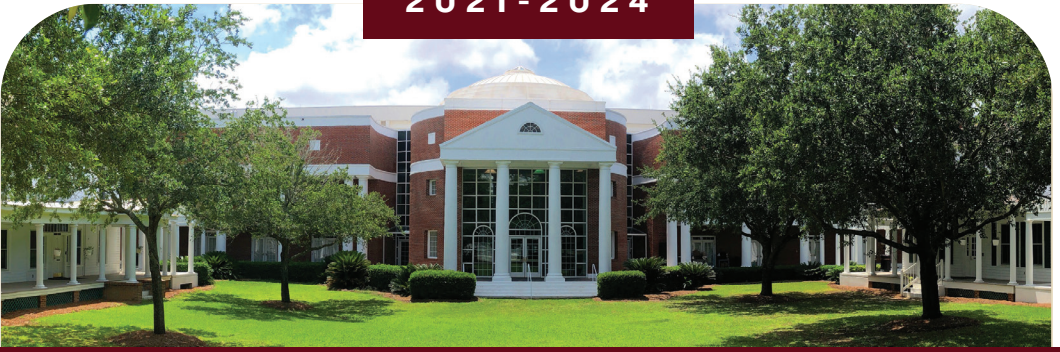


2021-2024



# FACULTY SCHOLARSHIP

FLORIDA STATE UNIVERSITY COLLEGE OF LAW



# SCHOLARSHIP REPORT 2021-2024

<b>Frederick M. Abbott</b> .....	<b>1</b>	<b>Michael T. Morley</b> .....	<b>20</b>
<b>Robert E. Atkinson Jr.</b> .....	<b>2</b>	<b>Erin O’Hara O’Connor</b> .....	<b>21</b>
<b>Nadia Banteka</b> .....	<b>3</b>	<b>Erin Ryan</b> .....	<b>21</b>
<b>Shawn J. Bayern</b> .....	<b>4</b>	<b>Lauren Scholz</b> .....	<b>22</b>
<b>Charles W. Ehrhardt</b> .....	<b>5</b>	<b>Mark B. Seidenfeld</b> .....	<b>23</b>
<b>Jacob Eisler</b> .....	<b>5</b>	<b>Justin T. Sevier</b> .....	<b>24</b>
<b>Elissa Philip Gentry</b> .....	<b>8</b>	<b>Brian Slocum</b> .....	<b>24</b>
<b>Shi-Ling Hsu</b> .....	<b>9</b>	<b>Emily Spottswood</b> .....	<b>26</b>
<b>Steve R. Johnson</b> .....	<b>10</b>	<b>Nat S. Stern</b> .....	<b>26</b>
<b>Jeffrey H. Kahn</b> .....	<b>10</b>	<b>Alexander Tsesis</b> .....	<b>27</b>
<b>Jay Kesten</b> .....	<b>11</b>	<b>Manuel A. Utset Jr.</b> .....	<b>29</b>
<b>Lawrence S. Krieger</b> .....	<b>11</b>	<b>Henry Zhuhao Wang</b> .....	<b>29</b>
<b>David E. Landau</b> .....	<b>12</b>	<b>Donald J. Weidner</b> .....	<b>30</b>
<b>Tahirih V. Lee</b> .....	<b>14</b>	<b>Kelli Alces Williams</b> .....	<b>30</b>
<b>Jake Linford</b> .....	<b>15</b>	<b>Charquia Wright</b> .....	<b>31</b>
<b>Wayne A. Logan</b> .....	<b>16</b>		
<b>Mason Marks</b> .....	<b>18</b>		



## FREDERICK M. ABBOTT

### Edward Ball Eminent Scholar Professor of International Law

LL.M., UNIVERSITY OF CALIFORNIA, BERKELEY, 1989  
 J.D., YALE UNIVERSITY, 1977  
 B.A., UNIVERSITY OF CALIFORNIA, BERKELEY, 1974

INTERNATIONAL INTELLECTUAL PROPERTY IN AN INTEGRATED WORLD ECONOMY, with Thomas Cottier, Francis Gurry, Ryan Abbott, Mira Burri, Henning Grosse Ruse-Khan, Maegan McCann, (5th ed., with Teacher's Manual, Aspen Publishing, 2024)

A RESEARCH AGENDA FOR PHARMACEUTICAL LAW (Edward Elgar, forthcoming 2024)

USING COMPETITION LAW TO PROMOTE ACCESS TO HEALTH TECHNOLOGIES: A SUPPLEMENT TO THE GUIDEBOOK FOR LOW- AND MIDDLE-INCOME COUNTRIES (UNDP Publications, 2022)

*The State of Intellectual Property and International Law*, in NEW TRENDS IN INTERNATIONAL LAW (Festschrift for Judge Hisashi Owada), Chia-Jui Cheng, ed., Brill/Nijhoff, The Hague (forthcoming 2024)

*Managed Trade and Technology Protectionism: A Formula for Perpetuating Inequality?*, in INTELLECTUAL PROPERTY, INNOVATION, AND GLOBAL INEQUALITY (Daniel Benoliel, Francis Gurry, Keun Lee & Peter Yu, editors, Cambridge University Press, forthcoming 2024)

*Intellectual Property and Technology Transfer for COVID-19 Vaccines: Assessment of the Record (and Executive Summary)* (World Intellectual Property Organization, Geneva, Switzerland, 2023)

*Contribution of the ILA Committee on International Trade Law*, in TO THE BENEFIT OF INTERNATIONAL LAW (C. Kessedjian, O. Descamps & T. Fabrizio, Editions Pantheon-Assas, editors, 2023)

*Excessive Pricing Doctrine in the Pharmaceutical Sector: The Space for Reform*, in EU COMPETITION LAW AND PHARMACEUTICALS (W. Sauter, M. Canoy & J. Mulder, editors, Edward Elgar, 2022)

*Technology Governance in a Devolved Global Legal Order: Lessons from the China-USA strategic conflict*, in A NEW GLOBAL ECONOMIC ORDER, 197-226 (Cheng Chia-Jui et al., editors, Brill/Nijhoff Publishers, 2022)

*100 Years of International IP – Reflections on Past, Present and Future*, 41 CARDOZO ARTS & ENT. L.J. 415 (2023)

**Frederick M. Abbott continued**

*Prosecuting Excessive Pricing of Pharmaceuticals under Competition Law: Evolutionary Development*, 24 COLUM. SCI. & TECH. L. REV. 173 (2023)

*A Competition Law Approach to Accessing Insulin* (with P. Gehl-Sam-path), United Nations Development Programme (2022)

*Child-Proofing Global Public Health in Anticipation of Emergency*, 20 WASH. U. GLOBAL STUD. L. REV. 583 (2021)

*Opportunities, Constraints and Critical Supports for Achieving Sustainable Local Pharmaceutical Manufacturing in Africa: With a Focus on the Role of Finance* (with R. Abbott, J. Fortunak, P. Gehl Sampath & D. Walwyn, Final Report, Nova Worldwide, 2021)



## **ROBERT E. ATKINSON JR.**

### **Greenspoon Marder Professor**

J.D., YALE UNIVERSITY, 1982

B.A., WASHINGTON AND LEE UNIVERSITY, 1979

*Back to Basics, and Beyond Belief: The Radical Re-Valuation Project of the New Standard Conception*, in LEADING WORKS IN LEGAL ETHICS (Julian Webb, editor) (Routledge) (forthcoming 2023)

*The Proper Relationship of Private Philanthropy and the Liberal Democratic State: The Inquiry and the Inquirers as the Answer*, in THE ROUTLEDGE HANDBOOK ON TAXATION AND PHILANTHROPY (Henry Peter & Giedre Lideikyte Huber, editors) (Routledge 2022)

*Military Officers as Neo-Classical Professionals: Guardians of the Republic, Not Merely Servants of the Regime*, 53 MEMPHIS L. REV. 667 (2023)



# NADIA BANTEKA

## Gary & Sallyn Pajcic Professor

S.J.D., UNIVERSITY OF PENNSYLVANIA, 2016  
 LL.M., UNIVERSITY OF PENNSYLVANIA, 2012  
 LL.M., UNIVERSITY OF NOTTINGHAM, 2009  
 LL.B., DEMOCRITUS UNIVERSITY OF THRACE, 2008

*Artificially Intelligent Personhood on a Sliding Scale*, in *THE CAMBRIDGE HANDBOOK OF PRIVATE LAW AND ARTIFICIAL INTELLIGENCE* 618 (Ernest Lim & Philip Morgan, editors, Cambridge University Press, 2024)

*Police Vigilantism*, 110 VA. L. REV. \_\_ (forthcoming 2024)

*Fair Notice and Criminalizing Abortions*, 113 J. CRIM. LAW & CRIMINOL. 747 (2024) (with Brian Slocum)

*Police Brutality as Torture*, 70 UCLA L. REV. 470 (2023)

*Unconstitutional Police Pretexts*, 2023 WIS. L. REV. 1871 (2023)

*Police Ignorance and (Un)Reasonable Fourth Amendment Exclusion*, 75 VANDERBILT L. REV. 365 (2022)

*Rethinking Constitutionally Impermissible Punishment*, 98 NOTRE DAME L. REV. REFLECTION 40 (with Erika Nyborg-Burch) (2022)

*Artificially Intelligent Persons*, 58 HOUS. L. REV. 537 (2021)

In *Police Vigilantism*, 110 VA. L. REV. \_\_ (forthcoming 2024), Professor Nadia Banteka uncovers a critical flaw in modern policing: officers' ability to strategically shift between their roles as state actors and private individuals. The article argues that contemporary policing merges state-sanctioned power with remnants of early vigilantism, allowing officers to navigate a liminal space between public and private roles. This enables officers to exploit legal gray areas, undermining frameworks designed to keep state power in check. By exposing these systemic breakdowns, the article challenges the effectiveness of doctrines like state action and qualified immunity, advocating for a fundamental rethinking of police authority and accountability.



# SHAWN J. BAYERN

**Larry and Joyce Beltz Professor of Torts and  
Associate Dean for Technology**

J.D., UNIVERSITY OF CALIFORNIA, BERKELEY, 2006  
B.S., YALE UNIVERSITY, 1999

CONTRACTS, 8TH ED. OF THE CALAMARI & PERILLO HORNBOOK ON  
CONTRACT LAW (West Academic, forthcoming 2026)

THE FALLACIES OF LIBERTARIANISM: A LEGAL PERSPECTIVE  
(Cambridge University Press, forthcoming 2026)

RETHINKING LEGAL CERTAINTY (Edward Elgar, forthcoming 2025)

MODERN TORT LAW: CONTEXT, CASES, AND MATERIALS (West  
Academic, forthcoming 2025)

ADVANCED INTRODUCTION TO BUSINESS ORGANIZATIONS (Edward  
Elgar, forthcoming 2024)

A RESEARCH AGENDA FOR ORGANIZATIONAL LAW (Edward Elgar,  
forthcoming 2024)

THE ANALYTICAL FAILURES OF LAW AND ECONOMICS (Cambridge  
University Press, 2023)

PRINCIPLES AND POSSIBILITIES IN COMMON LAW (West Academic,  
2023)

AUTONOMOUS ORGANIZATIONS (Cambridge University Press, 2021)

*Are Bespoke DAO Forms Needed in Organizational Law?*, in FOUNDA-  
TIONS OF DECENTRALIZED ORGANIZATIONS (Kevin Werbach ed.,  
Oxford University Press, forthcoming 2025)

*Language Models: General Background for Lawyers*, in CONCISE ENCY-  
CLOPEDIA OF ARTIFICIAL INTELLIGENCE AND THE LAW (Ryan Ab-  
bott & Elizabeth Rothman eds., Edward Elgar, forthcoming 2025)

*Legal Interfaces for Artificial Intelligence*, in CONCISE ENCYCLOPE-  
DIA OF ARTIFICIAL INTELLIGENCE AND THE LAW (Ryan Abbott &  
Elizabeth Rothman eds., Edward Elgar, forthcoming 2025)

*Trusting Organizational Law*, in REGULATION AND GOVERNANCE (A  
PEER-REVIEWED JOURNAL) (forthcoming 2025)

*False Agency in Artificial Intelligence*, in RESEARCH HANDBOOK ON  
LAW AND ARTIFICIAL INTELLIGENCE (Woodrow Barfield & Ugo  
Pagallo eds., 2d ed., Edward Elgar, forthcoming 2024)

(continued next page)

**Shawn J. Bayern continued**

*Algorithmic Governance of Business Organizations*, in *THE OXFORD HANDBOOK OF CORPORATE LAW AND GOVERNANCE* (Jeffrey N. Gordon & Wolf-Georg Ringe eds., Oxford University Press, forthcoming 2024)

*Intelligent Remedies*, in *THE CAMBRIDGE HANDBOOK ON ARTIFICIAL INTELLIGENCE AND THE LAW* (Cambridge University Press, forthcoming 2023)

*Reverse Engineering (by) Artificial Intelligence*, in *RESEARCH HANDBOOK ON INTELLECTUAL PROPERTY AND ARTIFICIAL INTELLIGENCE* (Edward Elgar, 2022)

*Introduction to Contract Law*, in *LAWS OF MEDICINE: CORE LEGAL ASPECTS FOR THE HEALTHCARE PROFESSIONAL* (Springer, 2022)

*Implied Organizations and Technological Governance*, 64 *WM. & MARY L. REV.* 969 (2023)

*Adventures with an Artificially Intelligent Language Model (and What It Might Say About the Law)*, 25 *GREEN BAG 2D* 177 (2022)

*Business Law Beyond Business*, 46 *J. CORP L.* 521 (2021)

In *False Agency in Artificial Intelligence*, in *RESEARCH HANDBOOK ON LAW AND ARTIFICIAL INTELLIGENCE* (Woodrow Barfield & Ugo Pagallo eds., 2d ed., Edward Elgar, forthcoming 2024), Professor Shawn Bayern argues that the law should not treat artificially intelligent programs as “agents.” It is, according to Professor Bayern, particularly important to avoid that metaphor with chatbots because the apparent directedness and identity of chatbots are more superficial than many lawyers realize and can be misleading.





## CHARLES W. EHRHARDT

### Professor Emeritus

J.D., UNIVERSITY OF IOWA, 1964  
B.S., IOWA STATE UNIVERSITY, 1962

FLORIDA EVIDENCE (2023 ed., West Publishing)

## JACOB EISLER

### James Edmund and Margaret Elizabeth Corry Professor

PH.D., POLITICAL SCIENCE, HARVARD UNIVERSITY, 2016  
J.D., HARVARD UNIVERSITY, 2010  
M.PHIL., POLITICAL THOUGHT AND INTELLECTUAL HISTORY, EMMANUEL  
COLLEGE, UNIVERSITY OF CAMBRIDGE, 2006  
B.A., WILLIAMS COLLEGE, 2004

THE LAW OF FREEDOM: THE SUPREME COURT AND DEMOCRACY  
(Cambridge University Press, 2023)

DATA-DRIVEN PERSONALISATION IN MARKETS, POLITICS AND LAW  
(co-editor with Uta Kohl, Cambridge University Press, 2021)

*One Person, One Vote*, in THE OXFORD HANDBOOK OF AMERICAN  
ELECTION LAW (Gene Mazo, editor, Oxford University Press, forth-  
coming 2023)

*A. v. National Blood Authority: An Experiment in Radical Consumer-  
centric Strict Liability for Products*, in LANDMARK CASES IN CON-  
SUMER LAW (Jodi Gardner & Iain Ramsay, editors, Hart, forthcom-  
ing 2023)

*Campaign Speech and the Universal Dilemma in the Common Law of  
Elections: A Lesson from the Anglo-American Divide*, in COMPARATIVE  
ELECTION LAW (Jim Gardner, editor, Edward Elgar, 2022)

*Conclusion: Balancing Data-Driven Personalisation and Law as Social  
Systems*, in DATA-DRIVEN PERSONALISATION IN MARKETS, POLITICS  
AND LAW (co-editor with Uta Koh, Cambridge University Press,  
2021)

*Polarized Countermajoritarianism*, 26 PA. J. CON. L. 665 (2024)

DISCRIMINATION, PRIVATE LIBERTY, AND PUBLIC ACCOMMODA-  
TIONS LAW, 12 TEX. A&M L. REV. \_\_ (forthcoming 2025)

(continued next page)

**Jacob Eisler continued**

*303 Creative, Public Accommodations Law, and the Many Possible Futures of Rights*, 32 WM. & MARY BILL RTS. J. (INTRODUCTION TO INVITED SYMPOSIUM, forthcoming 2024)

*Rethinking the Government Speech Doctrine, Post-Trump* (with Michael Kang), 2022 U. ILL. L. REV. 1943

*Conceptualising Corruption and the Rule of Law*, 85 MODERN L. REV. 1072 (2022)

*Constitutional Formalities, Power Realities, and Comparative Anglo-phone Responses to Foreign Campaign Meddling*, 20 ELECTION L. J. 32 (2021)

In *Discrimination, Private Liberty, and Public Accommodations Law*, 12 TEX. A&M L. REV. (forthcoming 2025), Professor Jacob Eisler offers a framework for understanding how the judiciary has wrestled with governmental efforts to impose equal access rules on private commercial businesses, observing that the Supreme Court's tolerance of such regulations is determined by the Court's conception of the economic market itself as a zone of private liberty deserving of rights protection or alternately as a shared public endeavor dedicated to collective welfare.





# ELISSA PHILIP GENTRY

## Assistant Professor

PH.D., LAW & ECONOMICS, VANDERBILT UNIVERSITY, 2016  
J.D., VANDERBILT UNIVERSITY, 2016  
B.S., VANDERBILT UNIVERSITY, 2010

*Market versus Policy Responses to Novel Occupational Risks* (with Robert J. Cramer and W. Kip Viscusi), \_\_\_ J. EMPIR. LEG. STUD. \_\_\_ (forthcoming 2024)

*The Misapplication of the Major Questions Doctrine to Emerging Risks* (with W. Kip Viscusi), 63 Hous. L. REV. 469 (2024)

*Disregarding Uncertainty, Marginalizing Patients*, 57 IND. L. REV. 357 (2023)

*When Patients are Assailants: Attitudes toward Healthcare Occupational Risks* (with W. Kip Viscusi), 14 J. BENEFIT-COST ANALYSIS 356 (2023)

*Damned Causation*, 54 ARIZ. ST. L.J. 419 (2022)

*A Socially Beneficial False Claims Act?*, 88 TENN. L. REV. 725 (2021)

*Contaminated Relationships in the Opioid Crisis* (with Benjamin McMichael), 72 HASTINGS L.J. 827 (2021)

**In *Market versus Policy Responses to Novel Occupational Risks*, (with Robert J. Cramer and W. Kip Viscusi), \_\_\_ J. EMPIR. LEG. STUD. \_\_\_ (forthcoming 2024), Professor Elissa Gentry and coauthors Robert Cramer and W. Kip Viscusi estimate a market-based compensating differential for workers facing elevated risks through contact with the public. The estimated annual premium for exposure (\$820 overall and \$1,000 for essential workers) is lower—and more commensurate with other value of a statistical life estimates—than the mandatory premiums proposed by the federal government. The significant mismatch between these values illustrates the potential danger of government intervention that reactively values risk, unmoored by level of the risk and variation in the risk exposure.**





## SHI-LING HSU

### D'Alemberte Professor

PH.D., AGRICULTURAL AND RESOURCE ECONOMICS, UNIVERSITY OF CALIFORNIA, DAVIS, 1998  
 M.S., ECOLOGY, UNIVERSITY OF CALIFORNIA, DAVIS, 1994  
 J.D., COLUMBIA UNIVERSITY, 1987  
 B.S., COLUMBIA UNIVERSITY, 1983

OCEAN AND COASTAL RESOURCES LAW (with Josh Eagle) (4th ed. Aspen, 2024)

CAPITALISM AND THE ENVIRONMENT: A PROPOSAL TO SAVE THE PLANET (Cambridge University Press, 2021)

*Climate Resilience*, \_\_ UMKC L. REV. \_\_ (forthcoming 2025)

*Recruiting Capitalism for Environmental Protection*, in CAN DEMOCRACY AND CAPITALISM BE RECONCILED? (S. Milkis & S. Miller, editors, Oxford University Press, forthcoming 2024)

*Western Water Rights in a 4°C Future*, in ADAPTING TO A 4°C FUTURE (R. Craig, J. Salzman & J.B. Ruhl, editors, Oxford University Press, forthcoming 2023)

*Supplying Life Necessities in a Climate-changed Future*, in ADAPTING TO A 4°C FUTURE (R. Craig, J. Salzman & J.B. Ruhl, editors, Oxford University Press, forthcoming 2023)

*Climate Insecurity*, 2023 UTAH L. REV. 129 (2023)

*On Electric Vehicles and Environmental Policies for Innovation (a Review of John Graham's THE GLOBAL RISE OF THE MODERN PLUG-IN ELECTRIC VEHICLE)*, 14 HASTINGS SCI. & TECH L.J. 231 (2023)

*Non-market Values in the Draft Update of Circular A-4*, YALE J. REG. NOTICE & COMMENT (2023)

*We Need Capitalism to Save Our Planet*, 2023 ENVTL F. 25 (2023)

*Whither, Rationality?* 120 MICH. L. REV. 1165 (2022)

*Adapting to a 4° C World* (with 17 others), 52 ENVTL. L. REP. 10211 (2022)

*Carbon Taxes and Economic Inequality*, 15 HARV. L. & POL'Y REV. 201 (2021)

*Anti-Science Ideology*, 74 U. MIAMI L. REV. 405 (2021)

*Cost-Benefit Analysis as Policy and as Dialectics*, YALE J. REG. NOTICE & COMMENT (2021)



## STEVE R. JOHNSON

### **Dunbar Family Professor**

J.D., NEW YORK UNIVERSITY, 1981

B.A., ST. FRANCIS COLLEGE (NEW YORK), 1976

*Exceptionalism Versus Contextualism: Statutory Interpretation in Bankruptcy Law*, 24 FLA. ST. U. L. REV. \_\_ (forthcoming 2024)

*Congressional Primacy, Equitable Tolling and Tax Court Deficiency Litigation*, 76 TAX LAW. 451 (2023)

*Remembering Doug Kahn*, 41 TAX TIMES (2022)

*Federal Tax Ethics Rules and State Malpractice Litigation*, 75 TAX LAWYER 125 (2021)



## JEFFREY H. KAHN

### **Harry M. Walborsky Professor and Associate Dean for Business Law Programs**

J.D., UNIVERSITY OF MICHIGAN, 1997

B.A., DUKE UNIVERSITY, 1994

*Juries and Tax: The Effect of Income Taxation on Tort Damages* (with John Lopatka), 76 S.C. L. REV. \_\_ (forthcoming 2024)

*A Taxing Mistake*, 44 CARDOZO L. REV. DE NOVO 171 (2022)

*Too Much Salt? The Nuanced Impact of the State and Local Tax Deduction Cap on Pass-Through Business Taxpayers* (with Miles Romney & John Treu), 25 FLA. TAX REV. 339 (2021)

*Tax and Cross-Collateralized Nonrecourse Liability* (with Douglas Kahn), 24 FLA. TAX REV. 626 (2021)

*Recovery for Causing Tax Overpayment – Lyeth v. Hoey and Clark Revisited* (with Douglas Kahn), 74 TAX LAW. 437 (2021)

*Liability Insurance: A Reply to Professor Utz*, 171 TAX NOTES 423 (2021)



## JAY KESTEN

### Associate Professor

LL.M., HARVARD UNIVERSITY, 2009  
LL.B., UNIVERSITY OF BRITISH COLUMBIA, 2002  
B.A., UNIVERSITY OF BRITISH COLUMBIA, 1999

*Of Convergence and Contingency: Some Thoughts on Public Firm Fiduciary Duties*, 68 FLA. L. REV. FORUM 136 (2024)



## LAWRENCE S. KRIEGER

### Clinical Professor and Co-Director of Clinical Externship Programs

J.D., UNIVERSITY OF FLORIDA, 1978  
A.B., PRINCETON UNIVERSITY, 1967

FROM STRESSFUL TO MINDFUL TO JOYFUL IN THE LAW (Amazon/Kindle), (forthcoming 2024)

CREATE SUCCESS WITHOUT STRESS IN THE LAW: NEW SCIENCE FOR HAPPINESS, HEALTH, AND POSITIVE PROFESSIONAL IDENTITY (Gandy Press 2023)

Book Review: THE LAW STUDENT'S GUIDE TO DOING WELL AND BEING WELL, and Essay: *Proposing a New Paradigm to Release Law Students and Lawyers from the Deeper Chains that Bind Them to Unhappy, Unhealthy Lives*, 71 J. LEGAL EDUC. 569 (2022-23)



## DAVID E. LANDAU

### Mason Ladd Professor and Associate Dean for International Programs

PH.D., POLITICAL SCIENCE, HARVARD UNIVERSITY, 2015  
J.D., HARVARD UNIVERSITY, 2004  
A.B., HARVARD UNIVERSITY, 2001

*THE JUSTICIABILITY OF ECONOMIC, SOCIAL, AND CULTURAL RIGHTS* (edited volume, with Angelika Nussberger) (Intersentia, 2023)

*ABUSIVE CONSTITUTIONAL BORROWING* (with Rosalind Dixon) (Oxford University Press, 2021)

*Local Politics and Regional Rights: Reflections on Comparative International Law in the Americas*, in *LATIN AMERICAN INTERNATIONAL LAW* (Oxford University Press, Alejandro Chehtman, Alexandra Huneeus, & Sergio Puig, eds., forthcoming 2024)

*Ancillary Powers of Constitution-Making Bodies*, in *REDEFINING COMPARATIVE CONSTITUTIONAL LAW: ESSAYS FOR MARK TUSHNET* (Oxford University Press, Vicki C. Jackson & Madhav Khosla, eds., forthcoming 2024)

*Defensive Social Rights*, in *OXFORD HANDBOOK OF ECONOMIC AND SOCIAL RIGHTS* — (co-authored with Rosalind Dixon) (Malcolm Langford and Katharine G. Young., eds., Oxford University Press, forthcoming 2024)

*Constitutions and Abusive Electoral Regulation* (coauthored with Rosalind Dixon), in *THE ENTRENCHMENT OF DEMOCRACY* (Tom Ginsburg, Aziz Z. Huq, and Tarun Khaitan, eds., Cambridge University Press, forthcoming 2024)

*The Unsettled Canon of Social Rights Enforcement in Latin America*, in *GLOBAL CANONS IN AN AGE OF UNCERTAINTY: DEBATING FOUNDATIONAL TEXTS OF CONSTITUTIONAL DEMOCRACY AND HUMAN RIGHTS* 427 (Sujit Choudhry, Michaela Hailbronner, and Matthias Kumm, eds., Oxford University Press, 2024)

*Impeachment in Comparative Perspective: An Empirical View*, in *IMPEACHMENT IN A GLOBAL CONTEXT: LAW, POLITICS, AND COMPARATIVE PRACTICE* 321 (with Tom Ginsburg and Aziz Z. Huq) (Chris Monaghan, Matthew Flinders, and Aziz Z. Huq, eds., Routledge, 2024)

*The Covid-19 Emergency and Instability in Latin America*, in *PANDEMOCRACY IN LATIN AMERICA* 219 (Hart Publishing, Pablo Riberi, ed., 2024)

(continued next page)



## David E. Landau continued

*Transitional Norms in Constitutions*, 50 YALE J. INT'L LAW \_\_ (forthcoming 2025)

*Constraining Constitution Making*, \_\_ JLEA \_\_ (with Adam Chilton, Cristián Eyzaguirre, and Mila Versteeg, peer reviewed) (forthcoming 2024)

*General Report: The Justiciability of Economic, Social, and Cultural Rights*, in THE JUSTICIABILITY OF ECONOMIC, SOCIAL, AND CULTURAL RIGHTS 1 (Intersentia, David Landau & Angelika Nussberger, eds., 2023)

*Can Constitutions Fix Party System Breakdowns? A Skeptical View*, in CONSTITUTIONALISM AND A RIGHT TO EFFECTIVE GOVERNANCE 223 (Vicki C. Jackson and Yasmin Dawood, eds., Cambridge University Press, 2022)

*Designing and Protecting Term Limits* (co-authored with Rosalind Dixon), in ELGAR HANDBOOK OF COMPARATIVE ELECTION LAW 344 (James A. Gardner, ed., 2022)

*Constitutional Backsliding and its Responses in Colombia*, in CONSTITUTIONALISM IN CONTEXT 497 (Cambridge University Press) (David Law, ed., Cambridge University Press, 2022)

*The Myth of Illiberal Democratic Constitutionalism*, in Routledge Handbook of Illiberalism 425 (Stephen Holmes, Andras Sajó, and Renata Uitz, eds., Routledge, 2021)

*The Colombian Model of Structural Socio-economic Rights Remedies: Lessons from and for Comparative Experience*, in CONSTITUTIONALISM: OLD DILEMMAS, NEW INSIGHTS 258 (Alejandro Linares-Castillo et al., eds., Cambridge University Press, 2021)

*Justice Cepeda's Institution—Building on the Colombian Constitutional Court: A Fusion of the Political and the Legal*, in TOWERING JUDGES 215 (Rehan Abeyratne & Iddo Porat, eds., Cambridge University Press, 2021)

*Utopian Constitutionalism in Chile*, 12 GLOB. CONST. 228 (with Rosalind Dixon, invited symposium piece) (2024)

*Restorative Constitutionalism*, 81 WASH. & LEE L. REV. 455 (with Rosalind Dixon) (2024)

*Democracy's Other Boundary Problem: The Law of Disqualification*, 111 CALIF. LAW REV. 1633 (with Tom Ginsburg and Aziz Huq) (2023)

*Dobbs, Democracy, and Dysfunction*, 2023 WIS. LAW REV. 1569 (with Rosalind Dixon, invited symposium piece)

## David E. Landau continued

*Rethinking the Federal Emergency Powers Regime*, 83 OHIO STATE LAW J. 603 (2023)

*Two Models of Protecting Democracy: Federalism and the U.S. Deviation*, 70 DRAKE LAW REV. 605 (2023) (invited symposium piece)

*Sobre fracaso constitucional, constitucionalismo transformador y utopismo (On constitutional failure, Transformative Constitutionalism, and Utopianism)*, 21 INT. J. CONST. LAW 1549 (with Rosalind Dixon, article published in Spanish in special Spanish-language issue) (2023)

*Judicial Reform or Abusive Constitutionalism in Israel*, 56 ISRAELI LAW REV. 292 (with Rosalind Dixon and Yaniv Roznai) (2023)

*Socioeconomic Rights in Latin America: Closing the Gap between Aspiration and Reality*, 57 REVISTA DERECHO DEL ESTADO 7 (COLOMBIA) (2023)

*Healing Liberal Democracies: The Role of Restorative Constitutionalism*, 36 ETHICS & INT'L AFFAIRS 427 (with Rosalind Dixon) (2022) (invited symposium piece)

*A Broad Read of Ely: Political Process Theory for New Democracies*, 19 INT'L J. CONST. LAW 548 (with Manuel José Cepeda Espinosa) (2021) (peer reviewed symposium piece)

*The Comparative Constitutional Law of Presidential Impeachment*, 88 UNIV. CHI. L. REV 81 (with Tom Ginsburg and Aziz Huq) (2021)

*Federalism, Democracy, and the 2020 Election*, 99 TEXAS L. REV. ONLINE 96 (with Hannah J. Wiseman and Samuel Wiseman) (2021)



## TAHIRIH V. LEE

### Associate Professor

PH.D., HISTORY, YALE UNIVERSITY, 1990

J.D., YALE UNIVERSITY, 1989

M.PHIL, HISTORY, YALE UNIVERSITY, 1989

M.A., HISTORY, YALE UNIVERSITY, 1989

A.M., STANFORD UNIVERSITY, 1985

A.B., STANFORD UNIVERSITY, 1985

*Balancing Predictability with Flexibility in Contract Drafting*, \_\_ TRANSACTIONS: TENN. J. BUS. L. \_\_ (forthcoming 2024)

*The Application of Law as a Key to Understanding Judicial Independence*, 17 FLA. INT'L UNIV. L. REV. 159 (2023)

# JAKE LINFORD

**Loula Fuller and Dan Myers Professor and  
Associate Dean for Research**

J.D., UNIVERSITY OF CHICAGO, 2008  
B.A., UNIVERSITY OF UTAH, 1996

*An Information Theory of Bad Faith Trademark Use*, 62 Hous. L. REV. \_\_ (forthcoming 2024)

*Retrenching Speech Protective Thresholds in Trademark Law*, 72 AM. U. L. REV. F 181. (2024) (invited response to Christine Haight Farley & Lisa P. Ramsey, *Raising the Threshold for Trademark Infringement to Protect Free Expression*, 72 AM. U. L. REV. 1225 (2023))

*Calculating the Harms of Political Use of Popular Music* (with Aaron Perzanowski), 75 U.C.L.J. 293 (2024)

*Trademark Tarnishmyths* (with Justin Sevier & Allyson Willis), 54 ARIZ. ST. L.J. 305 (2023)

*Trademark Fame and Corpus Linguistics* (with Kyra Nelson), 45 COLUM. J.L. & ARTS 171 (2022)

*De Facto Secondary Meaning*, forthcoming in ELGAR ENCYCLOPEDIA OF INTELLECTUAL PROPERTY LAW (Torremans, Stamatoudi, Jütte & Yu, Elgar, 2024)

(continued next page)

In *Calculating the Harms of Political Use of Popular Music* (with Aaron Perzanowski), 75 U.C.L.J. 293 (2024), the authors empirically test the harms artists and songs might suffer from unauthorized campaign uses by polarizing or unpopular politicians. Examination of novel streaming data shows meaningful negative shifts in consumption after the artists complained of unauthorized use. In addition, an experimental design that measures negative consumer reactions to hypothetical campaign uses. The article finds strong evidence that perceived endorsement of candidates matters to consumers, and that less-well established musicians are more likely to suffer negative reputation effects. But respondents do not infer artist endorsement from campaign use.



## Jake Linford continued

*The Path of the Trademark Injunction*, in RESEARCH HANDBOOK ON THE LAW & ECONOMICS OF TRADEMARKS (Glynn Lunney, editor) (Edward Elgar Publishing, 2023)

*Democratizing Access to Survey Evidence of Distinctiveness*, in TRADEMARK LAW AND THEORY: REFORM OF TRADEMARK LAW (Graeme Dinwoodie & Mark Janis, editors, Edward Elgar Publishing, 2021)

*'Tell the Truth.' Truth in Music Advertising Post Tam*, in THE OXFORD HANDBOOK OF MUSIC LAW AND POLICY (Seán O'Connor, editor, Oxford University Press, 2021)

## WAYNE A. LOGAN

### Steven M. Goldstein Professor

J.D., UNIVERSITY OF WISCONSIN, 1991

M.A., CRIMINOLOGY, STATE UNIVERSITY OF NEW YORK ALBANY, 1986

B.A., WESLEYAN UNIVERSITY, 1983

FLORIDA SEARCH AND SEIZURE LAW (LexisNexis 2020, 2021, 2022 2023, & 2024)

SEX OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION LAWS: AN EMPIRICAL EVALUATION (co-editor with J.J. Prescott, Cambridge University Press, 2021)

COLLATERAL CONSEQUENCES OF CRIMINAL CONVICTION: LAW, POLICY, AND PRACTICE (with Margaret Love & Jenny Roberts, 4th ed., Thomson Reuters, 2021)

QUESTIONS AND ANSWERS, Q & A: CRIMINAL PROCEDURE-POLICE INVESTIGATION (4th ed. (2021), and 5th ed., Carolina Academic Press, 2024)

QUESTIONS AND ANSWERS, Q & A: CRIMINAL PROCEDURE-ADJUDICATION (4th ed., Carolina Academic Press 2021, 2024) (5th ed., 2024)

*Origins and Evolution of SORN Laws*, in SEX OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION LAWS: AN EMPIRICAL EVALUATION (co-editor with J.J. Prescott) (Cambridge University Press 2021)

*The "Alito Hypothesis" in an Era of Emboldened One-Party State Governance*, 18 HARV. L. & POL'Y REV. \_\_ (forthcoming 2024)

*Policing Emotions: What Social Psychology Can Teach Fourth Amendment Doctrine*, 72 BUFF. L. REV. \_\_ (forthcoming 2024)

(continued next page)

**Wayne A. Logan continued**

*Governmental Authority to Compel the Carrying of Stigmatizing Documents*, 20 STAN. J.C.R. & C.L. \_\_ (forthcoming 2024)

*The Harms of Heien: Pulling Back the Curtain on the Court's Search and Seizure Doctrine*, 77 VANDERBILT LAW REV. 1 (2024)

*Should Detection Avoidance Be Criminalized?* 18 CRIM. LAW & PHILOS. 431 (2024) (peer-reviewed)

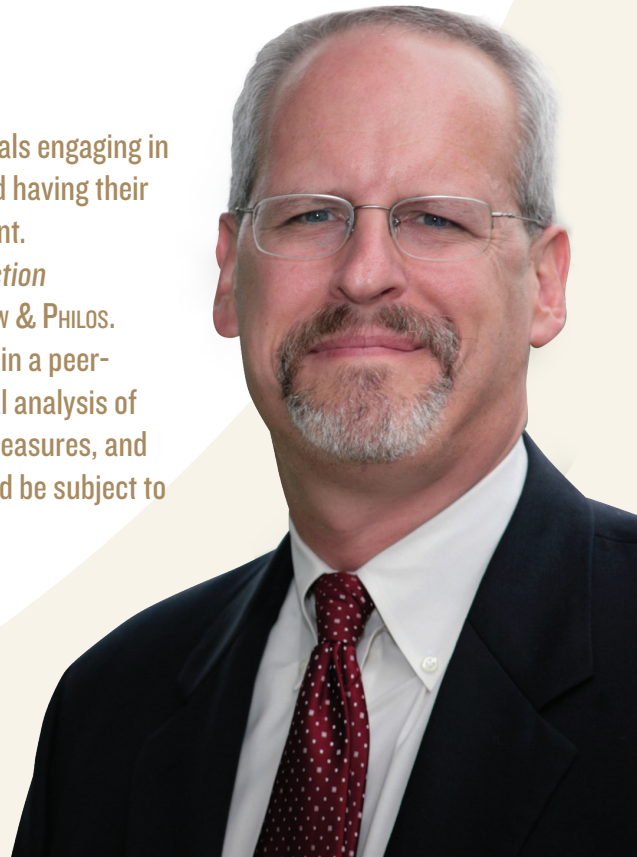
*Toward a New Understanding of "Affirmative Disability or Restraint" in the Preventive State*, 20 OHIO STATE J. CRIM. LAW 11 (2023)

*Citizen Searches and the Duty to Report*, 83 OHIO STATE L.J. 939 (2022)

*Geography and Reasonable Suspicion in Auto Stops*, 48 N. KY. L. REV. 309 (2021)

*Sex Offender Registration in a Pandemic*, 19 OHIO STATE J. CRIM. LAW 551 (2021)

Human nature being what it is, individuals engaging in unlawful activity will often seek to avoid having their misconduct detected by law enforcement. Professor Logan's article, *Should Detection Avoidance Be Criminalized?* 18 CRIM. LAW & PHILOS. 431 (2024) (peer-reviewed) published in a peer-reviewed journal, provides the first legal analysis of what are termed detection avoidance measures, and evaluates whether, and how, they should be subject to criminalization.





# MASON MARKS

## Florida Bar Health Law Section Professor

J.D., VANDERBILT LAW SCHOOL, 2015

M.D., TUFTS UNIVERSITY SCHOOL OF MEDICINE, 2011

B.A., AMHERST COLLEGE, 2000

PSYCHEDELIC LAW AND POLITICS (Yale University Press, forthcoming)

*People Are the Lifeblood of Innovation, in* THE CAMBRIDGE HANDBOOK OF INTELLECTUAL PROPERTY AND SOCIAL JUSTICE (Stephen D. Jamar & Lateef Mtima eds., 2024)

*Refocusing Freedom of Thought*, 124 COLUM. L. REV. FORUM \_\_ (forthcoming 2025)

*Constitutional Drug Decriminalization*, 134 YALE L. J. FORUM \_\_ (forthcoming 2024)

*A State Drug Law Typology*, 93 FORDHAM L. REV. \_\_ (forthcoming 2024)

*Cognitive Content Moderation: Freedom of Thought and the First Amendment Right to Receive Subconscious Information*, 76 FLA. L. REV. 469 (2024)

*Essentials of Informed Consent to Psychedelic Medicine*, 81 JAMA PSYCHIATRY 611 (with I. Glenn Cohen, et al., 2024)

*Microdosing Under State and Federal Law*, 103 B. U. L. REV. 573 (with I. Glenn Cohen, et al., 2023)

*State-regulated psychedelics on a collision course with the FDA*, 330 JAMA 2337 (2023)

*AI Chatbots, Health Privacy, and Challenges to HIPAA Compliance*, 330 JAMA 309 (with Claudia Haupt, 2023)

*How should the FDA evaluate psychedelic medicines?* 389 N. ENGL. J. MED. 1733 (with I. Glenn Cohen, 2023)

*AI-Generated Medical Advice: GPT and Beyond*, 329 JAMA 1349 (with Claudia Haupt, 2023)

*Drug Scheduling Limits Access to Essential Medicines and Should be Reformed*, 29 NATURE MEDICINE 294 (with Carmel Shachar, 2023)

(continued next page)

## Mason Marks continued

*Integrating Psychedelics into End-of-Life Care*, 1 NATURE MENTAL HEALTH 920 (with I. Glenn Cohen, 2023)

*The Varieties of Psychedelic Law*, 226 NEUROPHARMACOLOGY 109399 (2023)

*Returning Individual Research Results from Digital Phenotyping*, 24 AMERICAN J. BIOETHICS 69 (with Francis Shen, Barbara Evans, et al., 2023).

*Automating FDA Regulation*, 71 DUKE L. J. 1207 (2022)

*Patents on Psychedelics: The Next Legal Battlefield of Drug Development*, 135 HARV. L. REV. FORUM 212 (with I. Glenn Cohen, 2022)

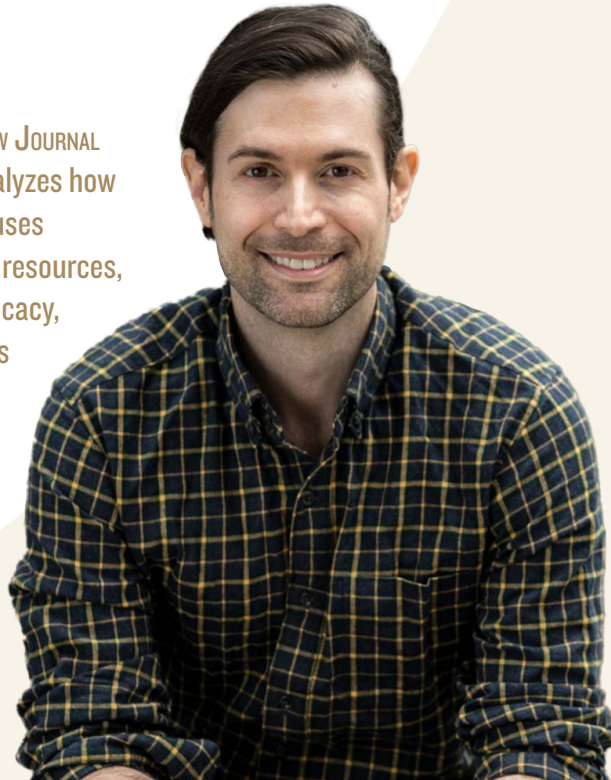
*Biosupremacy: Big Data, Antitrust, and Monopolistic Power Over Human Behavior*, 55 U.C. DAVIS L. REV. 513 (2021)

*Emergent Medical Data: Health Information Inferred by Artificial Intelligence*, 11 U.C. IRVINE L. REV. 995 (2021)

*Psychedelic Therapies: A Roadmap for Wider Acceptance and Utilization*, 27 NATURE MEDICINE 1669 (with I. Glenn Cohen, 2021)

*Governing AI-Driven Health Research: Are IRBs up to the Task?* 43 ETHICS & HUMAN RESEARCH 35 (with Phoebe Friesen et al., 2021)

In *Automating FDA Regulation*, 71 DUKE LAW JOURNAL 1207 (2022), Professor Mason Marks analyzes how the Food and Drug Administration (FDA) uses computer models and simulations to save resources, reduce costs, infer product safety and efficacy, and make regulatory decisions. To address the largely overlooked role of artificial intelligence in medical product regulation, he analyzes FDA guidance documents and industry and agency simulation standards to make recommendations for safer and more equitable automation of FDA processes.



# MICHAEL T. MORLEY

## Sheila M. McDevitt Professor

J.D., YALE UNIVERSITY, 2003

A.B., PRINCETON UNIVERSITY, 2000

*Election Emergencies*, in OXFORD HANDBOOK OF AMERICAN ELECTION LAW (Oxford University Press, forthcoming 2024)

*Federal Law and Voter Registration*, 76 ALA. L. REV. \_\_ (forthcoming 2025)

*Voting Rights: Litigating Materiality Under the Civil Rights Act*, \_\_ FLA. L. REV. \_\_ (forthcoming 2025)

*The Scope of Election Litigation*, 81 WASH. & LEE L. REV. \_\_ (forthcoming 2024)

*Against Associational Standing*, 91 U. CHI. L. REV. \_\_ (forthcoming 2024-25)

*Bush v. Gore's Uniformity Principle and the 2020 Election*, 58 WAKE FOREST L. REV. 179 (2023)

*Election Emergencies: Voting in Times of Pandemic*, 80 WASH. & LEE L. REV. 359 (2023)

*Erroneous Injunctions*, 71 EMORY L.J. 1137 (2022)

*Constitutional Tolling and Preenforcement Challenges to Private Rights of Action*, 97 NOTRE DAME L. REV. 1825 (2022)

*The Independent State Legislature Doctrine*, 90 FORDHAM L. REV. 501 (2021)

*Interpreting Injunctions* (with F. Andrew Hessick), 107 VA. L. REV. 1059 (2021)

*The Framers' Inadvertent Gift: The Electoral College and the Constitutional Infirmities of the National Popular Vote Compact*, 15 HARV. L. & POL'Y REV. 81 (2021)

**In *Against Associational Standing*, 91 U. CHI. L. REV. \_\_ (forthcoming 2024-25), Professor Michael T. Morley and his co-author explore the development of associational standing doctrine, identify the frequently overlooked problems to which it can give rise, and suggest both ways of reforming the doctrine as well as a complete alternative to it.**





## ERIN O'HARA O'CONNOR

### Dean and McKenzie Professor

J.D., GEORGETOWN UNIVERSITY LAW CENTER, 1990  
B.A., UNIVERSITY OF ROCHESTER, 1987

*Is Labor Arbitration Lawless?* (with Ariana Levinson & Paige Marta Skiba), 48 FLA. ST. U. L. REV. 447 (2021)



## ERIN RYAN

### Elizabeth C. & Clyde W. Atkinson Professor and Associate Dean for Environmental Programs

J.D., HARVARD UNIVERSITY, 2001  
M.A., ETHNOMUSICOLOGY, WESLEYAN UNIVERSITY, 1994  
B.A., HARVARD-RADCLIFFE COLLEGE, 1991

THE PUBLIC TRUST DOCTRINE, PRIVATE RIGHTS IN WATER, AND THE MONO LAKE STORY (Cambridge University Press, forthcoming 2024)

*The Hidden Duality of Emerging Climate Advocacy: The Atmospheric Trust and Environmental Rights*, 49 HARV. ENVTL. L. REV. \_\_\_ (2024)

*Sackett vs. EPA and the Regulatory, Property, and Human Rights Based Strategies for Protecting American Waterways*, 74 CASE W. RES. L. REV. 281 (2023)

*The Public Trust Doctrine, Property, and Society*, in PROPERTY, LAW, AND SOCIETY (Nicole Graham et al., editors) (Routledge 2022)

*The Twin Environmental Law Problems of Preemption and Political Scale*, in ENVIRONMENTAL LAW, DISRUPTED (Keith Hirokawa & Jessica Owley, editors, Environmental Law Institute, 2021)

*Privatization, Public Commons, and the Takingsification of Environmental Law*, 171 U. PA. L. REV. 617 (2023)

*How the Successes and Failures of the Clean Water Act Fueled the Rise of the Public Trust Doctrine and Rights of Nature Movement*, 73 CASE W. RES. L. REV. 475 (2022)

*Environmental Rights for the 21st Century: A Comprehensive Analysis of the Public Trust Doctrine and the Rights of Nature Movement* (with Holly Curry & Hayes Rule), 42 CARDOZO L. REV. 2447 (2021)

Erin Ryan continued

*Tribute to Professor David Markell: A Colleague Among Colleagues*, 36 J. LAND USE & ENVTL. L.1 (2021)

*Environmental Law, Disrupted by COVID-19* (with Rebecca Bratspies, Vanessa Casado Perez, Robin Kundis Craig, Lissa Griffin, Keith Hirokawa, Sarah Krakoff, Katrina Kuh, Jessica Owley, Melissa Powers, Shannon Roesler, Jonathan Rosenbloom, J.B. Ruhl & David Takacs), 51 ENVTL. L. REP. 10509 (2021)



## LAUREN SCHOLZ

### McConaughay and Rissman Professor

J.D., HARVARD UNIVERSITY, 2014  
B.A., YALE UNIVERSITY, 2009

*Private Law and Algorithmic Governance*, in OXFORD HANDBOOK ON ALGORITHMIC GOVERNANCE (Ifeoma Ajunwa & Jeremias Adams-Prassl, editors) (Oxford University Press), (forthcoming, 2025)

*Intellectual Property Wrongs, Artificial Intelligence, and the Common Law*, \_\_ LOY. U. CHI. L.J. \_\_ (forthcoming 2025)

*Punitive Damages for Privacy Wrongs*, \_\_ YALE J. L. & TECH. \_\_ (forthcoming 2025)

*Two Cheers for Cyborgs*, 2022 U. CHI. L. REV. ONLINE (2022)

*Private Rights of Action in Privacy Law*, 63 WM. & MARY L. REV. 1639 (2022)



# MARK B. SEIDENFELD

## Patricia A. Dore Professor of Administrative Law

J.D., STANFORD UNIVERSITY, 1983

M.A., THEORETICAL PHYSICS, BRANDEIS UNIVERSITY, 1979

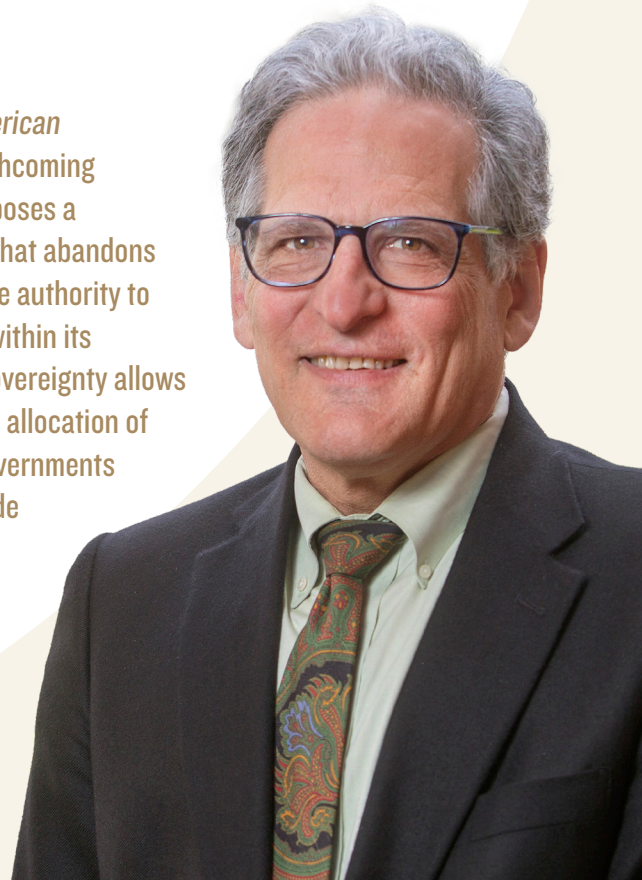
B.A., REED COLLEGE, 1975

*Conceptions of Sovereignty and American Federalism*, \_\_ FLA. ST. U. L. REV. \_\_ (forthcoming 2024)

*Rethinking the Good Cause Exception to Notice and Comment Rulemaking in Light of Interim Final Rules*, 75 ADMIN. L. REV. 787 (2023)

Book Review, *The Limits of Deliberation about the Public's Values: Reviewing* BLAKE EMERSON, *THE PUBLIC'S LAW: ORIGINS AND ARCHITECTURE OF PROGRESSIVE DEMOCRACY*, 119 MICH. L. REV. 1111 (2021)

In *Conceptions of Sovereignty and American Federalism* 52 FLA. ST. U.L. REV. \_\_ (forthcoming 2024), Professor Mark Seidenfeld proposes a minimal understanding of sovereignty that abandons the requirement that the sovereign have authority to exercise absolute power over matters within its jurisdiction. This concept of minimal sovereignty allows for political processes to determine the allocation of authority between state and federal governments and avoids the need for the Court to hide arbitrary choices about that division behind legal fictions.





## JUSTIN T. SEVIER

### Charles W. Ehrhardt Professor of Litigation

PH.D., PSYCHOLOGY, YALE UNIVERSITY, EXPECTED 2022  
M.S. AND M.PHIL., YALE UNIVERSITY, 2013  
J.D., HARVARD UNIVERSITY, 2006  
A.B., CORNELL UNIVERSITY, 2003

WHO CARES ABOUT EVIDENCE SCHOLARSHIP? (AND WHY PSYCHOLOGISTS SHOULD.), in *HANDBOOK ON RESEARCH IN LAW AND PSYCHOLOGY 136* (Rebecca Hollander-Blumoff, editor, Edward Elgar Publishing, 2024)

EVIDENCE LAW AND EMPIRICAL PSYCHOLOGY, in *PHILOSOPHICAL FOUNDATIONS OF EVIDENCE LAW* (Christian Dahlman, Alex Stein & Giovanni Tuzet, editors, Oxford University Press, 2021)

*Evidence-Based Hearsay*, 76 *VANDERBILT L. REV.* 1799 (2023)

*Qualified Illegitimacy*, 56 *U.C. DAVIS L. REV.* 1635 (2023)

*Trademark Tarnishmyths* (with Jake Linford & Allyson Willis), 54 *ARIZ. ST. L.J.* 305 (2023)

*Procedural Justice in COVID-19-Era Civil Courts*, 71 *DEPAUL L. REV.* 495 (2022)

## BRIAN SLOCUM

### Stearns Weaver Miller Professor

PH.D., LINGUISTICS, UNIVERSITY OF CALIFORNIA, DAVIS, 2014  
M.A., LINGUISTICS, UNIVERSITY OF CALIFORNIA, DAVIS, 2012  
J.D., HARVARD UNIVERSITY, 1999  
B.B.A., PACIFIC UNION COLLEGE, 1996

STATUTORY TEXTUALISM (with William N. Eskridge Jr. & Kevin Tobia, Harvard University Press, forthcoming 2025)

*Fair Notice and Criminalizing Abortions* (with Nadia Banteka), 113 *J. CRIM. LAW & CRIMINOL.* 747 (2024) (Symposium)

THE LINGUISTIC AND SUBSTANTIVE CANONS (WITH KEVIN TOBIA), 137 *Harv. L. Rev. Forum* 70 (2023)

*Textualism's Defining Moment* (with William N. Eskridge Jr. & Kevin Tobia), 123 *COLUM. L. REV.* 1611 (2023)

*Ordinary Meaning and Ordinary People* (with Kevin Tobia & Victoria Nourse), 171 *U. PA. L. REV.* 365 (2023)

(continued next page)

**Brian Slocum continued**

*Unmasking Textualism: Linguistic Misunderstanding in the Transit Mask Order Case and Beyond* (with Stefan Th. Gries, Michael Kranzlein, Nathan Schneider & Kevin Tobia), 122 COLUM. L. REV. FORUM 192 (2022)

*Progressive Textualism* (with Kevin Tobia & Victoria Nourse), 110 GEO. L.J. 1439 (2022)

*Statutory Interpretation from the Outside* (with Kevin Tobia & Victoria Nourse), 122 COLUM. L. REV. 213 (2022)

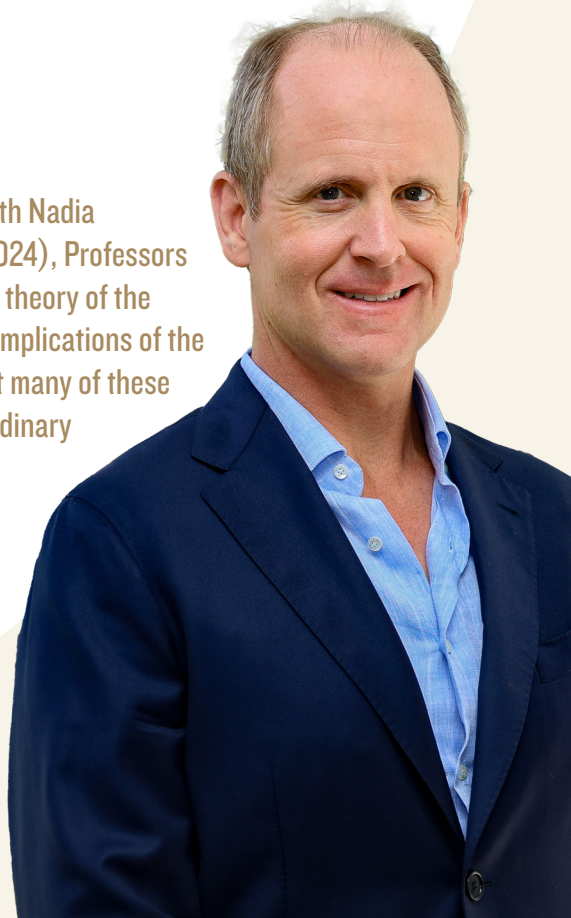
*The Meaning of Sex: Dynamic Words, Novel Applications, and Original Public Meaning* (with William N. Eskridge Jr. & Stefan Th. Gries), 119 MICH. L. REV. 1503 (2021)

*The Vienna Convention and the Ordinary Meaning of International Law* (with Jarrod Wong), 46 YALE J. OF INT'L LAW 191 (2021)

*Reforming the Canon of Constitutional Avoidance*, 23 U. PA. J. CONST. L. 593 (2021)

*Big Data and Accuracy in Statutory Interpretation*, 86 BROOK. L. REV. 357 (2021)

*In Fair Notice and Criminalizing Abortions* (with Nadia Banteka), 113 J. CRIM. L. & CRIMINOLOGY 747 (2024), Professors Brian G. Slocum & Nadia Banteka offer a new theory of the void-for-vagueness doctrine and explore the implications of the theory for anti-abortion statutes, arguing that many of these statutes do not provide fair notice to either ordinary individuals or medical professionals.





## EMILY SPOTTSWOOD

### David and Deborah Fonvielle Professor

J.D., NORTHWESTERN UNIVERSITY, 2007  
B.S., NORTHWESTERN UNIVERSITY, 2002

*Burdens of Proof*, in PHILOSOPHICAL FOUNDATIONS OF EVIDENCE LAW (Christian Dahlman, Alex Stein & Giovanni Tuzet, editors, Oxford University Press, 2021)

*Paradoxes of Proof*, in PHILOSOPHICAL FOUNDATIONS OF EVIDENCE LAW (Christian Dahlman, Alex Stein & Giovanni Tuzet, editors, Oxford University Press, 2021)

*MALLEABLE MEMORIES AND THE LAW OF PROOF*, (NYU PRESS, forthcoming 2025)

*Victims as Fact-Finders*, 99 TUL. L. REV. \_\_ (forthcoming 2025)

*Continuous Burdens of Proof*, 21 NEV. L.J. 779 (2021)



## NAT S. STERN

### Professor Emeritus

J.D., HARVARD UNIVERSITY, 1979  
A.B., BROWN UNIVERSITY, 1976

*The Stubborn Survival of the Central Hudson Test for Commercial Speech*, 45 SEATTLE U. L. REV. 467 (2022)

*Rethinking Absolute Immunity from Defamation Suits in Private Quasi-Judicial Proceedings*, 21 U. N. H. L. REV. 117 (2022)

*The Enduring Enigma of Public Official Status in Libel Law*, 54 LOY. L.A. L. REV. 1205 (2021)

# ALEXANDER TESIS

## D'Alemberte Chair in Constitutional Law

STUDENT SPEECH IN THE TWENTY-FIRST CENTURY (Alexander Tsesis & David Han eds., Cambridge University Press, forthcoming 2026)

MINORITIES, FREE SPEECH, AND THE INTERNET (Alexander Tsesis et al., editors, Routledge Press, 2023)

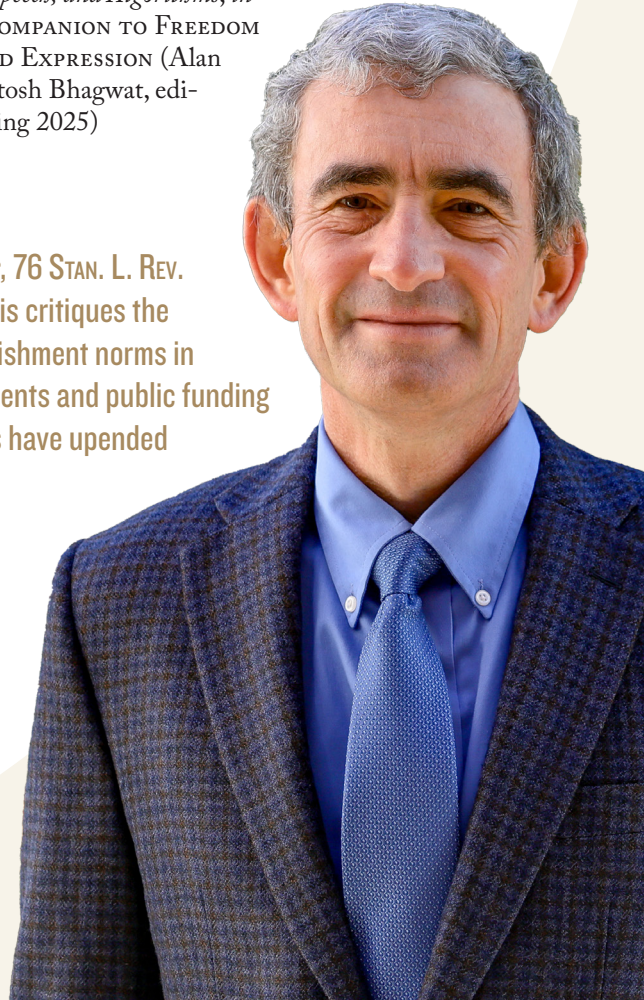
*Hate Speech on Campus, in* STUDENT SPEECH IN THE TWENTY-FIRST CENTURY (Alexander Tsesis & David Han eds, Cambridge University Press, forthcoming 2026)

*Formalistic Reliance on History and Tradition*, 173 U. PA. L. REV. \_\_ (forthcoming 2025)

*Dignity, Free Speech, and Algorithms, in* THE ELGAR COMPANION TO FREEDOM OF SPEECH AND EXPRESSION (Alan Chen & Ashutosh Bhagwat, editors, forthcoming 2025)

(continued next page)

In *Establishment of Religion in Schools*, 76 STAN. L. REV. \_\_ (forthcoming 2024), Professor Tsesis critiques the Court's recent devaluation of disestablishment norms in holdings on prayers at public school events and public funding of religious education. Recent opinions have upended state efforts to prevent governmental involvement in religious rituals and teachings. In those cases, the Court's references to history and tradition have been at best oblique and at worst misleading. Rather than a formalistic test, the Court should rely on nuanced contextual reasoning to protect religious convictions and maintain separation between religious beliefs and state actions.





## Alexander Tsesis continued

*Establishment of Religion in Schools*, 76 STAN. L. REV. \_\_\_ (forthcoming 2024)

*Deregulatory Reliance on the Free Speech Clause*, 152 DAEDALUS \_\_\_ (forthcoming 2024)

*The Status of U.S. Incitement Doctrine, in THE CRIMINALISATION OF HATE SPEECH—A COMPARATIVE INVESTIGATION* (Asser Press (The Hague, Netherlands) Eric Heinze ed., forthcoming 2024)

*Aspirational Reliance on the Declaration of Independence*, in CAMBRIDGE COMPANION TO THE DECLARATION OF INDEPENDENCE (Mark Graber & Michael Zuckert, editors, Cambridge University Press, forthcoming 2023)

*Levels of Free Speech Scrutiny*, 98 IND. L.J. 1225 (2023)

*Justice Breyer's Balanced Reasoning on Free Speech: A Comparative Analysis*, 21 FIRST AM. L. REV. 395 (2023)

*Democratic Values and the Regulation of Hate Speech*, in MINORITIES, FREE SPEECH, AND THE INTERNET (Alexander Tsesis et al., editors, Routledge Press 2023)

*Incitement to Insurrection and the First Amendment*, 57 WAKE FOREST L. REV. 971 (2022)

*Government Speech and the Establishment Clause*, 2022 U. ILL. L. REV. 1761

*Compelled Speech and Proportionality*, 97 INDIANA L.J. 811 (2022) (reprinted in FIRST AMENDMENT LAW HANDBOOK (Rodney Smolla, editor, Thomson Reuters West, 2022))

*Enforcement of the Reconstruction Amendments*, 78 WASH. & LEE L. REV. 849 (2021)





## MANUEL A. UTSET JR.

### William & Catherine VanDercreek Professor and Associate Dean for Juris Master Program

J.D., UNIVERSITY OF MICHIGAN, 1987  
B.S., GEORGETOWN UNIVERSITY, 1984

*Predictive Policing and Criminal Law*, in *POLICING AND ARTIFICIAL INTELLIGENCE* (John L.M. McDaniel & Ken Pease, editors, Routledge, 2021)

*Time-Inconsistent Bargaining and Cross-Commitments*, 14 *GAMES* 38 (2023)



## HENRY ZHUHAO WANG

### Tallahassee Alumni Professor

S. J.D., NORTHWESTERN UNIVERSITY, 2022  
J.D., INDIANA UNIVERSITY, BLOOMINGTON, 2011  
LL.M., UNIVERSITY OF PENNSYLVANIA, 2007  
B.A., CHINA UNIVERSITY OF POLITICAL SCIENCE AND LAW, 2006

*Asynchronous Trials: A New Approach to High-Volume Civil Adjudication*, 70 *DENVER L. REV.* \_\_ (forthcoming 2025)

*Alternative Evidence Rules for Arbitration*, 24 *NEV. L.J.* 73 (2023)

*One Size Does Not Fit All: Alternatives to the Federal Rules*, 76 *VANDERBILT L. REV.* 1709 (2023)

*Rethinking Evidentiary Rules in an Age of Bench Trials*, 13 *U.C. IRVINE L. REV.* 263 (2022)

*The Peculiarity of American Evidence Law: An Outsider's Observation and Reflection*, 26 *INT'L J. EVID. & PROOF* 271 (2022)

*Lifting the Veil of Mona Lisa: A Multifaceted Investigation of the "Beyond a Reasonable Doubt" Standard* (with Eric Zhi), 50 *GA. J. INT'L & COMP. L.* 119 (2021)

*China's E-Justice Revolution*, 105 *JUDICATURE* 36 (2021)



## DONALD J. WEIDNER

### Dean Emeritus and Alumni Centennial Professor

J.D., UNIVERSITY OF TEXAS AT AUSTIN, 1969  
B.S., FORDHAM UNIVERSITY, 1966

THE REVISED UNIFORM PARTNERSHIP ACT (with Robert W. Hillman & Allan G. Donn) (Thomson Reuters 2022) (also 2023 ed.)

*The Unfortunate Role of Special Litigation Committees in LLCs*, 77 BUS. LAW. 381 (2022)



## KELLI ALCES WILLIAMS

### Matthews & Hawkins Professor of Property and Associate Dean for Academic Affairs

J.D., UNIVERSITY OF ILLINOIS, 2005  
B.A., COLLEGE OF WILLIAM AND MARY, 2001

FEMINIST JUDGMENTS: CORPORATE LAW REWRITTEN (co-editor with A. Choike & U. Rodrigues, Cambridge University Press, 2022)

*Introduction* (with A. Choike & U. Rodrigues), in FEMINIST JUDGMENTS: CORPORATE LAW REWRITTEN (co-editor with A. Choike & U. Rodrigues, Cambridge University Press, 2022)

*Self-Interested Fiduciaries and Invulnerable Beneficiaries: When Fiduciary Duties Don't Fit*, in FIDUCIARY DUTIES IN BUSINESS (Cambridge University Press, 2022)

*Market Testing Boilerplate*, 74 SYRACUSE L. REV. 229 (forthcoming 2024)

*The Harm in the Fiduciary Myth*, 49 B.Y.U. L. REV. \_\_ (forthcoming 2024)

# CHARQUIA WRIGHT

## Assistant Professor

LL.M., UNIVERSITY OF CALIFORNIA, LOS ANGELES, 2020  
 J.D., GEORGETOWN UNIVERSITY, 2017  
 B.S.E., PRINCETON UNIVERSITY, 2014

*First Amendment Defenses to Alien Transportation Crimes*, 32 WM. & MARY BILL RTS. J. 971 (2024)

*Circuit Circus: Defying SCOTUS and Disenfranchising Black Voters*, 83 OHIO ST. L. J. 601 (2022)

In *First Amendment Defenses to Alien Transportation Crimes*, 32 WM. & MARY BILL RTS. J. 971 (2024), Professor Wright critiques laws that prohibit the transportation of undocumented aliens as unconstitutional restrictions on First Amendment rights. The Supreme Court's recent Free Exercise cases like *Masterpiece Cakeshop* and *303 Creative LLC*, broadly protect the religious freedoms of natural persons and some corporations from laws that compromise the sincerely held beliefs of natural and some corporate persons. State alien transportation laws circumscribe their ability to exercise those beliefs; Christian churches and believers may feel themselves bound by scriptural dictates to love the foreigner and to care for undocumented family members.









NONPROFIT ORG  
 US POSTAGE  
 PAID  
 TALLAHASSEE, FL  
 PERMIT #55

COLLEGE OF LAW  
 FLORIDA STATE UNIVERSITY  
 TALLAHASSEE, FL 32306-1601  
 law.fsu.edu

