

# FRANITA TOLSON

Professor of Law  
Vice Dean for Faculty and Academic Affairs  
University of Southern California  
Gould School of Law  
Los Angeles, CA 90089-0071

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## ACADEMIC EMPLOYMENT

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### UNIVERSITY OF SOUTHERN CALIFORNIA

#### GOULD SCHOOL OF LAW

*Vice Dean for Faculty and Academic Affairs*

*Professor of Law*

*Professor of Political Science and International Relations (courtesy appointment)*

*Visiting Professor of Law*

Los Angeles, CA

July 2019-Present

June 2017-Present

April 2021-Present

February 2016

- **Courses:** Constitutional Law I & II; Election Law; Electing A President (undergraduate course)
- **Service:** Faculty Advisor – Southeast Asian Law Students Association (2019-Present); Co-Chair, Race and the Law Academic Affairs Subcommittee (2020-2021); Academic Affairs (2018-2019); Admissions (2018-2019); Appointments (2017-2018); Experiential Readiness Committee (2017-2018)
- **Reviewer:** NYU PRESS; ELECTION LAW JOURNAL; PUBLIUS; CAMBRIDGE UNIVERSITY PRESS; ROUTLEDGE
- **Podcast:** Co-Host, *Free and Fair with Franita and Foley*
- **Blog:** Co-Blogger, *Election Law Blog*

### THE UNIVERSITY OF CHICAGO LAW SCHOOL

*Walter V. Schaefer Visiting Professor of Law*

Chicago, IL

Spring 2021

### FLORIDA STATE UNIVERSITY COLLEGE OF LAW

*Betty T. Ferguson Professor of Voting Rights*

*Associate Professor (with tenure)*

*Assistant Professor*

Tallahassee, FL

2012 – 2017

2014 – 2017

2009 – 2014

- **Courses:** Constitutional Law II; Election Law; Employment Discrimination; First Amendment; Legislation and Regulation; Race and the Law.
- **Committees:** Appointments (2016-2017 (Chair), 2014-2015, 2012-2013); Member, FSU Provost Search Committee (2015); Faculty Enrichment (2014-2015 (Chair), 2010-2011); Faculty Senate (2010-2015); Admissions (2016-2017, 2013-2014); Judicial Clerkships (2009-2012).
- **Honors/Awards:** Nominee, FSU University Teaching Award (2016, 2014); Summer Research Grant Recipient (Summer 2009, 2011- 2016); First Year Assistant Professor Research Grant Recipient (Summer 2010).
- **Symposium (organizer):** “The Law of Democracy at a Crossroads: Reflecting on Fifty Years of Voting Rights and the Judicial Regulation of the Political Thicket” (March 2015).

- **Blogs:** Huffington Post, available at <http://www.huffingtonpost.com/franita-tolson/>.
  - Guest blogger at the Faculty Lounge, available at <http://www.thefacultylounge.org/> (June 2011), and Prawfsblawg, available at <http://prawfsblawg.blogs.com/> (August 2011, February 2012, November 2012, December 2014, October 2016).

**NORTHWESTERN UNIVERSITY SCHOOL OF LAW**

**Chicago, IL**

*Visiting Assistant Professor*

2008 – 2009

- **Courses:** Election Law; The Legal History of Race.

**OTHER EMPLOYMENT**

**FACEBOOK**

**Menlo Park, CA**

*Voting Rights Expert*

May 2020 – Present

**CNN**

**Atlanta, GA**

*Election Law Analyst*

September 2020 – December 2020

**PEOPLE FOR THE AMERICAN WAY**

**Washington, D.C.**

*Senior Fellow*

October 2017 – December 2018

**NON-ACADEMIC EMPLOYMENT**

**HON. ANN CLAIRE WILLIAMS, UNITED STATES COURT OF APPEALS  
FOR THE SEVENTH CIRCUIT**

**Chicago, IL**

*Law Clerk*

2007- 2008

**HON. RUBEN CASTILLO, UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

**Chicago, IL**

*Law Clerk*

2005 - 2007

**SIDLEY AUSTIN LLP**

**Chicago, IL**

*Summer Associate, Law Clerk*

2004 - 2005

- Contributor, *Class Certification Issues for Non-Federal Question Class Actions – Defense Perspective*, 728 PLI/Lit 221 (2005)

**BLACKWELL SANDERS PEPER MARTIN LLP**

**St. Louis, MO**

*Summer Associate*

Summer 2003

## EDUCATION

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### THE UNIVERSITY OF CHICAGO LAW SCHOOL

J.D., 2005

- Member, *The University of Chicago Law Review*
- Recipient, Thomas Mulroy Prize for Oral Advocacy, Hinton Moot Court Competition (2004-2005)
- Research Assistant, Professor Cass Sunstein (2003-2004)

### TRUMAN STATE UNIVERSITY - Kirksville, Missouri

B.A./B.S., History, 2001

*Cum Laude*

- **Awards:** President's Honorary Full Tuition Scholarship · Departmental Honors in History · Truman State University Dean's List · Truman State University Student Excellence Award · National Dean's List · Ronald E. McNair Scholar · Member, Phi Alpha Theta History Honor Society
- **Study Abroad:** University of Liverpool - Liverpool, England (Summer 2001) · Erasmus University - Rotterdam, the Netherlands (Summer 2001) · University of Burgundy - Dijon, France (Summer 2000)

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## PUBLICATIONS

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### BOOKS:

- THE LAW OF DEMOCRACY (Foundation Press, 6<sup>th</sup> ed, forthcoming 2022) (with Samuel Issacharoff, Pamela Karlan, Richard Pildes, and Nathaniel Persily)
- IN CONGRESS WE TRUST?: ENFORCING VOTING RIGHTS FROM THE FOUNDING TO THE JIM CROW ERA (under contract, Cambridge University Press) (forthcoming 2022)
  - Originally Titled, A PROMISE UNFULFILLED: SECTION 2 OF THE FOURTEENTH AMENDMENT AND THE FUTURE OF THE RIGHT TO VOTE

### BOOK CHAPTERS:

- *Do We Alter or Do We Abolish?: Race and Voting Rights in an Age of Suppression*, in Aziza Ahmed and Guy Charles, ed., RESEARCH HANDBOOK ON LAW AND RACE IN THE U.S. (Edward Elgar) (forthcoming 2022).
- *Republicanism Redefined: The Constitutional Status of Political Parties after the Ratification of the Twelfth Amendment*, in Mark Tushnet and Dmitry Kochenov, eds., RESEARCH HANDBOOK ON THE POLITICS OF CONSTITUTIONAL LAW (Edward Elgar) (forthcoming 2022).
- *Section 5 of the Voting Rights Act of 1965: A Eulogy and A Path Forward*, in Eugene Mazo, ed., OXFORD HANDBOOK OF AMERICAN ELECTION LAW (Oxford University Press) (forthcoming 2022)
- *The Equal Sovereignty Principle as Federalism Sub-Doctrine: A Reassessment of Shelby County v. Holder*, in CHRISTOPHER P. BANKS, ED., CONTROVERSIES IN AMERICAN FEDERALISM AND

PUBLIC POLICY (Routledge) (2018).

- *Offering a New Vision for Equal Protection: The Story of Harper v. Virginia State Board of Elections*, in JOSHUA A. DOUGLAS AND EUGENE MAZO, EDS., *ELECTION LAW STORIES* (Foundation Press) (2016).

#### ARTICLES:

- *The Spectrum of Congressional Authority over Elections*, 99 BOSTON UNIVERSITY LAW REVIEW 317 (2019).
  - Selected as the “Download of the Week” and made the list of “Top Ten Downloads of 2019” on Larry Solum’s *Legal Theory Blog*
  - Reprinted in CIVIL RIGHTS LITIGATION AND ATTORNEY FEES ANNUAL HANDBOOK (2019)
- *Election Law “Federalism” and the Limits of the Anti-Discrimination Framework*, 59 WILLIAM & MARY LAW REVIEW 2211 (2018).
- *What is Abridgment? A Critique of Two Section Twos*, 67 ALABAMA LAW REVIEW 433 (2016).
- *Protecting Political Participation through the Voter Qualifications Clause of Article I*, 56 BOSTON COLLEGE LAW REVIEW 159 (2015).
- *The Constitutional Structure of Voting Rights Enforcement*, 89 WASHINGTON LAW REVIEW 379 (2014).
- *Benign Partisanship*, 88 NOTRE DAME LAW REVIEW 395 (2012).
- *Reinventing Sovereignty?: Federalism as a Constraint on the Voting Rights Act*, 65 VANDERBILT LAW REVIEW 1195 (2012).
- *Partisan Gerrymandering as a Safeguard of Federalism*, 2010 UTAH LAW REVIEW 859 (2010).
- *The Boundaries of Litigating Unconscious Discrimination: Firm-Based Remedies in Response to a Hostile Judiciary*, 33 DELAWARE JOURNAL OF CORPORATE LAW 347 (2008).

#### ESSAYS:

- *Enforcing the Political Constitution*, \_\_ STANFORD LAW REVIEW ONLINE \_\_ (forthcoming 2022) (invited submission).
- *Countering the Real Countermajoritarian Difficulty*, \_\_ CALIFORNIA LAW REVIEW \_\_ (forthcoming 2022) (response to Pamela Karlan, *The New Countermajoritarian Difficulty* (Jorde Lecture)).
- *“In Whom is the Right of Suffrage?”: The Reconstruction Acts as Sources of Constitutional Meaning*, 169 UNIVERSITY OF PENNSYLVANIA LAW REVIEW (forthcoming 2021).
- *What is “Appropriate” Legislation?: McCulloch v. Maryland and the Redundancy of the Reconstruction Amendments*, 73 ARKANSAS LAW REVIEW 111 (2020) (Review of DAVID SCHWARTZ, *THE SPIRIT OF THE CONSTITUTION; JOHN MARSHALL AND THE 200-YEAR ODYSSEY OF McCULLOCH V. MARYLAND* (2019)).
- *Levinson and Balkin are Both Right?: Article V, the Constitution of Conversation, and the Cost of Political Dysfunction*, 68 DRAKE LAW REVIEW 237 (2020) (Review of Sanford Levinson and Jack M. Balkin, *DEMOCRACY AND DYSFUNCTION* (2019)) (invited submission).
- *The Elections Clause and the Underenforcement of Federal Law*, 129 YALE LAW JOURNAL FORUM 171 (2019) (invited submission).

- *Practical Equality and the Limits of Second Best Strategies for Justice*, 34 CONSTITUTIONAL COMMENTARY 477 (2019) (Review of Robert Tsai, PRACTICAL EQUALITY: FORGING JUSTICE IN A DIVIDED NATION (2019)) (invited submission).
- *The Federalism Implications of Campaign Finance Regulation*, 164 UNIVERSITY OF PENNSYLVANIA LAW REVIEW ONLINE 247 (2016) (invited submission).
- *The Law of Democracy at a Crossroads: Reflecting on Fifty Years of Voting Rights and the Judicial Regulation of the Political Thicket*, 43 FLORIDA STATE UNIVERSITY LAW REVIEW 345 (2016) (symposium introduction).
- *Congressional Authority to Protect Voting Rights After Shelby County and Arizona Inter Tribal*, 13 ELECTION LAW JOURNAL 322 (2014) (invited submission) (peer reviewed).
- *The Union as a Safeguard Against Faction: Congressional Gridlock as State Empowerment*, 88 NOTRE DAME LAW REVIEW 2267 (2013) (invited submission).
- *Second Order Diverse in Name Only?: Sovereign Authority in Disaggregated Institutions*, 48 TULSA LAW REVIEW 455 (2013) (invited submission).
- *Increasing the Quantity and the Quality of the African-American Vote: Lessons for 2008 and Beyond*, 10 BERKELEY JOURNAL OF AFRICAN-AMERICAN LAW & POLICY 313 (2008).

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## OTHER WRITINGS

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- *Why the Mob Thought Attacking the Capitol was their 1776 Moment*, THE LOS ANGELES TIMES, Jan. 21, 2021, available at <https://www.latimes.com/opinion/story/2021-01-21/insurrection-capitol-attack-patriotism-1776>.
- *What America Should Learn from the 2020 Election*, THE LOS ANGELES TIMES, Nov. 6, 2020, available at <https://www.latimes.com/opinion/story/2020-11-06/joe-biden-donald-trump-election-lessons>.
- *In the Messiest Contested Election, One Man Saved the System From Itself*, THE NEW YORK TIMES, Nov. 3, 2020, available at <https://www.nytimes.com/2020/11/03/us/samuel-randall-1876-election.html>.
- *Tuesday Has Come and Gone: Renewing My Plea on Behalf of Voters*, ELECTION LAW BLOG, Nov. 1, 2020, available at <https://electionlawblog.org/?p=118392>.
- *Worried About Tuesday's Election? Not Me*, ELECTION LAW BLOG, Nov. 1, 2020, available at <https://electionlawblog.org/?p=117980>.
- *Legal Analysis of Right to Vote Amendment*, prepared for Senators Elizabeth Warren and Richard Durbin, July 29, 2020.
- *Democracy as Slogan*, ACS BLOG, May 30, 2020, available at <https://www.acslaw.org/expertforum/democracy-as-a-slogan/>.
- *The Default of American Politics: The Perpetual and Never-ending Prospect of an Election Meltdown*, A Review of Richard L. Hasen, ELECTION MELTDOWN: DIRTY TRICKS, DISTRUST, AND THE THREAT TO AMERICAN DEMOCRACY (2020), BALKINIZATION, Mar. 2, 2020, available at <https://balkin.blogspot.com/2020/03/the-default-of-american-politics.html>.

- *The Rise of Stealth Canons?: A Review of Anita Krishnakumar*, Passive Avoidance, JOTWELL, July 8, 2019, available at <https://conlaw.jotwell.com/the-rise-of-stealth-canons/>.
- *Taking the Elections Clause Seriously after Rucho v. Common Cause*, ELECTION LAW BLOG, July 2, 2019, available at <https://electionlawblog.org/?p=105963>.
- Op-Ed, *Why Won't Judicial Nominees Affirm Brown v. Board of Education?*, May 16, 2018, LAW 360, available at <https://www.law360.com/articles/1044140/why-won-t-judicial-nominees-affirm-brown-v-board-of-ed->
- Op-Ed, *Fairness Demands the Protection of the Administrative State*, THE HILL, Apr. 2, 2018, available at <https://thehill.com/opinion/judiciary/381200-fairness-demands-the-protection-of-the-administrative-state>.
- Op-Ed, *A Second Bite at the Apple? State Constitutions and the Ethos of Fairness in Elections*, THE HILL, Jan. 20, 2018, available at <https://thehill.com/opinion/campaign/369706-a-second-bite-at-the-apple-state-constitutions-and-the-ethos-of-fairness-in>.
- Husted, *Arizona Inter Tribal, and Lessons from the Constitutional Structure*, ACS BLOG, Aug. 17, 2017, available at <https://www.acslaw.org/acsblog/all/franita-tolson>.
- *Setting a Voting Rights Agenda in an Era of "Legal" Disenfranchisement*, ACS: WHAT'S THE BIG IDEA? (issue brief) (October 2016).
- *Ordering State-Federal Relations through the Elections Clause*, THE INTERACTIVE CONSTITUTION, National Constitution Center, available at <http://constitutioncenter.org/interactive-constitution/articles/article-i/ordering-state-federal-relations-through-the-elections-clause-tolson/clause/23> (May 2016).
- *How Should We Celebrate 50 Years of Voting Rights? By Anticipating and Preempting Future Challenges*, ACS BLOG, Aug. 14, 2015, available at <https://www.acslaw.org/acsblog/how-should-we-celebrate-50-years-of-voting-rights-by-anticipating-and-preempting-future>.
- *Life after Shelby County: Revisiting Title I of the Civil Rights Act of 1964*, ACS BLOG, July 24, 2014, available at <https://www.acslaw.org/acsblog/all/franita-tolson>.
- *Shelby County One Year Later: Good for Voting Rights?*, THE HUFFINGTON POST, June 24, 2014, available at [http://www.huffingtonpost.com/franita-tolson/shelby-county-one-year-voting-rights\\_b\\_5525469.html](http://www.huffingtonpost.com/franita-tolson/shelby-county-one-year-voting-rights_b_5525469.html).
- Op-Ed, *Voting Rights at a Crossroads*, TALLAHASSEE DEMOCRAT, June 2, 2013, available at <http://www.tallahassee.com/story/opinion/columnists/2014/06/02/franita-tolson-voting-rights-crossroads/9787859/>.
- *What About the Voters? Requiring Proof of Citizenship to Register to Vote in Federal Elections*, THE HUFFINGTON POST, Mar. 24, 2014, available at [http://www.huffingtonpost.com/franita-tolson/what-about-the-voters-req\\_b\\_5021393.html](http://www.huffingtonpost.com/franita-tolson/what-about-the-voters-req_b_5021393.html).
- *The Importance of Tunnel Vision in Fixing the VRA's Coverage Formula*, THE HUFFINGTON POST, Jan. 23, 2014, available at [http://www.huffingtonpost.com/franita-tolson/voting-rights-act-preclearance\\_b\\_4653095.html](http://www.huffingtonpost.com/franita-tolson/voting-rights-act-preclearance_b_4653095.html).
- *Affirmative Action Lives to Fight Another Day*, NATIONAL BAR ASSOCIATION MAGAZINE (Fall 2013/Winter 2014).

- *The Perils of Two-Tier Voter Registration Systems*, JUSTICE WATCH, Oct. 13, 2013, available at <http://www.afj.org/blog/the-perils-of-two-tiered-voter-registration-systems>.
- *Does Congress have authority to set voter qualifications for federal elections?*, JUSTICE WATCH, June 18, 2013, available at <http://afjjusticewatch.blogspot.com/2013/06/guest-blog-does-congress-have-authority.html>.
- *Defending the NVRA from the Ever-Present and Persistent Specter of State Sovereignty*, JUSTICE WATCH, Mar. 21, 2013, available at <http://afjjusticewatch.blogspot.com/2013/03/defending-nvra-from-ever-present-and.html>.
- *Scrapping Section 4(b) of the Voting Rights Act: Not the Compromise that We Want*, JUSTICE WATCH, Feb. 27, 2013, available at <http://afjjusticewatch.blogspot.com/2013/02/scrapping-section-4b-of-voting-rights.html>.
- Op-Ed, *What of Congressional Power over Voting?*, REUTERS, Feb. 12, 2013, available at <http://blogs.reuters.com/great-debate/2013/02/12/what-of-congressional-power-over-voting/>.
- Op-Ed, *Affordable Care Act Should Survive if Court Follows Precedent*, THE PALM BEACH POST, Mar. 23, 2012, available at <http://www.palmbeachpost.com/opinion/commentary/commentary-affordable-care-act-should-survive-if-court-2257713.html>.
- *Litigating Under the Voting Rights Act after The Texas Redistricting Cases*, THE FEDERAL LAWYER MAGAZINE (June 2012).
- *Civil Rights or Social Wrongs?: A Comparative Analysis of Discriminatory Laws Against Jews in Nazi Germany and Against Blacks in the State of Indiana*, THE MCNAIR SCHOLARLY REVIEW OF TRUMAN STATE UNIVERSITY, Vol. 8 (Spring 2002).
- *A Byproduct of Industrialization: The East St. Louis Race Riot of 1917*, THE MCNAIR SCHOLARLY REVIEW OF TRUMAN STATE UNIVERSITY, Vol. 7 (Spring 2001).

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## WORKS IN PROGRESS

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- IN THE PEOPLE WE TRUST?: EXPANDING VOTING RIGHTS FROM THE PROGRESSIVE ERA TO THE PRESENT

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## CONFERENCES AND WORKSHOPS ATTENDED

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- Faculty Workshop, UCI Law (March 2022) (forthcoming) (invited).
- Faculty Workshop, University of Richmond Law School (forthcoming March 2022) (invited).
- Symposium, *Guns, Violence, and Democracy*, Harvard Law School (forthcoming March 2022) (invited).
- Symposium, *Safeguarding the Fundamental Right to Vote*, Stanford Law School (forthcoming February 2022) (invited).
- Panelist, AALS Conference on Rebuilding Democracy and the Rule of Law (May 2021) (invited).

- Panelist, Law and Society Annual Meeting (May 2021).
- Faculty Workshop, Yale ISP (April 2021) (invited).
- Faculty Workshop, Loyola University Chicago School of Law (February 2021) (invited).
- Harvard Law & Politics Workshop (February 2021) (invited).
- Faculty Workshop, Fordham Law School (February 2021) (invited).
- Faculty Workshop, The Ohio State University Mortiz College of Law (February 2021) (invited).
- Faculty Workshop, St. John's Law School (January 2021) (invited).
- Faculty Workshop, University of Pennsylvania Carey School of Law Legal History Workshop (January 2021) (invited).
- Commentator, Brennan Center Jorde Symposium, UC Berkeley School of Law (November 2020) (invited).
- Faculty Workshop, University of Colorado Law School (October 2020) (invited).
- Faculty Workshop, Pepperdine Law School (October 2020) (invited)
- Panelist, William & Mary Law School Supreme Court Preview (September 2020) (invited).
- American Political Science Association Annual Meeting (September 2020)
  - Chair, Bush v. Gore 2.0
  - Discussant, Electoral College Reform
- Panelist, *How to Protect the Health of Our Democracy*, ACS National Convention (June 2020) (invited).
- Faculty Workshop, Washington and Lee University School of Law (February 2020) (invited).
- *How Long Must Women Wait for Liberty?: Women's Suffrage and Women's Citizenship in the Long History of the 19<sup>th</sup> Amendment*, Universite de Lille & Universite Paris-Est Marne-la-Vallee (January 2020).
- Faculty Workshop, St. Louis University School of Law (November 2019) (invited).
- Symposium, *The Electoral College: Open Questions, Paths Forward*, Harvard Law School (October 2019) (invited).
- Conference on Sanford Levinson and Jack Balkin's *Democracy and Dysfunction*, Drake University Constitutional Law Center (September 2019) (invited).
- Faculty Workshop, University of Alabama School of Law (invited) (September 2019).
- Presenter/Organizer, *Election Law: Looking Back at 2018 and Looking Ahead to 2020*, SEALS Conference (July 2019).
- "Author Meets Reader" Roundtable on Robert Tsai, *Practical Equality*, Law and Society Conference (May 2019).
- Faculty Workshop, University of Washington School of Law (forthcoming May 2019) (invited).
- "Author Meets Reader" Roundtable, Franita Tolson, *A Promise Unfulfilled*, National People of Color Conference (March 2019).
- Faculty Workshop, University of Denver School of Law (March 2019) (invited).
- Symposium on Reconstruction, Duke Law School (March 2019) (invited).
- Faculty Workshop, University of Chicago Law School (November 2018) (invited).
- Presenter, Annual Meeting of the American Society of Legal History (November 2018).
- Participant, Constitution Day Supreme Court Review, Rehnquist Center at the University of Arizona James E. Rogers College of Law (September 2018) (invited).
- Commentator, Lutie Lytle Conference, SMU Dedman School of Law (July 2018).
- Presenter/Organizer, *The Fourteenth Amendment at 150*, Law and Society Conference (June 2018).



- Presenter, *The Constitution and Political Parties*, Stanford Law School (May 2018) (invited).
- Faculty Workshop, University of San Diego School of Law (May 2018) (invited).
- Symposium, *Federalism: Past, Present, and Future*, Pepperdine Law School (March 2018) (invited).
- Presenter, National Conference of Constitutional Law Scholars (March 2018) (invited).
- Symposium, *Walking the Line: Modern Gerrymandering and Partisanship*, University of Georgia School of Law (February 2018) (invited).
- Panelist, *A New Battle in the Fight for Voting Rights*, ACS National Convention (June 2017) (invited).
- Faculty Workshop, Saint Louis University School of Law (January 2017) (invited).
- AALS Annual Meeting (January 2017).
  - Panelist, *Lessons from the 2016 Elections (and Implications for the Future)*
  - Panelist, *Presidential Politics and the Future of the Supreme Court: Post-Election Reflections and Forecasts for the 'Post-Racial' Post-Obama White House*
- Faculty Workshop, Antonin Scalia Law School at George Mason University (November 2016) (invited).
- Constitutional Law Colloquium, Loyola University Chicago School of Law (November 2016).
- Culp Colloquium, Duke Law School Center on Law, Race, and Politics (May 2016) (invited).
- Faculty Workshop, University of Notre Dame Law School (April 2016) (invited).
- Faculty Workshop, University of Illinois College of Law (April 2016) (invited).
- Symposium, *Elective Perspective: Judicial Regulation of Politics in an Election Year*, University of Kentucky School of Law (March 2016) (invited).
- Constitutional Law Schmooze, University of Maryland Francis King Carey School of Law (February 2016) (invited).
- Faculty Workshop, University of North Carolina – Chapel Hill (February 2016) (invited).
- Faculty Workshop, Duke Law School (February 2016) (invited).
- Faculty Workshop, USC Gould School of Law (February 2016) (invited).
- Panelist, *Drawing Lines: The Limits to a State's Redistricting Powers*, ACS National Convention (June 2015) (invited).
- Symposium on the Fiftieth Anniversary of the Voting Rights Act, University of Alabama School of Law (February 2015) (invited).
- Faculty Workshop, Emory University School of Law (January 2015).
- Panelist, Campaign Finance Hot Topics Panel, AALS Annual Meeting (January 2015).
- Symposium on the Fiftieth Anniversary of the Voting Rights Act, LSU Law Center (January 2015) (invited).
- Faculty Workshop, William & Mary Law School (November 2014).
- Constitutional Law Colloquium, Loyola University Chicago School of Law (November 2014).
- Culp Colloquium, Duke Law School Center on Law, Race, and Politics (May 2014) (invited).
- Constitutional Law Schmooze, University of Maryland Francis King Carey School of Law (February 2014) (invited).
- Panelist, *The Right to Vote: From Reynolds v. Sims to Shelby County and Beyond*, AALS Annual Meeting (January 2014) (invited).
- Constitutional Law Colloquium, Loyola University Chicago School of Law (November 2013).
- Legal Scholarship Workshop, University of Chicago Law School (November 2013) (invited).
- Constitutional Law and Theory Colloquium, Cornell Law School (October 2013) (invited).

- Faculty Workshop, University of Utah S.J. Quinney College of Law (September 2013) (invited).
- Panelist, *The Future of the Voting Rights Act after the Shelby County Case*, American Political Science Association Annual Meeting (August 2013) (invited).
- Panelist, *Judicial Decision Making and Election Administration: The Role of the Courts in the 2012 Election*, Southeastern Association of Law Schools Annual Meeting (August 2013).
- Rising Stars Panel, *Fresh Perspectives and the Future of Federalism*, ACS National Convention (June 2013) (invited).
- Constitutional Interpretation Schmooze, ACS National Convention (June 2013) (invited).
- Culp Colloquium, Duke Law School Center on Law, Race, and Politics (May 2013) (invited).
- Panelist, *Social Equality: Looking Forward/Looking Back after the 2012 Presidential Election*, Indiana University Maurer School of Law (April 2013) (invited).
- Panelist, *Mapping the Ballot Box*, University of California-Berkeley School of Law (March 2013) (invited).
- Symposium, *Congressional Gridlock*, Notre Dame Law School (November 2012) (invited).
- Legal Scholarship Workshop, Northwestern University School of Law (November 2012) (invited).
- Legal Scholarship Workshop, University of Chicago Law School (November 2012) (invited).
- Loyola University Chicago School of Law Constitutional Law Colloquium (November 2012).
- Faculty Workshop, Washington University School of Law (October 2012) (invited).
- Symposium in Honor of Heather Gerken, University of Tulsa School of Law (September 2012) (invited).
- Workshop, “Assessing the U.S. Constitution: Twenty First Century Responses to Eighteenth-Century Assumptions,” Stanford Law School (July 2012).
- Culp Colloquium, Duke Law School Center on Law, Race, and Politics (May 2012) (invited).
- Federalism Theory Colloquium, Vanderbilt University Law School (April 2012) (invited).
- Faculty Workshop, Florida International University School of Law (March 2012) (invited).
- Prawfsfest!, Loyola Law School Los Angeles (December 2011).
- Symposium, *Major Developments in Redistricting*, The Baldy Center for Law and Policy at the University of Buffalo School of Law (October 2011) (invited).
- Loyola University Chicago School of Law Constitutional Law Colloquium (October 2011).
- Southeastern Law Schools Junior/Senior Faculty Workshop – Wake Forest University School of Law (October 2011).
- Law and Society Meeting (June 2011).
- Critical Race Theory Conference, UCLA (March 2011).
- *Federalism and its Future*, University of Texas at Austin School of Law (February 2011).
- Southeast Association of Law Schools Annual Meeting (July 2010).
- Law and Society Meeting (May 2010).
- Indiana Law Review Election Law Symposium, Indiana University - Indianapolis School of Law (April 2010) (invited).
- AALS Annual Meeting (January 2010).
- Legal Scholarship Workshop, University of Chicago Law School (October 2009) (invited).
- Big Ten Aspiring Scholars Conference (August 2009).
- Law and Society Meeting (May 2009).
- Midwest Political Science Association Meeting (April 2009).

- Northwestern University School of Law, Employment Law Colloquium (February 2009) (invited).
- *Do We Still Need Affirmative Action?*, Northwestern University School of Law (January 2009).
- Legal Scholarship Workshop, University of Chicago Law School (December 2008) (invited).
- Workshop on Conducting Empirical Legal Scholarship: the Advanced Course (October 2008).
- The Midwest Law and Economics Association Conference (October 2008).
- Workshop on Conducting Empirical Legal Scholarship (July 2008).
- *Setting the Agenda: Examining the Critical Legal Issues Facing African-Americans and Minority Communities in the 2008 Election*, University of California-Berkeley School of Law (November 2007).

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## SELECT SPEAKING ENGAGEMENTS

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- Testimony before the U.S. House Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, “The Need to Enhance the Voting Rights Act: Practice-Based Coverage,” July 27, 2021.
- Testimony before the U.S. House Committee on House Administration, “The Elections Clause: Constitutional Interpretation and Congressional Exercise,” July 12, 2021.
- Panelist, Debate Defends Democracy: Is a Politics Free SCOTUS possible? (w/ Emily Bazelon, Alicia Bannon, and Aaron Tang), Federal Hall, May 18, 2021.
- *Constitutionalizing Our Democratic Expectations*, Keynote, Symposium: “Widening the Lens of Racial Justice: Unmasking the Layers of Racial and Social Inequality,” Southwestern Law School (February 2021).
- Panelist, Debate Defends Democracy: Presidential Power & Presidential Transition (w/ David Frum, Michael Waldman and John Avlon), Federal Hall, Jan 12, 2021.
- *The Inevitability of American Democracy*, Keynote, University of Kansas School of Law (November 2020) (invited).
- *The Ghost of Bull Connor: Understanding the "New" Era of Voter Suppression*, Allman Lecture, Southern Methodist University (October 2020) (invited).
- Panelist, *Faithless Electors and the Will of the People*, Hammer Museum, available at <https://hammer.ucla.edu/programs-events/2020/faithless-electors-forum> (August 2020).
- *Past is Prologue? The Fight for the Right to Vote in the Twenty-First Century*, Summer Teacher Institute, National Constitution Center (July 2020).
- Constitutional Happy Hour, Hammer Museum, available at <https://hammer.ucla.edu/programs-events/2020/constitution-happy-hour-2020> (February 2020)
- *Defining the Political Community of the Nineteenth Amendment*, Brendan Brown Lecture, Loyola University New Orleans College of Law (February 2020).
- “Democracy and Federalism: Friends or Foes?,” Panel Discussion with Guy Charles, Josh Douglas, and Adam Winkler (January 2020), available at <https://www.c-span.org/video/?467829-1/law-professors-voting-rights>.
- Testimony before the U.S. House Committee on the Judiciary, Sub-Committee on the Constitution, Civil Rights, and Civil Liberties, “Congressional Authority to Protect Voting Rights after *Shelby County v. Holder*,” Sept. 24, 2019, video available at: <https://judiciary.house.gov/legislation/hearings/congressional-authority-protect-voting-rights-after-shelby-county-v-holder>.

- *Understanding the Rule of Law Through the Lens of the Elections Clause*, Rule of Law Summer Teacher Institute, National Constitution Center (July 2018).
- *Creating An Affirmative Vision for the Right to Vote in the Wake of the 2016 Elections*, Frank J. Battisti Lecture, Case Western Reserve School of Law (October 2016).
- *Developing A Voting Rights Agenda in the Age of Post-Racial Politics*, Tallahassee Women Lawyers (September 2016).
- Panelist, *Freedom Summer Remembered: Emerging Issues, Policy Paradigms and Civic Behavior*, Clark Atlanta University, Atlanta, GA (November 2014).
- Panelist, *Overview of Post-Shelby County Issues and Pending Voting Rights Litigation*, ACS Voting Rights Litigation Training, Atlanta, GA (October 2014).
- Speaker, *The 50<sup>th</sup> Anniversary of the Civil Rights Act – What Progress Has Been Made, What Ground Has Been Lost, and What the Future Holds*, National Association of Appellate Court Attorneys Annual Conference, Savannah, GA (July 2014).
- Speaker, *The March Ongoing: Voting Rights in the 21<sup>st</sup> Century*, Jewish Council for Public Affairs Plenum, Atlanta, GA (March 2014).
- Debate with Hans Von Spakovsky over *Shelby County v. Holder*, FSU College of Law (September 2013).
- Speaker, Continuing Legal Education Workshop, NAACP National Meeting (July 2013).
- Testimony on the Equal Rights Amendment before the Florida House of Representatives, Committee on Local and Federal Affairs (April 2013).
- Speaker, Tallahassee Women Lawyers Association, “Assessing the New Florida Election Law and its Impact on Election 2012” (June 2012).
- Speaker, Truman State University, “On Being A Responsible Citizen” (March 2012).
- Speaker, University of Chicago Law School, American Civil Liberties Union, “The Dawning of the Age of Obama: Reassessing Campaign Finance, Politics, and Race in the Wake of the 2008 Election” (November 2008).

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## PROFESSIONAL ACTIVITIES

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| <b>AMERICAN CONSTITUTION SOCIETY</b>   | 2018 - Present |
| <ul style="list-style-type: none"> <li>• Member, Board of Directors</li> </ul>   |                |
| <b>ASSOCIATION OF AMERICAN LAW SCHOOLS</b>   | 2010 - Present |
| <ul style="list-style-type: none"> <li>• Founding Member, Section on Election Law <ul style="list-style-type: none"> <li>○ Chair (2017-2018)</li> <li>○ Chair-Elect (2016-2017)</li> <li>○ Treasurer (2014-2015)</li> </ul> </li> <li>• Member, AALS Standing Committee on Sections (2017-2019)</li> <li>• Member, Section on Constitutional Law</li> <li>• Member, Section on Civil Rights</li> <li>• Member, Section on Minority Groups</li> </ul> |                |
| <b>FLORIDA BAR ASSOCIATION</b>   | 2009 - 2011    |
| <ul style="list-style-type: none"> <li>• Member, Equal Employment Opportunities Law Section</li> </ul>   |                |

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**OTHER**

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- Member of the Illinois Bar (inactive)
- Member of the United States Supreme Court Bar