

ELISE C. BODDIE
Rutgers Law School
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SUMMARY

Elise C. Boddie is a dynamic, nationally recognized and award-winning legal scholar who has published in leading law reviews and in multiple national media outlets, including The New York Times. Her scholarship explores the regulation of race in spatial contexts and dynamic systems that perpetuate racial inequality. Her work cuts across diverse disciplines and practices of scholarship, teaching, community, and service and is widely cited and discussed in both academic and non-academic circles. She has significant experience in organizational leadership, having served as Director of Litigation for the NAACP Legal Defense & Educational Fund, Inc., and through her service and leadership on the national board of the American Constitution Society, the board of the New Jersey Institute for Social Justice, and as a founding board member of the New Jersey Coalition for Diverse & Inclusive Schools. As the founder and director of The Inclusion Project at Rutgers Law School, she is engaged with communities, students, faith leaders, educators, and scholars across various disciplines in a multisector initiative to reform public education in New Jersey. She was elected to the American Law Institute in 2017 and to be an American Bar Foundation Fellow in 2019.

EDUCATION

Harvard Law School, J.D. 1996, *cum laude*
Kennedy School of Government, Harvard University, Masters of Public Policy, 1996
Yale College, B.A. in Economics/Political Science, 1990, *cum laude*

JUDICIAL CLERKSHIPS

HONORABLE ROBERT L. CARTER, Southern District of New York 1996-1997
Law Clerk. Drafted opinions, endorsements, and jury instructions

TEACHING & FELLOWSHIP EXPERIENCE

Henry Rutgers Professor, Professor of Law, Rutgers Law School July 1, 2016-present
& Judge Robert L. Carter Scholar
Teach constitutional law, civil rights, and state & local government law (seminar)

Associate Professor, Rutgers Law School (Newark) Aug. 2013-Jan. 2016

Associate Professor, New York Law School Aug 2008-Spring 2011
Taught constitutional law as a large lecture course (120 students),
a seminar on state & local government law, and land use regulation

- Active contributor to the school's Racial Justice Project (RJP)
- Lead author of amicus brief filed by RJP in *Ricci v. DeStefano*.

- Took leave from NYLS to return to the NAACP LDF, at the invitation of then-LDF President, John Payton July 2011-May 2013
- Visiting Assistant Professor**, Fordham Law School Aug 2006-Spring 2008
 Taught constitutional law lecture course (Fall 2006) and state & local government law seminar (Spring 2007). (I did not teach during the Fall 2007 because I was on the academic market.)
- Research Fellow**, Fordham Law School Jan-June 2006
 Researched critical legal geography and race

AWARDS & RECOGNITION

- Selected by graduating students to be faculty speaker at Rutgers Law School graduation (Newark) May 2019
- Elected member of the American Law Institute July 2017
- Elected Fellow of the American Bar Foundation July 2019
- Appointed a Henry Rutgers Professor by Rutgers University President Robert Barchi in recognition of “high quality scholarship, teaching, and service” June 8, 2016
- Recipient of Association of Black Law Students and partnering organizations’ “Dream Professor” Award (Rutgers Law-Newark) Feb. 2014
- Law & Society Association’s John Hope Franklin Award for Exceptional Scholarship (for *Racial Territoriality*) June 2012

LEGAL SCHOLARSHIP: ARTICLES AND ESSAYS

Ordinariness as Equality, 93 INDIANA LAW JOURNAL 57 (2018)

The Contested Role of Time in Equal Protection, 117 COLUMBIA LAW REVIEW 1825 (2017)

The Constitutionality of Racially Integrative Purpose, 38 CARDOZO LAW REVIEW 531 (2016)

The Future of Affirmative Action, HARVARD LAW REVIEW FORUM, Nov. 10, 2016, available at <http://harvardlawreview.org/2016/11/the-future-of-affirmative-action/s> (invited response)

Adaptive Discrimination, 94 NORTH CAROLINA LAW REVIEW 1235 (2016) (reprinted in Vol 32 of the Civil Rights Litigation and Attorneys Fees Annual Handbook)

The Indignities of Colorblindness, UCLA LAW REVIEW DISCOURSE (2016)

The Sins of Innocence in Standing Doctrine, 68 VANDERBILT LAW REVIEW 297 (2015)

Critical Mass & and the Paradox of Colorblind Individualism in Equal Protection, 17 UNIVERSITY OF PENNSYLVANIA JOURNAL OF CONSTITUTIONAL LAW 781 (2015)

The Way Forward: Racial Integration After Ricci, A Response to Michelle Adams, 96 IOWA LAW REVIEW BULLETIN (2011)

Racial Territoriality, 58 UCLA LAW REVIEW (2010) (2012 winner of Law and Society Association's John Hope Franklin Prize for "exceptional scholarship in the field of race, racism, and the law")

BOOK CHAPTERS

The Muddled Distinction Between De Jure and De Facto Segregation, The Oxford Handbook of U.S. Education Law (book chapter) (Oxford University Press) (forthcoming 2020)

Palmer v. Thompson in Critical Race Judgments: Rewritten U.S. Court Opinions on Race and Law (book chapter) (Cambridge University Press) (forthcoming 2020)

LEGAL SCHOLARSHIP: WORKS-IN-PROGRESS

Geographies of Justice: The Hidden Stories of Race, Law, and the Search for Ordinarity in Everyday Spaces (book project)

How Should Law Respond to Chronic Racial Discrimination?

Education Outlaws: The Consequences of Localism at the Racial Border

Opportunity Hoarding in Diverse and Non-Diverse School Districts (with Dr. Allison Roda (lead author) and Dr. Ryan Coughlan) (discussing results of research on parental attitudes toward school choice to promote integration)

UPCOMING FACULTY WORKSHOPS & PRESENTATIONS 2019-2020

- "Litigating Voting Rights Remedies in the Trump Era," AALS Conference, Washington, D.C., January 4, 2020
- "Reclaiming Integration," University of California at Berkeley, The Haas Institute, "Research to Impact" Series, March 6, 2020
- "Policing Borders," University of Chicago Law School, May 8-9 (2020) (invited participant in symposium)

- Geographies of Justice: The Hidden Stories of Race, Law, and the Search for Ordinarity in Everyday Spaces (book project), Faculty Workshop, Stanford Law School, May 13, 2020

PAST SCHOLARLY PRESENTATIONS, LECTURES AND PANELS

- The Hidden Stories of Race, Law, and the Search for Ordinarity in Everyday Spaces (book project), Faculty Workshop, University of Connecticut Law School, October 30, 2019
- “Racial Territoriality: The Hidden Stories of Race, Law, and the Search for Ordinarity in Everyday Spaces,” Invited Lecture, Marshall M. Criser Distinguished Lecture Series, University of Florida Law School, April 15, 2019
- Invited Panelist, “Civil Rights and Education in a Post-Truth Era,” American Education Research Association, Annual Meeting, Presidential Session, Toronto, Canada, April 7, 2019
- Invited U.S. Panelist, “Truth and Reconciliation in Education: History, Narratives, and Pedagogy,” Open Plenary at Annual Meeting, American Education Research Association, Toronto, Canada, April 5, 2019
- A Conversation with Nadine Strossen (about her book), “Hate: Why We Should Resist It With Free Speech, Not Censorship?” Rutgers Law School, April 1, 2019
- “Reflections on Social Justice, Democracy, and the Rule of Law,” invited as one of two U.S. commentators on a plenary panel about social justice, democracy, and ethics at the International Legal Ethics Conference, Melbourne Law School, Melbourne, Australia, Dec. 7, 2018
- Panelist, *Masterpiece Cakeshop v. Colorado Civil Rights Commission: A New License to Discriminate?*, Center for American Progress, Washington, D.C., Nov. 16, 2017
- “Can Systems Analysis Improve Enforcement Against Racial Discrimination,” Panel, Rethinking Equality Law Regimes, Law & Society Conference, Mexico City, Mexico, June 21, 2017
- Keynote, “The Structures of Injustice in Legal Education (And Some Thoughts on How to Subvert Them),” Democratizing Knowledge Institute, Rutgers University, June 16, 2017
- Fordham Law School Faculty Workshop, The Contested Role of Time in School Segregation, April 5, 2017
- American Constitution Society & NAACP LDF Supreme Court Litigation Convening, Washington D.C. Invited to participate in conversation about future directions in Supreme Court litigation, January 26 & 27, 2017
- Panelist, The Chancellor’s Conference: The New Professoriate: Tenure, Diversity, and Engagement, Rutgers University, Oct. 28, 2016
- Constitution Day Speaker, School Segregation, Monmouth University (co-presenters: Deborah

Poritz, former Chief Justice of the New Jersey Supreme Court; and Rutgers Law Professor Paul Tractenberg), September 20, 2016

- Panelist, “The Constitution’s Obligations,” American Constitution Society Conference, Washington, D.C., June 21, 2016
- Open Book/Open Mind Series, Montclair Public Library, in conversation with Brennan Center president, Michael Waldman, on The Fight to Vote, May 22, 2016
- Represented the American Constitution Society in a debate against the Federalist Society on the question “Does the University of Texas’s Use of Racial Preferences in Undergraduate Admissions Violate the Constitution?,” National Constitution Center Town Hall Debate at George Bush Library, Dallas, Texas, May 5, 2016 (declared the winner by audience vote)
- Invited Presentation on school segregation in New Jersey (co-presenters: Deborah Poritz, former Chief Justice of the NJ Supreme Court; and Rutgers Law Professor Paul Tractenberg (retired)), sponsored by the NJ Supreme Court Committee on Minority Concerns, March 16, 2016
- Invited presentation on civil rights, Annual Judicial Conference, Association of the Federal Bar of New Jersey, March 10, 2016
- Invited Presentation, *The Possibilities of Interdistrict Choice in Essex County Public Schools?*, CLiME Fellowship on Equity and Opportunity Workshop, Dec. 4, 2015
- Invited Presentation, *The Anomaly of School Segregation in New Jersey in the Twenty-First Century*, New Jersey State Judges Judicial College, Nov. 23, 2015 (co-presenters: Deborah Poritz, former Chief Justice of the New Jersey Supreme Court; and Rutgers Law Professor Paul Tractenberg)
- Symposium Presentation, *The “Goldilocks” Problem: When Too Little Race Is Too Much*, “The Roberts Court—The First Ten Years,” Cardozo Law School, Oct. 15, 2015
- Moderator, “Women and the Economy,” at “Rutgers Celebrates Beijing +20: Gender Equality on the 20th Anniversary of the United Nations Fourth World Conference on Women (Beijing, 1995),” Sept. 25, 2015
- Teleconference Address, “What’s Next” for the 2015-2016 Supreme Court Term, American Constitution Society (for national members and donors), Sept. 17, 2015
- Panelist, Opening Plenary, “Beyond Ferguson: A Nation’s Struggle with Race and Criminal Justice,” 2015 American Constitution Society National Convention, Washington, D.C., June 12, 2015
- Scholars’ Roundtable (invitation-only), *Bakke’s Harms* (essay submission), sponsored by the American Constitution Society, Georgetown Law School, June 11, 2015

- Moderator, “A Conversation with Lani Guinier on the Tyranny of the Meritocracy,” Montclair Public Library, Montclair, NJ, June 3, 2015
- Presentation, *Critical Mass and Intra-Racial Diversity*, Critical Race Studies Workshop on *Fisher v. University of Texas*, UCLA Law School, March 19, 2015 (by invitation-only)
- Panelist, “Brown v. Board of Education: Why Does Brown Matter? What Difference Does It Make?” Roosevelt House, New York, NY, Dec. 10, 2014
- Presentation, *Schools Without Borders*, Lutie Lytle Writing Conference, University of Wisconsin Law School, June 2014
- Presentation, *Schools Without Borders*, New York Area Scholarship Group, June 6, 2014
- Scholar-in-residence, “Equal Justice: America’s Civil Rights Struggle,” Springfield NJ Public Library (civil rights lectures), May 5 and May 14, 2014
- Presentation, *Schools Without Borders*, St. John’s Law School Faculty Colloquium, Mar. 31, 2014
- Presentation, *The “Right” to Place?*, Comments on David Rusk’s *Measuring Regional Equity*, The Center on Law in Metropolitan Equity Conference, Rutgers Law-Newark, Feb. 21, 2014
- Presentation, *Schools Without Borders*, “Educational Equality and the Constitution in the Twenty-First Century,” University of Pennsylvania Journal of Constitutional Law Symposium, Jan. 24, 2014
- Panelist, “Righting Wrongs in the Context of Superdiversity: The Possibilities and Limitations of Law,” Inaugural Conference of the New Institute for American Cultures, UCLA, Mar. 1, 2013
- Presentation, “*Group Lawyering in the Shadow of Law*,” Fordham Law School Symposium, “Lawyering for Groups: Civil Rights, Mass Torts, and Everything in Between,” New York, NY, Nov. 30, 2012
- Keynote, Stanford Law School, Symposium: “Civil Rights and the Roberts Court,” Palo Alto, CA, Oct. 27, 2012
- Panelist, Panel on *Fisher v. University of Texas*, Georgetown Law School, Washington, D.C., Oct. 11, 2012
- Panelist, Supreme Court Preview, American Constitution Society, Washington, D.C., September 2012
- Panelist, Closing Plenary, “The Resegregation of America: Race and the Roberts Court,” American Constitution Society, Washington, D.C. June 2012
- Panelist, ABA Teleconference on Disparate Impact, May 2012

- Panelist, Cardozo Law School, “Conversations on the Constitution: *Fisher v. University of Texas*,” New York, NY, March 2012
- Panelist, “Litigating Class Actions After Walmart” and “Supreme Court Preview,” NAACP LDF’s Annual Airlie Civil Rights Training Conference that convenes civil rights lawyers from around the country, Warrenton, VA, October 2011
- Invited Participant, *Plessy’s Ghost, Separate and (Un)Equal: The Problem of Residence Requirements* (essay submission), “The Constitution in 2020” (roundtable discussion sponsored by the American Constitution Society), George Washington University Law School, Washington, D.C., June 2011
- “The Future of Disparate Impact,” NAACP LDF Airlie Conference, Warrenton, VA, Oct. 2010
- *Neighborhood Discrimination*, National People of Color Conference, Seton Hall Law School, Newark, NJ Sept. 2010
- Invited Presentation, *Racial Territoriality*, Colloquium on Advanced Critical Race Studies, UCLA, Feb. 17, 2010

COMMUNITY PRESENTATIONS, LECTURES & SPONSORED EVENTS

- Co-commentator, “On The Basis of Sex” before an audience of 1,000 public school students from Newark and surrounding school districts, the New Jersey Performing Arts Center (sponsored by the Arts Education program), November 4, 2019
- Panelist, The 1619 Project: The Role of Slavery in America—and New Jersey, New Jersey Performing Arts Center, November 2, 2019
- Presenter, “Community Think Tanks” about school segregation in New Jersey, Bethany Baptist Church in Newark and Bethel AME in Paterson, NJ (with Salvation & Social Justice and the Latino Action Network), August 9 & August 15, 2019
- Guest Presenter, New Jersey Network of Superintendents, June 14, 2019
- Panelist, “Modern Day School Segregation in New Jersey,” New Jersey State Bar Association Annual Conference, Atlantic City, NJ, May 16, 2019
- Conceptualized and Co-Facilitated, “Community Conversations Workshop Series Parts I & II,” which discussed the following question: “What are the best policies and practices for promoting opportunity in urban schools in a context of racial integration and controlled choice?,” May 4, 2019 and June 8, 2019
- Panelist, Building One America, Civil Rights Summit, Rutgers University Labor Education Center, May 3, 2019

- Testified before NJ Joint Committee on Public Schools regarding school segregation, March 19, 2019 (testimony available here <http://theinclusionproject.rutgers.edu/focus/activities/>)
- Co-Moderator, “A Conversation on Social Justice with New Jersey’s Gubernatorial Candidates” (with nine Democratic, Republican, and Green party candidates before an audience of over 600 at the New Jersey Performing Arts Center), Newark, NJ, May 1, 2017
- Panelist, The NYC High School Application Process I: Examining Educational Access and Equity, Nov. 1, 2016
- Moderator, “‘We Shall Always March Ahead,’ The Road Forward in Pursuit of Equality,” Remembering the Dream, Renewing the Dream Conference, Sept. 13, 2013
- Panelist, Summer Social Justice Series, “Balancing Litigation, Legislation, and Efforts to Move Public Opinion in the Pursuit of Social Change,” New Jersey Institute for Social Justice, July 16, 2013

SELECTED COMMENTARY

- “If the 2020 Candidates Talk About Reparations, They Must Also Talk About Segregation,” Salon, September 24, 2019
- “Kamala Harris Has a Brilliant Idea on Abortion,” The New York Times, June 6, 2019 (400,000 page views; op-ed published in NYT print edition, June 7, 2019)
- “Race is Challenging, But Liberals Shouldn’t Ignore It,” North Jersey Record, Feb. 22, 2019
- “On Executive Power, Bigotry, and Borders,” Take Care Blog, July 3, 2018
- “Linda Brown and the Unfinished Work of School Integration,” The New York Times, March 30, 2018 (with Dennis D. Parker) (cited in Keath Meatto, “Still Separate, Still Unequal: Teaching about School Segregation and Educational Inequality,” May 2, 2019)
- “Philando Castile and the Terror of an Ordinary Day,” The New York Times, June 20, 2017 (discussed in “5 Important Stories You May Have Missed,” PBS NewsHour Online, June 27, 2017, <https://www.pbs.org/newshour/nation/5-important-stories-may-missed> and on National Public Radio’s “The Takeaway”)
- “The Extraordinary Injustice at the Heart of *Buck v. Davis*,” American Constitution Society Blog, Oct. 7, 2016
- “*Fisher II*: The Beneficial Purposes of Race,” SCOTUSblog, June 24, 2016
- “Fulfilling Martin Luther King, Jr.’s Dream: the Role for Higher Education,” The Conversation, (with co-authors Roland Anglin, Rutgers-Newark Chancellor Nancy Cantor, Peter Englot, and David Troutt), Jan. 18, 2016

- “Why Supreme Court Justices Should Celebrate College Diversity, Not Reject It,” The New York Times, Dec. 8, 2015, http://www.nytimes.com/2015/12/08/opinion/justices-dont-reject-college-diversity-celebrate-it.html?_r=0.
- “Shoe Stories: Civil Rights and the Inequality of Place,” (part of a collection of essays solicited by the Impact Center at New York Law School, Vol. 126 (Summer 2015))
- “The Arc of the Moral Universe,” <http://www.acslaw.org/acsblog/the-arc-of-the-moral-universe>, Jan. 19, 2015
- “Schuette v. BAMN: How the Court Undermined Racial Liberty in the Democratic Process,” http://www.huffingtonpost.com/elise-boddie/schuette-v-bamn-how-the-c_b_5241317.html, Huffington Post, April 30, 2014
- Commentary on *Fisher: In with a bang, out with a fizzle*, SCOTUSBlog, <http://www.scotusblog.com/2013/06/february-24-2013/fisher-v-university-of-texas-in-with-a-bang-out-with-a-fizzle/>, June 24, 2013
- Commentary on *Fisher: The Importance of Diversity Within Diversity*, SCOTUSBlog, <http://www.scotusblog.com/2012/10/commentary-on-fisher-the-importance-of-diversity-within-diversity/>, Oct. 11, 2012
- Sunday Dialogue, New York Times, Using Race in Admissions, Oct. 6, 2012
- “Threatening Brown’s Promise: Supreme Court Cases from Seattle and Louisville Could Undermine Local School Districts’ Voluntary Efforts to Combat Segregation,” guest blogger for the American Constitution Society’s online Supreme Court preview at www.acsblog.org (with Anurima Bhargava), September 26, 2007
- “An Insidious Attack on Affirmative Action,” Chronicle of Higher Education, Point of View, July 1, 2005
- “Colorblind in One Eye: The Selective Colorblindness of the Bush Approach to Affirmative Action,” Slate, Jan. 30, 2003

INSTITUTIONAL SERVICE & CONTRIBUTIONS TO RUTGERS UNIVERSITY

- Member, Minority Student Program Committee Fall 2019-Spring 2020
- Member, Co-Dean’s Search Committee, Rutgers Law School July 2017-March 2018
- Conceptualized and developed public lecture series on “Justice, Activism, and Belonging” (“JABs”) at Rutgers University. Lectures (which were organized by individual faculty members) focused on controversies over confederate statues; implicit bias; human rights and the financial crisis in Puerto Rico; excessive policing and alternatives to Fall 2018-Spring 2019

incarceration; and the intersection of reproductive justice, LGBTQ rights, and racial justice

- Founder and Director, The Inclusion Project (TIP) April 2017-present
TIP is a multidisciplinary project that strives to generate collective impact through collaboration with community groups and organizational change agents. It partners with scholars whose work expands public understanding of the dimensions and dynamics of racial exclusion and explores strategies for building a more racially inclusive society. (See below for further description)
- Chair, Hiring Committee, Rutgers Law School. Fall 2016-Spring 2017
Led a successful search to hire laterals with demonstrated scholarly impact and professional experience in social justice; search resulted in over ninety applicants and the hiring of three nationally recognized law faculty
- Member, Rutgers University-Newark Chancellor's Commission on Diversity & Transformation Jan 2016-May 2017
- Chancellor's Seed Grant Recipient. Awarded \$49,000 seed grant by Rutgers University-Newark Chancellor's Office to develop a model interdistrict controlled choice program that would promote racial and socioeconomic integration in public schools in Essex County, New Jersey. Led an IRB-approved interdisciplinary research project team of law students, a graduate student, two post-doctorates, and state and national education advocates. This work culminated in a study and a paper, "Parents' Conflicted Beliefs About the Importance of School Diversity, Segregation, and High-quality Education in Suburban New Jersey" (lead author, Dr. Allison Roda). 2015-2016

THE INCLUSION PROJECT AT RUTGERS LAW SCHOOL

The Inclusion Project (TIP) formally launched with a conference in April 2017 that convened educators, school administrators, researchers, community members, organizers, lawyers, and state and national advocates to discuss best practices for achieving and maintaining racially inclusive public schools. Since its inception, TIP has sponsored and participated in numerous events, lectures, and other activities that focus on identifying and developing strategies and partnerships to advance equitable integration in New Jersey public schools. On March 23, 2018, TIP held a public lecture at Rutgers Law School: "A Legal and Political Strategy for Achieving Integration and Equality in New Jersey's Schools and Neighborhoods," featuring Professor Myron Orfield, Director of the Institute on Metropolitan Opportunity at the University of Minnesota Law School. TIP hires law students and doctoral students as fellows to work on a variety of projects. TIP is currently working with a doctoral student in American Studies who is studying graduates of integrated public high schools in New Jersey and with a doctoral student who specializes in school finance.

PROFESSIONAL LEGAL EXPERIENCE

NAACP LEGAL DEFENSE & EDUCATIONAL FUND, INC., New York, NY

Director of Litigation/Deputy Director of Litigation

Aug 2011-June 2013

At the invitation of then-LDF President, John Payton, I took a leave from teaching in August 2011 to become LDF's Director of Litigation. (During a six-month interim period, I served as Deputy Director of Litigation.) In this principal leadership position, I oversaw the national legal program and core aspects of LDF's operations and played a crucial role in stabilizing the organization when Mr. Payton unexpectedly passed away in March 2012. I supervised the national legal staff in a broad range of complex civil litigation before federal trial and appellate courts, including amicus curiae matters in major cases before the U.S. Supreme Court. (See below for list of accomplishments.) I was the core decision-maker for key strategic litigation decisions, appellate recommendations, case development priorities, case approval, budget recommendations, and co-counsel relationships, and had final authority over appellate filings, pleadings, and briefs. I represented LDF in meetings with the U.S. Solicitor General, the U.S. Attorney General, and the Assistant Attorney General for Civil Rights. During this period, I also supported LDF's fundraising efforts, engaged in extensive public speaking, and was central to organizational management.

Associate Director of Litigation

Aug 2004-Dec 2005

Assisted the Director of Litigation in overseeing LDF's legal program while remaining actively engaged in education litigation and advocacy. Counseled colleges and universities and other non-profit organizations on how to develop and to preserve legally-compliant affirmative action programs.

Director of Education

June 2003-Aug 2004

Directed strategic planning process for LDF's education agenda. Supervised LDF's education staff. Maintained active docket of desegregation cases. Frequent lecturer on education and racial justice issues. Convened and facilitated two-day conference on affirmative action in higher education with university general counsels, law school professors, and administrators. Provided media commentary on and analysis of LDF's educational work for national print and television outlets.

Staff Attorney

Oct. 1999-June 2003

Extensive federal court litigation experience involving affirmative action in higher education, employment discrimination, school desegregation and economic justice cases at federal district and appellate level. Argued cases in Eighth and Eleventh Circuit Courts of Appeal.

FRIED, FRANK, HARRIS, SHRIVER & JACOBSON, New York, NY

1997-1999

First recipient of Fried Frank/NAACP LDF fellowship. Litigated breach of contract, antitrust, and intellectual property matters. Assisted in successful political asylum application of Nigerian dissident. Recipient of pro bono recognition award in 1998 and 1999.

SELECTED HIGHLIGHTS & ACCOMPLISHMENTS DURING 2011-2013 TEACHING LEAVE (FROM NEW YORK LAW SCHOOL)

- December 2012: Participated in roundtable discussion convened by the Andrew Mellon Foundation with university presidents and general counsels and other leading advocates regarding *Fisher v. University of Texas*. Supervised the briefing and amicus effort of LDF as a defendant-intervenor in *Shelby County, Alabama v. Holder*, a Supreme Court case that challenged core provisions of the Voting Rights Act. Supervised drafting of amicus brief in support of respondent in *Arizona v. Inter Tribal Council of Arizona*, a Supreme Court case involving preemption of a state registration requirement by the federal National Voter Registration Act. Supervised LDF's merits briefing in *Cantrell v. Granholm (BAMN v. Schuette)*, involving the constitutionality of a statewide ballot initiative that banned the consideration of race in admissions to promote racial diversity.
- October 2012: Participated in LDF's Southern Regional Strategy conference at Airlie, LDF's Annual Civil Rights Conference.
- September 2012: Conceptualized and led the drafting of LDF's amicus brief in the Second Circuit Court of Appeals and in the U.S. Supreme Court in *Windsor v. United States*. *Windsor* (successfully) challenged the constitutionality of Section 3 of the federal Defense of Marriage Act. (The briefs were solicited by counsel for Edith Windsor.) LDF argued that heightened scrutiny should apply to DOMA. (The Supreme Court brief was the subject of a favorable Washington Post op-ed, "A Strong Black Voice for Gay Marriage," Washington Post, March 6, 2013, available at <http://www.washingtonpost.com/blogs/post-partisan/wp/2013/03/06/a-strong-black-voice-for-gay-marriage/>.) Supervised the filing of a disparate impact complaint with the federal Office of Civil Rights in the U.S. Department of Education. The complaint challenged the use of a single test to determine admissions to New York City's specialized high schools.
- August 2012: Principal author of amicus brief, filed in the federal district court in the Eastern District of Louisiana, in support of Justice Bernette Johnson's historic claim to become the first African-American Chief Justice of the Louisiana Supreme Court (involving question of her status as the senior-ranking justice because her seat on the court had been created in settlement of voting rights litigation), available at http://www.naacpldf.org/files/case_issue/Chisom-Brief-August-15.pdf.
- July 2012: Supervised voting lawyers as they litigated major challenges to voter identification laws under Section 5 of the Voting Rights Act in Texas, Louisiana, Florida, and South Carolina; also supervised briefing in case that challenged Louisiana's failure to register low-income voters under the federal National Voter Registration Act.
- April 2012: Supervised the drafting of LDF's amicus brief in *United States of America and Vulcan Society Inc. v. City of New York*, regarding the availability of equitable relief in a Title VII disparate impact case.
- February 2012-August 2012: Supervised LDF's amicus litigation, advocacy, and communications in the Supreme Court case, *Fisher v. University of Texas*. The LDF staff

coordinated a major effort that led to the filing of over 70 amicus briefs in support of the University of Texas.

- January 2012: Conceptualized and was principal author of LDF's amicus brief in *Department of Health and Human Services v. Florida*, the Supreme Court case that challenged the Affordable Care Act. The brief was joined by the national ACLU and the Leadership Conference on Civil and Human Rights.
- November 2011-February 2012: Facilitated a coalition effort of national civil rights and social justice organizations in a major Fair Housing Act case, *Magner v. Gallagher*, which was pending in the U.S. Supreme Court (and eventually settled).
- September 2011: Convened a half-day conversation of nationally prominent advocates and leading scholars to explore the potential role of interdistrict controlled choice to promote racial and socioeconomic integration in public schools throughout New Jersey.
- July - September 2011: Supervised briefing and oral argument preparation in Little Rock school desegregation case in the Eighth Circuit Court of Appeals.

OTHER PROFESSIONAL HIGHLIGHTS

- Lead author of amicus brief filed in *Ash (Hithon) v. Tyson Foods*, 664 F.3d 883 (11th Cir. 2011), on behalf of eleven legendary civil rights leaders, *available at*, www.naacpldf.org/files/case_issue/HithonBrief.pdf (I was asked to draft the brief by the NAACP LDF while I was teaching at New York Law School.) The brief was the subject of a New York Times commentary by Adam Liptak, "Rare But Grudging About-Face in Bias Case," Dec. 26, 2011.
- Counsel of record and lead author, amicus brief filed by the New York Law School Racial Justice Project in the Supreme Court case *Ricci v. DeStefano*, 2009 WL 815208, March 25, 2009.

BAR MEMBERSHIPS

Currently admitted to the bars of the United States Supreme Court, the Eleventh Circuit Court of Appeals, the Eighth Circuit Court of Appeals, the Fifth Circuit Court of Appeals, the Southern District of New York, and the state bar of New York

PROFESSIONAL AFFILIATIONS, NATIONAL SERVICE & COMMUNITY ACTIVITIES

- Elected fellow of the American Bar Foundation, Summer 2019 (as noted above)
- Elected member of the American Law Institute, Summer 2017 (as noted above)

- Founding Board Member, the New Jersey Coalition for Diverse & Inclusive Schools, Jan 2017-present. Leader in effort to integrate New Jersey’s public schools and a major force behind the case, *Latino Action Network, et al. v. State of New Jersey*, which challenges school segregation statewide; participated in multiple community presentations, panels, and lectures about school segregation in New Jersey
- Coordinator, Civil Rights & Racial Justice Working Policy Group, Hillary for America (HFA), Oct. 2015-Nov 2016. Responsible for identifying major civil rights issues and recommending positions to Clinton’s policy director and her senior advisers; vetted and managed working group members; tasked, revised, and delivered policy papers; set the monthly meeting agendas; assisted with rapid response.
- National Board Member, the American Constitution Society, Washington, D.C., Dec. 2014-present Executive Committee; Co-Chair, Strategic Planning Committee. Also served on Finance Committee; Program Committee; and Board of Academic Advisors (which convenes legal scholars from law schools around the country in half-day sessions twice a year in Washington, D.C. to explore high-impact ideas and trends in constitutional law)
- Board Member, The New Jersey Institute for Social Justice, Newark, NJ, June 2014 – present Member of Governance and Strategic Directions Committees
- Board Member, North Star Fund, New York, NY, Jan 2006 – June 2012
- Board Member, Planned Parenthood of Metropolitan New Jersey, Sept. 2005–February 2007
- Board Member, Passaic County Legal Aid Society, Paterson, New Jersey, 2000-2003
- Member, Labor & Employment Law Committee, Association of the Bar of the City of New York, 1999-2002
- Montclair Superintendent’s Task Force on Integration: Member of blue ribbon, six-person task force convened to redesign Montclair’s magnet school assignment policy, in partnership with the Kirwan Institute at Ohio State, following decision by U.S. Supreme Court that limited consideration of race in student assignment. The Task Force’s recommendations were adopted by the Montclair Board of Education and our work was commended by then-Montclair Superintendent Frank Alvarez), Dec. 2008-February 2010

SELECTED MEDIA APPEARANCES AND MENTIONS

- “All Things Considered,” NPR, July 2019 (discussing *Milliken v. Bradley*)
- All Things Considered, NPR, May 2018 (discussing case challenging school segregation in NJ)
- The Takeaway, NPR, June 21, 2017 (discussing my New York Times op-ed on Philando Castile)

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