

# Lumen N. Mulligan

## Curriculum Vitae

### Academic Appointments

University of Kansas

*School of Law*

Earl B. Shurtz Research Professor of Law, 2015–present

Professor of Law, 2010–present

*University Honors Program*

Tutorial Professor, 2010–present

*Institute for Policy & Social Research*

Affiliated Faculty, 2012–present

University of Aberdeen, School of Law, Scotland

Visiting Professor, January-May, 2015

Michigan State University College of Law

Associate Professor of Law (without tenure), 2009–10

Assistant Professor of Law, 2007–09

University of Michigan, Ross School of Business

Assistant Professor of Business Law and Ethics, 2006–07

### Administrative Appointments

University of Kansas

*School of Law*

Associate Dean for Faculty, 2016–2019

Oversee course scheduling; degree programs; faculty research & scholarship; faculty promotion & tenure; adjunct faculty; expansion of skills & simulation courses; innovations in pedagogy; bar-passage initiative; strategic planning & budget; and represent law school within the university

Faculty Supervisor, Medical-Legal Partnership Clinic, 2015–present

Director, L.E.A.D. Program, 2013–present (A regents-wide 3+3 program)

Director, Shook, Hardy & Bacon Center for Advocacy, 2011–2018

*Office of the Provost*

Senior Administrative Fellow, August 2013–May 2014

### Other Appointments

The Aspen Institute, [Rodel Public Leadership Program](#), Judiciary Initiative

Senior Fellow, 2021–present

Create curricula and lead sessions with state and federal judges from across the ideological spectrum to build capacity and jurisprudential discourse

[Council on Criminal Justice](#), [Veterans Justice Project](#), Research Board

Research Fellow, 2021–present

Crafting policy to reduce veterans' interactions with the criminal justice system

Office of Kansas Governor Laura Kelly

Lead Counsel for COVID litigation, 2020–present

## **Courses Taught**

Law School (*upper-division classes taught as simulation or professional-skills courses*)  
Appellate Advocacy, Civil Procedure I & II, Civil Rights Seminar, Contracts I & II, Expert Witness Skills Workshop, Federal Courts, Jurisdiction, Jurisprudence Seminar, Lawyering Skills II, U.C.C. Sales, National ABA Moot Court Competition Coach

### S.J.D. Committees:

Said al Roweilly (Saudi Arabia Ministry of Telecommunications), 2020  
Ahmed Abdullah, 2020  
Ahmed Mansour (Fulbright Scholar, Cairo University Faculty), 2018  
Awad Alanzi (Prince Sattam bin Abdulaziz University Faculty), 2018  
Vivek Sehrawat, 2018  
Abdulmajid Alashikh (Islamic University Saudi Arabia Faculty), 2018  
Derek Schmidt (Kansas Attorney General), 2015  
Bruce Hopkins, 2015

### Business School

Business Ethics (graduate), Legal Environment of Business (undergraduate)

### Honors Program

Freshman Tutorial: Re-Arguing Landmark Cases, Upperclassmen Tutorial:  
Exploring the American Legal System

### Philosophy Department

Introduction to Ethics, The Nature of Law

## **Teaching Awards**

Moreau Teaching Award, 2014

Honor bestowed upon a faculty member by the entire law student body

Commencement Hooder or Marshall, 2013, 2014, 2017, 2018

Honor bestowed upon faculty member by vote of the graduating class

Student Bar Association Distinguished Professor Nominee, 2010

Recognition by Michigan State University College of Law Student Bar as outstanding professor

## **Publications**

427 citations to my works by the federal courts, state courts, and scholarly journals as of October 2021.

### *Books*

[FEDERAL RULES OF CIVIL PROCEDURE: RULES AND COMMENTARY](#) (Thomson Reuters 2020 edition) (with Steven S. Gensler)

- 2022 edition (December 2021)
- 2021 edition (December 2020)

[FEDERAL CIVIL JURISDICTION](#) (IN A NUTSHELL SERIES: West Academic Publ. 2015)

- Second edition (2019)

[LAWYER'S GUIDE TO KANSAS EVIDENCE: KANSAS LAW AND PRACTICE VOL. 3](#) (5th ed.)  
(Thomson Reuters 2015) (with Chesli Hayden)

- 2021-22 Supplement (Sept. 2021)
- 2020-21 Supplement (Sept. 2020)
- 2019-20 Supplement (Sept. 2019)
- 2018-19 Supplement (Sept. 2018)
- 2017-18 Supplement (Sept. 2017)
- 2016-17 Supplement (Sept. 2016)

[KANSAS CODE OF CIVIL PROCEDURE ANNOTATED: KANSAS LAW AND PRACTICE VOL. 4-6](#)  
(5TH ED) (Thomson Reuters 2012) (three-volume treatise) (sole active author of  
2012 new edition, which included over 700 pages of additions) (with The late  
Spencer A. Gard and Robert C. Casad)

- 2021-22 Supplement to the 5th edition (Sept. 2021)
- 2020-21 Supplement to the 5th edition (Sept. 2020)
- 2019-20 Supplement to the 5th edition (Sept. 2019)
- 2018-19 Supplement to the 5th edition (Sept. 2018)
- 2017-18 Supplement to the 5th edition (Sept. 2017)
- 2016-17 Supplement to the 5th edition (Sept. 2016)
- 2015-16 Supplement to the 5th edition (Sept. 2015)
- 2014-15 Supplement to the 5th edition (Sept. 2014)
- 2013-14 Supplement to the 5th edition (Sept. 2013)
- 2011-12 Supplement to the 4th edition (Sept. 2011)

[KANSAS CIVIL JURY INSTRUCTION COMPANION HANDBOOK](#) (Thomson Reuter 2011) (sole  
active author) (with Robert C. Casad)

- 2018-19 Updated Edition (Oct. 2018)
- 2017-18 Updated Edition (Oct. 2017)
- 2016-17 Updated Edition (Oct. 2016)
- 2015-16 Updated Edition (Oct. 2015)
- 2014-15 Updated Edition (Oct. 2014)
- 2013-14 Updated Edition (Oct. 2013)
- 2012-13 Updated Edition (Oct. 2012)

*Book Chapter*

*Appellate Procedure*, in CIVIL LITIGATION HANDBOOK (Vector Legal Method 2018)

*Law Review Pieces*

*Article III Jurisdiction's Lack of Originalism* (in progress)

*Civil Rules Interpretation Alongside Federal Statutes* (with Glen Staszewski in progress)

*Mulligan Curriculum Vitae*

[\*Self-Intervention\*](#), 94 U. COLORADO LAW REVIEW — (forthcoming 2023)

[\*28 U.S.C. § 1331 Jurisdiction in the Roberts Court: A Rights-Inclusive Approach\*](#), 51 Stet. L. Rev. 201 (2022) (invited symposium piece)

[\*Civil Rules Interpretive Theory\*](#), 101 MINNESOTA LAW REVIEW 2167 (2017) (with Glen Staszewski)

- Sole Work Selected for Presentation by the 2017 AALS Civil Procedure Section National Call for Papers

[\*Institutional Competence and Civil Rules Interpretation\*](#), 101 CORNELL LAW REVIEW ONLINE 64 (2016) (invited piece with Glen Staszewski)

[\*We Should Use ‘Cause of Action’ More Carefully\*](#), 67 FLORIDA LAW REVIEW FORUM 42 (2015) (invited response essay)

[\*Staking a 1331 Jurisdictional Claim\*](#), 89 WASHINGTON L. REV. 441 (2014) (invited piece)

[\*Asking the First Question: Reframing Bivens After Minneci\*](#), 90 WASHINGTON UNIV. L. REV. 1473 (2013) (with Alexander A. Reinert)

[\*You Can’t Go Holmes Again\*](#), 107 NORTHWESTERN U. L. REV. 237 (2012)

[\*The Supreme Court’s Regulation of Civil Procedure: Lessons from Administrative Law\*](#), 59 UCLA L. REV. 1188 (2012) (with Glen Staszewski)

[\*Clear Rules—Not Necessarily Simple or Accessible Ones\*](#), 97 VIRGINIA L. REV. IN BRIEF 13 (2011) (invited response essay)

[\*Jurisdiction By Cross-Reference\*](#), 88 WASHINGTON UNIV. L. REV. 1177 (2011)

[\*Did the Madisonian Compromise Survive Detention at Guantanamo?\*](#), 85 NEW YORK UNIV. L. REV. 535 (2010)

- [Abbreviated version](#) posted at legalworkshop.org

[\*Federal Courts Not Federal Tribunals\*](#), 104 NORTHWESTERN U. L. REV. 175 (2010)

[\*A Unified Theory of 28 U.S.C. § 1331 Jurisdiction\*](#), 61 VANDERBILT L. REV. 1667 (2008)

[\*What’s Good for the Goose is Not Good for the Gander: State, Sarbanes-Oxley-Style, Nonprofit Reforms\*](#), 105 MICHIGAN L. REV. 1981 (2007)

[\*Why Bivens Won’t Die: The Legacy of Peoples v. CCA Detention Centers\*](#), 83 DENVER U. L. REV. 685 (2006) (solicited piece for the annual Tenth Circuit edition)

Note, *No Longer Safe at Home: Preventing the Misuse of Federal Common Law of Foreign Relations as a Defense Tactic in Private Transnational Litigation*, 100 MICHIGAN L. REV. 2408 (2002)

#### *Bar Journal Pieces*

*Separation of Powers and Judicial Independence in Kansas*, 85 J. KAN. B. ASSOC. 38 (May 2016)

*E-Discovery 2.0*, 90 J. KAN. B. ASSOC. 25 (Oct. 2013) (with Joy Issacs)

*Standards of Review and Reversibility*, Ks. Bar Assoc. Young Lawyers Forum, 2 (Winter 2012)

Ks. Bar Assoc. Appellate Section Newsletter (March 2012) (editor)

Ks. Bar Assoc. Appellate Section Newsletter (April 2011) (editor)

#### *Other Pieces*

[\*What Does a Textualist Look Like\*](#), Jotwell.com (Feb. 18, 2021)

[\*Neither State Nor Federal Law\*](#), Jotwell.com (March 23, 2020)

[\*Is Personal Jurisdiction Constitutionally Self-Enacting\*](#), Jotwell.com (May 7, 2019)

[\*More Amicus Briefing?\*](#), Jotwell.com (April 23, 2018)

[\*But the Feds Do It That Way!\*](#), Jotwell.com (May 8, 2017)

[\*Independent Judiciary Protects Our Liberties\*](#), KU LAW at 28 (Spring 2016)

[\*Should We Publish All District Court Opinions?\*](#), Jotwell.com (Mar. 16, 2016)

[\*Independent Judiciary Serves All\*](#), LAWRENCE JOURNAL WORLD (Feb. 17, 2016)

[\*Federal Causes of Action and Everything that Follows\*](#), Jotwell.com (Dec. 11, 2014)

[\*Who should resolve issues relating to the Federal Rules of Civil Procedure?\*](#), SCOTUSblog.com (Oct. 17, 2012) (with Glen Staszewski)

[\*Supreme Court Shifts Power from Juries to Judges\*](#), LANSING STATE JOURNAL (May 28, 2009)

*Legal Barriers to Accessing Health Care in Kansas for Same-Sex Couples*, 80 KANSAS NURSE 4 (2005) (peer-reviewed journal) (with Linda K. Mulligan)

*Protecting Your Non-Profit from Legal Liabilities*, guest editorial in COALITIONS ONLINE (May 2005) (with Jeffrey L. Stowell)

#### **Media Appearances**

Wall St. Journal, Washington Times, U.S. News & World Report, National Public Radio, The Kansas City Star, SCOTUSblog.com, The National Jurist, Top of Mind on Sirius XM Satellite Radio, various legal academia websites, and various regional media.

#### **Fundraising and Alumni Relations Experience**

Director, Shook, Hardy & Bacon Center for Advocacy, 2011–present

- In conjunction with the Dean and endowment staff, I raised \$500,000 over five years to support the center's activities.

Medical-Legal Partnership Clinic, 2014–present

- In 2015, I secured a recurring \$100,000 annual donation to fund our clinic housed in Kansas City, which by 2018 I have increased to a recurring \$225,000 donation.
- In 2016, I secured a recurring \$100,000 annual donation to fund our clinic housed in Lawrence.
- In 2016, in conjunction with endowment staff and the dean, I secured an \$80,000 commitment to fund a mental-health-law fellowship

#### Law School Alumni Outreach & Fundraising, 2011–present

- I accompany the Dean and endowment staff in support of fundraising efforts and alumni events in a variety of markets, including: Washington, D.C.; Phoenix, AZ; the Kansas City metropolitan area; Wichita, KS; and Dodge City, KS.

#### Kansas Legal Services, Inc., 2012–2016

- As a member of the board of directors for the state-wide legal aid society, I served on the fundraising and personnel committees. The organization operates on a near \$10 million budget with a growing proportion coming from donations.

#### Univ. of Kansas Honors Program, 2008–2015

- As a member of the Advisory Board and the chair for two years, I worked with other board members, faculty, staff, and endowment officers to secure funding for endowed scholarships, numerous other gifts in expendable funds, and worked to create alumni networking opportunities. The group went from raising nearly no annual funds with no alumni network to raising over \$40,000 annually with a growing network.

#### Freedom House, Inc., 2006–2007

- As a member of the Board of Directors, I worked with staff to raise and manage approximately a \$6M annual budget for this refugee housing and legal services organization.

### **Service**

#### *Law School Service*

Hiring Committee, 2010–2019, 2021, Chair, 2017–19

Policy Committee, 2020–present

COVID Response Committee, 2020

Academic Affairs Committee, Chair, 2019–20

Promotion and Tenure Committee (ex officio), 2016–2019

Admissions Committee (ex officio), 2016–2019

Black Law Student Association Faculty Sponsor, 2016–present

Bar Passage Committee, Chair, 2015–2019 (faculty- and staff-wide project)

Law Dean 5-Year Review Committee, 2015 (appointed by the provost)

Kansas City Committee (expanding presence in bar and community), 2013–present

Career Services Office (firm outreach & strategic planning), 2012–present

Law School Strategic Communications Committee, 2011–present

Judicial Clerkship Committee, 2011–present, 2017–present (chair)

Rice Scholars Recruitment Committee, 2010–2017

Admissions Department (recruitment events & strategic planning)  
(Michigan State & Kansas), 2008–2019

Post-Tenure Review Standards Committee, 2013–2014

Legal Aid Clinic Re-Invention Committee, 2014

Human Trafficking Clinic Committee, Chair, 2012–2013

Law School Website Redesign Committee, 2011–12

Admissions Director Hiring Committee, 2011

Admissions Committee (Michigan State), 2007–10

1L Curriculum Reform Committee (Michigan State), 2009–10

Ad hoc Joint JD/Philosophy Degree Committee (Michigan State), 2008–10

Faculty Development and Programs Committee (Michigan State), 2007–09

*University Service*

Faculty Dismissal Procedures Committee, Chair, 2021-22  
Academic Program Coordinating Committee, 2021-22  
10-Year Review Committee Dept. Religious Studies, 2020-21  
Interdisciplinary Research Group, Human Trafficking Project, 2012–2017  
University Honors Program, Pre-Law Advisor, 2010–present  
University Judicial Board Appellate Panel, Presiding Officer, 2012–present (ad hoc)  
Dean’s Office, College of Arts & Sciences, Hiring Committee, Director of the University  
Honors Program, 2013, 2019  
University Scholars Program, Faculty mentor, 2011–2013  
Rhodes/Marshall/Truman Scholarship Committee, committee member, 2010-present  
University Hearing Board (Michigan State), Board member, 2009–10  
University Committee on Faculty Affairs (Michigan State), Member, 2007–08  
Nonprofit and Public Management Center (Michigan), Faculty Affiliate, 2006–07

*Scholarly National Service*

External Tenure Reviewer

Univ. of Houston School of Law, 2017  
Univ. of Toledo School of Law, 2015  
Univ. of Arkansas School of Law, 2012  
Loyola Chicago School of Law, 2010

Peer Reviewer

YALE LAW JOURNAL, 2018  
STANFORD JOURNAL OF COMPLEX LITIGATION, 2012  
STANFORD LAW REVIEW, 2009

Jr. Faculty Federal Courts Annual Colloquium

Advisory Board, 2008–2012

*Professional & Community Service*

The Aspen Institute, [Rodel Public Leadership Program](#), Judiciary Initiative  
Senior Fellow, 2021–present  
[Council on Criminal Justice](#), [Veterans Justice Project](#), Research Board  
Research Fellow, 2021–present  
Office of Kansas Governor Laura Kelly, 2020–present  
Lead Counsel for COVID-19 litigation  
Kansas Judicial Council, Civil Code Advisory Committee, 2017–present  
Appointed by the Council, which includes the Chief Justice of Kansas, members of the Kansas  
Legislature, the Kansas bench, and leaders from the Kansas bar.  
Federal Bar Assoc. — Kansas Chapter  
Executive Committee, 2013–15  
National Delegate, 2014  
Kansas Legal Services, Inc., Member Board of Directors, 2013–16  
U.S. Tenth Circuit Court of Appeals Criminal Justice Act Panel, Member & pro bono  
attorney, 2011–2017

Kansas Bar Association, Appellate Section  
Executive Committee Member, 2010–present  
Newsletter Editor, 2010–12  
Hugh Means Inn of Court, 2004–06, 2010–present  
Univ. of Kansas Honors Program, Advisory Board, 2008–2015  
Chair, 2013–2015  
Kansas Court of Appeals, Appellate mediation study committee, 2011–2013  
Freedom House, Inc., Board of Directors, 2006–07

**Selected Appellate Briefs**  
*Counsel or Co-Counsel*

- [Berger v. N.C. NAACP](#), (U.S. No. 21-248), Amicus Br.  
Issue regard right of non-attorney general state actors to Fed. R. Civ. P. 24 intervene in suits against the state
- Clark v. Kelly*, No. 2020-CV-000061 (Kan. Dist. Ct. 2021)  
Issues regarding separation-of-powers and First Amendment attacks to Governor’s COVID-19 emergency orders, successful motion to dismiss affirmed on appeal
- First Baptist Church v. Kelly*, 455 F.Supp.3d 1078 (D. Kan. 2020)  
Issue regarding First Amendment attack to Governor's emergency orders during COVID-19 pandemic in TRO posture, led case to voluntary dismissal
- [Kelly v. Legislative Coordinating Council](#), 460 P.3d 832 (2020), [Merits Br.](#) & [Reply Br.](#)  
Issue regarding power of the LCC to overturn Governor's emergency orders during COVID-19 pandemic
- [China Agritech, Inc., v. Resh, et al.](#), No. 17-432 (U.S. 2018), Amicus Br.  
Issue regarding tolling statute of limitations of in successive class action filings
- [Bernardo ex rel. M&K Engineering v. Johnson](#), No. 15-1138 (U.S. 2016), Amicus Br.  
Issue regarding jurisdiction to review revocations of visa petitions
- United States v. Trotter*, No. 13-3147 (10th Cir. 2014), Merits Br.  
Issue regarding habeas relief in the context of illegal sentencing
- Rawlins v. Kansas*, No. 13-272 (U.S. 2013), Petition for Certiorari  
Issue regarding jurisdiction for post-conviction review under All Writs Act
- [Mutual Pharm. Co., Inc. v. Bartlett](#), No. 12-142 (U.S. Mar. 2013), Amicus Br.  
Issue regarding preemption doctrine in prescription drug design defect claim
- [Amgen Inc. v. Conn. Ret. Plans](#), No. 11-1085 (U.S. Nov. 2012), Amicus Br.  
Issue regarding interpretation of Fed. R. Civ. P. class action rules
- United States v. Dyke*, 718 F.3d 1282 (10th Cir. 2013), Merits Br. & Cert. Pet.  
Issue regarding outrageous government conduct in criminal conviction
- [Minnecci v. Pollard](#), No. 10-1104 (U.S. 2012), Amicus Br.  
Issue regarding jurisdictional limits to *Bivens* claims
- [Astra USA, Inc. et al. v. Santa Clara County](#), No. 09-1273 (U.S. 2011), Amicus Br.  
Issue regarding limits to inferred causes of action and federal common law claims
- McCary v. Lewis*, No. 05-5684 (6th Cir. 2007), Merits Br.  
Issue regarding a due process challenge on habeas corpus review

*Invited Co-Signer of Amicus Brief*

- Cameron v. EMW Women’s Surgical Ctr.*, No 20-601 (U.S. Aug. 2021), Amicus Br.  
Issue regarding whether state AG may intervene on appeal after having agreed to be bound by district court resolution



*Salt River Project Agricultural Improvement and Power District v. SolarCity Corp.*, No. 17-368, (U.S. Feb. 2018), Amicus Br.  
 Issue regarding collateral-order doctrine for appellate jurisdiction

*Landers v. Quality Communications, Inc.*, No. 14-969, (U.S. Mar. 2015), Amicus Br.  
 In Support of Granting Writ of Certiorari  
 Issue regarding standard for pleading FLSA claims in federal court under Twombly-Iqbal

*Kiobel v. Royal Dutch Petroleum Co.*, No. 10-1491, (U.S. Feb. 2012), Amicus Br.  
 Issue regarding jurisdictional nature of corporate liability under the Alien Tort Act

*Madigan v. Levin*, No. 12-872 (U.S. Oct. 2013), Amicus Br.  
 Issue regarding appellate jurisdiction under 28 U.S.C. § 1291

*Vermont Pension Inv. v. Goldman Sachs*, No. 11-15087 (9th Cir. 2011), Amicus Br.  
 Issue regarding Article III standing for class-action plaintiffs

*J. McIntyre Machinery Ltd. v. Nicastro*, No. 09-1343 (U.S. 2011), Amicus Br.  
 Issue regarding personal jurisdiction in international stream of commerce case

*Virginia ex rel. Cuccinelli v. Sebelius*, No. 11-1057 (4th Cir. 2011), Amicus Br.  
 Issue regarding standing for states to challenge the Affordable Care Act

*U.S. & California ex rel. O'Connell and Moyers v. Chapman University*, No. 10-810 (U.S. 2011), Amicus Br. In Support of Granting Writ of Certiorari  
 Issue regarding appellate discretion to expand time to file notice of appeal

*Kiobel v. Royal Dutch Petroleum Co.*, Nos. 06-4800 (2d Cir. 2010), Amicus Br.  
 Issue regarding jurisdictional nature of claims under the Alien Tort Claims Act

*Comer v. Murphy*, No. 07-60756 (5th Cir. en banc 2010), Amicus Br.  
 Issue regarding political question doctrine and global warming litigation

*Hepting v. AT&T*, No. 06-17132 (9th Cir. 2010), Amicus Br.  
 Issue regarding Congress' power to create absolute defenses to *Bivens* actions

*Virginia Office of Prot. & Advocacy v. Reinhard*, No. 09-529 (U.S. 2010), Amicus Br.  
 Issue regarding *Ex parte Young* exception to Eleventh Amendment doctrine

*Kucana v. Holder*, No. 08-911 (U.S. 2009), Amicus Br.  
 Issue regarding federal court jurisdiction over immigration court decisions

## **Selected Presentations**

### *Legislative Testimony*

#### *“Snap” Removal Proposed Congressional Action*

Presented to the United States Judicial Conference, Washington, DC, Oct. 2018

#### [Separation of Powers and Judicial Independence](#)

Presented to the Judiciary Committee of the Kansas State Senate, Topeka, KS, Jan. 2016

#### [Procedures for Judicial Confirmation Hearings](#)

Presented to the Judiciary Committee of the Kansas State Senate, Topeka, KS, Sept. 2013

### *Long-Format Interviews*

#### [Questioning The Need For Qualified Immunity](#)

Aired on Up To Date, NPR/KCUR (Nov. 2020)

#### [Qualified Immunity and the Police](#)

Aired on Top of Mind, Sirius XM Radio (Jul. 2020)

### *Presented to Scholarly or Professional Organizations*

#### *Post-9/11 Veterans, Transition to Civilian Life & Criminality*

Presented at the National Guard J.A.G. Assn. Annual Nat'l Conf. Denver & Zoom May, 2022

*Mulligan Curriculum Vitae*

*Federal and Kansas Civil Procedure 2021-22 Updates*

Presented at Univ. of Kansas Law School C.L.E. Meeting in Lawrence, KS, May 2022

*The American Judicial System*

Presented to Tashkent State Univ. of Law, Uzbekistan via Zoom April, 2022

*Qualified Immunity*

Presented at the KS-MO NAACP joint annual meeting via Zoom, Jan. 2022

*Constitution Day Address, The Role of the Courts*

Presented at Wichita State University wide event, Sept. 2021

*COVID-19 and the Constitution*

Presented at the Dole Center for Politics Constitution Day Event in Lawrence, KS Sept. 2021  
(video begins at 18:10 minutes)

*Brief Drafting Tips and Procedure Updates*

Presented at the National Guard J.A.G. Association Annual Nat'l Conference via Zoom May, 2021

*1331 Jurisdiction and the Roberts Court*

Presented at the Stetson Law Review Symposium in Gulfport, FL Apr. 2021

*October 2020 Term Top Supreme Court Cases*

Presented at the Dole Center for Politics Constitution Day Event in Lawrence, KS Sept. 2020  
(video begins at 4:35 minutes)

*Federal and Kansas Civil Procedure 2018-19 Updates*

- Presented at Ks. Trial Lawyers Assoc. Annual Meeting in Wichita, KS, May 2019
- Presented at Univ. of Kansas Law School C.L.E. Meeting in Lawrence, KS, May 2019
- Presented at SW Kansas Bar Assoc. Dodge City, KS Sept. 2019

*Trial Practice: 5 Tips*

Presented at the Shook Hardy & Bacon Trial Practice Institute in Kansas City, MO May 2019

*Senior Commentator*

Presented at the Tenth Annual Federal Courts Conference Norman, OK Sept. 2018

*Updating Your Practice to Tech*

*Presented at the Southwest Kansas Bar Association Meeting, Dodge City, KS Sept. 2018*

*Kansas's Adoption of the 2015 Federal Rules of Civil Procedure Amendments*

Presented at the Sedona Conference Tenth Circuit Meeting in Phoenix, AZ May 2018

*Federal and Kansas Civil Procedure 2017-18 Updates*

- Presented at Ks. Trial Lawyers Assoc. Annual Meeting in Wichita, KS, May 2018
- Presented at Ks. Dept. of Administration Annual Meeting in Topeka, KS, March 2018

*Trial Practice: Mistakes and Successes*

Presented at the Shook Hardy & Bacon Trial Practice Institute in Kansas City, MO May 2018

*Federal and Kansas Civil Procedure 2016-17 Updates*

- Presented at Univ. of Kansas Law School C.L.E. Meeting in Lawrence, KS, May 2017
- Presented at Douglas Cnty Bar Assoc. C.L.E. Meeting in Lawrence, KS, May 2017
- Presented at S.W. Kansas Bar Assoc. in Winter Park, CO, Jan. 2017

*Commentator, American Society of Comparative Law's Younger Comparativists Comm.*

Presented at the annual conference hosted by Univ. of Kansas Law School, Feb. 2017

*Civil Rules Interpretive Theory*

- Presented at the Univ. of Oklahoma Law School Speakers Series, Jan. 2017
- Presented at Civil Procedure Section of AALS San Francisco, CA, Jan. 2017
- Presented at the Univ. of Tulsa Law School Workshop Series, Nov. 2015
- Presented at the Univ. of Georgia Law School Workshop Series, Oct. 2015
- Presented at the Washburn Univ. Law School Workshop Series, Oct. 2015

*History of Civil Discovery*

*Presented at Shook Hardy & Bacon Law Updates in Kansas City, MO, June 2016*

*Federal and Kansas Civil Procedure 2015-16 Updates*

- Presented at Univ. of Kansas Law School C.L.E. Meeting in Lawrence, KS, May 2016
- Presented at Wichita Bar Assoc. C.L.E. Meeting in Wichita, KS, April 2016

*Endowment Board Governance*

Presented at Lawrence Memorial Hospital Endowment Board Training Lawrence, KS, April 2016

*Nonprofit Board Governance*

Presented at United Way of Douglas County, KS Training Lawrence, KS Oct. 2015

*The Decade of E-Discovery*

Panel member presented at Univ. of Kansas Law School Lawrence, KS Oct. 2015

*Kansas Civil Procedure 2014-15 Updates*

Presented at Univ. of Kansas Law School C.L.E. Meeting in Lawrence, KS, May 2015

*Scottish Law's Influence Upon U.S. Federal Court Jurisdiction*

Presented at Univ. of Aberdeen Law School Speakers Series Aberdeen, Scotland, April 2015

*Federal Court Authority*

University of Kansas Commons Research Forum Lawrence, KS, Dec. 2014

*Federal & Kansas Civil Procedure 2013-14 Updates*

On-line CLE from KU Continuing Education posted Fall 2014

*Kansas Civil Procedure 2013-14 Updates*

Presented at Univ. of Kansas Law School C.L.E. Meeting in Lawrence, KS, May 2014

*Corporate Governance and Agency*

- Presented at Black & Veatch Engineering Overland Park, KS, December 2013
- Presented at Black & Veatch Engineering Overland Park, KS, February 2013

*Kansas Civil Procedure 2012-13 Updates*

Presented at Univ. of Kansas Law School C.L.E. Meeting in Lawrence, KS, May 2013

*Motion Practice as Advocacy in the Age of the Vanishing Trial*

Presented at the Kansas Law Review Symposium Lawrence, KS, Nov. 2012

Conference Organizer, Advocacy Under the Federal Rules After 75 Years

Hosted by the Shook, Hardy & Bacon Center and Kansas Law Review Lawrence, KS, Nov. 2012

*Kansas Civil Procedure 2011-12 Updates*

Presented at Univ. of Kansas Law School C.L.E. Meeting in Lawrence, KS, May 2012

*You Can't Go Holmes Again*

- Presented at Michigan State University College of Law Colloquium, Oct. 2012
- Presented at the Boston College Law School Workshop Series Newton, MA, April 2012

Commentator, Jr. Faculty Federal Courts Workshop

Convened at Florida International University College of Law, Miami, FL, Feb. 2012

*An Agency Approach to the Supreme Court's Interpretation of Rules*

- Presented at Southeastern Assoc. of Law Schools Conf. in Hilton Head, SC, July 2011
- Presented at Law and Society Annual Conference in San Francisco, June 2011
- Presented at the Univ. of Missouri Law School Workshop series, March 2011

*Kansas Civil Procedure 2010-11 Updates*

Presented at Univ. of Kansas Law School C.L.E. Meeting in Lawrence, KS, May 2011

*Tera-bytes or Terror Bites?: E-Discovery Basics*

Presented at Kansas Bar Assn. Litigation Section C.L.E. Meeting in Lawrence, KS, April 2011

*I Want an Instant Replay: Standards of Review on Appeal*

Presented at Kansas Bar Assn. Appellate Section C.L.E. Meeting in Topeka, KS, April 2011

*American Elec. Power Co. v. Conn. (U.S. 10-174): Federal Common Law, Political Questions & Global Warming Litigation*

Presented at the U.S. Environmental Protection Agency – Reg. VII in Kansas City, KS., Feb. 2011

### *Jurisdiction By Cross-Reference*

- Presented at the Case Western Reserve Law School Workshop series, January 2011
- Presented at the 3rd Annual Jr. Faculty Federal Courts Conf. at Univ. Illinois College of Law, Oct. 2010
- Presented at the Central States Law Schools Association at Univ. of North Dakota Law School, Sept. 2010

### *War on Terror: Torture, Rendition, and Preventive Detention*

Invited participant in Michigan State Univ. Journal of International Law Symposium, Feb. 2010

### *Moderator & Organizer, Second Annual Jr. Faculty Federal Courts Conference*

Conference attended by faculty from over 35 schools nationwide, Oct. 2009

### *Federal Courts Not Federal Tribunals*

- Presented at Southeastern Assoc. of Law Schools in West Palm Beach, FL, Aug. 2009
- Presented at Loyola-Chicago Law School Faculty Colloquium, Feb. 2009
- Presented at Univ. of Toledo Law School Faculty Colloquium, Oct. 2008
- Presented at Indiana Univ. Law School's Big Ten Junior Faculty Conference, Aug. 2008
- Presented at Michigan State University College of Law Colloquium, April 2008

### *Forming, Governing & Sustaining Your Nonprofit Corporation*

Presented at the Community Anti-Drug Coalitions of America Conf. in Louisville, KY, July 2009

### *October 2008 Term of the U.S. Supreme Court & Municipal Law*

Presented at Mich. State Bar Annual Mtg. in Mackinac Island, MI, June 2009

### *Habeas: Still Puzzled*

Presented at Michigan State University College of Law Colloquium, March 2009

### *Nonprofit Organization Ethics*

Presented at Bioethics Grand Rounds at the Univ. of Michigan Hosp. and Medical Sch., Jan. 2009

### *Nonprofit Organizations: The Case Against Professor Jensen*

Presented at Michigan State University College of Law Colloquium, October 2008

### *A Unified Theory of 28 U.S.C. § 1331 Jurisdiction*

- Presented at the American Univ. Jr. Prof. Federal Courts Conf., April 2008
- Presented at Michigan State University College of Law Colloquium, Sept. 2007

### *Nonprofit Corporation Governance — Formation to Lobbying*

Presented at the Community Anti-Drug Coalitions of America Conf. in Tucson, AZ, July 2007

### *Current Legal Reforms in the Nonprofit Sector*

Presented at the Univ. of Mich. Interdisciplinary Consortium on Organizational Studies, Feb. 2007

### *State, Sarbanes-Oxley-Style, Nonprofit Reform*

Presented at the Michigan Law Review Symposium, Oct. 2006

### *Governance of the Nonprofit Corporation*

Presented at the Community Anti-Drug Coalitions of America Conf. in Phoenix, AZ, July 2005

### *Civility on the Campus: Can We Reconcile Freedom of Speech with Equality?*

Presented at the University of Colorado Center for Humanities and Arts Annual Conference, 1998

### *Civility as a Virtue*

Presented at the University of Colorado Center for Humanities and Arts Annual Conference, 1998

### *Women and Population Politics*

Annual Conference of the University of Colorado's Center for Values and Social Policy, 1997

### *Other Presentations*

### *Constitution Day Speech*

Speaker at Blue Valley West High School in Overland Park, KS, Sept. 2014 & 2015

### *University-Wide Convocation Address*

University of Kansas Convocation Ceremony, Aug. 2014

*Address to Admitted Honors Students and Families*

University of Kansas Honors Program Admitted Students' Day, Nov. 2014

University of Kansas Honors Program Admitted Students' Day, Oct. 2012

*Graduation Address*

University of Kansas Honors Program Graduation Ceremony, May 2010

*Legal Practice and Careers*

Presented at the University of Kansas Honors College Alumni Lecture Series, Oct. 2008

**Legal Experience**

Appellate Attorney

Appellate court briefing, district court motions, and consulting, 2006–present

Stowell & Mulligan, P.A.,

Co-founder & Partner, 2005–06 (representation of nonprofit organizations)

United States Tenth Circuit Court of Appeals

Clerk for Chief Judge Deanell Tacha, 2003–05

Polsinelli, Shalton & Welte P.C.

Associate Attorney, 2002–03 (commercial litigation and appeals)

Summer intern, 2001

United States Department of Justice – Constitutional Torts Division

Summer intern, 2002

**Other Academic Positions**

University of Kansas School of Law

Adjunct Lecturer, 2003–06

University of Colorado

Graduate Student Instructor, Dept. of Philosophy, 1998–99

Director, Departmental Outreach Program, University of Colorado, 1998–99

Teaching Assistant, Dept. of Philosophy University of Colorado, 1996–98

**Education**

University of Michigan Law School, J.D., 2002

*Magna Cum Laude*, Order of the Coif, *Michigan Law Review* editorial board, Helen L. DeRoy Memorial Award (best student Law Review piece), Scholarly Writing Award (best non-published student paper), Five “Book” Awards (top grade in a course), Dykema Scholarship Award

University of Colorado, M.A. (philosophy), 1999

University Fellowship, Center for Values & Social Policy Fellow, Graduate Teaching Position

University of Kansas, B.A. (philosophy), 1995

*Phi Beta Kappa*, University Honors Program Graduate, Awarded University Distinction, Awarded Departmental Honors, Morse Moral Philosophy Award (best undergraduate or graduate student paper in moral philosophy), Robinson Award (best undergraduate or graduate paper in any field of philosophy), Scholarship Hall Resident, Upperclassman & Freshman Scholarships

**References Available Upon Request**