

Lumen N. Mulligan

Curriculum Vitae

University of Missouri at Kansas City
School of Law
Office: (816) 235-5379

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Kansas City, MO 64110
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Academic Appointments

University of Missouri at Kansas City, School of Law
Dean and Professor of Law, 2023–present

- Lead a 420 student, 46 fulltime faculty, and 30 staff law school with \$11.3M budget with separate CLE unit and independent law school foundation
- Enrolled strongest credentialed IL class in 12 years in August 2024
- Increased budgeted student scholarship dollars by 10.6% from FY24 to FY25
- Launched bar prep for all J.D. graduates at no cost beyond tuition and fees in FY24
- Boosted 2024 first-time bar pass rate for all states from 77% to 84%, the strongest showing in 11 years; Missouri July exam first-time pass rate rose 9 points to 90.6%
- Oversaw the class of 2023 reach a 94.4% employment rate and the class of 2024 reach a 70% employed at graduation rate, up 8 points from the prior year
- Improved publications per tenure-track faculty by 50.9% in FY24; increased faculty travel budget and number of summer research stipends
- Adjusted staff salaries to market rates and added development opportunities
- Renovated library top-floor and student lounge; began master building plan
- Built strategic communications plan, resulting in 210% growth in social media reach
- Bolstered fundraising dollars by 11.9% to three-year median rates in FY24
- Ended multi-year growing debt and reduced central-university subsidy by 10% in FY25
- Launching new MLS degree in FY26

University of Kansas

School of Law

Earl B. Shurtz Research Professor of Law, 2015–2023

Professor of Law, 2010–2023

University Honors Program

Tutorial Professor, 2010–2023

Institute for Policy & Social Research

Affiliated Faculty, 2012–2023

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

Prior Administrative Appointments

University of Kansas

Office of the Provost

Interim Vice Provost for Faculty Affairs, October 2022–June 2023

Oversee all non-medical campus faculty hiring, retention, talent development, promotion and tenure, sabbaticals, policy relating to faculty, awards and recognition, salary, and conflict of interest matters, impacting nearly 1400 faculty; lead in various aspects of Higher Learning Commission re-accreditation process; serve on leadership teams for numerous mission-critical matters; partner with deans, directors, chairs and governance to enhance unit-level mission

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

Chair, Bar Passage Project, 2015–2022

Faculty Supervisor, Medical-Legal Partnership Clinic, 2015–2022

Director, L.E.A.D. Program, 2013–2022 (A regents-wide 3+3 program)

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

Other Appointments

[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, 2021–2023

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

Office of Kansas Governor Laura Kelly

Lead Counsel for COVID litigation, 2020–2022

Selected Prior Administrative Accomplishments

Interim Vice Provost for Faculty Affairs, University of Kansas, 2022-2023

Nearly doubled available sabbatical opportunities, relaunched Kemper Foundation Teaching Awards, expanded talent development programming, launched on-demand resources project, created university-wide standards for teaching professors

Chair, Bar Passage Project, KU Law, 2015–2022

98.7% of first-time takers passed the bar in 2021 from 82% in 2015, [11th best in the nation for 2021](#)

Director, L.E.A.D. Program, KU Law, 2013–2022 (A regents-wide 3+3 program)

Top-5 3+3 program, LEAD students account for near 20% of 2021 1L class

Faculty Supervisor, Medical-Legal Partnership Clinic, KU Law, 2015–2023

Raise \$350,000 annually, opened second clinic, serve over 1,000 matters annually

Associate Dean for Faculty, KU Law, 2016–2019

Aided in achieving recognition as 22nd among public law schools for scholarly impact in 2018 previously unranked, expanded experiential education offerings, initiated alternative allocation of effort templates, began 2-year scheduling

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

Raised more than \$500,000, expanded programming and alumni engagement

Prior Fundraising and Alumni Relations Experience

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

- 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, KU Law, 2014–2022

- 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, KU Law, 2011–2022

- 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.

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, Moot Court Competition Coach

S.J.D. Committees:

Said al Roweilly (Saudi Arabia Ministry of Telecommunications), 2020

Ahmed Abdullah, (Saudi Arabia Legal Counselor), 2020

Ahmed Mansour (Fulbright Scholar, Cairo University Faculty), 2018

Awad Alanzi (Prince Sattam bin Abdulaziz University Faculty), 2018
Vivek Sehrawat (Mahindra University Faculty), 2018
Abdulmajid Alashikh (Islamic University Saudi Arabia Faculty), 2018
Derek Schmidt (Kansas Attorney General), 2015
Bruce Hopkins (author of over 24 books on nonprofit law), 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

Over 550 citations to my work by the federal courts, state courts, and scholarly journals as of October 2023.

Books

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

- 2023 edition (December 2022)
- 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 Chelsi Hayden)

- 2024-25 Supplement (forthcoming Sept. 2024)
- 2023-24 Supplement (Sept. 2023)
- 2022-23 Supplement (Sept. 2022)
- 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 The Late Robert C. Casad)

- 2024-25 Supplement to the 5th edition (forthcoming Sept. 2024)
- 2023-24 Supplement to the 5th edition (Sept. 2023)
- 2022-23 Supplement to the 5th edition (Sept. 2022)
- 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)

White Papers

Unwavering Intent: Congress' Enduring Commitment to Veterans' Benefits (January 2024), available at <https://counciloncj.org/unwavering-intent-congress-enduring-commitment-to-veterans-benefits/>

From Service through Reentry: A Preliminary Assessment of Veterans in the Criminal Justice System, Council on Criminal Justice (August 2022) (co-author of this institutional report), available at <https://counciloncj.org/veterans-justice-commission/> (click the “Read the Report” button)

Law Review Pieces

[*Self-Intervention*](#), 94 U. COLORADO LAW REVIEW 986 (2023)

[*Purposivist Reasoning in Federal Civil Procedure*](#), 100 DENVER LAW REVIEW 383 (2023)
(invited piece for the annual Tenth Circuit edition) (with Emily Pennington)

[*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

[*Justice as Celebrity*](#), Jotwell.com (June 24, 2022)

[*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)

Selected Media Appearances

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

Service

Law School Service

University of Missouri-Kansas City

Administrative Council, 2023-present

Deans Council, 2023-present

University of Kansas

Hiring Committee, 2010-2019, 2021-2022; Chair, 2017–19; Diversity Advocate, 2021-22
COVID Response Committee, 2020

Assessment Committee, 2019-present (continuation of bar passage duties)

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), 2013–16

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

Law School Strategic Communications Committee, 2011–16

Judicial Clerkship Committee, 2011–present, 2017-20 (chair)

Rice Scholars Recruitment Committee, 2010–2017

Admissions Department (recruitment events & strategic planning), 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

Michigan State University

Admissions Committee, 2007–10

1L Curriculum Reform Committee, 2009–10

Ad hoc Joint JD/Philosophy Degree Committee, 2008–10

Faculty Development and Programs Committee, 2007–09

University Service

University of Kansas

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

Michigan State University

University Hearing Board, Board member, 2009–10

University Committee on Faculty Affairs, Member, 2007–08

Scholarly National Service

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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

HARVARD LAW REVIEW, 2024
YALE LAW JOURNAL, 2018, 2022
STANFORD JOURNAL OF COMPLEX LITIGATION, 2012
STANFORD LAW REVIEW, 2009

Jr. Faculty Federal Courts Annual Colloquium

Advisory Board, 2008–2012

Professional & Community Service

[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, 2010–2018
Newsletter Editor, 2010–12

Hugh Means Inn of Court, 2004–06, 2010–2019

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. (2022)

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
[*Minneeci 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 jurisdictional 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

[Interview with Dean Lou Mulligan](#)

In Re KCMBA Podcast (Jan. 2024)

[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

VA Practice and Congressional Intent in the 1944 GI Bill of Rights

Internationally webcasted event for the National Association of JAG Officers Conf., May 2024

Constitutionality of Limiting Supreme Court Justices' Terms

Nationally web-casted event for the Dole Center of Politics, Lawrence, KS, Apr. 2024

Recent Updates to Federal and Missouri Civil Procedure (2023-24)

- Presented to Clay County Bar Assoc., Liberty, MO, Mar. 2024
- Presented to Springfield Bar Assoc., Springfield, MO, Jan. 2024
- Presented to Jasper County Bar Assoc., Joplin, MO, Nov. 2023

State Executive Powers and the Pandemic

Presented to Federalist Society, Kansas Statewide Conf., Lawrence, KS, Nov. 2023

Effective Appellate Advocacy

Nationally webcasted event for the Federal Bar Association, Washington, DC, Nov. 2023

Congressional Intent and VA Benefits for the Other Than Honorably Discharged

Presented to Council on Criminal Justice Veterans Project, Washington, DC, Nov. 2023

Role of Judges in a Democracy

Presented to Federal and State high-court judges, Rodel Institute, Sun Valley, ID, Aug. 2023

Perspectives on Jurisprudential Thought

Presented to Federal and State high-court judges, Rodel Institute, Sun Valley, ID, Aug. 2023

Veterans and the Criminal Justice System

Internationally webcasted event for the National Association of JAG Officers Conf., July 2023

Veteran Criminal Justice Involvement and Transition from Service

Presented to the Hagel-Panetta Commission in San Diego, CA Nov. 2022

Veteran Criminal Justice Involvement and Discharge Status

Presented at the Council on Criminal Justice, Veterans Conf. in Washington, DC Oct. 2022

[Recent Supreme Court Decisions and Kansas Politics](#)

Presented at the Dole Center for Politics Constitution Day Event in Lawrence, KS Sept. 2022

Federal and Kansas Constitutional Abortion Decisions in 2022

Presented at the Kansas State Univ. School of Leadership Constitution Day Event in Manhattan, KS Sept. 2022

Judges' Role as a Democratic Leader

Presented at Rodel Institute's Judicial Leadership Seminar in Sun Valley, ID Sept 2022

Judicial Failures of Democratic Leadership

Presented at Rodel Institute's Judicial Leadership Seminar in Sun Valley, ID Sept 2022

Post-9/11 Veterans & Criminal Justice Involvement

- Presented to Nat'l Assoc. of State Directors of Veterans Affairs via Zoom July 2022
- Presented at the Nat'l Guard J.A.G. Assn. Nat'l Conf. Denver & Zoom May 2022

Federal and Kansas Civil Procedure 2021-22 Updates

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

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