

A. Christopher Bryant
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ACADEMIC EMPLOYMENT

- July 2003 to present **Professor** (Associate '03-05): College of Law, University of Cincinnati. **Cincinnati, OH**
Awarded tenure effective September 2005. Teaching Areas include constitutional law I & II, legislation & statutory interpretation, conflicts, federal courts, and criminal law. Awarded Goldman Prize for Teaching Excellence in 2005, 2007 & 2008. Research areas include constitutional law, American constitutional and legal history, federal courts, and legislative process. Service on the faculty Appointments (Chair); Library Director Search; Academic Policy; Reappointment, Promotion & Tenure (elected); and Self-study Committees; as well as the Committee on Committees (elected).
- Dec. 1999 to June 2003 **Assistant & Associate Professor:** The William S. Boyd School of Law, **Las Vegas, NV**
University of Nevada, Las Vegas. Course taught: federal courts, legislative process & statutory interpretation, criminal law, and conflicts. Law Professor of the Year, selected by student-body vote to receive award for “outstanding instruction” during the 2001-02 academic year. Service on the faculty Curriculum, Promotion & Tenure, Dean’s Advisory, Library Director search, and Academic Enrichment Committees.

SCHOLARLY PUBLICATIONS

- Book “POWERS RESERVED FOR THE PEOPLE AND THE STATES”: A HISTORY OF NINTH AND TENTH AMENDMENTS (Greenwood Press 2006) (with Thomas B. McAfee and Jay S. Bybee) (volume in Praeger Series of Reference Guides to the United States Constitution).
- Articles *Constitutional Forbearance*, 46 U. RICH. L. REV. ____ (forthcoming) (2012 Allen Chair Symposium).
- Foreign Law as Legislative Fact in Constitutional Cases*, 2011 B.Y.U. L. REV. ____ (forthcoming).
- What McDonald Means for Unenumerated Rights*, 44 GA. L. REV. ____ (forthcoming 2011).
- The Pursuit of Perfection: Congressional Power to Enforce the Reconstruction Amendments*, 47 HOUS. L. REV. 579 (2010).
- The Empirical Judiciary*, 25 CONST. COMMENT. 467 (2009) (book review essay).

ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES (David S. Tanenhaus, ed.) (Macmillan, 2008). Thirteen essay entries on landmark constitutional cases, including

- *Bibb v. Navajo Freight Lines*
- *Cleburne v. Cleburne Living Center, Inc.*
- *Duke Power Co. v. Carolina Environmental Study Group, Inc.*
- *Garcia v. San Antonio Metropolitan Transit Authority*
- *Gravel v. United States*
- *Hodel v. Virginia Surface Mining & Reclamation Association*
- *Missouri v. Jenkins*
- *Nixon v. Fitzgerald*
- *City of Philadelphia v. New Jersey*
- *Williamson v. Lee Optical Co.*, and
- *Younger v. Harris*

The Third Death of Federalism, 17 CORNELL J.L. & PUB. POL'Y 101 (2007).

Presidential Signing Statements and Congressional Oversight, 16 WM. & MARY BILL RTS. J.169 (2007) (symposium).

Quirin Revisited, 2003 WIS. L. REV. 309 (with Carl Tobias).

Stopping Time: The Pro-Slavery and "Irrevocable" Thirteenth Amendment, 26 HARV. J.L. & PUB. POL'Y 501 (2003).

Youngstown Revisited, 29 HASTINGS CONST. L.Q. 373 (2002) (with Carl Tobias).

Retroactive Application of "New Rules" and the Antiterrorism and Effective Death Penalty Act, 70 GEO. WASH. L. REV. 1 (2002).

Reading the Law in the Office of Calvin Fletcher, 1 NEV. L.J. 19 (2001) (Symposium on Lawyers in the American West).

Remanding to Congress: The Supreme Court's New "On the Record" Constitutional Review of Federal Statutes, 86 CORNELL L. REV. 328 (2001) (with Timothy J. Simeone).

WORKS IN PROGRESS

Legislative Facts in Constitutional Litigation (taking up questions identified but left unaddressed in *Remanding to Congress*, this work surveys and critiques the U.S. Supreme Court's conflicting approaches to questions of legislative fact material to the constitutionality of a challenged statute).

Nigro v. United States: The Most Disingenuous Supreme Court Decision, Ever, 10 NEV. L.J. ____ (forthcoming 2011) (Symposium on "The Worst Supreme Court Decision, Ever").

EDUCATION

University of Chicago Law School

Chicago, IL

- J.D., High Honors, 1994
- Order of the Coif
- Topic Access Editor, University of Chicago Law Review

Hanover College

Hanover, IN

- B.A., summa cum laude, 1991
- History major, with departmental honors
- Independent Study: "William James and the Nineteenth-Century Crisis in Faith"

NON-ACADEMIC EMPLOYMENT

Fall 1997 to Nov. 1999	Office of Senate Legal Counsel: Assistant Senate Legal Counsel. <u>Represented</u> Senate parties and interests in litigation relating to official Senate business or in which the powers and responsibilities of Congress were placed in question, including: <ul style="list-style-type: none">• Defense of civil suits against Senators as barred by Speech or Debate Clause;• Defense of Ethics Committee attorney's fee decision before U.S. Court of Appeals for the Federal Circuit; and• Opposition to subpoenas seeking privileged testimony or documents. <u>Advised</u> Senate committees and member offices on a wide variety of legal issues, including: <ul style="list-style-type: none">• Procedures for the Impeachment Trial of President Clinton;• Merits of Justice Department positions regarding Free Speech, Free Exercise, Establishment Clause, and Eleventh Amendment challenges to federal statutes;• Objections to Senate subpoenas issued or requests for information made in connection with committee investigations.	Washington, DC
Fall 1995 to Fall 1997 & Summer 1993	Shea & Gardner: Associate. Completed various litigation assignments, including: <ul style="list-style-type: none">• Trial and appellate court briefs, including in U.S. Supreme Court;• Preparation of witnesses for testimony at evidentiary hearings; and• Research memoranda on various legal issues.	Washington, DC
1994-1995	The Honorable James L. Buckley United States Court of Appeals for the District of Columbia Circuit: Law Clerk.	Washington, DC
Summer 1994	United States Department of Justice Federal Programs Branch, Civil Division: Summer Intern.	Washington, DC

Summer 1992 **Geoffrey P. Miller**, Professor of Law, University of Chicago Law School: **Chicago, IL**
Research Assistant. Researched topics in insurance law, banking law, constitutional law, and American legal history.

SERVICE PUBLICATIONS

“Health Care Rulings Are Not About Autonomy,” Cincinnati Enquirer (February 4, 2011).

“Case Could Be a Clue About Court’s Direction,” Cincinnati Enquirer F4 (October 4, 2009).

“Haste Makes Waste,” Nevada Lawyer (May 2001).

“Haste Makes Waste for U.S. Supreme Court: Agreeing to Hear *Bush v. Gore* Left Justices Little Time for Deliberations,” Hanover Quarterly 22 (Spring 2001).

“Court Shouldn’t Have Rushed to Judgment,” Reno Gazette-Journal 11A (December 23, 2000).

“Haste Makes Waste: High Court Didn’t Have the Time to Decide Issue Deliberately” Las Vegas Review-Journal (December 17, 2000).

PRESENTATIONS AND COLLOQUIA

Debate, “The Constitutionality of the Health Reform Individual Mandate,” Empower U Lecture Series, Cincinnati, OH, May 3, 2011.

Scholarship Workshop, “Constitutional Forbearance,” Washington & Lee School of Law, Lexington, VA, March 21, 2011.

Panel Presentation, “The Constitutionality of ‘Obamacare,’” University of Cincinnati College of Law, Cincinnati, OH, March 14, 2011

Judge, We The People Ohio State High School Competition, Columbus, OH, January 28, 2011.

Judge, We The People Ohio State High School Competition, Columbus, OH, January 29, 2010.

Scholarship Workshop, “The Pursuit of Perfection: Congressional Power to Enforce the Reconstruction Amendments,” University of Kansas School of Law, January 15, 2010.

Scholarship Workshop, “The Pursuit of Perfection: Congressional Power to Enforce the Reconstruction Amendments,” University of Toledo College of Law, October 28, 2009.

Scholarship Workshop, "Foreign Law as Legislative Fact in Constitutional Cases," University of Cincinnati College of Law, June 17, 2009.

Scholarship Workshop, "A Typology of Legislative Facts in Constitutional Adjudication," Maurer School of Law, Indiana University, Bloomington, IN, January 23, 2009.

"United States Supreme Court Review," Presentation to the Cincinnati Lawyers Chapter of the Federalist Society for Law and Public Policy Studies, Cincinnati, OH, August 19, 2008.

Scholarship Workshop, "A Typology of Legislative Facts in Constitutional Adjudication," University of Cincinnati College of Law, August 13, 2008.

"*United States v. Santos*," Audio Commentary on Supreme Court's June 2, 2008 ruling, Federalist Society SCOTUScast, http://www.fed-soc.org/publications/pubid.1120/pub_detail.asp

Idea Presentation, Ohio Junior Scholars' Workshop, Ohio State University, Columbus, OH, January 26, 2008.

Judge, We The People Ohio State High School Competition, Columbus, OH, January 25, 2008.

CLE Presentation, "Methods of Statutory Interpretation and the BAPCPA: An Update," Cincinnati Bar Association Bankruptcy Section, Cincinnati, OH, December 13, 2007.

Scholarship Workshop, "Presidential Signing Statements and Congress's Power and Duty to Oversee the Execution of the Laws," University of Cincinnati College of Law, June 20, 2007.

Presentation, "The Supreme Court's Drug Problem," Chase College of Law, Northern Kentucky University, Covington, KY, April 13, 2007.

Panelist, William & Mary Bill of Rights Symposium: *The Last Word?: The Constitutional Implications of Presidential Signing Statements*, Williamsburg, VA, February 3, 2007.

Idea Presentation, Ohio Junior Scholars' Workshop, Capital University Law School, Columbus, OH, January 27, 2007.

Judge, We The People Ohio State High School Competition, Columbus, OH, January 26, 2007.

CLE Presentation, "Methods of Statutory Interpretation and the BAPCPA," Cincinnati Bar Association Bankruptcy Section, Cincinnati, OH, December 2006.

Participant, Moot court/CLE program on *Whorton v. Bockting* (a habeas corpus case then-pending before the U.S. Supreme Court), Boyd School of Law, University of Nevada, Las Vegas, Las Vegas, NV, October 13, 2006.

Presentation, "The Death Penalty and the Eighth Amendment," The Ohio Center for Law-Related Education's Fifteenth Annual Law and Citizenship Conference, Columbus, OH, October 2, 2005.

Judge, We The People Ohio State High School Competition, Columbus, OH, January 28, 2005.

Presentation, "The First Amendment: Explanation & Current Issues," The Ohio Center for Law-Related Education's Fourteenth Annual Law and Citizenship Conference, Columbus, OH, September 26, 2004.

Instructor & Lecturer, Ohio Summer Institute, The Ohio Center for Law-Related Education, Columbus, OH, July 22, 2004.

Presentation, "The Pledge of Allegiance and the First Amendment," The Honorable Steve Chabot's 2004 Congressional Youth Delegation, Cincinnati, OH, April 26, 2004.

Participant, Scholar's Conference, Center for Civic Education, Los Angeles, CA, Jan. 23-26, 2004.

Presentation, "The Fifth Amendment Privilege Against Self-Incrimination," The Ohio Center for Law-Related Education's Thirteenth Annual Law and Citizenship Conference, Columbus, OH, October 27, 2003.

Instructor & Lecturer, Nevada Summer Institute, The Nevada Center for Law-Related Education, Incline Village, NV, August 6-9, 2003.

Participant, Liberty Fund Colloquium, "The Writings of Robert A. Heinlein," Tucson, AZ, December 5-8, 2002.

Presentation, "*Youngstown* Revisited," University of Cincinnati College of Law, Cincinnati, OH, November 25, 2002.

Presentation, "*Ex Parte Quirin* Revisited," University of Wisconsin Law School, Madison, WI, November 8, 2002 (with Carl Tobias).

Instructor & Lecturer, Nevada Summer Institute, The Nevada Center for Law-Related Education, Incline Village, NV, August 1-3, 2002.

Moderator and Panel Chair, "Racial Profiling, Constitutional Issues, and Other Concerns Post September 11," District Conference, United States District Court for the District of Nevada, Reno, NV, April 25-26, 2002.

Panel Member, Continuing Legal Education Program, "Professional Responsibility and Legal Ethics for the Criminal Attorney," held at Lloyd George Courthouse, Las Vegas, NV, December 2001.

Participant, Liberty Fund Colloquium, "The Book of Job and the Human Imagination," held in Indianapolis, IN, October 2001.

Presentation, "The Constitution and the Three Branches of Government," Introduction to Law Week, Boyd School of Law, August 2001.

Participant, Liberty Fund Summer Institute, "The Cradle of English Liberty: Shakespeare and Hume," held in Big Sky, MT, July-August 2001.

Participant, Liberty Fund Colloquium, "Woodrow Wilson: Liberty or Statism?" held in Savannah, GA, November 2000.

Participant, Liberty Fund Colloquium, "Providence, Free Will, and Liberty," Williamsburg, VA, November 2000.

Panel Presentation, "Reading the Law in the Office of Calvin Fletcher," Annual Meeting of the American Society for Legal History, Princeton, NJ, October 2000.

Presentation, "The Legislative Branch," Introduction to Law Week, Boyd School of Law, August 1999 & 2000.

Participant, Liberty Fund Summer Seminar, "Liberal Education and the University," Big Sky, MT, July 2000.

Presentation, "The 2000 Census, Reapportionment, and Redistricting," at Seminar: Current Developments in Law and Public Policy, Boyd School of Law, June 2000.

Participant, Liberty Fund Colloquium, "Liberty and the Four Horsemen," Alexandria, VA, April 2000.

Participant, Liberty Fund Colloquium, "Property and Liberty," Williamsburg, VA, March 2000.

Panel Presentation, "The Supreme Court's End-of-the-Term Federalism Decisions," to Staff, Senate Judiciary Committee, July 1999.

Participant, Liberty Fund Colloquium, "American Judicial Interpretation, Liberty, and Responsibility," November 1998.

Panel Presentation, "The First Thirteenth Amendment," Annual Meeting of the American Society for Legal History, Seattle, WA, October 1998.

Participant, Liberty Fund Summer Seminar, "Confederation, Union, and Liberty," held in Columbia Falls, MT, August 1998.

Participant, Liberty Fund Colloquium, "Liberty and Responsibility in the Thought of Oliver Wendell Holmes, Jr.," held in Santa Fe, NM, October 1997.

MEMBERSHIPS

Admitted to the bar in Illinois and D.C.; Member, American Society for Legal History; Member & Faculty Advisor, Federalist Society.