SUSAN NAVARRO SMELCER

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ACADEMIC APPOINTMENTS

WAKE FOREST UNIVERSITY, DEPARTMENT OF POLITICS & INTERNATIONAL AFFAIRS, Winston-Salem, NC *Teacher/Scholar Postdoctoral Fellow*, 2023–Present

Courses Taught: POL 280: Research Design (Fall 2024, Spring 2024)

POL 227: Law, Courts & Politics (Fall 2024)

POL 225: Constitutional Law: Separation-of-Powers and the Federal System (Spring 2024)

GEORGIA STATE UNIVERSITY COLLEGE OF LAW, Atlanta, GA

Assistant Professor of Law, July 2019–Present (on leave)

Courses Taught: Legal Analytics (Statistical and Machine Learning Methods)

Applied Text Analytics for Law and Business

Civil Procedure, Antitrust Law, Independent Studies in Legal Analytics

Service: Affiliated Faculty, Legal Analytics and Innovation Initiative, 2019–Present

Member, College of Law Recruitment Committee, 2022–2023 *Member*, College of Law Honor Code Committee, 2022–2023

Faculty Advisor, Georgia Association of Women Lawyers, 2022–2023 Member, College of Law Faculty Development Committee, 2019–2022

EDUCATION

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, NY

J.D., May 2016

Honors: Furman Academic Scholar, 2013–2016

New York University Law Review, Senior Online Editor (2015–2016)

Awards: Vanderbilt Medal for Outstanding Contributions to the Law School

Betty Bock Prize in Competition Policy

Law and Economics Prize

EMORY UNIVERSITY, Atlanta, GA Ph.D., Political Science, Aug. 2015 M.A., Political Science, Dec. 2008

Dissertation Title: The Evolution of Dissert in the United States Supreme Court

(Micheal W. Giles, Chair)

Concentrations: Judicial Politics and Constitutional Law, American Public Policy Processes,

Methods (Quantitative Methodology and Game Theory)

Honors: Graduate School of Arts and Sciences Fellowship, 2004–2009

UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, Chapel Hill, NC

B.A. with distinction and highest honors in Political Science, Dec. 2003

Honors Thesis: Without Fear or Favor: The Impact of Political Contributions on Judicial

Decisions (Kevin T. McGuire, Chair)

Selected Honors: North Carolina Fellows Program, Fellow, 2000–2003

Order of the Grail-Valkyries, Inducted 2002

TEACHING INTERESTS

Research Design & Methodology Judicial Politics and Process American Political Development Complex Litigation Computational Text Analysis Constitutional Law Civil Procedure Federal Courts

PUBLICATIONS

WORKS-IN-PROGRESS

"An Institutional History of Dissent" (examining how the Supreme Court's opinion writing practices have evolved over time in response to public opinion and Congressional opposition).

"Beyond the Fine Print: Investigating the Use and Abuse of Boilerplate in Mutual Fund Disclosures" with Anne Tucker & Yusen Xia (providing a comprehensive analysis of boilerplate language in mutual fund disclosures). Presented at the Tenth Annual Corporate & Securities Litigation Workshop at Vanderbilt Law School (Sept. 2023).

"The Effect of Informal En Bancs on Process and Precedent" with Bethany Blackstone and Micheal W. Giles (examining U.S. Courts of Appeals' use of informal en banc mechanisms and the influence of these practices on future interpretation of appellate decisions). Presented at the 2022 Annual Meeting of the Southern Political Science Association (Jan. 2022).

ARTICLES AND BOOK CHAPTERS

Text, Tone, and Legal Language: Analyzing Mutual Fund Disclosure Sentiment, 61 AM. BUS. L.J. ___ (forthcoming 2024) (with Anne M. Tucker & Yusen Xia).

Aggregated Risks: Mutual Fund Disclosures & Market Risks, ___ J. CORP. L. ____ (forthcoming 2023) (with Anne M. Tucker & Yusen Xia).

Antitrust and Consumer Protection Law, in THE LAW OF FRATERNITIES AND SORORITIES (Gregory Parks ed., forthcoming 2023).

Thriving in a Non-Academic Environment, in Non-Academic Careers for Quantitative Social Scientists: A Practical Guide for Maximizing Your Skills and Opportunities (Natalie Jackson ed., 2023) (with Meredith Whiteman Ross).

Foreword: Rethinking Antitrust, 38 GA. ST. U. L. REV. (2022) (with Jeffrey L. Vagle).

Regulating Dynamic Risk in Changing Market Conditions, 13 WM. & MARY BUS. L.R. 775 (2022) (with Anne M. Tucker & Yusen Xia).

Missing Missingness in Merger Analysis, 109 Ky. L.J. 435 (2021).

Divide and Concur: Separate Opinions and Legal Change, 103 CORNELL L. REV. 817 (2018) (with Barry Friedman, Thomas B. Bennett & Andrew D. Martin). Recipient of the 2017–18 Eisenburg Prize for most outstanding article in the field of appellate practice and procedure by the American Academy of Appellate Lawyers.

Compliance Programs and Leniency Applications in Asian Jurisdictions, ABA SECTION OF ANTITRUST LAW CARTEL & CRIMINAL PRACTICE COMMITTEE NEWSLETTER (Fall 2017) (with Nicholas E.O. Gaglio, Jarod Taylor, Kail Jethmalani & Brandon Boxbaum).

Note, Anticompetitive Use of Administrative Trials in Bargaining Over Patent Rights, 91 N.Y.U. L. REV. 1719 (2016).

Where One Sits Affects Where Others Stand: Bias, the Bar, and Nominees to Federal District Courts, 98 JUDICATURE 35 (2015) (with Amy L. Steigerwalt & Richard L. Vining).

Communicating in 140 Characters or Less: Congressional Adoption of Twitter in the 111th Congress, 46 PS:

POL. SCI. & POLITICS 60 (2013) (with Jacob R. Straus, Matthew Eric Glassman & Colleen J. Shogan).

Bias and the Bar: Evaluating the ABA Ratings of Federal Judicial Nominees, 65 Pol. Res. Q. 827 (2012) (with Amy L. Steigerwalt & Richard L. Vining).

Judicial Tenure on the U.S. Supreme Court, 1789–1868: Frustration, Resignation, and Expiration on the Bench, 20 STUD. AM. POL. DEV. 198 (2006) (with Richard L. Vining & Christopher J. Zorn).

OTHER PUBLICATIONS

Pandemic Disclosures: COVID-19 as a "Current Market Condition" for Mutual Funds, COLUMBIA BLUE SKY BLOG (Jan. 5, 2021), https://clsbluesky.law.columbia.edu/2021/01/05/pandemic-disclosures-covid-19-as-a-current-market-condition-for-mutual-funds/ (with Anne M. Tucker & Yusen Xia).

SELECTED CONGRESSIONAL RESEARCH SERVICE REPORTS

Cong. Research Serv. Report R41942, *Vacancies on Article III District and Circuit Courts, 1977-2011: Data, Causes, and Implications* (with Denis Steven Rutkus) (July 28, 2011).

Cong. Research Serv. Report RL30261, *Women in the United States Congress: 1917-2011* (with Jennifer E. Manning & Colleen J. Shogan) (Mar. 18, 2011).

Cong. Research Serv. Report R41299, From Solicitor General to Supreme Court Nominee: Responsibilities, History, and the Nomination of Elena Kagan (with Kenneth R. Thomas) (June 23, 2010).

Cong. Research Serv. Report R41172, *The Role of the Senate in Judicial Impeachment Proceedings: Procedure, Practice, and Data* (April 9, 2010).

Cong. Research Serv. Report R41110, *The Role of the House of Representatives in Judicial Impeachment Proceedings: Procedure, Practice, and Data* (with Betsy Palmer) (Mar. 15, 2010).

Cong. Research Serv. Report R40802, Supreme Court Justices: Demographic Characteristics, Professional Experience, and Legal Education, 1789-2010 (April 9, 2010).

SELECTED PRESENTATIONS

Chair and Discussant for "Choosing Judges" Panel, Midwest Political Science Association Annual Meeting (Apr. 2023)

"Aggregated Risks: Mutual Fund Disclosures & Market Risks." Presented at the Wake Forest Law Faculty Workshop with Anne M. Tucker (Winston-Salem, NC. Feb. 2023).

"Centering Legal Problem-Solving in Data Science Classes for Law Students" in the "Educating Legal Thinkers" Panel, RENCI NSF Conference on Data Science and Law (Chapel Hill, NC. Sept. 2022).

Discussant for "Judges, Courts, and New Technology" Panel, Southern Political Science Association Annual Meeting (San Antonio, TX. Jan. 2022).

"Predicting Regulatory Futures." Presented at the 2021 Univ. of Cincinnati College of Law Corporate Law Symposium (Mar. 2021). Presented at the 2021 Conference of the Online Workshop on Computational Methods in Law (OWCAL) (May 2021).

"Text, Tone, and Legal Language: Analyzing Mutual Fund Disclosure Sentiment" with Anne M. Tucker and Yusen Xia. Presented at OWCAL (Feb. 2021) and the 2021 Univ. of Cincinnati College of Law Corporate Law Symposium (Mar. 2021).

"Missing Missingness in Merger Analysis." Presented at the Drexel University Thomas R. Kline School of Law Faculty Workshop (Dec. 2020).

Chair/Discussant for "Technological Innovation in Legal Practice and Education" Panel, Law & Society Association Annual Conference (Denver, CO. May 2020).

Discussant, Online Workshop on Computational Methods in Law (OWCAL) (Oct. 2019).

Comment on "Questions Involving National Peace and Harmony or Injured Plaintiff Litigation? The Original Meaning of 'Cases' in Article III of the Constitution." Presented at the Georgia State University's Workshop on Law & Linguistics (Oct. 2019).

"Missing Data in Merger Analysis," Presented to the Furman Scholars Seminar at the New York University School of Law (New York, NY. Mar. 2016).

"Anticompetitive Use of Administrative Trials in Bargaining Over Patent Rights," Presented to the Furman Scholars Seminar at the New York University School of Law (New York, NY. Mar. 2015).

"Divide and Concur: Separate Opinions and Legal Change," Presented to the Workshop on Law & Economics at the Northwestern University School of Law (Chicago, IL. Jan. 2015) (with Thomas Bennett & Barry Friedman).

"The Role of Dissent in Legal Development," Presented at the Midwest Political Science Association Annual Meeting Chicago, IL. Apr. 2008).

"Strategic Dissent in the U.S. Courts of Appeals," Presented at the Midwest Political Science Association Annual Meeting (Chicago, IL. Apr. 2006).

"Executive Action and Judicial Independence under International Legal Constraint," Presented at the Midwest Political Science Association Annual Meeting (Chicago, IL. Apr. 2006) (with Emily Ritter).

"Regime Change and Decision-Making in the U.S. Courts of Appeals," Presented at the Midwest Political Science Association Annual Meeting (Chicago, IL. Apr. 2006) (with Bethany Blackstone).

"Supreme Court Justice Tenure and Response to Institutional Reform, 1801–1937," Presented at the Southern Political Science Association Annual Meeting (Atlanta, GA. Jan. 2006) (with Richard L. Vining & Christopher J. Zorn).

"Judicial Tenure on the U.S. Supreme Court, 1789–1868: Frustration, Resignation, and Expiration on the Bench," (with Richard L. Vining and Christopher J. Zorn). Presented at the Law and Society Association Annual Meeting (Las Vegas, NV. June 2006) and the Social Science History Association Annual Meeting (Portland, OR. Nov. 2005).

OTHER PROFESSIONAL EXPERIENCE

AXINN, VELTROP & HARKRIDER, Washington, DC

Associate, Aug. 2016-Apr. 2019

Law Clerk, May 2015–July 2015, Sept. 2015–Jan. 2016

Represented large corporate clients in complex antitrust litigation across a variety of industries. Responsible for researching and drafting briefs supporting motions to dismiss, responding to Plaintiffs' interrogatories and other discovery requests, and communicating with clients and members of joint defense groups. Analyzed deal margin, pricing, and shipping data to assess antitrust risk of potential deals and assist with advocacy. Prepared clients for and advocated for client interests in FTC investigational hearings.

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, NY

Research Assistant for Professor Barry Friedman, Oct. 2014–May 2016

Cleaned and analyzed a dataset of 722,280 observations for a project on lower court citation and use of Supreme Court concurrences. Invited to join the project as a co-author.

Research Assistant for Professor Adam B. Cox, May 2014–May 2016

Analyzed data using NYU's High-Performance Computing Cluster. Created charts and maps for Professor Cox's work examining the *Secure Communities* program.

CONSUMER FINANCIAL PROTECTION BUREAU (LEGAL DIVISION), Washington, DC

Law Clerk, July 2015–Aug. 2015

Researched employment and ethics issues affecting Bureau staff, as well as legal questions related to the Bureau's regulatory authority. Assisted oversight attorneys in reviewing relevant congressional testimony.

CONGRESSIONAL RESEARCH SERVICE, LIBRARY OF CONGRESS, Washington, DC

Analyst on the Federal Judiciary, Jan. 2009–Sept. 2011

Responded to confidential inquiries from congressional clients on issues relating to the operation of the federal courts. Authored and co-authored numerous reports and memoranda examining diverse questions about the judicial appointment process, court administration, and judicial impeachment. Asked to join the Senate Impeachment Trial Committee to assist with and advise on the impeachment trial of Judge G. Thomas Porteous. Coauthored the committee's report (S. Rep. 111-347). Served as a union steward for the Government and Finance Division, CREA Local 75 (IFPTE).

EMORY UNIVERSITY, DEPARTMENT OF POLITICAL SCIENCE, Atlanta, GA

Research and Teaching Assistant for Professor Micheal W. Giles, Thomas G. Walker, Clifford Carrubba, Eric Reinhardt, and Randall Strahan, 2004–2008

Researched various issues relating to Congress and the federal judiciary. Collected and analyzed data on appellate court decision making. Worked as a teaching assistant for American government and research methods classes.

SERVICE, CONSULTING, VOLUNTEER EXPERIENCE

Judicial Politics Section Co-Chair (with Bethany Blackstone), Annual Meeting of the Southern Political Science Association (San Antonio, TX. Jan. 2022).

Pro Bono Consultant, Fulton County Accountability Court (Atlanta, GA. 2019-Present).

Pro Bono Attorney, Children's Law Center (Washington, DC. 2017–2019).

Union Steward, CREA Local 75 (IFPTE), Congressional Research Service, Government and Finance Division (Washington, DC. 2010–2011).

TRAINING AND PROFICIENCIES

Proficient in R, Python, Stata, and LaTeX. Experience with Tableau, Mathematica, and Access. Familiar with Perl and FileMaker Pro.

Received additional training in game theory, quantitative methodology, and data science at the *Empirical Implications of Theoretical Models Summer Institute* (2006) and the *Inter-University Consortium for Political and Social Research Summer Program in Quantitative Methods* (2005, 2008, 2019, 2020).