

January 2021

CURRICULUM VITAE.

Louise Weinberg.

ACADEMIC POSITIONS

William B. Bates Chair in the Administration of Justice, the University of Texas  
(endowed chair formerly held by Charles Alan Wright)

Fellow of the Charles Alan Wright Chair, University of Texas

Raybourne Thompson Professor of Law, University of Texas

Visiting Professor of Law, Stanford University

Professor of Law, Suffolk University

Visiting Professor, American Legal Studies, Brandeis University

Teaching Fellowship, Harvard Law School

EDUCATION.

J.D., Harvard University.

LL.M., Harvard University.

B.A., Cornell University (summa).

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CLERKSHIP.

Hon. Charles E. Wyzanski, Jr., Chief Judge, United States District Court, District of  
Massachusetts, Boston

PRACTICE OF LAW.

Associate in Law (Litigation), Bingham Dana & Gould, Boston, Massachusetts (later  
Bingham McCutchen)

ELECTED MEMBERSHIPS, LEARNED SOCIETIES

American Law Institute (Member)

Adviser (Invited):

Restatement (Third) of Conflict of Laws

Member, Consultative Groups:

Complex Litigation Project  
International Jurisdiction and Judgments  
Federal Courts Revision Project

.  
Association of American Law Schools.

Section on Conflict of Laws

Chair, 2013-2014

Chair, 1990-1991

.  
Section on Admiralty and Maritime Law

Chair, 2005-2006

Section on Federal Courts

Acting Chair, 2004-2005

Chair, 2003-2004

Chair, 2002-2003

World Economic Forum, Davos, Switzerland.

Faculty Fellow, 1995-

.  
Philosophical Society of Texas (Member)

Panel Chair, 2012

Panel, 2017

Panel, 1989

.  
Phi Beta Kappa

Board of Directors, Austin, 2017-

#### OTHER MEMBERSHIPS

American Historical Society  
Society of American Legal History  
Supreme Court Historical Society  
British Studies, University of Texas  
Headliners Club, Austin

Town and Gown Society  
The Tuesday Club

## PUBLICATIONS

### BOOKS

CURIOSLY INFURIATING CASES: THE SUPREME COURT AND THE ECONOMIC RIGHTS OF INDIVIDUALS (in progress)

FEDERAL COURTS: CASES AND COMMENTS ON JUDICIAL FEDERALISM AND JUDICIAL POWER (West 1994) [1200 pp.] & Supplements

CONFLICT OF LAWS (Matthew Bender; LexisNexis 1990, 1996, 2011) (with Vernon, Richman, & Reynolds; latterly with Richman & Reynolds)

FEDERAL COURTS: CASES AND COMMENTS ON JUDICIAL FEDERALISM AND JUDICIAL POWER, 1200 pp. (digital ed., 2016)

FEDERAL COURTS, CUMULATIVE CASE SUPPLEMENTS (digital ed., annual) , *Canvas*, University of Texas Law School)

### ARTICLES

*The Religion Clauses Reconsidered* (in progress).

*The Problem of Speculative Argument* (in progress).

*Sovereign Immunity and Interstate Government Tort*, 54 U. MICH. J. L. REV. 1 (2020) (subject of a faculty Drawing Board Lunch talk, University of Texas, November 5, 2018)

*Age of Unreason: Rationality and the Regulatory State*, 53 U. MICH. J. L. REF. 1-80 (2019) (subject of a faculty colloquium, March 26, 2018)

*Luther v. Borden: A Taney-Court Mystery Solved*, 37 PACE LAW REVIEW 700-764 (2017) (published 2018) (subject of a faculty colloquium, April 27, 2017).

*A Radically Transformed Restatement for Conflicts*, in Symposium, 2015 U. OF ILLINOIS L. REV. 1999-2052 (2015) (top ten in category at SSRN January 20, 2015). Presented at AALS January 2014; subject of a faculty colloquium, October 2016.

BRIEF AMICUS IN SUPPORT OF PETITIONER, *De Joria v. King of Morocco* (2016), co-authors Geoffrey Hazard and Michael Traynor.

*What We Don't Talk About When We Talk About Extraterritoriality: Kiobel and the Conflict of Laws*, 99 CORNELL L. REV. 1471-1531 (2014) (top ten at SSRN in category for January 24, 2014) Presented at AALS meeting on "The New Territorialism," 2013; backstory presented at faculty colloquium, September 7, 2017. Quoted and cited by the U.S. Court of Appeals for the Fourth Circuit in 2016.

*Bill Richman*, 45 U. TOLEDO L. REV. 773-77 (2014) [invited personal tribute; oral history].

*A General Theory of Governance: Due Process and Lawmaking Power*, 54 WM. & MARY L. REV. 1057-1121 (2013).

*Unlikely Beginnings of Modern Constitutional Thought*, 15 U. PA. J. CONST. L. 291-330 (2012) (published in 2013) (This paper made top scores at SSRN on nine (9) different dates. Top three in downloads in political theory, SSRN, then top ten in both constitutional theory and political theory, then top ten in downloads for the two months of July and August 2012, then back to top ten in e-books, political theory, Constitution, in September and October 2012).

*The McReynolds Mystery Solved*, 89 DENV. U. L. REV. 133-160 (2011).

*An Almost Archaeological Dig: Finding a Surprisingly Rich Early Theory of Substantive Due Process*, 27 CONST. COMMENT. 163-176 (2010) (top ten in downloads in category, SSRN, December 30, 2010).

“Courts, United States Federal,” 2 THE OXFORD INTERNATIONAL ENCYCLOPEDIA OF LEGAL HISTORY 255-262 (2009).

*Overcoming Dred*, 24 CONST. COMMENT. 733-770 (2007) (pub. 2008) (top ten in category on SSRN).

*Dred Scott and the Crisis of 1860*, in Symposium, 82 CHI-KENT L. REV. 97-140 (2007) (this article continues to move up fastest of all my articles in numbers of downloads) (SSRN top ten on four different dates; it expresses the argument, in the main, of my unpublished book on *Dred Scott*).

*Theory Wars in the Conflict of Laws*, 103 MICH. L. REV. 1631-1670 (2005).

*Back to the Future: The New General Common Law*, in Symposium, 35 J. MAR. L. & COMM. 523 (2004).

*Our Marbury*, 89 VA. L. REV. 1235-1412 (2003). This article was cited repeatedly by Justice Breyer in his MAKING DEMOCRACY WORK (2014).

“Of Theory and Theodicy: The Problem of Immoral Law,” in LAW AND JUSTICE IN A MULTISTATE WORLD: A TRIBUTE TO ARTHUR T. VON MEHREN, 473-502 (Symeon Symeonides, ed. 2002).

*This Activist Court*, in Symposium, 1 GEO J. L. & PUB. POL. 111-125 (2002).

*When Courts Decide Elections: The Constitutionality of Bush v. Gore*, in Symposium, 82 B.U. L. REV. 609-666 (2002).

*Of Sovereignty and Union: The Legends of Alden*, 76 NOTRE DAME L. REV. 1113-1182 (2001).

*The Article III Box: The Power of “Congress” to Attack the “Jurisdiction” of “Federal Courts,”* 79 TEX. L. REV. 1405-1431 (2000).

*Choosing Law, Giving Justice*, in Symposium, 60 LA. L. REV. 1361-65 (2000).

*A Structural Revision of the Conflicts Restatement*, in Symposium, 75 IND. L. J. 475-535 (2000). This article was cited by Judge Weinstein in the U.S. District Court, Eastern District of New York, the author described as having a “pragmatic mind.”

*Holmes' Failure*, 96 MICH. L. REV. 691-723 (1997).

*Fear and Federalism*, in Symposium, 23 OH. N. U. L. REV. 1295-1342 (1997).

*Methodological Interventions and the Slavery Cases, or, Night-Thoughts of a Legal Realist*, in Symposium, 56 MD. L. REV. 1316-71 (1997).

*The Power of Congress over Courts in Nonfederal Cases*, 1995 B.Y. U. L. REV. 731-817 (1995).

*Political Questions and the Guarantee Clause*, in Symposium, 65 U. COLO. L. REV. 887-946 (1994).

*Mass Torts at the Neutral Forum: A Critical Analysis of the American Law Institute's Proposed Choice Rule*, in Symposium, 56 ALBANY L. REV. 807-854 (1993).

*Is It All Right to Read Trollope?*, 62 THE AMERICAN SCHOLAR 447 (1993) (top 100 downloads January 1994, Victorian Literature, SSRN).

*The Federal-State Conflict of Laws: “Actual” Conflicts*, in Symposium, 70 TEX. L. REV. 1743-1798 (1992) (this article remains first among my downloads on SSRN).

*Against Comity*, 80 GEORGETOWN L. J. 53-94 (1991). This article was cited by the Supreme Court of New Jersey.

*The Monroe Mystery Solved: Beyond the “Unhappy History” Theory of Civil Rights Litigation*, in Symposium, 1991 B.Y.U. L. REV. 737-765 (1991).

*Choosing Law: The Limitations Debates*, in Symposium, 1991 U. ILL. L. REV. 683-725 (1991). This article was cited by the high court of Arizona.

“Lawyers Are Not to Blame,” The Austin- American Statesman, Sept. 5, 1991, at A9 (invited “op-ed”).

*Federal Common Law*, 83 NW. U. L. REV. 805-852 (1989), subject of EDWARD A. PURCELL, JR., BRANDEIS AND THE PROGRESSIVE CONSTITUTION (2000), Ch. IV; (anthologized in A. J. BELLIA, FEDERALISM (2011)).

*The Curious Notion That the Rules of Decision Act Blocks Supreme Federal Common Law*, 83 NW. U. L. REV. 860-875 (1989) (debate with M. Redish). This article was cited by the U.S. Court of Appeals for the D.C. Circuit.

*Irving Younger*, 73 MINNESOTA L. REV. 823-824 (1989) (*in memoriam*).

*The Place of Trial and the Law Applied: Overhauling Constitutional Theory*, in Symposium, 59 COLO. L. REV. 67-104 (1988).

*The Helicopter Case and the Jurisprudence of Jurisdiction*, 58 U.S.C. L. REV. 913-946 (1985).

*The New Judicial Federalism: Where We Are Now*, in Symposium, 19 GA. L. REV. 1075-1096 (1985).

*Insights and Ironies: The American Bhopal Cases*, in Symposium, 20 TEX. INT'L. L. J. 304-319 (1985).

*On Departing from Forum Law*, in Symposium, 35 MERCER L. REV. 595-627 (1984) (Anthologized in A CONFLICT-OF-LAWS ANTHOLOGY (Gene R. Shreve ed. 1997), at 122.).

*Conflicts Cases and the Problem of Relevant Time: A Response to the Hague Symposium*, 10 HOFSTRA L. REV. 1023-1043 (1982). This article was cited by Justice Stevens, concurring and dissenting in *Phillips Petroleum Co. v. Shutts*.

*Choice of Law and Minimal Scrutiny*, 49 U. CHI. L. REV. 440-488 (1982) (anthologized in A CONFLICT-OF-LAWS ANTHOLOGY 339 (Gene R. Shreve ed., 1997).

*A New Judicial Federalism?*, 107 DAEDALUS 129 (Winter 1978), reprinted in A NEW AMERICA? (Graubard, ed., Norton, 1978).

*The New Judicial Federalism*, 29 STAN. L. REV. 1191-1244 (1977) (introducing term and concept, “judicial federalism”); Indexed in STUART, CONCEPTS OF FEDERALISM (1979)). This article is cited by the U.S. Court of Appeals for the Third Circuit.

*The New Meaning of Equity*, 28 J. LEGAL ED. 532-541 (1977).

*The Photocopying Revolution and the Copyright Crisis*, 38 THE PUBLIC INTEREST 99 (1975).

*Choice of Law and the Proposed Federal Rules of Evidence: New Perspectives*, 122 U. PA. L. REV. 594-630 (1974).

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#### CONTRIBUTIONS.

“The New Judicial Federalism,” in FEDERALISM (A J. Bellia, ed., Aspen 2011). The term “judicial federalism” was coined by me in this title, as was noted in STUART, CONCEPTS OF FEDERALISM (1979). The term is now routinely used for chapter or topic headings in most casebooks and treatises on Federal, Courts.

“Federal Common Law,” in FEDERALISM (A. J. Bellia, ed., Aspen 2011).

“Courts, United States Federal,” in II THE OXFORD INTERNATIONAL ENCYCLOPEDIA OF LEGAL HISTORY (2009), at 255-262.

“Of Theory and Theodicy: The Problem of Immoral Law,” in LAW AND JUSTICE IN A MULTISTATE WORLD (2002).

“On Departing from Forum Law,” in A CONFLICT-OF-LAWS ANTHOLOGY 122 (Gene R. Shreve, ed. 1997).

“Choice of Law and Minimal Scrutiny,” in A CONFLICT-OF-LAWS ANTHOLOGY 339 (Gene R. Shreve, ed. 1997).

“A New Judicial Federalism?,” in A NEW AMERICA? (Stephen Graubard, ed., Norton, 1978).

Introductory Remarks, in “Artists in the Nineties,” PROCEEDINGS OF THE ANNUAL MEETING--THE PHILOSOPHICAL SOCIETY OF TEXAS 35 (1989).

Motion and Debate, in PROCEEDINGS OF THE AMERICAN LAW INSTITUTE, 79TH ANNUAL MEETING, at 468-9, 481-3, 485-6 (2002.).

Motion and Debate, in PROCEEDINGS OF THE AMERICAN LAW INSTITUTE, 70TH ANNUAL MEETING at 255, 262, 267-68, 274-75 (1993) (Reprinted in part, 54 LA. L. REV. 837 (1994) by editors of the review as basis of a Symposium).

Motion and Debate, in PROCEEDINGS OF THE AMERICAN LAW INSTITUTE, 69TH ANNUAL MEETING, at 211-216 (1992) (motion carried).

Motion and Debate, in PROCEEDINGS OF THE AMERICAN LAW INSTITUTE, 65th ANNUAL MEETING, at 229-337 (motion carried); Comments, 344-45 (1988).

“The New Judicial Federalism” (STAN. L. REV. 1977) (introducing the concept, “judicial federalism”), indexed in STUART, THEORIES OF FEDERALISM (1979).

#### IN THE SUPREME COURT

Co-author, with Geoffrey Hazard, former Director of the American Law Institute, and Michael Traynor, former President of the American Law Institute, brief *amicus* in *DeJoria v. Maghreb Petroleum Co.*, challenging recognition of a Moroccan judgment [LW furnished the Argument, key statements in the draft, suggested the key cases].<sup>1</sup>

Signatory to several briefs *amicus*, e.g., in *Franchise Tax Bd of Calif. v. Nevada*, the case seeking overrule of *Nevada v. Hall*, in *Zivotovsky v. Clinton*, the Jerusalem passport case., and *Obergefell v. Austria*, the case about the sovereign immunity of Austria as owner of a railroad, in a case brought by an American plaintiff who sustained personal injuries.

#### PRESENTATIONS

#### INVITED AND PROFESSIONAL LECTURES AND TALKS

“Federal Courts at the Border,” AALS joint program, Federal Courts Section and Immigration Section, Washington, D.C., January 4, 2020.

“A Failed Barrister,” Town and Gown, Austin, January 2019.

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<sup>1</sup> Our argument was changed by submitting counsel. He made a single argument not raised in any form below, about due process. Our argument, rather, was that the recognition of a foreign judgment was a question affecting the foreign relations of the United States, and should therefore be governed by the foreign relations law of the United States, rather than the law of a single state [citing considerable Supreme Court authority].

“Saving Nevada v. Hall,” Faculty Drawing Board talk, University of Texas, November 5, 2018

“Luther v. Borden: A Taney Court Mystery Solved,” Faculty Colloquium, University of Texas Colloquium Series, April 27, 2018.

“A Neutrality Difficulty, Faculty Colloquium, University of Texas, March 26, 2018.

“Against Deference,” Drawing Board Lunch, University of Texas, October 30, 2017.

“The Birth and Death of a Great Achievement,” Austin Women’s Club, Austin, May 30, 2017

“A Supreme Court Mystery Solved,” Town and Gown, October 19, 2017.

”A British Atrocity in American Courts,” British Studies Seminar, University of Texas, September 8, 2017.

“Human Rights and the Supreme Court,” Faculty Colloquium, University of Texas, April 26, 2017.

“Foreign Atrocities in American Courts,” public evening lecture, University of North Texas, Denton, March 4, 2017.

“American Legal Positivism,” class in political science, University of North Texas, Denton, March 4, 2017.

“Economic Rights,” University of Texas Law Faculty, Drawing Board Lunch, March 6, 2017

“Constitutional Law and Justice,” Panel, The Philosophical Society of Texas, February 8, 2017, co-panelists Akhil Amar, Philip Bobbitt, Sanford Levinson

“Foreign Atrocities in American Courts,” Town and Gown Society, Austin, November 3, 2016.

“Economic Rights,” Women’s City Club, May 5, 2016.

“Proposing a Radical Transformation for Conflicts Restatements,” AALS panel on “Conflicts Methodology 50 Years after the Death of Brainerd Currie,” Washington, D.C., January 3, 2015, symposium published in the *University of Illinois Law Review*.

“Curiously Infuriating Cases: Economic Rights,” Texas Progressives, Granbury TX October 17, 2014.

“Kiobel,” AALS conference on “The New Extraterritorialism and the Supreme Court,” Louise Weinberg, Chair and Speaker, New York, January 3, 2014, symposium published in the *Cornell Law Review*.

“Kiobel”. Faculty Annual SCOTUS Review, University of Texas Law School, Austin, June 2014.

“Curiously Infuriating Cases,” Town and Gown Society, Austin, October 18, 2012.

“A General Theory of Lawmaking Power,” William & Mary Law Review Symposium on “Law Without a Lawgiver,” Williamstown, Va., February 24-25, 2012, symposium published in the *William & Mary Journal of Constitutional Law*, 2013.

“Unlikely Beginnings of Modern Constitutional Thought,” University of Pennsylvania Institute for Bill of Rights Law, Symposium, “Lessons of the New Deal,” Philadelphia, Pa., January 20, 2012, symposium published in the *University of Pennsylvania Constitutional Law Review*, 2012. .

“From Erie to General Theory,” AALS Annual Meeting, Section on the Conflict of Laws, Washington, D.C., January 7, 2012.

“Unlikely Beginnings of Modern Constitutional Thought,” Drawing Board Lunch, University of Texas Law School, October 4, 2011.

“Origins of Modern Constitutional Analysis,” Annual Southeastern Law Schools Conference, Hilton Head, South Carolina, July 26, 2011.

“Why Secession was Unconstitutional,” State Bar of Texas Annual Meeting, San Antonio, June 25, 2011.

“Polyphonic Federalism,” Conference on Federalism and Its Future, University of Texas Law School, Austin, February 12, 2011.

Lead Senior Faculty Commentator, Federal Courts Junior Faculty Workshop, University of Illinois College of Law Urbana, held at Chicago, October 7-8, 2010.

“The McReynolds Mystery Solved, Town and Gown Society, Austin, September 9, 2010.

“Stop the Beach: A Watershed Case?,” Faculty Annual SCOTUS Review, University of Texas Law School, Austin, August 27, 2010.

“Citizens United: Threat to Our Elected Judiciary,” Faculty Roundup, University of Texas Law School, Austin, February 2, 2010.

“The Supreme Court and the Coming of the Civil War,” Scolia Society, University of Texas, Austin, January 12, 2009.

“Dred Scott and the Crisis of 1860,” Town & Gown Society, Austin, Texas, October 23, 2008.

“The Supreme Court and the Coming of the War,” Austin Civil War Round Table, February 16, 2007.

“The Supreme Court and the Crisis of 1860,” Faculty Workshop, St. Louis University Law School, St. Louis, October 19, 2006.

“Equality and *Dred Scott*,” three-day conference on *Dred Scott v. Sanford*, at the University of Texas Law School March 31, 2006, Symposium published in the *Chicago-Kent Law Review*, 2007.

“The Election of Abraham Lincoln and the Supreme Court,” Faculty Colloquium, Georgia State University Law School, Macon, November 7, 2005.

“The Election of 1860 and the Supreme Court,” Faculty Colloquium, University of Texas Law School, October 7, 2005.

“The Constitutionality of Same Sex Marriage,” Debate with Douglas Laycock and Richard Wilkins, Conference on Same Sex Marriage, *Texas Journal of Civil Liberties and Civil Rights*, March 24, 2005.

“Lincoln’s Election and the Supreme Court,” Conference on “Presidential Elections and the Supreme Court,” University of California (Irvine) & Whittier Law School, Oct. 27, 2004, co-speaker Eric Foner, co-symposiasts Mark Tushnet, Samuel Issacharoff, Richard Pildes.

“A General Theory of *Erie*,” Faculty Drawing Board Lunch, Law School, University of Texas Law School, May 11, 2004.

“The New General Common Law,” Section on Admiralty, Association of American Law Schools, Program on “Federal Common Law Revisited,” Washington, D.C., January 4, 2004, symposium published in the *Journal of Maritime Law & Commerce*, 2005.

“Brief Introduction to *Virginia v. Black*,” Faculty Constitutional Lunch, University of Texas Law School, Austin, July 29, 2003.

“President Bush and the Judiciary,” Government Department, University of Texas, Panel on “The Bush Presidency,” Texas Union Theatre, February 10, 2003, reported in *The Daily Texan*, February 11, 2003.

“Our Marbury,” Section on Federal Courts, AALS, Program on “Marbury v. Madison In Its Bicentennial Year, January 4, 2003. [Recorded Resources Corp. 2003]. Symposium published in *Virginia Law Review*, 2003.

“Did the South Have a Constitutional Right to Secede?,” University of Texas Department of Continuing Education, Austin, November 6, 2002.

“When Courts Decide Elections: Was *Bush v. Gore* Constitutional?,” Section on Federal Courts, Association of American Law Schools, Program on “Courts and Electoral Politics,” Washington, D.C., January 4, 2002 (Recorded Resources Corp. 2002).

“*Bush v. Gore*,” Faculty Colloquium, the University of Texas Law School, Austin, October 23, 2001.

“Judicial Power and the War Powers,” Conference on the War Powers, The Goldwater Chair, Arizona State University, Tempe, Arizona, November 1, 2000.

“Remarks on Crosby,” Faculty Colloquium Panel on “The Burma Case,” University of Texas Law School, Austin, September 8, 2000.

“*Alden v. Maine*,” invited lecture, Conference of the State Chief Justices, the University of Texas Law School, Austin, February 12, 2000.

“Secession: A Constitutional Right?,” Austin Civil War Round Table, October 20, 1999.

“The Power of Congress to Restructure Federal Courts,” symposium published in the *Texas Law Review*, 2000.

“Marbury,” Faculty Constitutional Lunch, University of Texas Law School, Austin, October 12, 1999.

“John Marshall as Founding Father,” Joint Meeting, Daughters of the American Revolution, Texas Chapters, and Sons of the American Revolution, Texas Chapters, Annual Constitutional Luncheon of the Daughters of the American Revolution, Austin, September 25, 1999.

“Remarks on Alden v. Maine,” Faculty Colloquium Panel on “Federalism and the 11th Amendment,” University of Texas Law School, Austin, September 3, 1999.

“A Structural Revision of the Conflicts Restatement,” Association of American Law Schools, New Orleans, January 9, 1999 [Recorded Resources Corp. 1999]. Symposium published in the *Indiana Law Journal*.

“Fear and Federalism,” Fourth Annual Conference on Constitutional Law, Columbus., Ohio, April 10, 1997, symposium published in the *Ohio State Law Review*, 1998.

“Night Thoughts of a Legal Realist,” Association of American Law Schools, Washington, D.C., January 4, 1997, [Recorded Resources Corp. 1997], symposium published in the *Maryland Law Review* (1997).

“The Justiciability of Political Questions,” Annual Rothgerber Conference on Constitutional Law, Conference on “The Guaranty Clause,” University of Colorado, Boulder, Colorado, March 18, 1994, Symposium published in the *Colorado Law Review* (1994).].

“Choosing Liability Law for Mass Torts,” Symposium on “Thirtieth Anniversary of Babcock v. Jackson, Albany Law School, Albany, New York, February 15, 1993, Symposium published in the *Albany Law Review* (1994).

“Federal-State Conflicts,” program on “Federal Conflicts Law,” Association of American Law Schools, Section on Conflict of Laws, San Antonio, January 4, 1992. [Recorded Resources Corp. 1992.], symposium published in the *Texas Law Review* (1992).

“Federal Common Law,” Faculty Colloquium, University of San Diego Law School, April 5, 1991.

“Federal Courts: Forum for Public Interest Litigation,” Fourth Annual Thomas P. O'Neill Symposium in American Politics, Boston College, Boston, Massachusetts, October 21, 1988.

“The Limitations Debates and the Impact of *Wortman*,” Association of American Law Schools Workshop on Conflict of Laws, Washington, D.C., July, 1988 [Recorded Resources Corp. 1988], symposium published in *Illinois Law Review* 1989.

“The Relation between Jurisdiction and Choice of Law,” AALS Section on Conflict of Laws, Los Angeles, January 6, 1987 [Recorded Resources Corp. 1987], symposium published in the *Illinois Law Review*, 1988).

“The Problem of Relevant Time,” AALS Section on Conflict of Laws, 1984, [Recorded Resources Corp. 1984], symposium published in the *Mercer Law Review*, 1984.

TALKS, GENERAL AUDIENCES.

“A Failed Barrister, W. S. Gilbert” Town and Gown, Austin, April 2019

“Comments on AINSLIE, THE FIGHT TO SAVE JUAREZ,” Salon Dinner Series, The Westwood, February 11, 2017

“Constitutional Law and Justice,” Panel, The Philosophical Society of Texas, February 5, 2017, co-panelists Akhil Amar, Philip Bobbitt, Sanford Levinson

“Comments on REID, DALLAS: FIFTY YEARS LATER,” Salon Dinner Series, The Westwood, November 12, 2016

“International Human Rights in American Courts: The Rise and Fall,” Town and Gown Society, Austin, November 3, 2016.

“Economic Rights,” Women’s City Club, Austin, May 5, 2016.

Invited remarks, “Stephen Saunders and the Rule Against Perpetuities,” Town and Gown,” April 7, 2016.

“Curiously Infuriating Cases,” Town and Gown Society, Austin, October 18, 2012).

“Comments on AMANDA EYRE FORD, UNDER THE SAME SKY,” Salon Dinner Series, The Westwood, February 19, 2016.

“The McReynolds Mystery Solved: The Deeper Facts and the Darker Side,” Town and Gown Society, Austin, September 9, 2010.

“The Curious Persistence of Savoyards: Law and Politics in Gilbert and Sullivan,” British Studies, The University of Texas, September 18, 2009.

“The Supreme Court and the Coming of the Civil War,” Scholia Society, Austin, January 12, 2009.

“Dred Scott in the Election of Abraham Lincoln,” Town and Gown Society, Austin, October 23, 2008.

“The Supreme Court and the Coming of the Civil War,” Austin Civil War Round Table, February 15, 2007.

“The Antebellum Struggle,” The Tuesday Club, Austin, February 2007.

“The Supreme Court,” Parts 1 and 2, Public Broadcasting System, first aired January 31, 2007.

Videotaped readings, Milton’s “Paradise Lost,” University of Texas, August, 2006.

“The Judicial Review Controversy,” QUEST, University of Texas, Austin, January 27, 2006.

“The Marshall Court” and “The New Deal Court,” Austin, Public Broadcasting Service televised interviews, August 3, 2005.

“Barry Unsworth’s *Pascali’s Island*,” University of Texas Law School, August 23, 2004 and August 29, 2006.

“Reading Modern Poets,” Panel, University of Texas, Harry Ransom Center, Austin, August 12, 2004.

“The Marshall/Jefferson Controversy,” Public Broadcasting Service, televised interview, June 12, 2004.

“Tom Stoppard’s *Copenhagen*,” The Tuesday Club, Austin, October 9, 2002.

“The New Judicial Activism,” The Tuesday Club, Austin, February 2, 2001.

“John Marshall as Founding Father,” Daughters of the American Revolution, Texas Chapters, and the Sons of the American Revolution, Texas Chapters; Annual Joint Luncheon Meeting, Austin, September 25, 1999.

“Secession: A Constitutional Right?,” Austin Civil War Round Table, October 19, 1999.

“Romantic Poems,” Honors Program, University of Texas, Austin, February 14, 1995.

“The Model of the American System of Civil Justice,” World Economic Forum, Davos, Switzerland, January 10, 1995.

“Interview,” Spiro Show, Austin Community Television, November 4, 1993.

“The Trollope Mystique,” in “A Trollope Roundtable,” British Studies Seminar, University of Texas, Austin, January 22, 1993.

“Art in the 1990's,” Philosophical Society Annual Meeting, San Antonio, Texas, December, 1989.

“Law as Design: Does Neatness Count?,” 37th Annual International Design Conference, Aspen, Colorado, July 11, 1987.

“Women and Success,” 37th Annual International Design Conference, Aspen, Colorado, July 12, 1987.

“The Formalist Impulse in Law,” Faculty Center, University of Texas at Austin, November, 1987.

“The Litigious American,” Faculty Center, University of Texas at Austin, November, 1985.

#### RECORDINGS AND VIDEO.

Audio Podcast, “Proposing a Radical Transformation for Conflicts Restatements,” Washington, D.C., January 3, 2015.

Audio Podcast, “Kiobel,” AALS, New York, N.Y., January 3, 2014 .

Audio Podcast, “General Theory of Lawmaking Power,” AALS, Washington D.C., January 2012.

Audio Podcast, “Polyphonic Federalism,” Conference on Federalism and Its Future, University of Texas Law School, Austin, February 12, 2011.

PBS Series, “The Supreme Court,” Parts I and II, released January 2007 (DVD).

Videotaped readings, Milton’s “Paradise Lost,” University of Texas, August, 2006.

“Our Marbury,” Association of American Law Schools, Section on Federal Courts, Program on “Marbury v. Madison In Its Bicentennial Year,” January 4, 2003 (Recorded Resources Corp. 2003).

“When Courts Decide Elections: Was Bush v. Gore Constitutional?,” Association of American Law Schools, Section on Federal Courts, Program on “Courts and Electoral Politics,” January 4, 2002 (Recorded Resources Corp. 2002).

“A Structural Revision of the Conflicts Restatement,” Association of American Law Schools, Section on Conflict of Laws, New Orleans, January 9, 1999 (Recorded Resources Corp. 1999).

“Night Thoughts of a Legal Realist,” Association of American Law Schools, Section on Conflict of Laws, Washington, D.C., January 4, 1997 (Recorded Resources Corp. 1997).

“Federal-State Conflicts,” Association of American Law Schools, Section on Conflict of Laws, program on “Federal Conflicts Law,” Association of American Law Schools Annual Meeting, Section on Conflict of Laws, San Antonio, TX., Jan. 4, 1992 (Recorded Resources Corp. 1992).

“The Limitations Debates and the Impact of Wortman,” Association of American Law Schools, Section on Conflict of Laws, Workshop on Conflict of Laws, Washington, D.C., July, 1988 (Recorded Resources Corp. 1988).

“The Relation between Jurisdiction and Choice of Law,” Association of American Law Schools, Section on Conflict of Laws, Los Angeles, January, 1987 (Recorded Resources Corp. 1987).

#### PUBLISHED LETTERS.

Letter, “Illogical Beliefs,” Austin-American Statesman (June 2008).

Letter, “Bilingual Education,” Austin-American Statesman (August 9, 2008).

Letter, “Roe v. Wade Revisited,” Austin-American Statesman (April 29, 2005).

Letter, “Read Column in Reverse,” Austin-American Statesman, Sunday, Jan. 25, 2003.

Letter, “Taxing Gas at the Pump,” Commentary Magazine, Dec. 2002, at 4, response from James Woolsey at 5-6.

Letter, "Tort Truths," Austin-American Statesman, Nov. 21, 2002, at A20.

Letter, "Acting in Despair," Austin-American Statesman, April 12, 2002, at A12.

Letter, "Change Our Policies?" Austin-American Statesman, Nov. 18, 2001, at J2.

SSRN Author Page

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Faculty Web Page with links to publications

<http://www.utexas.edu/law/faculty/lw482>

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Conflict of Laws

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