

Publications

The Case Against Race-Based Quotas in Pharmaceutical Trials, 49 AM. J.L. & MED. 1 (2023) (lead article).

Anti-Semitism and the Overlooked Benefits of Allowing “Hate Speech,” 11 IND. J.L. & SOC. EQUALITY 197 (2023).

Legal Recourse for Victims of Blockchain and Cyber Breach Attacks, 23 U.C. DAVIS BUS. L.J. 135 (2023) (with Brian Elzweig and Lawrence J. Trautman) (lead article).

Unlocking the Beauty from Within Title VII: Arguing for An Expansive Interpretation of Title VII to Protect Against Attractiveness Discrimination, 31 AM. U. J. GENDER, SOC. POL’Y & L. 25 (2023).

Declassified: Unintended Consequences of Racial Classifications, 12 TENN. J. RACE, GENDER & SOC. JUST. 81 (2023).

Howard Law School, Race, and Peer Rankings: The Increasing Correlation Between Racial Salience and Preferential Rankings, 59 WILLAMETTE L. REV. 189 (2023).

Not Necessarily What You Think: Comparing Candidates’ Expectations and Perception in Relationships with Executive Recruiters (with Carlos Baldo, Justin D. Wareham, Johnny Snyder), 30 INT’L J. OF EMP. STUD. 51 (2023).

Excluding Crypto-Exposed Companies from ESG Funds, DUKE FIN. ECON. CENTER FINREG BLOG (Feb. 13, 2023).

The Relationship Between Violent Victimization and Vaping: Results from Monitoring the Future, 74 INT’L J. L. CRIME & JUST. 1 (2023)(with Jun Wu).

Unnecessary, Counterproductive, and Unjust: The Case Against Hate Crime Legislation, 30 GEORGE MASON L. REV. FORUM 12 (2023).

Is AI Friend or Foe: Legal Implications of Rapid Artificial Intelligence Adoption, 26 ATLANTIC L.J. 2 (2023)(lead article).

Alternative Dispute Resolution in Brief, open access primer (2023)(with Larry D. Foster, David Orozco, Carrie Shu Shang, Lawrence J. Trautman).

The Longer They Are, the More Citations They Receive: How Impact Factor Punishes Concise, Legal Scholarship, U. N. TEX DALL. L. REV. ON CUSP (Spring 2023).

Why the Innocent Plead Guilty and the Guilty Go Free: A Critical Analysis of Judge Rakoff's Book, U. N. TEX DALL. L. REV. ON CUSP (Spring 2023).

Taxes and Athletic Performance: Why NBA Players Perform Better in Low-Tax States, CONDUCT DETRIMENTAL (August 3, 2023).

Making the Case for the Other Side: How Bérubé and Ruth's Anti-Academic Freedom Advocacy Demonstrates the Importance of Protections, 50 S.U. L. REV. 72 (2023).

Legal Liability of a 51%, Goldfinger Cryptocurrency Attack (with Brian Elzweig and Lawrence J. Trautman), DUKE FIN. ECON. CENTER FINREG BLOG (December 28, 2022).

Good Things Come in Small Semesters: Mini-Session Classes as a Method for Serving At-Risk and Minority Students (with Chuck Pier and Andy Tiger), 25 ATLANTIC L.J. 2 (2022) (lead article).

I Knew It All Along: The Promising Effectiveness of a Pre-Jury Instruction at Mitigating Hindsight Bias, 74 BAYLOR L. REV. 307 (2022).

Legality of Racial Discrimination in the Distribution of Lifesaving COVID-19 Treatments, 19 IND. HEALTH L. REV. 315 (2022).

Subsidizing the Unvaccinated: Considering the Legality and Practicality of Vaccine Mandates for Those on Public Assistance, 48 NOTRE DAME J. LEGIS. 201 (2022).

"Officer-Involved Shootings": How the Exonerative Tense of Media Accounts Distorts Reality, 12 U. MIA RACE & SOC. JUST. L. REV. 53 (2022).

"Be a Lot Cooler if You Didn't": Why Judges Should Refrain from Pop Culture References in Judicial Opinions, 46 J. LEGAL PRO. 139 (2022).

The Ethics of Investing in Cryptocurrencies, (with Dr. Ruben Ceballos) 21 FLA ST. BUS. REV. 69 (2022).

The Curious Case of Howard Law School's Peer Ranking, 23 RUTGERS RACE & L. REV. 299 (2022) (lead article).

The Real Cost of Fake News: Smartmatic's \$2.7 Billion Defamation Lawsuit Against Fox News, 47 U. DAYTON L. REV. 17 (2022) (lead article).

Buck v. Bell: Understanding Its Past, Present, and Future, 42 REV. OF LITIG. BRIEF 1 (2022).

Capitol Offense: Is Donald Trump Guilty of Inciting a Riot at the Capitol?, 15 J.L. & PUB. POL'Y 483 (2022).

Censorship by any Other Name: A Response to Nadine Strossen on Private Censorship Online, 61 WASHBURN L.J. 85 (2022).

Triple-Blind Review as a Solution to Gender Bias in Academic Publishing, a Theoretical Approach, 47 STUD. HIGHER EDUC. 247 (2022).

Stagflation in American Jurisprudence, (with Chad Marzen) 42 PACE L. REV. 1 (2022) (lead article).

We Must Raise Taxes on the Rich [Citations Needed]: A Critical Review of Tax the Rich! and the Patriotic Millionaires, 41 A.B.A. TAX TIMES 1 (May 26, 2022).

Is the Tax Code Racist? A Critique of Dorothy Brown's The Whiteness of Wealth, 21 APPALACHIAN J. L. 1 (2022)(lead article).

Brian Flores's Employment Discrimination Lawsuit Against the NFL: A Game Changer or Business as Usual?, 29 MOORAD SPORTS L.J. 299 (2022).

Good for the Goose but Not for the Gander: Biden's Promise to Appoint a Black Female to the Supreme Court and Title VII Principles, 9 TEX. A & M L. REV. ARGUENDO 1 (2022).

Does Voter Fraud Pay? Texas Lt. Gov. Dan Patrick's \$1 Million Voter Fraud Offer, 48 MITCHELL HAMLINE AMICUS CURIAE 1 (2022).

A Simple Pretrial Prompt May Combat Jurors' Hindsight Bias, LAW360 (Oct. 6, 2022).

Understanding the 'Underclass': Analyzing the Role of Adjuncts in Higher Education, 76 HIGHER EDUC. Q. 1 (2022).

Dershowitz Misses the Mark on Free Speech: A Review of The Case Against the New Censorship, 46 S. ILL. U. L.J. 461 (2022).

The Amendability Paradox: Could an Unamendable Amendment Be Amended?, 40 QUINNIPIAC L. REV. 379 (2022).

Choosing Industries Wisely: A Case of Professionals Taking up the Wrong Tree, (with Christine Noel) 36 J. BUS. CASES & APPLICATIONS 1 (2022).

Desperate Measures for Desperate Times: Can Physicians Refuse to Treat Unvaccinated Patients?, 56 NEW ENG. L. REV FORUM 1 (2022).

Justice by Algorithm: Are Artificial Intelligence Risk Assessment Tools Biased Against Minorities?, (with Dr. Jun Wu) 16 S. J. POL'Y & JUST. 2 (2022).

Letterhead Bias and Blind Review: An Analysis of Prevalence and Mitigation Efforts, 2022 U. ILL. L. REV. ONLINE (JAN. 31, 2022).

Viewing Sports as Legal Systems: A Review of The Jurisprudence of Sport, JOHN MARSHALL L. REV. Online (April 21, 2022).

Botched Statistics on Botched Executions: Refuting Austin Sarat's Claims, MITCHELL HAMLINE AMICUS CURIAE (May 19, 2022).

Precise Punishment: Why Precise Punitive Damage Requests Result in Higher Awards than Round Requests, 10 MICH. BUS. & ENTREPRENEURIAL L. REV. 179 (2021).

Reducing Mass Incarceration Through Cost Salience: Why Juries Should Be Told the Cost of Incarceration, 5 UCLA CRIM. JUST. L. REV. 103 (2021).

Rage Against the Voting Machine: Dominion's Defamation Lawsuit Against Sidney Powell, 26 ILL. BUS. L.J. 1 (2021)(lead article).

No, the Firing Squad is Not Better than Lethal Injection: A Response to Stephanie Moran's A Modest Proposal, 44 SEATTLE U. L. REV. 357 (2021).

Coronavirus "Cures" and the Courts (with Chad Marzen), 12 WM. & MARY BUS. L.J. 1 (2021) (lead article).

Group Projects in Higher Education: How Demographic Factors Affect Student Perceptions of Grading, Leadership Roles, Assessment, and Applicability, 21 J. HIGHER EDUC. THEORY & PRAC. 13 (2021) (lead article).

'Victim' or 'The Deceased': Why Kyle Rittenhouse's Verdict Could Depend on the Distinction, HARV. L. REV. BLOG (November 9, 2021).

Racial Preferences in COVID-19 Vaccination: Legal and Practical Implications, 5 HOW. HUM. & CIV. RTS. L. REV. 141 (2021).

Online Law Journals as Legal Scholarship: A Survey of Faculty Perceptions, 61 JURIMETRICS 171 (2021) (lead article).

A Second Bite at the Apple: What Obergefell v. Hodges Should Have Said, 10 Ark. J. Soc. Change & Pub. Serv. 1 (2021).

Reasonable Doubt Ratcheting: How Jurors Adjust the Standard of Proof to Reach a Desired Result, 95 N.D. L. REV. 281 (2021).

Males Need Not Apply: Assessing the Legality of American University Business Law Review's All-Female Issue, 36 TOURO L. REV. 65 (2021).

Using the Kyle Rittenhouse Trial to Illustrate Standards of Evidence, in RECIPES FOR TEACHING BUSINESS LAW (Academy of Legal Studies in Business ed., 2021) (ebook).

The Long Shortlist: Women Considered for the Supreme Court, 10 J. RACE, GENDER, AND ETHNICITY 38 (2021).

Andrew Koppelman's Proposal: A Lose-Lose Solution for Religious Liberty and Gay Rights, 15 IDAHO CRITICAL LEGAL STUD. J. 1 (2021)(lead article).

A Multilevel Integrated Model of i-deals, Job Embeddedness and Individual and Group Level Turnover, 29 INT'L. J. OF EMP. STUD. 25 (2021)(with Satvir Singh).

Inclusivity in the Business Law Classroom, 13 S. J. BUS. & ETHICS 134 (2021).

Appellate Inequality Is Not a Virtue: A Response to Brett Parker's Is Death Different to Federal Judges?, 11 HOUS. L. REV.: OFF REC. 60 (2021).

Putting It in Neutral: How the Sequence, Severity, and Sincerity of Information Presentation Affect Student Opinions, 41 N. E. J. LEGAL STUD. 39 (2021).

No Quick Fix: An Analysis of the Challenges Law Schools Face, 27 J.L. BUS. & ETHICS 65 (2021).

What's Bad for the Goose is Bad for the Gander: Censorship Is Harmful Whether Done by the Government or Private Industry, 44 W. NEW ENG. L. REV 1 (2021).

Is Michael Scott's Promise a Contract?, in RECIPES FOR TEACHING BUSINESS LAW (Academy of Legal Studies in Business ed., 2021) (ebook).

The Big Problem with the Small Penis Rule: Why It Does Not Limit Defamation Liability, NEB. L. REV.: BULL. (March 17, 2021).

Double-Blind Review as a Solution to Gender Inequality in Legal Scholarship, 8 ROCKY MOUNTAIN L.J. 94 (2021)(with Satvir Singh).

Factors Affecting Punitive Damage Awards, 21 FLA. COASTAL L. REV. 1 (2021).

Flawed Logic for Death Penalty Abolition: An Analysis of Unrequited Innocence in U.S. Capital Cases, JOHN MARSHALL L. REV. Online (Mar. 8, 2021).

How Transgender and Non-Binary People are Ignored in the Male-Only Military Draft Debate, 2021 U. ILL. L. REV. ONLINE 215 (July 11, 2021).

Constitutionally Vague Class Punishment, in RECIPES FOR TEACHING BUSINESS LAW (Academy of Legal Studies in Business ed., 2021) (ebook).

Setting the Record Straight on the Death Penalty: A Critical Review of American Roulette, 42 LA VERNE L. REV. 149 (2021).

A Felon Among Us: Should Felons Be Allowed on Juries? 34 REGENT L. REV. 133 (2021).

An Uphill Battle for Reparationists: A Quantitative Analysis of the Effectiveness of Slavery Reparations Rhetoric, 10 COLUM. J. RACE & L. 33 (2020).

How Do You Plead and Why? How Attorney Experience and Defendant Background Affect Plea Bargaining, 17 OHIO ST. J. CRIM. L. 409 (2020).

Two Classifications Enter, One Classification Leaves: Are UFC Fighters Employees or Independent Contractors?, 29 S. CAL. INTERDISC. L. REV. 227 (2020).

Victim or Complaining Witness: The Difference Between Guilty and Not Guilty, 57 SAN DIEGO L. REV. 423 (2020).

Running up Against the Civil Rights Act: Does Joe Biden's Promise of a Female Running Mate Violate Title VII?, 27 CARDOZO J. EQUAL RTS & SOC. JUST. 19 (2020).

#MeToo Effects on Juror Decision Making, 11 CAL. L. REV. ONLINE 179 (2020).

No Safe Spaces: A Distorted Image of a Clear Problem, 2019 PEPP. L. REV. 80 (2020).

The Inflation of Black Crime Statistics: Age-Adjusted Rates Paint a More Accurate Picture, 25 SOC. JUST. L. REV. 40 (2020).

Good for Thee, but Not for Me: How Bisexuals Are Overlooked in Title VII Sexual Orientation Arguments, 11 U. MIAMI RACE & SOC. JUST. L. REV. 33 (2020).

The Alford Plea Turns Fifty: Why It Deserves Another Fifty Years, 54 CREIGHTON L. REV. 1 (2020) (lead article).

Political Ideology and Law School Rankings Measuring the Conservative Penalty and Liberal Bonus, 2020 U. ILL. L. REV. ONLINE 178 (Aug. 30, 2020).

The Reasonable Robot Standard: Bringing Artificial Intelligence Law into the 21st Century, YALE J. L. & TECH. THE RECORD (Sep. 4, 2020).

"The Most Demanding Test Known to Constitutional Law": Do Coronavirus Bans on Church Services Satisfy Religious Freedom Restoration Act Requirements?, 60 WASHBURN L.J. 63 (2020).

An Uphill Battle for Free Speech Advocates: A Quantitative Analysis of the Effectiveness of Free Speech Rhetoric, 45 J. LEGAL PRO. 55 (2020).

Charged Advocacy: A Critical Review of Emily Bazelon's Charged, 29 KAN. J.L. & PUB. POL'Y ONLINE 13 (2020).

The Truth Can Be Deceiving: How Criminal Justice Headlines Are Misinterpreted, NE. U. EXTRA LEGAL (Mar. 21, 2020).

Examining Death Penalty Ballot Measures: A Review of Austin Sarat's The Death Penalty on the Ballot, 18 SEATTLE J. SOC. JUST. 1 (2020).

Litigation as U.S. History: A Review of Litigation Nation, 22 ATLANTIC L.J. 70 (2020).

Please Allow Myself to Pardon . . . Myself: Arguing in Favor of the Presidential Self-Pardon, 97 DETROIT MERCY L. REV. 291 (2020).

The Road Less Traveled: Abolishing the Death Penalty on Substantive Due Process, Fundamental Right to Life Grounds, LOY. U. CHI. L.J. ONLINE (Jan. 16, 2020).

There's No Lawsuits in Baseball: Houston Astros' Liability for Sign Stealing, 9 MISS. SPORTS L. REV. 1 (2020) (lead article).

How Sensory Processing Sensitivity Affects Juror Decision-Making, 97:2 DETROIT MERCY L. REV. ONLINE 1 (2020).

Coronavirus and Mass Incarceration, IND. L. REV. BLOG (2020).

Online Law Journals as Legal Scholarship: A Survey of Faculty Perceptions, VAND. J. ENT. & TECH. L. BLOG (2020).

Life Hangs in the Balance: Weighing Coronavirus Church Closings Against the Religious Freedom and Restoration Act, NW U. L. REV. ONLINE (2020).

When "Literally" Literally Means "Figuratively": One America News Network v. Rachel Maddow, FORDHAM INTELL. PROP. MEDIA & ENT. L.J. BLOG (Sept. 19, 2020).

Disappearing Act: Are Free Speech Rights Decreasing?, 51 ST. MARY'S L.J. 699 (2020).

The Silent Justice Speaks: Clarence Thomas in His Own Words, GA. L. REV. ONLINE (Aug. 5, 2020).

Faculty Perceptions of Online Law Journals, 30 MIDWEST L.J. 4 (2020) (lead article).

The Enigma of Clarence Thomas: A Critical Analysis, 13 ELON L. REV. 383 (2020).

Effective Death Penalty Abolitionist Rhetoric: A Quantitative Analysis of What Works, 7 LINCOLN MEMORIAL L. REV. 78 (2020).

The Overlooked Benefits of Hate Speech: Not Just the Lesser of Two Evils, 60 S. TEX. L. REV. 687 (2020).

In Defense of Plea Bargaining: Answering Critics' Objections, 47 W. ST. U. L. REV. 1 (2020) (lead article).

It's Not What It Looks Like: How Claims of Self-Publishing Bias in Legal Scholarship Are Exaggerated, 39 QUINNIPIAC L. REV. 1 (2020) (lead article).

The Extremes of Rap on Trial: An Analysis of the Movement to Ban Rap Lyrics as Evidence, 95 IND. L.J. SUPPLEMENT 50 (2019).

Hate Speech: An Analysis of Free-Speech Advocacy, 8 ARK. J. SOC. CHANGE & PUB. SERV. 1 (Sept. 16, 2019) (lead article).

Painting a Deceptive Portrait: A Critical Review of Deadly Justice, 22 NEW CRIM. L. REV. 223 (2019).

Unsportsmanlike Conduct? The NFL's Response to the Kneeling Controversy, (with Dr. Christine Noel) 12 J. ETHICAL & LEGAL ISSUES (2019).

The Effectiveness of Bayesian Jury Instructions in Mitigating the Defense Attorney's Fallacy, 9 HOUS. L. REV.: OFF REC. 73 (2019).

Combating Arbitrary Jurisprudence by Addressing Anchoring Bias, 97 WASH. U. L. REV. ONLINE 1 (2019).

Can You Truly Be Happy in Law School? An Analysis of Law School Advice, 53 U. RICH. L. REV. ONLINE 63 (2019).

The Value of Employment Counteroffers, IVEY BUS. J.: IBJ INSIGHTS (May/June 2019).

Can a President Pardon Himself? Law School Faculty Consensus, NE. U. EXTRA LEGAL (2019).

A Stretch Too Far: Flaws in Comparing Slavery and the Death Penalty, DENVER L. REV. FORUM (2019).

Wrestling with Employment Classifications: Are WWE Wrestlers Independent Contractors?, 70 LABOR L.J. 165 (2019) (lead article).

Abandon Hope of Objective Constitutional Interpretation All Ye Who Enter Here: Chemerinsky's Expansive New View of Constitutional Interpretation, 10 HOUS. L. REV.: OFF REC. 1 (2019).

John Roberts: Shedding Light on a Secretive Man, NE. U. L. REV. F. (September 5, 2019).

Was the 'Trump Bump' a One-Time Phenomenon for Charities, 32 CHRON. PHILANTHROPY 50 (NOV. 5, 2019).

The Icing on the Cake: How Background Factors Affect Law Faculties' Predications in Masterpiece Cakeshop, 9 CONLAWNOW 227 (2018).

Supreme Court Coverage: Using Kelo and Citizens United to Measure Media Bias (with Louis S. Nadelson), NEB. L. REV.: BULL. (June 27, 2018).

Did Your CEO Accidentally Offer to Sell a \$30 Million Harrier Jet?, 21 J. BUS. CASES & APPLICATIONS (2018).

The Effects of Race and Gender on Attorney Selection, 20 RUTGERS RACE & L. REV. 1 (2018) (lead article).

Walking on a Wire: The Delicate Balance of Free Speech on College Campuses, 9 HOUS. L. REV.: OFF REC. 35 (September 18, 2018).

Innocent or Inconclusive: Analyzing Abolitionists' Claims About the Death Penalty, NEB. L. REV.: BULL. (September 4, 2018).

How Coloradans View Attorneys, 47 COLO. LAW. 14 (2018).

Dershowitz on Presidential Impeachment: An Analysis of the Case Against Impeaching Trump, 10 CONLAWNOW 501 (2018).

Negligent Admissions: Was It Unethical to Recruit Marcus Johnson?, 4 J. CASE RES. & INQUIRY 12 (2018).

Lacking Evidence: A Response to Jeffrey Bellin's The Evidence Rules That Convict the Innocent, ____ MITCHELL HAMLINE SUA SPONTE ____ (forthcoming 2023).

The Right-to-Repair: Advocacy and Jurisprudence, ____ JURIMETRICS ____ (forthcoming 2023).

Student Gender Bias in College Class Selection, ____ J. BUS. L. & ETHICS PEDAGOGY ____ (with Andrew Tiger)(forthcoming 2023).

Hauntingly Fun Legal Environment of Business Topics for a Halloween-Themed Class, 31 S. L. J. ____ (forthcoming 2023).

Law School Rankings and Political Ideology: Measuring the Conservative Penalty and Liberal Bonus with Updated 2023 Rankings Data, ____ NOTRE DAME J.L. ETHICS & PUB. POL'Y ONLINE ____ (forthcoming 2023).

Information Leaking and the United States Supreme Court, ____ BYU J. PUB. L. ____ (forthcoming 2023).

Pepsi's Harrier Jet Commercial: A Class Activity Covering Contract Formation and More, ____ W. L. & Bus. Rev. ____ (forthcoming 2023).

Grandstanding or Gotcha: Asking Ketanji Brown Jackson "Can You Provide a Definition for the Word 'Woman'?", ____ NEW ENG. L. REV FORUM ____ (forthcoming 2023).

Breaking the Stalemate on Supreme Court Term Limits with Delayed Implementation Legislation, ____ NEW ENG. L. REV FORUM ____ (forthcoming 2023).

Putting Cryptocurrency in Its Place: The Case for Why ESG Funds Should Exclude Cryptocurrency-Exposed Companies, ____ BERKELEY BUS. L.J. ____ (forthcoming 2023)(with Jason Malone).

A Face Only an Attorney Could Love: Madison Square Garden's Use of Facial Recognition Technology to Ban Lawyers with Pending Litigation, 83 Md. L. Rev. ____ (forthcoming 2023)(with Brian Elzweig).

Fighting over Worker Classification: A Class Activity About Whether UFC Fighters Are Employees or Independent Contractors and Why It Matters, 26 ATLANTIC L.J. ____ (forthcoming 2023).

Non-Human Stakeholders: Testing the Boundaries of Stakeholder Theory, ____ OKLA. L. REV. ____ (forthcoming 2023)(with Justin Blount).

Peculiarity of the Precise Number Effect: Efficacy of Precise Initial Offers on Pawn Stars Negotiations, ____ BUS. L. REV. ____ (forthcoming 2023).

Is It Really a Man's World? Using Real-Life Negotiations to Reframe the Negotiation Gender Gap, ____ ST. LOUIS U. L.J. ____ (forthcoming 2023).

The Pepsi Generation Goes to Court: A Teaching Note Utilizing a Netflix Documentary to Teach Contracts and Ethics, ____ MIDWEST L.J. ____ (forthcoming 2023).

Why Study Law?, open access textbook (forthcoming 2023)(with Lawrence J. Trautman & Larry D. Foster).

Driving a Stake Through Corporate Cryptocurrency Involvement: Why the Practice Fails the Stakeholder Ethical Analysis, ____ WAYNE L. REV. ____ (forthcoming 2023)(with Justin Blount).

Boycotts, Race, Rankings, and Howard Law School's Peculiar Position, ____ U. N.H. L. REV ____ (forthcoming 2023).

Taxes and Athletic Performance: Why NBA Players Perform Better in Low-Tax States, ____ HOUS. BUS. & TAX L. J. ____ (forthcoming 2023).

Rising Ideological Discrimination in Law School Rankings: Measuring the Conservative Penalty and Liberal Bonus with Updated 2024 Rankings Data, ____ TENN. J. LEADERSHIP L. & POL'Y ____ (forthcoming 2023).

Viewing the Package Half Full: The Case for Federal Legislation to Reduce Environmental Harm from Shrinkflation and Slack-Fill Packaging, ____ GEO. ENV'T L. REV. ____ (forthcoming 2023).

Defenses of Plea Bargaining, THE RESEARCH HANDBOOK ON PLEA BARGAINING & CRIMINAL JUSTICE (forthcoming 2023).

Conference presentations

“Anchoring: Recognizing the Subtle Ways Your Mind Gets Stuck”

TedTalk presented at TedX Grand Junction, 1/27/2018

“In Defense of Hate Speech”

Constitutional Law Panel

Academy of Legal Studies in Business, Montreal, Canada, 8/11/2019

“Combating Arbitrary Jurisprudence by Addressing Anchoring Bias”

Empirical Legal Studies Panel

Academy of Legal Studies in Business, Montreal, Canada. 8/11/2019

“Instructor Gender Bias in College Class Selection”

Rocky Mountain Academy of Legal Studies in Business, Vail, CO, 9/28/2019

“The Effectiveness of Bayesian Jury Instructions in Mitigating the Defense Attorney’s Fallacy”

Rocky Mountain Academy of Legal Studies in Business, Vail, CO, 9/28/2019

“Student Perceptions of Originalism: An Analysis of Instructor Bias”

Southern Academy of Legal Studies in Business, San Antonio, TX, 3/5/2020

“The Extremes of Rap on Trial: An Analysis of the Movement to Ban Rap Lyrics as Evidence”

Southern Academy of Legal Studies in Business, San Antonio, TX, 3/6/2020

“Marshmallow Structure Negotiation”

Southwest Case Research Association, San Antonio, TX, 3/11/2020

“Student Gender Bias in College Class Selection”

Southwest Academy of Management, San Antonio, TX, 3/13/2020

“Constitutional Interpretation and Classroom Bias”

Academy of Legal Studies in Business, Providence, RI (Presented remotely), 8/5/2020

“Two Classifications Enter, One Classification Leaves: Are UFC Fighters Employees or Independent Contractors?”

Academy of Legal Studies in Business, Providence, RI (Presented remotely), 8/6/2020

“Running up Against the Civil Rights Act: Does Joe Biden’s Promise of a Female Running Mate Violate Title VII?”

Rocky Mountain Academy of Legal Studies in Business, Vail, CO (Presented remotely), 9/26/2020

“Political Ideology and Law School Rankings”

Southeastern Academy of Legal Studies in Business, Savannah, GA (Presented remotely), 11/13/2020

“The Big Problem with the Small Penis Rule: Why It Does Not Limit Defamation Liability.”
Pacific Southwest Academy of Legal Studies in Business, Palm Springs, CA (Presented remotely)
02/12/2020

“Building Real-World Learning Experiences”
South West Academy of Management, San Antonio, TX (Presented remotely), 3/3/2021

“Scott’s Tots: Everything I Know About Contract Law I Learned from NBC’s The Office”
Mid-Atlantic Academy of Legal Studies in Business Annual Conference, Bloomington, IN 3/19/2021
(Presented remotely)

“Cumulative Contracts Class Activity”
Western Academy of Legal Studies in Business Annual Conference, Tahoe, NV 3/20/2021
(Presented remotely)

“Rage Against the Voting Machine: Dominion’s \$1.3 Billion Defamation Lawsuit Against Sidney Powell”
Southern Academy of Legal Studies in Business, San Angelo, TX (Presented remotely) 3/25/2021

“Scott’s Tots: Everything I Know About Contract Law I Learned from NBC’s The Office”
Master Teacher competition presentation
Midwest Academy of Legal Studies in Business, Chicago, IL (Presented remotely), 3/26/2021

“Political Appointments and Title VII Protections”
Midwest Academy of Legal Studies in Business, Chicago, IL (Presented remotely), 3/25/2021

“Unbiasing the Classroom: How the Sequence, Severity, and Sincerity of Information Affect Student Opinions”
Society for Case Research, Chicago, IL (Presented remotely), 3/25/2021

“Negotiation Strategies in Practice”
Midwest Business Administration Association International, Interactive Teaching Poster Presentation
Chicago, IL (Presented remotely), 3/25/2021

“Yes, Self-Pardons Are Constitutional, Even for Donald Trump”
American Constitution Society Law Scholars Forum, Orlando, FL 3/26/2021
(Presented remotely)

“Botched Statistics on Botched Executions: Refuting Austin Sarat’s Claims”
American Constitution Society Law Scholars Forum, Orlando, FL 3/26/2021
(Presented remotely)

“Capitol Offense: Is Donald Trump Guilty of Inciting a Riot at the Capitol?”

Journal of Law and Public Policy Symposium on Alternative Realities, Conspiracy Theory, and the Constitutional and Democratic Order, St. Paul, MN 4/16/2021

(Presented remotely)

“The Curious Case of Howard Law School’s Peer Ranking”

Pacific Northwest Academy of Legal Studies in Business Annual Conference, 4/16/2021

(Presented remotely)

“The Real Cost of Fake News: Smartmatic’s \$2.7 Billion Defamation Lawsuit Against Fox News”

Northeast Academy of Legal Studies in Business Annual Conference, 4/16/2021

(Presented remotely)

“Marshmallow Structure Negotiation Class Activity”

Lilly Conference, 5/1/2021 – 8/31/2021

(Asynchronous 30-minute teaching pedagogy instruction)

“Oops, Did You Offer to Sell a \$30 Million Harrier Jet?”

ALSB National Conference, 8/2/2021

(Presented remotely)

“Master Teacher Competition Q&A”

ALSB National Conference, 8/6/2021

(Participated remotely)

“The Amendability Paradox: Could an Unamendable Amendment Be Amended?”

ALSB National Conference, 8/4/2021

(Presented remotely)

“Breaking the Stalemate on Supreme Court Term Limits with Delayed Implementation Legislation”

ALSB National Conference, 8/4/2021

(Presented remotely)

“Inclusive Teaching in the Legal Environment Classroom”

Rocky Mountain Academy of Legal Studies in Business, 10/1/2021

(presented remotely)

“What the Rules of Sports and Games Can Teach Us About Law”

Great Lakes Academy of Legal Studies in Business, 10/22/2021

(presented remotely)

“Justice by Algorithm: Are Artificial Intelligence Risk Assessment Tools Biased Against Minorities?”

Southern Journal of Policy and Justice Symposium

Keynote Speaker

Atlanta, GA, 2/24/2022

“What the Brian Flores Lawsuit Can Teach About Racial Discrimination, Employment Law, and Litigation Strategy”

Southern Academy of Legal Studies in Business, 3/4/2022

San Antonio, TX

“Legality of Racial Discrimination in the Distribution of Lifesaving COVID-19 Treatments”

Western Academy of Legal Studies in Business, 3/12/2022

(presented remotely)

“The Overlooked Benefits of Allowing ‘Hate Speech’”

Law vs. Antisemitism Conference, 3/14/2022

Indiana University McKinney School of Law

“Attractiveness Discrimination as a Protected Class”

Pacific Northwest Academy of Legal Studies in Business Annual Conference, 4/7/2022

(presented remotely)

“Ethics of Investing in Cryptocurrency”

Law, Ethics, and Transactions in Emerging Technologies: Are We Up to the Task?, 5/15/2022

Paper published in proceedings

Washington, D.C.

“Ethical Considerations of Investing in Cryptocurrencies”

Academy of Legal Studies in Business Annual Conference, 7/29/2022

Louisville, KY

“Unlocking the Beauty from Within Title VII: Arguing for An Expansive Interpretation of Title VII to Protect Against Attractiveness Discrimination”

Academy of Legal Studies in Business Annual Conference, 7/30/2022

Louisville, KY

“The Case Against Race-Based Quotas in Pharmaceutical Trials”

Western Academy of Legal Studies in Business Annual Conference, 12/09/2022

(presented remotely)

“Slack-Fill Jurisprudence and Environmental Concerns”

Southern Academy of Legal Studies in Business, 3/3/2023

San Antonio, TX

“The NFL’s Rooney Rule 2.0: New and Unimproved”
Southern Academy of Legal Studies in Business, 3/3/2023
San Antonio, TX

“Putting Cryptocurrency in Its Place: The Case for Why ESG Funds Should Exclude Cryptocurrency-Exposed Companies”
Southern Academy of Legal Studies in Business, 3/4/2023
San Antonio, TX

“Legal Recourse for Victims of Blockchain Attacks”
Southern Academy of Legal Studies in Business, 3/5/2023
San Antonio, TX

“Teaching Note: Teaching Negotiation and Legal Principles with a Variation on the Marshmallow Challenge”
Western Academy of Legal Studies in Business, 3/18/2023
(presented remotely)

“How State Tax Rates Affect Athletic Performance”
Academy of Legal Studies in Business Annual Conference, 7/26/2023
San Diego, CA

“Gender, Cheating, and Take-Home Exams”
Academy of Legal Studies in Business Annual Conference, 7/27/2023
San Diego, CA

“The Equal Pay Act: Using EEOC v. Verona Area School District in the Classroom”
Academy of Legal Studies in Business Annual Conference, 7/27/2023
San Diego, CA

“Cryptocurrency and the Stakeholder Theory of Corporate Ethics”
Academy of Legal Studies in Business Annual Conference, 7/28/2023
San Diego, CA

Michael J. Conklin

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- Education**
- J.D., Washburn University School of Law, 2007
Received CALI top paper award in Professional Responsibility
 - M.B.A. with honors, Oklahoma City University, 2004
GPA of 3.85
 - Postgraduate Certificate in Law, University of London, 2010
Specialization in International Business Law
 - Masters in Business Data Science Analytics, Angelo State University 2023
GPA 4.0
 - Masters in Philosophy of Religion, Biola University, 2015
Graduated with highest honors
 - Graduate Certificate in College Teaching, Worcester State University, 2014
 - Graduate Certificate in Professional Ethics, Texas State University, 2012
GPA of 4.0
 - B.B.A., University of Central Oklahoma, 2003
- Awards**
- College of Business Outstanding Faculty in Research 2019–2020
 - University-Wide Faculty Excellence in Research Runner-Up 2019–2020
 - University-Wide Faculty Excellence in Research Runner-Up 2020–2021
 - SSRN Top 100 Author in Legal Category 2020
 - SSRN Top 50 Author in Legal Category 2021
 - SSRN Top 50 Author in Legal Category 2022
 - SSRN Top 20 Author in Legal Category 2023
 - MALSB Master Teacher Competition Winner 2021

ALSB International Master Teacher Competition Finalist 2021

Honorarium, Journal of Law & Public Policy Symposium

Teaching Experience

01/19–present Angelo State University, San Angelo, TX

- Powell Endowed Professor of Business Law
- 2022 Member, Faculty Senate Executive Committee
- 2022 Chairman, Constitution & Bylaws Faculty Senate Subcommittee
- 2020-2023 Faculty Senate Representative
- Member, Constitution & Bylaws Faculty Senate Subcommittee
- Academic advising
- Faculty Athletic Representative for the cheerleading squad
- Coordinate all BUSI 3301 classes to create uniformity
- College Assessment Committee member
- Department Curriculum Committee member
- Graduate Thesis Advisory Committee (3 times)
- Member, Graduation Faculty Committee
- Member, Committee to update the NVCOB Faculty Qualification Guidelines
- Member, Graduate Advisory Committee
- Member, Teaching Quality Assurance Committee
- Member, Assessment Committee
- Member, Library Committee
- BizPitch Faculty Mentor
- Return to Campus Curriculum Delivery Committee [Coronavirus]
- Business Classroom Live-Streaming Liaison [Coronavirus]

Professor: BUSI 6302 Legal & Social Env. of Business

Professor: BUSI 6302 Legal & Social Env. of Business (online 16 sections)

Professor: MGMT 6343 Legal & Ethical Aspects of Healthcare (4 sections)

Professor: MGMT 4381 Negotiations & Persuasion (6 sections)

Professor: ENGR 4201 Professional Engineering Practice (co-taught)

Professor: BUSI 3347 Business Law for Accountants

Professor: BUSI 3301 Legal & Ethical Env. of Business (4 sections)

Professor: BUSI 3301 Legal & Ethical Env. of Business (online 21 sections)

Professor: GS 1181 Bus. Aspects of Movie Industry (5 sections)

Professor: MGMT 4091 Tax Code Literacy Directed Research

Professor: MGMT 4091 Falling in Love with the Law Directed Research

08/13–12/18 Colorado Mesa University, Grand Junction, CO

- Align online classes with rigorous QM (Quality Matters) standards
- Serve on MBA committee, headed the mission statement subcommittee
- Participate as an Affirmative Action representative
- Coordinate BUGB 349 classes to create uniformity of instruction

-Perform academic advising

-Coordinate research efforts with IRB standards

Lecturer: BUGB 500 Advanced Business Law and Ethics

Lecturer: BUGB 500 Advanced Business Law and Ethics (online)

Lecturer: BUGB 101 Introduction to Business (five sections)

Lecturer: BUGB 101 Introduction to Business (online four sections)

Lecturer: BUGB 211 Business Communications (five sections)

Lecturer: BUGB 349 Legal Environment of Business (twelve sections)

Lecturer: BUGB 349 Legal Environment of Business (online)

Lecturer: MARK 335 Sales & Sales Management (three sections)

Lecturer: MANG 201 Principles of Management (four sections)

Lecturer: BUGB 231 Survey of Business Law (two sections)

Lecturer: EMGT 360 Oil and Gas Law

Lecturer: CISB 210 Fundamentals of Information Systems

Lecturer: CISB 210 Fundamentals of Information Systems (online)

08/16–12/18 Colorado Mountain College, Rifle, Edwards, & Glenwood Springs, CO

Adjunct Instructor: MAN 328 Contemporary Management (two sections)

Adjunct Instructor: BUS 334 Organizational Leadership

Adjunct Instructor: BUS 115 Introduction to Business (five sections)

Adjunct Instructor: BUS 216 Legal Environment of Bus (seven sections)

Adjunct Instructor: BUS 217 Bus Comm & Report Writing (five sections)

Adjunct Instructor: PHI 111 Introduction to Philosophy

08/10–12/10 University of Arkansas Community College at Morrilton

Adjunct Instructor: BUS 2393 Business Law

Adjunct Instructor: FIN 2013 Personal Finance

06/08–07/08 St. Gregory's University, Tulsa, OK Campus

Adjunct Instructor: BU 3053 Principles of Business Law

01/07–05/07 Washburn University School of Business, Topeka, KS

Adjunct Instructor: BU 315 Legal Environment of Business

01/06–05/06 Washburn School of Law, Topeka, KS

-Designed custom learning plans for at-risk students

-Consulted with faculty to maximize potential of at-risk students

Law School Constitutional Law Tutor