

Academic Experience

University of Notre Dame Law School, South Bend, Ind.

Professor of Law, Fall 2023–present

Visiting Professor of Law, Spring 2020

University of Iowa College of Law, Iowa City, Ia.

Ben V. Willie Professor in Excellence, Summer 2022–Summer 2023

Professor of Law, Fall 2020–Summer 2023

Bouma Fellow in Law, Summer 2021–Summer 2022

Visiting Associate Professor of Law, Fall 2017

Pepperdine University, Rick J. Caruso School of Law, Malibu, Calif.

Professor of Law, Fall 2019–Summer 2020

Associate Professor of Law (with tenure), Fall 2017–Summer 2019

Associate Professor of Law, Fall 2011–Summer 2017

Penn State Law, University Park, Pa.

Visiting Assistant Professor, Shughart Scholar, Summer 2010–Summer 2011

Professional Experience

Kirkland & Ellis LLP, Chicago, Ill.

Associate, Litigation practice group, Fall 2008–Spring 2010

Summer Associate, Summer 2006

Hon. Raymond W. Gruender, United States Court of Appeals for the Eighth Circuit, St. Louis, Mo.

Judicial Clerk, Fall 2007–Fall 2008

Restatement

Co-Reporter (with Lisa Marshall Manheim), *RESTATEMENT OF THE LAW, ELECTION LITIGATION* (American Law Institute, project begun 2023)

Principal Publications

The Electoral Count Reform Act and the Original Public Meaning of the Twelfth Amendment, *CASE WESTERN RES. L. REV.* (forthcoming) (invited)

Ideological Leanings in Likely Pro Bono Biglaw Amicus Briefs in the United States Supreme Court, 2024 *HARV. J.L. & PUB. POL'Y PER CURIAM* 11 [\[link\]](#)

Law School Rankings and Federal Policies Regarding Disclosure About Affordability, *YALE L. & POL'Y REV. INTER ALIA* (Nov. 29, 2023) [\[link\]](#)

Election Subversion and the Writ of Mandamus, 65 *WILLIAM & MARY L. REV.* 327 (2023) [\[SSRN\]](#)

The Secret Sauce: Examining Law Schools That Overperform on the Bar Exam, 75 *FLA. L. REV.* 65 (2023) (with Christopher J. Ryan) [\[SSRN\]](#)

Faith in Elections, 36 *NOTRE DAME J. L. ETHICS & PUB. POL'Y* 641 (2022) (symposium) [\[SSRN\]](#)

Twenty-Third Amendment Problems Confronting District of Columbia Statehood, 2021 *HARV. J.L. & PUB. POL'Y PER CURIAM* 11 [\[link\]](#)

Reducing Election Litigation, 90 FORDHAM L. REV. 561 (2021) (symposium) [[SSRN](#)]

Brnovich v. DNC: Election Litigation Migrates from Federal Courts to the Political Process, 2020–2021 CATO SUP. CT. REV. 217 [[SSRN](#)]

Electoral Votes Regularly Given, 55 GA. L. REV. 1529 (2021) (symposium) [[SSRN](#)]

Weaponizing the Ballot, 48 FLA. ST. U. L. REV. 61 (2021) [[SSRN](#)]

The Electoral College and the Federal Popular Vote, 15 HARV. L. & POL'Y REV. 129 (2020) (symposium) [[SSRN](#)]

Chameleon Congressional Districts, 64 ST. LOUIS U. L.J. 673 (2020) (symposium) [[SSRN](#)]

Nonjudicial Solutions to Partisan Gerrymandering, 62 HOWARD U. L.J. 791 (2019) (symposium) [[SSRN](#)]

The High Cost of Lowering the Bar, 32 GEO. J. L. ETHICS 307 (2019) (with Robert Anderson IV) [[SSRN](#)]

The Democracy Ratchet, 94 IND. L.J. 451 (2019) [[SSRN](#)]

Legal Quandaries in the Alabama Senate Election of 2017, 69 ALA. L. REV. 983 (2018) [[SSRN](#)]

What's Old Is New Again: The Nineteenth Century Voter Registration Debates and Lessons About Voter Identification Disputes, 56 WASHBURN L.J. 109 (2017) (symposium) [[SSRN](#)]

“Natural Born” Disputes in the 2016 Presidential Election, 85 FORDHAM L. REV. 1097 (2016) (symposium) [[SSRN](#)]

Ballot Speech, 58 ARIZ. L. REV. 693 (2016) [[SSRN](#)]

Legislative Delegations and the Elections Clause, 43 FLA. ST. U. L. REV. 717 (2016) (symposium) [[SSRN](#)]

Perpetuating “One Person, One Vote” Errors, 39 HARV. J.L. & PUB. POL'Y 371 (2016) (solicited) [[SSRN](#)]

Scrutinizing Federal Electoral Qualifications, 90 IND. L.J. 559 (2015) [[SSRN](#)]
Winner: Pepperdine University School of Law Dean's Award for Excellence in Scholarship, 2016

The Play in the Joints of the Election Clauses, 13 ELECTION L.J. 310 (2014) (peer reviewed) (solicited) [[SSRN](#)]

Judicial Review of Congressional Power Before and After Shelby County v. Holder, 8 CHARLESTON L. REV. 287 (2013) (solicited) [[SSRN](#)]

Invisible Federalism and the Electoral College, 44 ARIZ. ST. L.J. 1237 (2012) [[SSRN](#)]

More Thoughts on the Compact Clause and the National Popular Vote: A Response to Professor Hendricks, 7 ELECTION L.J. 227 (2008) (peer reviewed) (solicited) [[SSRN](#)]

The Compact Clause and the National Popular Vote Interstate Compact, 6 ELECTION L.J. 372 (2007) (peer reviewed) [[SSRN](#)]

Casebook

ARTHUR D. HELLMAN, DAVID R. STRAS, RYAN W. SCOTT, F. ANDREW HESSICK, & DEREK T. MULLER, FEDERAL COURTS: CASES AND MATERIALS ON JUDICIAL FEDERALISM AND THE LAWYERING PROCESS (Carolina Academic Press, 5th ed. 2022)

Book Chapters

“Elector Qualifications Clause,” “Qualifications for Representatives Clause,” “The Elections Clause,” “Judge of Elections Clause,” “Presidential Electors Clause,” “Twenty-Third Amendment,” and “Twenty-Fourth Amendment,” *THE HERITAGE GUIDE TO THE CONSTITUTION* (3d ed.) (forthcoming)

“Ballot Access,” in *THE OXFORD HANDBOOK OF AMERICAN ELECTION LAW* (Eugene D. Mazo ed., Oxford University Press) (forthcoming)

“Simplifying Presidential Elections,” in *THE BEST CANDIDATE: PRESIDENTIAL NOMINATION IN POLARIZED TIMES* (Eugene D. Mazo & Michael R. Dimino eds., Cambridge University Press 2020) [[SSRN](#)]

Essays, Responses, & Notes

A Bully Pulpit Approach to Elections in the Early Biden Administration, 2021 U. ILL. L. REV. ONLINE: Biden 100 Days 166 (Apr. 30, 2021) (solicited) [[link](#)]

Governing Elections Without Law, 100 B.U. L. REV. ONLINE 278 (2020) (solicited) [[link](#)]

Restraining Judicial Application of the “Safe Harbor” Provision in the Electoral Count Act, 81 OHIO ST. L.J. ONLINE 221 (2020) (solicited) [[SSRN](#)]

Celebrating the Work of Professor Bob Cochran: An Introduction, 47 PEPP. L. REV. iii (2020) (symposium) [[SSRN](#)]

Cyber Interference in Elections and Federal Agency Action, HARV. L. REV. BLOG (Oct. 29, 2018) (solicited) [[link](#)]

Three Divergent Election-Law Decisions in the Early Trump Administration, 2017 U. ILL. L. REV. ONLINE: Trump 100 Days (Apr. 29, 2017) (solicited) [[link](#)]

Complexity Confronting State Judges and the Right to Vote, 77 OHIO ST. L.J. FURTHERMORE 65 (2016) (solicited) [[SSRN](#)]

Evenwel v. Abbott: A New Attempt to Define “One Person, One Vote,” GEO. WASH. L. REV. DOCKET (Apr. 5, 2016) [[link](#)]

“Compact Clause,” 1 *AMERICAN GOVERNANCE* 355 (S. Schechter et al. eds., Macmillan 2016)

Disfavored Candidates and the Democracy Canon, 65 FLA. L. REV. FORUM 53 (2013) (solicited) [[SSRN](#)]

Note, “*As Much Upon Tradition as Upon Principle*”: A Critique of the Privilege of Necessity Destruction Under the Fifth Amendment, 82 NOTRE DAME L. REV. 481 (2006) [[SSRN](#)]

Testimony

U.S. Senate Committee on Rules and Administration, “The Electoral Count Act: The Need for Reform,” Aug. 3, 2022 [[link](#)]

U.S. Senate Committee on Homeland Security & Governmental Affairs, “Examining D.C. Statehood,” June 22, 2021 [[link](#)]

Works in Progress

Ballot Access Petitions

Federal Judicial Clerkship Report of Recent Law School Graduates, 2020 Edition [[SSRN](#)]

Amicus Briefs

- Amicus Curiae Brief of Professor Derek T. Muller in Support of Neither Party, *Trump v. Anderson*, S. Ct., 23-719
- Amicus Curiae Brief of Professor Derek T. Muller in Support of Neither Party, *Anderson v. Griswold*, Colo. S. Ct., 2023SA300
- Amicus Curiae Brief of Professor Derek T. Muller in Support of Neither Party, *Grove v. Simon*, Minn. S. Ct., A23-1354 [\[link\]](#)
- Amicus Curiae Brief of Professor Derek T. Muller in Support of Appellant, 7th Cir., 21-2683
- Amicus Curiae Brief of Professor Derek T. Muller in Support of Petitioners, *Mazo v. Way*, S. Ct., 22-1033 [\[link\]](#)
- Amicus Curiae Brief of Professor Derek T. Muller in Support of Petitioners, *Synod of Bishops of the Russian Orthodox Church v. Belya*, S. Ct., 22-824 [\[link\]](#)
- Amicus Curiae Brief of Professor Derek T. Muller in Support of No Party, *Planned Parenthood v. Reynolds*, Iowa S. Ct., 22-2036
- Amicus Curiae Brief of Professor Derek T. Muller in Support of Respondents, *Moore v. Harper*, S. Ct., 21-1271 [\[link\]](#)
- Amicus Curiae Brief of Professor Derek T. Muller in Support of Applicant, *Graham v. Fulton County Special Purpose Grand Jury*, S. Ct., 22A337
- Amicus Curiae Brief of Professor Derek T. Muller in Support of Appellant, *Fulton County Special Purpose Grand Jury v. Graham*, 11th Cir., 22-12696
- Amicus Curiae Brief of Professor Derek T. Muller in Support of No Party, *Greene v. Raffensperger*, 11th Cir., 22-11299
- Amicus Curiae Brief of Professor Derek T. Muller in Support of No Party, *Cawthorn v. Amalfi*, 4th Cir., 22-1251
- Amicus Curiae Brief of Professor Derek T. Muller and Professor Michael R. Dimino in Support of Appellant/Petitioner, *Mazo v. New Jersey Secretary of State*, 3d Cir., 21-2630
- Amicus Curiae Brief of Derek T. Muller in Support of Neither Party, *Chiafalo v. Washington and Colorado Department of State*, S. Ct., 19-465 & 19-518 [\[link\]](#)
- Amicus Curiae Brief of Derek T. Muller in Support of Neither Party, *Baca v. Colorado Department of State*, 10th Cir., 18-1173 [\[link\]](#)

Grant

2019, AccessLex: Co-Principal Investigator (with C.J. Ryan), *The Secret Sauce: Evaluating Overperforming (and Underperforming) Law Schools on the Bar Exam*

Commentary

- Electoral Count Reform Act takes a 19th-century law into the 21st century*, PORTLAND PRESS-HERALD, Dec. 28, 2022 [\[link\]](#)
- Congress passes legislation that will close off presidential election mischief and help avoid another Jan. 6*, THE CONVERSATION, Dec. 12, 2022 [\[link\]](#)
- The Electoral Count Act of 1887 is showing its age – here’s how to help Congress certify a presidential election with more certainty*, THE CONVERSATION, Jan. 20, 2022 [\[link\]](#)

Who can throw Madison Cawthorn out?, WALL ST. J., Feb. 14, 2022 [\[link\]](#)

Judicial selection in Iowa, CARROLL (IOWA) TIMES HERALD, Nov. 19, 2021 [\[link\]](#)

Claims of voter suppression in newly enacted state laws don't all hold up under close review, THE CONVERSATION, Aug. 10, 2021 [\[link\]](#)

Supreme Court Raised the Bar for Challenge to GA Election Law, REALCLEARPOLITICS, July 23, 2021 [\[link\]](#)

DC Statehood Could Give a Few People 3 Electoral Votes, REALCLEARPOLICY, May 6, 2021 [\[link\]](#)

The Diamonds Hidden in H.R. 1's Massive Mine, REALCLEARPOLITICS, Mar. 31, 2021 [\[link\]](#)

Democrats Have Been Shameless About Your Presidential Vote Too, N.Y. TIMES, Jan. 6, 2021 [\[link\]](#)

Teacher, mentor, colleague: Judge Barrett will be an outstanding justice, THE GAZETTE (Cedar Rapids, Ia.), Oct. 6, 2020 [\[link\]](#)

Trump Can't Postpone the Election, WALL ST. J., A13, Apr. 30, 2020 [\[link\]](#)

California's election rules make it hard to hold politicians accountable, L.A. TIMES, Jan. 10, 2020 [\[link\]](#)

No Country for Old Presidents, WALL ST. J., A11, Nov. 13, 2019 [\[link\]](#)

Judicial vacancies threaten the rule of law, ORANGE COUNTY REGISTER, Jan. 4, 2018 [\[link\]](#)

How Not to Get Trump's Tax Returns, N.Y. TIMES, A23, Apr. 3, 2017 [\[link\]](#)

Faithless Electors: Now It's Up To Congress, WALL ST. J., A11, Dec. 20, 2016 [\[link\]](#)

An outstanding choice for U.S. Supreme Court vacancy, ST. LOUIS POST-DISPATCH, Dec. 13, 2016 [\[link\]](#)

Libertarians and Greens Can Win—Even If They Lose, WALL ST. J., A11, Oct. 14, 2016 [\[link\]](#)

What would happen in the Electoral College if Trump dropped out?, NATIONAL REVIEW, Oct. 11, 2016 [\[link\]](#)

Don't force electors to vote for Trump or Hillary, DETROIT NEWS, June 16, 2016 [\[link\]](#)

Awarding presidential delegates by congressional districts is unfair, SACRAMENTO BEE, June 6, 2016 [\[link\]](#)

GOP nomination process 101: Candidates' remedial edition, REUTERS, Apr. 14, 2016 [\[link\]](#)

If no one else can stop Trump, the Electoral College still can. It's in the Constitution, WASH. POSTEVERYTHING, Mar. 17, 2016 [\[link\]](#)

Natural-born mess: What would it take to kick Ted Cruz off the ballot?, REUTERS, Jan. 15, 2016 [\[link\]](#)

Courts should stay out of Cruz eligibility fight, THE HILL, Jan. 15, 2016 [\[link\]](#)

The Donald on 'SNL': Equal Time Isn't Needed, WALL ST. J., A15, Nov. 5, 2015 (with Babette Boliek) [\[link\]](#)

Mary Landrieu's residency isn't up to courts, it's up to Congress, NEW ORLEANS TIMES-PICAYUNE, Sept. 3, 2014 [\[link\]](#)

Fix Michigan election law, DETROIT NEWS, May 19, 2014 [\[link\]](#)

Shorter Works and Appearances

Founder & Blogger, EXCESS OF DEMOCRACY, Mar. 2013–present [\[link\]](#)
Over 950,000 page views and 650,000 unique visitors since launch
Named to the ABA ANNUAL BLAWG 100 in 2014, 2015, 2016, & 2017

Contributor, ELECTION LAW BLOG, July 2021–present [\[link\]](#)
Over 250 posts on law and democracy issues, including topics on federal courts jurisdiction

Symposium: Brnovich, election-law tradeoffs, and the limited role of the courts, SCOTUSBLOG, July 6, 2021 [\[link\]](#)

Texas v. Pennsylvania Would Have Upended the Electoral College, Law & Liberty, Liberty Fund, Dec. 21, 2020 [\[link\]](#)

Symposium: #LookingBack: Whither Republican Party of Pennsylvania v. Boockvar?, ELECTION LAW BLOG, Nov. 8, 2020 [\[link\]](#)

Symposium: #2DaysOut: A Ballot Dispute in the Making?, ELECTION LAW BLOG, Nov. 1, 2020 [\[link\]](#)

Symposium: Leave courts out of presidential elector dispute, SCOTUSBLOG, Apr. 27, 2020 [\[link\]](#)

Politics as Usual, PUBLIC DISCOURSE, July 7, 2019 [\[link\]](#)

Symposium: Why not continue the political struggle in partisan-gerrymandering cases?, SCOTUSBLOG, Feb. 5, 2019 [\[link\]](#)

Diverging Supreme Court Trends May Leave Some Conservatives Out In the Cold, Law & Liberty, Liberty Fund, Dec. 20, 2018 [\[link\]](#)

A Future Justice Kavanaugh and Executive Privilege, Law & Liberty, Liberty Fund, July 3, 2018 [\[link\]](#)

Symposium on Gill v. Whitford: No closer to consensus, SCOTUSBLOG, June 18, 2018 [\[link\]](#)

Guest Blogger, PRAWFSBLAWG, Apr.–May 2018 [\[link\]](#); Jan. 2013 [\[link\]](#)

Senate Rules May Not Block Roy Moore, Law & Liberty, Liberty Fund, Nov. 15, 2017 [\[link\]](#)

Guest, Tom Donnelly, *The Debate Over President Trump’s Election Commission*, We the People Podcast, National Constitution Center, Jul. 20, 2017 [\[link\]](#)

Federal Power Over Elections and the Twenty-Fourth Amendment, National Constitution Center’s Interactive Constitution, 2017 [\[link\]](#)

The Twenty-Fourth Amendment, National Constitution Center’s Interactive Constitution, 2017 (with Deborah N. Archer) [\[link\]](#)

Guest, *The Kobach fallout on election security*, ELECTION LAW BLOG (Rick Hasen ed.), July 1, 2017 [\[link\]](#)

When bar exam scores go low, discipline rates go high, DAILY JOURNAL, June 7, 2017 (with Rob Anderson IV)

Speech Equality’s Crushing Weight, Law & Liberty, Liberty Fund, June 27, 2016 [\[link\]](#)

The Case for More Money in Politics, Law & Liberty, Liberty Fund, June 2, 2016 [\[link\]](#)

Guest, *Who Decides If Ted Cruz Is Eligible to Be President?*, ELECTION LAW BLOG (Rick Hasen ed.), Jan. 7, 2016 [\[link\]](#)

Guest, Jeffrey Rosen, *Voting rights on trial in North Carolina*, We the People Podcast, National Constitution Center, Jul. 22, 2015 [\[link\]](#)

One Man, One Vote in Texas, Law & Liberty, Liberty Fund, May 29, 2015 [\[link\]](#)

Guest, *Oral Argument*, Episode 61: Minimum Competence, May 15, 2015 [\[link\]](#)

Kerr v. Hickenlooper: Exploring the Tenth Circuit’s Dubious Legal Reasoning, JURIST - Forum, Mar. 31, 2014 [\[link\]](#)

Book Review, TARA ROSS, ENLIGHTENED DEMOCRACY, Law & Liberty, Liberty Fund, Oct. 16, 2012 [\[link\]](#)

Teaching Experience

Recipient, University of Iowa College of Law Award for Teaching Excellence, 2021

Recipient, Howard A. White Award for Teaching Excellence, Pepperdine University, 2018

Civil Procedure (Spring 2024, Spring 2021, Fall 2015, Fall 2013, Fall 2012, Fall 2010)

Evidence (Spring 2024, Fall 2022, Fall 2021, Summer 2020 x2, Spring 2020, Fall 2018 x2, Spring 2018, Fall 2016, Spring 2016, Fall 2014, Spring 2014)

Federal Courts (Spring 2023, Spring 2022, Spring 2021, Fall 2017, Spring 2011)

Election Law (Fall 2022, Fall 2020, Fall 2017, Fall 2016, Fall 2014, Fall 2012)

Legislative Redistricting Seminar (Fall 2021)

Advanced Topics in Election Law (Spring 2020)

Administrative Law (Spring 2018, Fall 2015)

Complex Litigation (Spring 2017, Spring 2015, Fall 2013, Spring 2012)

Civil Procedure II (Spring 2012)

Civil Procedure I (Fall 2011)

Education

University of Notre Dame Law School, Juris Doctor, *summa cum laude*, 2007

NOTRE DAME LAW REVIEW

Note Editor & Article Selection Committee, 2006–2007

Dean's Awards for highest grades in Business Associations and Election Law

Hillsdale College, Bachelor of Arts in English, *summa cum laude*, 2004

Honors Program graduate

Senior Class Vice President

Select Presentations

Panelist, "Section 3, Insurrection, and the 2024 Election," University of Minnesota Law School, Oct. 30, 2023

Speaker, "Election Day Preview: A Discussion of Current Federal Election Litigation," Syracuse University College of Law Federalist Society Student Chapter, Oct. 25, 2023

Speaker, "The Disqualification Clause & Elections: A Discussion on Section 3 of the 14th Amendment," Cornell Law School Federalist Society Student Chapter, Oct. 24, 2023

Panelist, "The Law and Politics of Potentially Disqualifying Donald Trump from Running for President," Safeguarding Democracy Project, UCLA Law School, Oct. 20, 2023

Panelist, "Recent Developments in Election Law," United States Court of Appeals for the Tenth Circuit Judicial Conference, Santa Fe, N.M., Sept 7, 2023

Panelist, "U.S. Democracy and the Independent State Legislature Theory after the Supreme Court's Moore v. Harper Decision," Safeguarding Democracy Project, UCLA Law School, June 28, 2023

Conference Discussant, *More Parties, Better Parties*, Stanford University, Apr. 12–14, 2023 (invited)

Panelist, "The Democratic Election Process: What Is Fair and Who Decides Fairness?," 2023 Federalist Society National Student Symposium, Mar. 4, 2023 (invited)

Panelist, Election Law Symposium, SETON HALL LEGISLATIVE JOURNAL, Feb. 24, 2023 (invited)

Faculty Workshop, “Election Subversion and Writs of Mandamus,” William & Mary Law School, Williamsburg, Va., Feb. 23, 2023 (invited)

Faculty Workshop, “Election Subversion and Writs of Mandamus,” The Ohio State University Moritz College of Law, Columbia, Ohio, Feb. 1, 2023 (invited)

Panelist, “Three Perspectives on the Independent State Legislature Doctrine – *Moore v. Harper*,” Ninth Annual Federalist Society Florida Chapter’s Conference, Feb. 4, 2023 (invited)

Moderator, “Federalism in Voting,” Section on Election Law, Association of American Law Schools Annual Meeting, San Diego, Calif., Jan. 6, 2023

Panelist, “Election Law in Flux,” 24th Annual Federalist Society Faculty Conference, San Diego, Calif., Jan. 5, 2023 (invited)

Presenter, “Iowa Election Code 101,” Iowa State Judiciary, Nov. 2, 2022 (invited)

Panelist, “Topics in Election Law,” Houston Bar Association President’s Speaker Series, Oct. 28, 2022 (invited)

Speaker, “Topics in Election Law, Iowa and Beyond” Drake Law School Federalist Society Student Chapter, Oct. 27, 2022 (invited)

Faculty Workshop, “Election Subversion and Writs of Mandamus,” University of Wisconsin Law School, Madison, Wisc., Oct. 26, 2022 (invited)

Debate Participant, “Voter Identification Laws,” North Dakota School of Law Federalist Society Student Chapter, Oct. 19, 2022 (invited)

Participant, Election Law Symposium, UNIVERSITY OF TOLEDO LAW REVIEW, Oct. 14, 2022 (invited)

Participant, Election Law Symposium, UNIVERSITY OF NEW HAMPSHIRE LAW REVIEW, Oct. 7, 2022 (invited)

Speaker, “Current Events in Election Law, from Texas to DC,” Ft. Worth Federalist Society Lawyers Chapter, Sept. 22, 2022 (invited)

Panelist, “What Is in Store for October Term 2022?,” Federalist Society Supreme Court Preview, Washington, D.C., Sept. 21, 2022 (invited)

Speaker, “Faith in Elections,” Kamm Memorial Lecture, Wheaton College, Wheaton, Ill., Sept. 14, 2022 (invited)

Panelist, “The Law of Democracy: Recent and Future Developments in Election Law,” North Carolina Federalist Society Lawyers Chapters Conference, Raleigh, N.C., Sept. 9, 2022 (invited)

Participant, “*Moore v. Harper*, the Independent State Legislature Theory, and Potential Threats to American Democracy,” UCLA Safeguarding Democracy Project, Aug. 25, 2022 (invited)

Panelist, “ABA Accreditation of Law Schools,” Tenth Annual Executive Branch Review Conference, Federalist Society for Law & Public Policy, May 3, 2022 (invited)

Speaker, “Redistricting in the 2020s,” University of North Carolina School of Law Federalist Society Student Chapter, Mar. 3, 2022 (invited)

Speaker, “Redistricting in the 2020s,” Duke University School of Law Federalist Society Student Chapter, Mar. 2, 2022 (invited)

Participant, Symposium, Election Law, NOTRE DAME JOURNAL OF LAW, ETHICS, AND PUBLIC POLICY, Feb. 11, 2022 (invited)

Participant, Symposium, Election Law, WAKE FOREST LAW REVIEW, Jan. 28, 2022 (invited)

Panelist, “Protecting our Constitutional Democracy,” New York City Bar Association, Dec. 15, 2021 (invited)

Panelist, “Voting Rights Reform: A View of the US and Perspectives from Europe,” Kellogg Institute for International Studies, University of Notre Dame Law School, Dec. 7, 2021 (invited)

Discussant, “The Problem with Plurality-Winner Elections – And Can Requiring Majority Winners Help Save Democracy?”, The Ohio State University Moritz College of Law, Nov. 19, 2021 (invited)

Panelist, “The Future of the Franchise,” Eighth Circuit Judicial Conference, Colorado Springs, Colo., Oct. 28, 2021 (invited)

Panelist, “Improving Presidential Elections,” Rebuilding Democracy and the Rule of Law,” Association of American Law Schools, May 7, 2021 (invited)

Participant, Symposium, *GEORGIA LAW REVIEW*, Mar. 26, 2021 (invited)

Participant, “The Impact of the 15th and the 19th Amendments on the 2020 Presidential Election: Voter Accessibilities Battle Against Voter Suppression,” *LOUISIANA LAW REVIEW*, Mar. 5, 2021 (invited)

Participant, “Toward Our 60th Presidential Election,” *FORDHAM LAW REVIEW*, Feb. 26, 2021 (invited)

Speaker, “Election Law Issues and the Electoral College from 2020 into the Future,” Indianapolis Lawyers Chapter, Nov. 16, 2020 (invited)

Panelist, “2020 Elections: The Good, the Bad, and the Unresolved,” Polk County Bar Association, Nov. 13, 2020 (invited)

Speaker, “The Electoral College: Its History and a Defense,” University of Southern California Gould School of Law Federalist Society Student Chapter, Nov. 12, 2020 (invited)

Discussant, “Pending Election Litigation,” University of Iowa College of Law Faculty Roundtable, Nov. 2, 2020

Roundtable Discussant, “Pre-Election Virtual Roundtable,” The Ohio State University Moritz College of Law, Oct. 29, 2020 (invited)

Presenter, “Iowa Election Code 101,” Iowa State Judiciary, Oct. 30, 2020 (invited)

Speaker, “Voter IDs, Gerrymandering, and Political Questions,” University of Connecticut School of Law Federalist Society Student Chapter, Oct. 28, 2020 (invited)

Debate Participant, “A Debate on the 2020 Election,” George Washington University Law School Federalist Society Student Chapter, Oct. 28, 2020 (invited)

Panelist, Cady Day, “Your Vote. Your Voice. Our Democracy.”, Iowa State Bar Association, Oct. 23, 2020 (invited)

Speaker, “Absentee Ballots and 2020 Election Controversies,” Hofstra University Maurice A. Deane School of Law Federalist Society Student Chapter, Oct. 21, 2020 (invited)

Participant, 37th Annual Jefferson B. Fordham Debate, “Can We End Partisan Gerrymandering?” University of Utah College of Law, Oct. 15, 2020 (invited)

Speaker, “The Electoral College,” Wake Forest Law School Federalist Society Student Chapter, Oct. 20, 2020 (invited)

Debate Participant, “Election Law Controversies in 2020,” Pepperdine University Rick J. Caruso School of Law Federalist Society Student Chapter, Oct. 13, 2020 (invited)

Speaker, “The Electoral College: Its History and a Defense,” Columbia Law School Federalist Society Student Chapter, Oct. 5, 2020 (invited)

Panelist, “What Does the Constitution Say About Voting?”, Constitutional Democracy Project, Chicago-Kent College of Law, Sept. 17, 2020 (invited)

Faculty Workshop Presenter, “Ending Balancing Tests in Election Law,” University of Iowa College of Law, July 6, 2020

Presenter, “Seinfeld Law: Evidence,” Yada Yada Law School, June 17, 2020

Roundtable Participant, “What If the 2020 Presidential Election is Disputed?”, The Ohio State University Mortiz College of Law, May 4, 2020 (invited)

Panelist, “Electoral College: A Politically Plausible Fix,” The Hyatt Fund, Vanderbilt Law School, February 21, 2020 (invited)

Faculty Workshop Presenter, “Weaponizing the Ballot,” University of Notre Dame Law School, Jan. 28, 2020 (invited)

Speaker, “Weaponizing the Ballot,” Columbia Law School Federalist Society Student Chapter, Jan. 21, 2020 (invited)

Speaker, “The Electoral College, Its History, and Proposals for Reform,” Puget Sound Federalist Society Lawyers Chapter, Dec. 2, 2019 (invited)

Speaker, *From Russia With Love: Foreign Interference in Federal Elections*, University of Washington School of Law Federalist Society Student Chapter, Dec. 2, 2019 (invited)

Speaker, *From Russia With Love: Foreign Interference in Federal Elections*, University of Oregon School of Law Federalist Society Student Chapter, Oct. 29, 2019 (invited)

Speaker, “The Electoral College, Its History, and Proposals for Reform,” Willamette University College of Law Federalist Society Student Chapter, Oct. 28, 2019 (invited)

Panelist, “The Electoral College,” *Harvard Law & Policy Review*, Harvard Law School, Oct. 18–19, 2019 (invited)

Panelist, “Enduring Controversies in Election Law,” The Childress Symposium, ST. LOUIS UNIVERSITY LAW JOURNAL, Oct. 10–11, 2019 (invited)

Speaker, “From Russia With Love: Foreign Interference in Federal Elections,” St. Louis University School of Law Federalist Society Student Chapter, Oct. 10, 2019 (invited)

Faculty Workshop Presenter, “Weaponizing the Ballot,” University of Missouri School of Law, Oct. 9, 2019 (invited)

Speaker, *Partisan Gerrymandering and the Federal Courts*, Seattle University School of Law Federalist Society Student Chapter, Sept. 30, 2019 (invited)

Participant, Roundtable & Workshop, *Law’s Futures 2.0*, Northwestern Pritzker School of Law, Chicago, Ill., Sept. 27, 2019 (invited)

Panelist, *Supreme Court Preview*, UCLA Hammer Forum, Los Angeles, Calif., Sept. 19, 2019 (invited)

Panelist, *The Supreme Court: Term Review and a Look to the Horizon*, The Claremont Institute, Chapman University Dale E. Fowler School of Law, Orange, Calif., Sept. 14, 2019 (invited)

Presenter, “Behind the Rankings,” LSAC Annual Meeting & Educational Conference, Boston, Mass., May 30, 2019 (invited)

Presenter, “Weaponizing the Ballot,” PEP Talks Research Seminar, Pepperdine University, Malibu, Calif., Jan. 23, 2019

Panelist, “Weaponizing the Ballot,” Seven Minute Works in Progress, 21st Annual Federalist Society Faculty Conference, New Orleans, La., Jan. 3, 2019

Panelist, *Money in Politics*, University of Southern California American Constitution Society Student Chapter, Oct. 22, 2018 (invited)

Panelist, 15th Annual Wiley A. Branton/HOWARD LAW JOURNAL Symposium, Howard University School of Law, Oct. 11, 2018 (invited)

Participant, Roundtable & Workshop, *Law's Futures: New Institutions for Legal Education*, Claremont McKenna College, Claremont, Calif., Sept. 21, 2018 (invited)

Panelist, *Courts v. Legislators: Who Prevents Redistricting Abuse*, LA Law Library, Los Angeles, Calif., May 3, 2018 (invited)

Speaker, *Gerrymandering and Gill v. Whitford*, University of Houston Federalist Society Student Chapter, Mar. 28, 2018 (invited)

Organizer & Moderator, Symposium, *Federalism: Past, Present, and Future*, PEPPERDINE UNIVERSITY LAW REVIEW in conjunction with The Aspen Institute's Justice & Society Program, Mar. 23, 2018

Speaker, *Gerrymandering: Supreme Court & A Redistricting Revolution*, Seattle University Federalist Society Student Chapter, Mar. 21, 2018 (invited)

Panelist, "Voter Districts," Voting in 2018 and Beyond: Ensuring Access and Accountability of the Ballot in America, HASTINGS CONSTITUTIONAL LAW QUARTERLY, Jan. 26, 2018 (invited)

Speaker, *Gerrymandering and Gobbledygook: The Future of Wisconsin Redistricting After Gill v. Whitford*, Milwaukee Federalist Society Lawyers Chapter, Dec. 7, 2017 (invited)

Faculty Workshop Presenter, "The Democracy Ratchet," University of St. Thomas School of Law, Nov. 28, 2017 (invited)

Presenter, "Weaponizing the Ballot," Eighth Annual Constitutional Law Colloquium, Loyola University Chicago School of Law, Nov. 4, 2017 (paper accepted)

Faculty Workshop Presenter, "The Democracy Ratchet," University of Iowa College of Law, Nov. 2, 2017 (invited)

Research Roundtable Participant, "The First Amendment in the Regulatory State," Center for the Study of the Administrative State, Antonin Scalia Law School, George Mason University, Oct. 27, 2017 (invited)

Faculty Workshop Presenter, "The Democracy Ratchet," University of Notre Dame Law School, Oct. 5, 2017 (invited)

Discussant, "Reforming the Presidential Nomination Process," Southeastern Association of Law Schools Annual Meeting, Boca Raton, Fla., Aug. 3, 2017

Panelist, "Supreme Court Term in Review," Houston Federalist Society Lawyers Chapter, July 25, 2017 (invited)

Speaker, "A Calm After the Storm: Reflections on the Electoral College, Presidential Elections, and the Framers' Constitution," Hillsdale College Federalist Society Student Chapter, Apr. 20, 2017 (invited)

Debate Participant, "The Merits of the Electoral College," University of Illinois College of Law Federalist Society Student Chapter, Apr. 19, 2017 (invited)

Moderator, "Religious Critiques of Lawyers and Legal Education," Religious Critiques of the Law, Nootbaar Institute on Law, Religion, and Ethics Annual Conference, Pepperdine University School of Law, Mar. 10, 2017

Panelist, "Redistricting Reform: Mapping our Future," Common Cause, Duke University Sanford School of Public Policy, Mar. 2–3, 2017 (invited)

Moderator, “Judicial and Practitioner Perspectives on ADR,” Synergy: Flexibility as Key to a Successful ADR Practice, PEPPERDINE DISPUTE RESOLUTION LAW JOURNAL, Feb. 10, 2017

Panelist, “Forty Years Later: The Brennan Article and State Constitutions,” Annual Western Chapters Conference, Federalist Society, Simi Valley, Calif., Jan. 28, 2017 (invited)

Faculty Workshop Presenter, “The Democracy Ratchet,” The Ohio State University Moritz College of Law, Jan. 25, 2017 (invited)

Panelist, “Lessons from the 2016 Elections (and Implications for the Future),” Section on Election Law, Association of American Law Schools Annual Meeting, San Francisco, Calif., Jan. 5, 2017 (invited)

Moderator, “Election Day Technology,” Election 2016 Conference, Pepperdine University School of Public Policy, Oct. 14, 2016 (invited)

Presenter, “Election Law Forum,” FORDHAM LAW REVIEW, Sept. 30, 2016 (paper accepted)

Speaker, “Three Ways the Electoral College Can Stop Trump and Clinton”
The Ohio State University Moritz College of Law Federalist Society Student Chapter, Sept. 27, 2016
University of Dayton School of Law Federalist Society Student Chapter, Sept. 28, 2016
University of Cincinnati College of Law Federalist Society Student Chapter, Sept. 29, 2016

Speaker, “From Adams v. Jefferson to Trump v. Clinton: Presidential Elections and the Framers’ Constitution,” Constitution Day, Westmont College, Santa Barbara, Calif., Sept. 19, 2016 (invited)

Panelist, “Election Law—Today and Beyond,” WASHBURN LAW JOURNAL, Feb. 25, 2016 (invited)

Panelist, “Election Law Issues in Texas,” Texas A&M University School of Law, Nov. 18, 2015 (invited)

Speaker, “The Three Texas Election Law Cases You Should Know About,” Dallas Federalist Society Lawyers Chapter, Nov. 18, 2015 (invited)

Panelist, “Campaign and Election Law,” Federal Election Commission, UCLA School of Law, Oct. 22, 2015 (invited)

Moderator, “Cutting Through the Thicket: Can We Untangle Redistricting for the Courts?,” Redistricting Reform: Mapping Our Future, Common Cause, George Washington University Law School, Oct. 7, 2015 (invited)

Presenter, “Roundtable on the Voting Rights Act at 50,” Law & Political Process Study Group, American Political Science Association, Sept. 3-6, 2015 (invited)

Panelist & Moderator, “The Law of Democracy at a Crossroads: Reflecting on Fifty Years of Voting Rights and the Judicial Regulation of the Political Thicket,” FLORIDA STATE UNIVERSITY LAW REVIEW, Mar. 28, 2015 (invited)

Commentator, Damon Root, OVERRULED: THE LONG WAR FOR CONTROL OF THE U.S. SUPREME COURT, Los Angeles Federalist Society Lawyers Chapter, Mar. 11, 2015 (invited)

Moderator, “Perspectives on Federal Power Under the Reconstruction Amendments,” Section on Constitutional Law, Association of American Law Schools Annual Meeting, Washington, D.C., Jan. 5, 2015

Panelist, “Virgin Islands Election Law: Emerging Issues and Overview” and “Federalism and the Courts of the U.S. Virgin Islands: From *Erie* to the Revised Organic Act to Superior Court Rule 7,” United States Virgin Islands Bar Association Annual Meeting & CLE Seminar, St. Thomas, V.I., Dec. 12, 2014 (invited)

Presenter, “Ballot Speech,” Fifth Annual Constitutional Law Colloquium, Loyola University Chicago School of Law, Nov. 7, 2014 (paper accepted)

Panelist, “Judicial Appointments vs. Judicial Elections vs. Mixed Systems,” American Constitution Society Southern California Regional Conference, Southwestern Law School, Oct. 26, 2014 (invited)

Speaker, “Isn’t Money Speech? Campaign Finance Law and the First Amendment,” University of New Mexico School of Law Federalist Society Student Chapter, Oct. 24, 2014

Panelist, “Employment and Student Well-Being,” Religiously Affiliated Law Schools Conference, University of St. Thomas School of Law, Minneapolis, Minn., Sept. 19, 2014 (invited)

Speaker, “Can Texas Regulate Elections Again? The Voting Rights Act After *Shelby County*” University of Houston Law Center Federalist Society Student Chapter, Mar. 4, 2014 South Texas College of Law Federalist Society Student Chapter, Mar. 4, 2014

Moderator, “Liberalism, Post-Liberalism, and Law,” Love and Law, Nootbaar Institute on Law, Religion, and Ethics Annual Conference, Pepperdine University School of Law, Feb. 7, 2014

Panelist, “Voting Rights Under Fire? The Value of a Vote Post-*Shelby County*,” Anti-Defamation League and the Orange County Bar Association, Newport Beach, Calif., Jan. 28, 2014 (invited)

Panelist, “From *McReynolds* to *Shelby County* and Beyond: Voting Rights and the Court,” Section on Legislation & Law of the Political Process, Association of American Law Schools Annual Meeting, New York, N.Y., Jan. 3, 2014 (invited)

Panelist, “Voting Rights Act,” Gender, Race, Identity & the Law in our Lives, California State University Northridge, Oct. 15, 2013 (invited)

Speaker, “Can States Regulate Elections Again? The Voting Rights Act After *Shelby County*” University of Notre Dame Law School Federalist Society Student Chapter, Sept. 4, 2013 Valparaiso University Law School Federalist Society Student Chapter, Sept. 4, 2013 Indiana University–Bloomington School of Law Federalist Society Student Chapter, Sept. 5, 2013

Panelist, “Judicial Decisionmaking and Election Administration: The Role of the Courts in the 2012 Election,” Southeastern Association of Law Schools Annual Meeting, Palm Beach, Fla., Aug. 7, 2013

Moderator, “Adoption Trends: Causes and Solutions,” Intercountry Adoption: Orphan Rescue or Child Trafficking?, Nootbaar Institute on Law, Religion, and Ethics Annual Conference, Pepperdine University School of Law, Feb. 8, 2013

Speaker, “Aren’t Corporations People? *Citizens United*, Political Speech, and the First Amendment,” The Pennsylvania State University Dickinson School of Law Federalist Society Student Chapter, Jan. 31, 2013

Presenter, “Federalism and Constitutional Ballot Eligibility,” Third Annual Constitutional Law Colloquium, Loyola University Chicago School of Law, Nov. 2, 2012 (paper accepted)

Speaker, “Is the Electoral College on Death’s Door?,” Wayne State University Federalist Society Student Chapter, Oct. 31, 2012

Speaker, “Isn’t Money Speech? Election Law and the First Amendment,” University of Hawai’i School of Law Federalist Society Student Chapter, Sept. 24, 2012

Panelist, Fourth Annual Aspiring Law Professors Conference, Sandra Day O’Connor College of Law, Arizona State University, Sept. 15, 2012 (invited)

Presenter, Young Election Law Scholars Workshop, Loyola Law School Los Angeles, Sept. 13, 2012

Panelist, “Concussion in Sports and Complex Litigation,” The Dark Side of Entertainment and Sports Law, TEXAS REVIEW OF ENTERTAINMENT & SPORTS LAW, The University of Texas School of Law, Sept. 7, 2012 (invited)

Moderator, “Who Should Influence Whom?,” The Competing Claims of Law and Religion, Nootbaar Institute on Law, Religion, and Ethics Annual Conference, Pepperdine University School of Law, Feb. 24, 2012

Panelist, “WikiLeaks: International Implications,” Graduate Student Forum, College of Communications, The Pennsylvania State University, Jan. 26, 2011 (invited)

Other Experience

Legal Intern, Blackstone Fellow, Summer 2005

Center for Arizona Policy, Scottsdale, Ariz.

Court Clerk, Summers & Winters 2000–2004

44th District Court of the State of Michigan, Royal Oak, Mich.

Kitchen Worker, Summers 1998–1999

Caesarland, Clawson, Mich.

Professional Service and Bar Admission

Bar of the State of Iowa, 2024–present (inactive), 2021–2024 (active), no. AT0014594

Bar of the State of Illinois, 2021–present (inactive), 2007–2020 (active), no. 6294488

Iowa Rules of Evidence Substantive Review Task Force, Iowa Supreme Court, Aug. 2021–May 2023

Iowa State Judicial Nominating Commission, Mar.–July 2021, May–July 2022

Section on Election Law, Association of American Law Schools

Chair, 2022

Executive Board, 2017–2023

Section on Constitutional Law, Association of American Law Schools

Executive Board, 2012–2016

Co-Chair, 2014

Johnson County, Iowa Recount Board Member for the Second Congressional District Election Recount, Nov. 17-24, 2020

Judging Panelist

Common Cause Democracy Prize Competition, Spring 2015 & 2016

Peer Consult/Review

STANFORD LAW REVIEW, Summer 2021

OXFORD UNIVERSITY PRESS, Fall 2018

YALE LAW JOURNAL, Spring 2023, Spring 2018

JOURNAL OF POLITICS, Summer 2014

Advisor, PEPPERDINE UNIVERSITY LAW REVIEW, 2012–2013

Advisory Board, Safeguarding Democracy Project, UCLA, 2022–present

University of Notre Dame Law School

Admissions Committee, 2023–present

Legal Writing Task Force, 2023–present

University of Iowa College of Law

Faculty Advisor, Christian Legal Society, 2021–2023

Faculty Teaching Review Committee, 2020–2023

Internal Procedures Committee, 2020–2021, 2022–2023

Chair, College of Law University Self-Study Committee, 2021–2022
Coordinated five subcommittees to develop self-study report for the University
Faculty Tenure Review Committee, 2021–2022
Judicial Clerkship Committee, 2020–2021
Intellectual Life Committee, 2020–2021

Pepperdine University, Rick J. Caruso School of Law

Judicial Clerkship Committee, 2013–2019
Faculty Advisor, Habeas Ludus (student tabletop game club), 2015–2019
Chair, Faculty Appointments Committee, 2018–2019
Director of Institutional Data Analytics, 2018–2019
Assistant Dean of Career Development Search Committee, 2018
Academic Standards Committee, 2011–2012, 2017–2018
Dean Search Committee, 2016–2017
Faculty Resources & Cost Impact Evaluation Committee, 2016–2017
Spiritual Formation Committee, 2013–2017
Academic Dismissal Hearing Committee, 2016
Curriculum Committee, 2012–2013, 2014–2016
Sustainability & Enrollment Task Force, 2015–2016
Bar Exam Data Analytics Task Force, 2015
Faculty Resources Committee, 2013–2014
Veterans Recruitment Task Force, 2012–2013
Benediction offered as a part of platform party at commencement, May 15, 2015

Data & Metrics Reports and Presentations

Relationship Between Incoming Student Predictors, Course Selection, and Bar Exam Performance (customized evaluation and data visualizations of internal metrics, including law student predictors, law student law grade point averages, bar exam performance, course-specific performance, bar exam content performance, and bar exam component performance)
Pepperdine Law Administration, draft report circulated Jan. 2019

Bar Exam Empirical Data (customized evaluation and data visualizations of internal metrics, including enrollment trends, school-wide bar passage data, historic bar pass data, local and national bar passage trends, and course content and coverage)
Pepperdine Law Board of Visitors, Feb. 2016
Pepperdine Law Faculty, Dec. 2015

Sustainability & Enrollment Task Force Report (customized evaluation and data visualizations of internal metrics, including admissions projections, scholarship trends, legal education market demand, and tuition projections)
Pepperdine Law Faculty, Aug. 2015

Challenges and Opportunities Facing Pepperdine University School of Law (customized evaluation and data visualizations of internal metrics, including admissions strategies, bar passage rates, and employment outcomes)
Pepperdine Law Board of Visitors, Mar. 2015
Pepperdine Law Faculty, Jan. 2015
Pepperdine Law Dean's Meeting, Dec. 2014

The Federalist Society for Law & Public Policy Studies

Executive Committee, Free Speech & Election Law Practice Group, 2016–present
Member, 2004–present

Hillsdale College Alumni Executive Board, 2012–2014

Career Development Committee, 2012–2014

Certificate, Data Visualization and Infographics with D3 (non-credit online course completed Apr. 26, 2015, through the Knight Center for Journalism in the Americas, the University of Texas at Austin)

Personal

Soccer Coaching Experience

Iowa City Kickers, Head coach, Fall 2022 & Spring 2023, 3d/4th Grade Girls team: Yellowjackets
Iowa City Kickers, Head coach, Fall 2021 & Spring 2022, 3d/4th Grade Girls team: Teal Tigers
Iowa City Kickers, Assistant coach, Spring 2021, Second Grade Co-ed team
AYSO Malibu, Calif., Head coach, Fall 2016, Under-6 Co-ed team: Jaguars
AYSO Thousand Oaks, Calif., Head coach, Fall 2015, Under-7 Girls team: Mighty Grapes
AYSO Thousand Oaks, Calif., Head coach, Fall 2014, Under-6 Girls team: Sunshine Lollipops
AYSO Thousand Oaks, Calif, Head coach, Fall 2013, Under-7 Boys team: Electric Pirates

Native of Royal Oak, Michigan; valedictorian, Shrine Catholic High School (2000)

Member, Parkview Church, Evangelical Free Church of America, Iowa City, Ia., 2021–present

Previous memberships:

Pacific Crossroads Church, Presbyterian Church in America, Santa Monica, Calif., 2016–2021
Holy Trinity Church, Chicago, Ill., 2008–2016
Troy Christian Chapel, Troy, Mich., 2000–2008

Interests: Italian cooking and sausage-making, running, Romantic period poetry, Notre Dame football, tabletop games

Profiles

[Faculty bio](#)

[Faculty media bio](#)

[Google Scholar](#)

[Hein](#)

[LinkedIn](#)

[ORCID](#)

[Scopus](#)

[SSRN](#)

[Twitter](#)