

ANDREW M. SIEGEL

Seattle University School of Law
901 12th Ave.
Seattle, WA 98122
(206) 398-4063
Siegelan@seattleu.edu

EDUCATION

J.D., *summa cum laude*, New York University School of Law, 1999

- Order of the Coif
- Executive Editor, *New York University Law Review*
- University Graduation Prize (1st in law school class)
- Kaufman Award (Best Note Published in *Law Review*)
- Sommer Award (Outstanding Character, Scholarship, and Service)

M.A. in History, Princeton University, 1997

- Fellowships: Mellon Fellowship, Javits Fellowship (declined); Davis Merit Prize
- Fields of Study: The American Early Republic (major field); The United States Since 1920 and Gender Theory (minor fields)

B.A. with distinction in History, *summa cum laude*, Yale University, 1993

LEGAL EMPLOYMENT

Associate Professor, Seattle University School of Law, 2007-present (tenured 3/2009)

Assistant Professor, University of South Carolina School of Law, 2002-2007

Associate, Wilmer, Cutler & Pickering, New York, NY, 2001-2002

Law Clerk, Justice John Paul Stevens, Supreme Court of the United States, 2000-2001

Law Clerk, Judge Pierre N. Leval, U.S. Court of Appeals for the 2nd Circuit, 1999-2000

Summer Associate, Paul, Weiss, Rifkind, Wharton & Garrison, New York, NY, 1998

Summer Law Clerk, Childrens' Rights, Inc., New York, NY, 1997

SCHOLARLY PUBLICATIONS

Justice Stevens and the Seattle Schools Case: A Case Study on the Role of Righteous Anger in Constitutional Discourse, 43 U.C. DAVIS L. REV. 927 (2010)

Notes Towards an Alternative Vision of the Judicial Role, 32 SEATTLE U. L. REV. 511 (2009)

From Bad to Worse?: Some Early Speculation About the Roberts Court and the Constitutional Fate of the Poor, 59 S.C. L. REV. 849 (2008)

The Court Against the Courts: Hostility to Litigation as an Organizing Theme in the Rehnquist Court's Jurisprudence, 84 TEX. L. REV. 1097 (2006) (winner of the 2006 Faculty Scholarship Award at the University of South Carolina School of Law)

Equal Protection Unmodified: Justice John Paul Stevens and the Case for Unmediated Constitutional Interpretation, 74 FORDHAM L. REV. 2339 (2006)

Moving Down the Wedge of Injustice: A Proposal for a Third Generation of Wrongful Convictions Scholarship and Advocacy, 42 AM. CRIM. L. REV. 1219 (2005)

When Prosecutors Control Criminal Court Dockets: Dispatches on History and Policy from a Land Time Forgot, 32 AM. J. CRIM. L. 325 (2005)

"To Learn and Make Respectable Hereafter:" The Litchfield Law School in Cultural Context, 73 N.Y.U. L. REV. 1978 (1998)

"Steady Habits" Under Siege: The Defense of Federalism in Jeffersonian Connecticut, in Doron Ben-Atar & Barbara B. Oberg, eds., *FEDERALISTS RECONSIDERED* (University Press of Virginia 1998), 199-224

OTHER WRITINGS AND COMMENTARY

John Paul Stevens: Leader of the Resistance, SCOTUSBLOG, May 25, 2010 (solicited online essay for *30 Days of Stevens* series)

Farewell to Justice Stevens from Those Who Knew Him Well, WASHINGTON POST ONLINE, April 9, 2010 (with Joseph Thai & Eduardo Penalver)

Symposium—State Judicial Independence: A National Concern, Session 1: One Symptom of a Serious Problem: Caperton v. Massey, 33 SEATTLE U. L. REV. 589 (2010) (panel with Bert Brandenburg, Richard Hasen, & Kathleen Sullivan) (transcription)

Commentaries on the Constitution, entry in the ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES (Macmillan 2008).

In Forma Pauperis, entry in the ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES (Macmillan 2008)

Lau v. Nichols, entry in the ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES (Macmillan 2008)

A Tale of Two Terms, SOUTH CAROLINA LAWYER, September 2006

Nice Disguise: Alito's Frightening Geniality, THE NEW REPUBLIC, November 15, 2005 (cover story)

Introduction to Symposium: An Appreciation of Professor Herbert Johnson, 56 S.C. L. REV. 427 (2005)

The President's Top Lawyer, THE STATE (Columbia, S.C.), December 19, 2004 (with Deborah Pearlstein)

Court is Adjourned—What Have We Learned?™ SOUTH CAROLINA LAWYER, September 2004, at 14 (cited in *Hammon v. State*, 829 N.E. 2d 444 (Ind.), *rev'd sub nom. Davis v. Washington*, 126 S. Ct. 2266 (2006))

WORKS IN PROGRESS

THE SUPREME COURT SOURCEBOOK (Aspen 2012) (with Richard Seamon, Joseph Thai, & Kathryn Watts) (modular book of materials for courses on the United States Supreme Court)

Institution Building in the "Valley of Hope": The Transylvania University Law Department in Cultural Context, in Sally Hadden & Patricia Minter, eds., SIGNPOSTS: NEW DIRECTIONS IN SOUTHERN LEGAL HISTORY (University of Georgia Press 2012)

Exploring the Due Process Super-Structure (article examining the history and theoretical underpinnings of modern due process rules and categories, and questioning the continued utility of distinguishing between substantive and procedural due process)

Constitutional Theory, Constitutional Culture (article arguing that constitutional theorists do not have a sufficient appreciation for the degree to which the content and tenor of constitutional law turn on nominal and historically contingent institutional arrangements and habits of thought)

LEGAL EDUCATION AS A CULTURAL PROJECT: INVENTING THE AMERICAN LAW SCHOOL, 1800-1840 (long-term book project.)

ACADEMIC PRESENTATIONS

- “A Theory of Judicial Deference,” Annual Meeting of the Southeastern Association of Law Schools, Hilton Head, South Carolina, July 2011 (scheduled)
- “Courses on the United States Supreme Court: Themes and Audiences,” Law and Society Association Annual Meeting, San Francisco, California, May 2011 (scheduled)
- “John Paul Stevens: Leader of the Resistance,” presented at
 - Program in Public Law, Duke University, Durham, North Carolina, August 2010
 - Annual Meeting of the Southeastern Association of Law Schools, Palm Beach, Florida, August 2010
- “The *Caperton* Decision and the Deep Structure of the Due Process Clause,” Conference on Judicial Independence, Seattle University, Seattle, Washington, September 2010
- “Teaching Legal Doctrine in a Post-Realist World,” Annual Meeting of the Southeastern Association of Law Schools, Palm Beach, Florida, August 2009
- “The Role of Righteous Anger in Constitutional Discourse,” Law and Society Association Annual Meeting, Denver, Colorado, May 2009
- “Justice John Paul Stevens, the Seattle Schools Case, and the Role of Righteous Anger in Constitutional Discourse,” *University of California-Davis Law Review* Symposium on “Justice John Paul Stevens,” Davis, California, March 2009
- “Alternative Visions of the Judicial Role,” Annual Meeting of the Southeastern Association of Law Schools, Palm Beach, Florida, 2008
- “Constitutional Theory, Constitutional Culture,” Annual Meeting of the Law and Society Association, Montreal, Canada, May 30, 2008
- “The Future of Federal Courts,” Junior Federal Courts Faculty Workshop, American University’s Washington College of Law, Washington, District of Columbia, April 4, 2008
- “From Bad to Worse?: Some Early Speculation About the Roberts Court and the Constitutional Fate of the Poor,” *South Carolina Law Review* Symposium on

- “The Robert Court and Equal Protection: Gender, Race, and Class,” Columbia, South Carolina, February 29, 2008
- “Exploring the Due Process Super-Structure,” presented at:
 - Annual Meeting of the Southeastern Association of Law Schools, Amelia Island, Florida, July 30, 2007
 - University of Kansas School of Law, Faculty Colloquium, Lawrence, Kansas, December 2006
 - Seattle University School of Law, Faculty Colloquium, Seattle, Washington, November 2006
 - University of Alabama School of Law, Faculty Colloquium, Tuscaloosa, Alabama, November 2006
 - “Equal Protection Unmodified: Justice John Paul Stevens and the Case for Unmediated Constitutional Interpretation,” Conference on the Jurisprudence of Justice John Paul Stevens, Fordham University School of Law, New York, New York, October 2005
 - “When Prosecutors Control Criminal Court Dockets: Dispatches on History and Policy from a Land Time Forgot,” Innocence Network Annual Conference, Washington, District of Columbia, April 2005
 - “Comment” on G. Edward White’s “Historicizing Judicial Scrutiny,” Charles Knowlton Lecture, University of South Carolina, Columbia, South Carolina, March 2005
 - “The Court Against the Courts: Hostility to Litigation as an Organizing Theme in the Rehnquist Court’s Jurisprudence,” presented at:
 - Faculty Colloquium, University of South Carolina School of Law, Columbia, South Carolina, January 2005
 - Annual Meeting of the Southeastern Association of Law Schools, Amelia Island, Florida, July 2003
 - “Legal Education at Transylvania University: The Surprisingly Familiar Story of a Surprisingly Unfamiliar Law School,” Annual Meeting of the Southeastern Association of Law Schools, Kiawah Island, South Carolina, August 2004

PROFESSIONAL PRESENTATIONS AND TESTIMONY

- “Update on State and Federal Constitutional Law,” Presentation to Annual Conference of Washington Appellate Judges, Seatac, Washington, April 2011 (scheduled)
- “Update on State and Federal Constitutional Law,” Presentation to Annual Conference of Washington Appellate Judges, Lake Chelan, Washington, April 2010
- “The Top Ten Story Lines from the Last Supreme Court Term,” Presentation to Annual Conference of Association of Former United States Attorneys, Seattle, Washington, September 2009
- “Introduction” and “Constitutional Law Preview,” CLE Program Previewing Supreme Court’s 2010 Term, Seattle University School of Law, Seattle, Washington, September 2009
- “The Constitutionality of Presidential Wire-Tapping and the Powers of the Presidency: A Sample Law School Class,” Seattle University School of Law Spring Visit Day, Seattle, Washington, May 2008 and May 2009
- “Executive Privilege: Setting the Stage,” Academic Introduction to CLE Program entitled “Congress vs. The President,” Seattle, Washington, October 2008
- “The Art of Constitutional Interpretation: Some Mildly Skeptical Reflections on *District of Columbia v. Heller*,” Seattle University School of Law Constitution Day Ceremony, Seattle, Washington, September 2008
- “The Reagan Justice Department Takes Charge: The Roberts Court and the Future of Constitutional Law,” Seattle University School of Law American Constitution Society Chapter, Seattle, Washington, April 2008
- “The Evolution of the Supreme Court’s Abortion Jurisprudence,” Seattle University School of Law American Civil Liberties Union Chapter, Seattle, Washington, March 2008
- “Legal Implications of the Proposed Anti-Gay Marriage Amendment,” presented at:
 - Peace Committee Colloquium, Shandon Presbyterian Church, Columbia, South Carolina, November 2006
 - Social Justice Breakfast, Washington Street United Methodist Church, Columbia, South Carolina, October 2006
 - Columbia Film Society, Columbia, South Carolina, May 2006

- “Putting the *Hamdan* Decision in Context,” Supreme Court Faculty Lunch Series, University of South Carolina School of Law, Columbia, South Carolina, September 2006
- “Repealing or Reforming Prosecutorial Docket Control: Arguments from History and Policy,” Testimony to South Carolina Senate Criminal Justice Task Force, Columbia, South Carolina, September 2006
- “Why Does the Supreme Court Take So Many Death Penalty Cases?,” Supreme Court Faculty Lunch Series, Columbia, South Carolina, September 2006
- “A Year Inside the Rehnquist Court,” Keynote Address, Annual Dinner of the John Belton O’Neill Inn of Court, Columbia, South Carolina, April 2006
- “The Alito Nomination in Cultural Context,” Supreme Court Faculty Lunch Series, University of South Carolina School of Law, Columbia, South Carolina, January 2006
- “October Term 2005 Supreme Court Preview,” Supreme Court Faculty Lunch Series, University of South Carolina School of Law, Columbia, South Carolina October 2005
- “The Supreme Court Confirmation Process,” Lecture to South Carolina Judiciary and Judicial Staff, South Carolina Court of Appeals, Columbia, South Carolina, October 2005
- “When Prosecutors Control the Criminal Court Docket: Dispatches on History and Policy from a Land Time Forgot,” Annual Conference of the South Carolina Public Defenders Association, Charleston, South Carolina, September 2005
- “The Roberts Nomination: Some Lessons from History,” Supreme Court Faculty Lunch Series, University of South Carolina School of Law, Columbia, South Carolina, September 2005
- “Some Historical and Constitutional Considerations on the Proposed Constitutional Amendment Banning Same-Sex Marriage,” Testimony to South Carolina Senate Judiciary Committee, Subcommittee on the Constitution, Columbia, South Carolina, March 2005
- “The Supreme Court’s 2003 Term: Lessons and Trends,” Lecture to South Carolina Judiciary and Judicial Staff, South Carolina Supreme Court, Columbia, South Carolina, July 2004
- “The University of Michigan Affirmative Action Decisions: Some Initial Reactions,” Faculty Colloquium, University of South Carolina School of Law, Columbia, South Carolina, June 2003

- “Putting the Florida Election Controversy in Context: A Comment on the Documentary ‘Unprecedented’,” Columbia Film Society, Columbia, South Carolina, June 2003

PUBLISHED INTERVIEWS AND COMMENTARY

A frequent source for information and analysis on issues relating to constitutional law, criminal law, and the United States Supreme Court. Media outlets that have broadcast or requested interviews or run quotations include: ABC National Network News; NBC-National Network News; KING-TV (Seattle, WA); KOMO-TV (Seattle, WA); WIS-TV (Columbia, SC); WOLO-TV (Columbia, SC); Bloomberg News Radio (New York, NY); KPFX Pacifica Radio (Los Angeles, CA); National Public Radio (Boston, MA); Public Affairs Radio (San Antonio, TX); The Andy Thomas Radio Show (syndicated); WLCX Radio (Columbia, SC); *Legal Affairs*; *Legal Times*; The Associated Press; *The Washington Post*; *The Los Angeles Times*; *The Seattle Times*; *The Charlotte Observer*; *The State* (Columbia, SC); *Charleston Post and Courier*; *Spartanburg Gazette*; *Anderson Independent Mail*; *Greenville News*; *The Herald* (Rock Hill, S.C.). Writer of occasional feature answering reader questions about Supreme Court decisions on the *Seattle Times* website.

COURSES TAUGHT

Seattle University: Constitutional Law (Comprehensive Course); American Legal History; United States Supreme Court Practice Seminar; Civil Procedure II

University of South Carolina: Constitutional Law I (Judicial Review, Structures of Government, Federalism); Constitutional Law II (Individual Rights); American Legal History; United States Supreme Court Practice Seminar; Post-Conviction Remedies and Wrongful Convictions Seminar

LAW SCHOOL AND UNIVERSITY SERVICE

Seattle University

Dean Search Committee, 2009.

Curriculum Committee, 2008-2009

Dean’s Planning and Advisory Committee, 2008-2009

Appointments Committee, 2007-2008

University Academic Assembly, 2008

Advisor, American Constitution Society chapter, 2008-present

University of South Carolina

Executive Committee, 2006-2007 (Secretary)

Faculty Selection Committee, 2002-2005

Library Committee, 2005-2006

Career Services Committee, 2004-2006 (Chair, 2005-2006)

Hollings Chair Search Committee, 2006-2007

Faculty Senate, 2003-2006

Advisor, American Constitution Society chapter, 2004-2007

Advisor, Public Interest Law Society, 2004-2007

Advisor, *The Forum*, 2004-2007

Advisor, Criminal Law Society, 2003-2006

Order of the Coif Chapter, 2002-2007 (President, 2007; Vice-President, 2006; Serjeant and Secretary, 2005)

Charles Knowlton Law and Humanities Lecture Committee, 2004-2007

EXTERNAL SERVICE AND OTHER LEGAL ACTIVITIES

Chair, American Bar Association, South Carolina Death Penalty Assessment Team, 2004-2007

Southeastern Association of Law Schools, Young Scholars Committee, 2006-2007

Southeastern Association of Law Schools, Program Committee, 2006-2007

American Constitution Society, South Carolina Lawyers Chapter, Board of Directors, 2005-2007

Yale Alumni Schools Committee for Central South Carolina, Alumni Interviewer, 2006-2007

Occasional consulting work on constitutional law, constitutional torts, criminal procedure, and United State Supreme Court practice

Guest “blogger” on United States Supreme Court and constitutional law issues: SCOTUSBLOG ([ww.scotusblog.com](http://www.scotusblog.com)), May 2010; Prawfsblawg (www.prawfs.com): October 2006, June 2007, June-July 2008; Center for American Progress Supreme Court Extra: July-August 2005

MEMBERSHIPS

Order of the Coif, Phi Beta Kappa, American Association of Law Schools (Sections on Constitutional Law, Legal History, and Federal Practice), Southeastern Association of Law Schools, American Society for Legal History, American Constitution Society, Law and Society, National Association of Criminal Defense Lawyers, the Innocence Network