

## Tracey E. George

Vanderbilt University School of Law  
131 21<sup>st</sup> Avenue South  
Nashville TN 37203-1181

phone: 615-322-6310  
fax: 615-322-6631  
tracey.george@vanderbilt.edu

### ACADEMIC APPOINTMENTS

#### *Permanent Appointments:*

##### **Vanderbilt University**, Nashville, Tennessee.

Professor of Law, 9/2004 to present (*Visiting Professor, Spring 2004*)

Professor of Political Science, 10/2008 to present (*Secondary*)

Director, Cecil D. Branstetter Program in Litigation & Dispute Resolution, 9/2011 to present

FedEx Research Professor of Law, 8/2007 – 8/2008

##### **Northwestern University**, Chicago, Illinois.

Professor of Law, August 2001 to August 2004 (*Visiting Professor, Fall 2000*).

Benjamin Mazur Research Professor, August 2002-August 2003

Faculty Associate, Institute for Policy Research, September 2001 to August 2004

Faculty Associate, Center for Legal Studies, September 2002 to August 2004

##### **University of Missouri**, Columbia, Missouri.

Associate Professor of Law (*tenure awarded in 2000*), August 1996 to July 2001.

Adjunct Associate Professor of Political Science, October 1998 to July 2001.

#### *Visiting (only) Appointments:*

**University of Alabama**, Visiting Professor of Law (short course), Fall 2004

**George Mason University School of Law**, Visiting Associate Professor, Spring 2000.

#### *Teaching Honors*

Vanderbilt Law School Outstanding First Year Teacher (Hall-Hartman Award) 2004, 2010.

Northwestern University School of Law Outstanding First Year Teacher 2002.

University of Missouri Vice-Chancellor's Excellence in Education Award 1999

University of Missouri Women's Law Association Award 1999.

#### *Courses:*

Contracts I & II, Evidence, Life of the Law: Introduction to the Study of Law, Civil Procedure, Commercial Law, Payment Systems, Sales & Leases, Law & Politics/Social Science

## SCHOLARSHIP

### *Books*

WHAT EVERY LAW STUDENT *REALLY* NEEDS TO KNOW: AN INTRODUCTION THE STUDY OF LAW (with Suzanna Sherry) (Aspen 2009)

PUBLIC INTEREST LAW: AN ANNOTATED BIBLIOGRAPHY AND RESEARCH GUIDE Pp. xviii, 213 (1992) (with Lee Epstein and Joseph F. Kobylka).

### *Articles & Essays*

The New Old Legal Realism,105 NORTHWESTERN LAW REVIEW (2011) 689-735 (with G. Mitu Gulati & Anne C. McGinley)

Remaking the United States Supreme Court in the Courts' of Appeals Image, 58 DUKE LAW JOURNAL 1440-1475 (2009) (with Chris Guthrie) (symposium)

Mr. Sunstein's Neighborhood: Won't You Be Our Co-Author? THE GREEN BAG ALMANAC & READER 213-230 (2009) (with Paul Edelman)

"The Threes": Reimagining Supreme Court Decision Making, 61 VANDERBILT LAW REVIEW 1825-1860 (2008) (with Chris Guthrie)

From Judge to Justice: Social Background Theory and the U.S. Supreme Court, 86 NORTH CAROLINA LAW REVIEW 1333-1368 (2008) (symposium)

- Featured in Adam Liptak, "Judging a Court with Ex-Judges Only," N.Y. Times, Feb. 17, 2009

Chief Judges: The Limits of Attitudinal Theory and Possible Paradox of Managerial Judging, 61 VANDERBILT LAW REVIEW 1-61 (2008) (with Albert H. Yoon)

Sunstein 1s and 2s, THE GREEN BAG ALMANAC 473-481 (2008) (with Paul Edelman)

Six Degrees of Cass Sunstein: Collaboration Networks in Legal Scholarship, 11 GREEN BAG 2D 19-36 (2007) (with Paul Edelman)

An Empirical Study of Empirical Legal Scholarship: The Top Law Schools, INDIANA LAW JOURNAL (2005) (symposium)

- Updated on ELS Guest Blog, September 25-29, 2006 ([www.elsblog.org](http://www.elsblog.org))

The Futility of Appeal: Disciplinary Insights Into the "Affirmance Effect" on U.S. Courts of Appeals, FLORIDA STATE LAW REVIEW (2005) (with Chris Guthrie) (symposium).

Other Disciplines, Methodologies, and Countries: Studying Courts and Crisis, 69 MISSOURI LAW REVIEW 951 (2004) (symposium).

Induced Litigation, 98 NORTHWESTERN UNIVERSITY LAW REVIEW 545-578 (2004) (with Chris Guthrie).

The Federal Court System: A Principal-Agent Perspective, 47 ST. LOUIS UNIVERSITY LAW JOURNAL.

819-834 (2003) (with Albert H. Yoon) (symposium).

Judicial Independence and the Ambiguity of Article III Protections, 64 OHIO STATE LAW JOURNAL 221-247(2003) (symposium).

Joining Forces: The Role of Collaboration in the Development of Legal Thought, 52 JOURNAL OF LEGAL EDUCATION 559-582 (2002) (with Chris Guthrie).

How Constitutional Law is Made, 100 MICHIGAN LAW REVIEW 1401-1425 (2002) (book review essay) (with Robert J. Pushaw)

Supreme Court Monitoring of Courts of Appeals En Banc, 9 SUPREME COURT ECONOMIC REVIEW 171-204 (2001) (with Michael E. Solimine).

Court Fixing, 43 ARIZONA LAW REVIEW 9-62 (2001).

Circuit Breaker: Deciphering Courts of Appeals Decisions Using the U.S. Courts of Appeals Data Base, 83 JUDICATURE 240-247 (2000) (with Reginald Sheehan) (symposium).

An Empirical Evaluation of Specialized Law Reviews, 26 FLORIDA STATE LAW REVIEW 813-836 (1999) (with Chris Guthrie).

In Defense of Author Prominence: A Reply to Crespi and Korobkin, 26 FLORIDA STATE LAW REVIEW 877-896 (1999) (with Chris Guthrie).

The Dynamics and Determinants of the Decision to Grant En Banc Review, 74 WASHINGTON LAW REVIEW 213-274 (1999).

- Quoted in *Newdow v. U.S. Congress*, 328 F.3d 466 (9th Cir. 2003) (Reinhardt, J., concurring in denial of en banc).

Developing a Positive Theory of Decisionmaking on U.S. Courts of Appeals, 58 OHIO STATE LAW JOURNAL 1635-1696 (1998).

On the Nature of Supreme Court Decision Making, 86 AMERICAN POLITICAL SCIENCE REVIEW 323-337 (1992) (with Lee Epstein).

- Reprinted in 1995. THE INTERNATIONAL LIBRARY OF POLITICS AND COMPARATIVE GOVERNMENT, Volume 1, ed. Alan Ware, ed. Hampshire, UK: Ashgate.
- Listed in 1999. *The Top 25 American Political Science Review Articles Most Frequently Downloaded from JSTOR*, PS, (September): 654.
- Reprinted in 1995. EQUAL JUSTICE UNDER LAW: THE SUPREME COURT IN AMERICAN LIFE, ed. Kermit Hall. New York: Carlson

Secondary Break: Dealing with AIDS in Professional Sports After the Initial Response to Magic Johnson, 2 UNIV. OF MIAMI ENTERTAINMENT & SPORTS LAW REVIEW 215-240 (1992).

Women's Rights Litigation in the 1980s, 74 JUDICATURE 314-321 (1991) (with Lee Epstein).

### ***Other Scholarship/Writings***

Understanding the Decision to Grant En Banc Review, 5(2) APPELLATE ISSUES (2006).

Judicial Entrepreneurs on the U.S. Courts of Appeals: A Citation Analysis of Judicial Influence (2006) (with Jeffrey Berger) [presented at Law and Positive Political Theory Symposium and available on SSRN]

Contract Law, in LEGAL SYSTEMS OF THE WORLD: A POLITICAL, SOCIAL, AND CULTURAL ENCYCLOPEDIA 259-362 (Herbert Kritzer, ed.) (2001).

Book Review, 59 JOURNAL OF ECONOMIC HISTORY 849-851 (1999) (reviewing Cornell W. Clayton & Howard Gillman eds., *Supreme Court Decision-Making: New Institutional Approaches* (1999)).

Line Drawn Between Money Laundering and Money Spending, 6(4) MONEY LAUNDERING LAW REPORT 1-2 (1995) (with William H. Jeffress, Jr.).

Book Review, 11 STANFORD ENVIRONMENTAL LAW JOURNAL 319-321 (1992) (reviewing Lettie Wenner, *U.S. Energy and Environmental Interest Groups: Institutional Profiles* (1990)).

### ***Works in Progress***

CASES ON CONTRACTS (Aspen 2012) (with Russell Korobkin) [scheduled for spring 2012 publication]

Who Will Manage Complex Litigation? The Decision to Transfer and Consolidate Multidistrict Litigation (with Margaret S. Williams) [SSRN] [currently under review]

- Top 10 daily download list for SSRN Federal Courts & Jurisdiction eJournal
- Discussed on various blogs, including academic and practitioner blogs on civil procedure, complex litigation, mass torts, and federal courts.

The Market for Law Professors: An Empirical Study of the Legal Academic Labor Market (with Albert H. Yoon)

AN INTRODUCTION TO AMERICAN LAW (Aspen contract) (with Suzanna Sherry)

The Power of the Pen: Rethinking the Federal Judicial Hierarchy (with Jeffrey Berger) [SSRN]

### **SELECTED PRESENTATIONS, CONFERENCES, AND WORK**

American Political Science Association Annual Meeting: Discussant 2002; Panelist 2005; Discussant 2008.

Association of American Law Schools Annual Meeting: Plenary panel: 2006; Research Committee panel: 2008; Law and Social Sciences section Panelist 2001, 2005, 2007.

Annual Conference on Empirical Legal Scholarship: Paper presenter 2007; Discussant 2007.

Law & Society Association Annual Meeting: Paper presenter 1998, 1999, 2002, 2004 (2), 2006; Session Organizer and Chair 1999, 2000, 2002; Discussant 1998, 2005.

Midwest Political Science Association Annual Meeting: Panel Chair 2002; Paper presenter 1991,

1992, 1997, 2000, 2001, 2002, 2004; Discussant 2000, 2004.

Presenter, *Remaking the U.S. Supreme Court*, Measuring Judges and Justice Symposium, Duke Law Journal (February 2009); Law and Politics Colloquium, University of Texas Law School (February 2009).

Presenter, *Becoming Judges*, Precedent and the Roberts Court Symposium, North Carolina Law Review (October 2007).

Presenter, *Supreme Court Panels?*, Faculty Workshop, Pepperdine University School of Law (February 2008); Judges Colloquium, Duke Law Schools (January 2008); Law & Positive Political Theory Colloquium, Northwestern University School of Law (September 2007).

Presenter, *Chief Judges*, Faculty Workshop, Marquette University School of Law (April 2007).

Guest Blogger, Empirical Legal Studies Blog [ELSBlog], [www.elsblog.org](http://www.elsblog.org) (September 2006).

Senior Commentator, Junior Empirical Legal Studies Conference, Cornell Law School (August 2006).

Presenter, *Empirical Evidence on En Banc Review*, Appellate Lawyers and Judges Conference, Appellate Judges Education Institute, San Francisco (September 2005)

Presenter, *Rethinking the Judicial Hierarchy*, Northwestern University School of Law *Law and Positive Political Theory* Symposium (April 2005)

Presenter, *An Empirical Evaluation of Empirical Legal Scholarship*, Indiana University School of Law *Next Generation of Law School Rankings* Symposium (April 2005)

Invited Participant, Liberty Fund Colloquium on Judicial Review, Montana (September 2004)

Presenter, *A Citation Analysis of Judicial Influence*, University of Alabama School of Law (October 2004) and Vanderbilt University School of Law (February 2004).

Presenter, *The Behavioral Analysis of Legal Institutions*, Florida State University Law School (March 2004).

Commentator, *Fear and Risk in Times of Democratic Crisis*, University of Missouri School of Law (February 2004).

Presenter, *Judicial Ambition and Judicial Independence*, Washington & Lee University School of Law (February 2004).

Presenter, *Judicial Independence in the Federal Courts* panel, Perspectives on Judicial Independence Symposium sponsored by Ohio State University, the John Glenn Institute for Public Service and Public Policy, and the League of Women Voters of Ohio, Columbus, Ohio (March 2002)

Presenter, *Challenges of Collaboration*, Law & Society Association Summer Institute, Chicago (June 2001).

Panelist, *Judicial Independence at the Crossroads: Developing an Interdisciplinary Research Agenda* roundtable at the University of Pennsylvania School of Law, co-sponsored by NYU's Brennan Center for Justice and the American Judicature Society, Philadelphia (March 2001).

Panelist, *New Approaches to Empirical Legal Research*, Joint Program of Sections on Law and Social Science and Scholarship, 2001 Annual Meeting of AALS, San Francisco.

Presenter, *Court Fixing*, to faculty workshops at Case Western Reserve University School of Law (fall 2000), Florida State University Law School (fall 2000) and Northwestern University School of Law (fall 2000).

Presenter, *Seen But Not Heard: Visiting Judges on U.S. Courts of Appeals*, to faculty workshops at George Mason University School of Law (spring 2000), Northwestern University School of Law (spring 2000), and Washington University School of Law (spring 2000).

Presenter, *Why Do U.S. Courts of Appeals Grant En Banc Review?*, to faculty workshops at University of Cincinnati College of Law (fall 1999) and George Mason University School of Law (spring 1999).

Presenter, *The Dynamics and Determinants of the Decision to Grant En Banc Review*, 1998 Annual Conference on the Scientific Study of Judicial Politics, East Lansing, Michigan.

Presenter, *Modeling Judicial Behavior*, University of Missouri School of Law faculty workshop (1997).

## EDUCATION

**Washington University**, M.A. in Political Science, 2011.

**Stanford Law School**, J.D. 1992.

Editor-in-Chief, Stanford Environmental Law Journal; Member, Stanford Law Review

**Southern Methodist University**, 1989

B.A. (Political Science *with distinction*) & B.S. (Economics), *summa cum laude*.

Phi Beta Kappa (elected as a junior), Dedman College of the Arts & Sciences Outstanding Senior, Truman Scholar

## PRIOR LEGAL EMPLOYMENT

**Miller, Cassidy, Larroca & Lewin**, Washington, D.C.

Associate, November 1993 - June 1996.

**Hon. Francis D. Murnaghan, Jr.**, U.S. Court of Appeals for the Fourth Circuit, Baltimore.

Judicial law clerk, September 1992 - August 1993.

## **PROFESSIONAL SERVICE and MEMBERSHIPS**

### ***Law School & University Service***

#### **Vanderbilt University**

Law School Service: Ad Hoc Tenure & Promotion Candidate Committee (Chair 2011-2012); Faculty Appointments Committee (2005-2007, 2008-2009, 2009-2010, 2010-2011; Full Committee Chair 2008-2009; Entry-Level Chair, 2005-2006); Admissions Committee (2004-05); Judicial Clerkship Advisor (2005); Vandy Law Dems Faculty Sponsor (2008-; Vanderbilt Law Review Faculty Advisor (2010-); Vanderbilt Second Amendment Club Faculty Sponsor (2010-); The Vent [Student Publication] Faculty Co-Advisor (2011-)  
Political Science Service: Co-chair, Gbemende Johnson Dissertation Committee; Affiliated Faculty, Center for the Study of Democratic Institutions  
University Service: Faculty Senate (2005-2007); Honor Scholarships Advisory Council (2005-2007) *Undergraduate Research Journal* Advisory Board (2005-2006); COPC Economic Development Committee (2005)

#### **Northwestern University**

Entry-Level Appointments Committee (Chair, 2003-04); Lateral Appointments Committee (2001-03), Judicial Clerkship Committee (2001-02).

#### **University of Missouri**

Intercollegiate Athletic Committee (Vice-Chair); various law school committees; Faculty Advisor to various law school groups and an undergraduate sorority (Delta Delta Delta).

### ***Professional Associations & Other Organizations***

**Law School Admissions Council, Subcommittee on Grants:** Member (2007 – present)

**American Law Institute:** Member (2008 – present)

#### **American Political Science Association,**

**Law & Courts Section Lifetime Achievement Award Selection Committee:** Member (2009)

#### **Association of American Law Schools**

**Committee on Research:** Member (2006 – 2009)

**Consulting Group on Empirical Research** (1997-2000)

**Law & the Social Sciences Section:** Chair (2006); Executive Committee (2002-2007)

#### **Law & Society Association**

**Student Paper Awards Committee,** 2010-11

**SSRN,** Law & Courts Abstracts Board.

**Referee,** National Science Foundation, Division of Social, Behavioral and Economic Research; American Journal of Political Science; American Politics Quarterly; American Political Science Review; British Journal of Political Science; Conference on Empirical Legal Studies; Journal of Empirical Legal Studies; Journal of Law, Economics & Organization; Journal of

Law & Social Inquiry; Journal of Politics; Law & Society Review; Perspectives on Politics; and Political Research Quarterly.

**Member**, American Bar Association; American Judicature Society; Law & Society Association; Midwest Political Science Association; and Southern Political Science Association.

**Bar Admissions:** Maryland, District of Columbia, U.S. Court of Appeals for the Fifth Circuit, U.S. Court of Appeals for the D.C. Circuit, U.S. District Court for the District of Columbia, U.S. District Court for the District of Maryland

## **COMMUNITY SERVICE**

**American Constitution Society Nashville Chapter**, Supreme Court Events Co-Chair, 2010 and 2011

**Book'em**, a non-profit children's literacy organization, volunteer

**Planned Parenthood of Middle and Eastern Tennessee**,  
Vice Chair, Board of Trustees and Executive Committee, 2011-present  
Chair, Ad Hoc Development Committee, 2010-2011  
Young Professionals Board, 2009- 2010  
Founders Society, 2009-present

**Southern Methodist University**, 20th Reunion Committee Co-Chair/Giving Chair 2009