

ROBERT A. MIKOS

Vanderbilt University Law School
131 21st Ave. South
Nashville, TN 37203
615.343.7184; robert.mikos@vanderbilt.edu

ACADEMIC APPOINTMENTS

Vanderbilt University Law School, Nashville, TN

Professor of Law, July 2008-present

Courses: Constitutional Law I (structure); Federalism; Federal Criminal Law; Drug Law and Policy; Sentencing, Corrections, and Punishment; Federalism Workshop

Organizer, VULS Federalism Roundtable, February 2010

Major Service: Lateral Appointments Committee, 2010-11

Director, Program in Law & Government, July 2010-present (*Co-Director* 2010-11)

University of Notre Dame Law School, Notre Dame, IN

Visiting Associate Professor of Law, fall 2007

Courses: Criminal Law; Law and Economics

University of California, Davis, School of Law, Davis, CA

Acting (Assistant) Professor of Law, July 2003-June 2008

Courses: Constitutional Law I (structure and rights); Criminal Law; Law and Economics; Antitrust

Nominated for William and Sally Rutter Distinguished Teaching Award in 2005 and 2006

Organizer, UC Davis Legal Theory Workshop (spring 2008)

Major Service: Admissions (2005-06); Educational Policy (reformed 1L curriculum, 2004-05)

University of Michigan Law School, Ann Arbor, MI

Adjunct Professor of Law, 2002-2003 (taught Economic Analysis of Law)

Research Fellow, John M. Olin Center for Law and Economics, 2002-2003

EDUCATION

University of Michigan Law School, Ann Arbor, MI

J.D., *summa cum laude*, May 2001

Henry M. Bates Memorial Scholarship, the law school's highest honor, May 2001

Darrow Scholar, merit scholarship, 1998-2001

Article Editor (Vol. 99) and *Associate Editor* (Vol. 98), Michigan Law Review

John M. Olin Fellow in Law and Economics, 2000-2001

Saul L. Nadler Award, outstanding work in commercial and corporate law

Order of the Coif

Princeton University, Princeton, NJ

A.B., Woodrow Wilson School of Public and International Affairs, *cum laude*, June 1995

BOOK CHAPTERS & ENCYCLOPEDIA ENTRIES

[Accuracy in Criminal Sanctions](#), in RESEARCH HANDBOOK ON THE ECONOMICS OF CRIMINAL LAW (forthcoming 2011) (invited chapter) (Keith Hylton & Alon Harel, eds.)

United States v. Butler, in ENCYCLOPEDIA OF THE UNITED STATES SUPREME COURT (2008)

ARTICLES

[A Critical Appraisal of the Department Of Justice's New Approach to Medical Marijuana](#), 22 Stanford Law & Policy Review 633 (2011) (commissioned Features Article)

[State Taxation of Marijuana Distribution and Other Federal Crimes](#), 2010 University of Chicago Legal Forum 223 (2010) (selected for symposium on Crime, Criminal Law and the Recession)

[On the Limits of Supremacy: Medical Marijuana and the States' Overlooked Power to Legalize Federal Crime](#), 62 Vanderbilt Law Review 1421 (2009)

[The Populist Safeguards of Federalism](#), 68 Ohio State Law Journal 1669 (2007)

Selected for presentation at the 2008 AALS Conference on Constitutional Law

[Do Citizens Care About Federalism? An Experimental Test](#) (with Cindy D. Kam) 4 Journal of Empirical Legal Studies 589 (2007)

Awarded grant from Time-Sharing Experiments for the Social Sciences (3rd Special Competition)

["Eggshell Victims", Private Precautions, and the Societal Benefits of Shifting Crime](#), 105 Michigan Law Review 307 (2006)

Cited in *People v. Hudson*, 886 N.E.2d 964 (Ill. 2008)

[Enforcing State Law in Congress's Shadow](#), 90 Cornell Law Review 1411 (2005)

Cited in *United States v. Skoien*, 614 F.3d 638 (7th Cir. 2010) (en banc)

Cited in *amici* briefs of the ABA and eleven state Attorneys General in *Lopez v. Gonzales*, 127 S.Ct. 625 (2006)

Cited in *amici* brief of the National Network to End Domestic Violence, et al. in *United States v. Hayes*, 128 S.Ct. 1702 (2008)

[The \(Legal\) Value of Chance: Distorted Measures of Recovery in Private Law](#) (with Omri Ben-Shahar), 7 American Law and Economics Review 484 (2005)

WORKS IN PROGRESS

Commandeering States' Secrets

Compliance in Federal Systems

Co-optive Federalism

SHORTER NON-ACADEMIC WORKS

Almost Legal? What Government Lawyers Should Know about Marijuana's Confusing Legal Status, 19 THE PUBLIC LAWYER 18 (summer 2011)

[Tax dreams of drug decriminalization](#), politico.com, Oct. 20, 2010 (op-ed)

Iowa Board of Pharmacy, Medical Marijuana Hearings, October 2009 (written testimony)

PRESENTATIONS & CONFERENCE PARTICIPATION

- University of Denver Law School, Symposium on Medical Marijuana, January 2012 (panelist)
- Conference on Empirical Legal Studies, Northwestern University School of Law, November 2011 (*Compliance in Federal Systems*)
- Emory University School of Law, Conference on Federalism and Intersystemic Governance, October 2011 (*Compliance in Federal Systems*)
- Loyola Constitutional Law Colloquium, October 2011 (*Commandeering States' Secrets*)
- Midwestern Law & Economics Association Annual Meeting, September 2011 (*Compliance in Federal Systems*)
- University of Colorado Law faculty workshop, April 2011 (*A Critical Appraisal*)
- University of Texas Conference on Federalism, February 2011 (discussant)
- VULS Federalism Roundtable, February 2010 (*Commandeering States' Secrets*)
- St. Louis University Law School Faculty Workshop, February 2010 (*State Taxation of Federal Crime*)
- University of Chicago Legal Forum, October 2009 (*State Taxation of Federal Crime*)
- Midwestern Law & Economics Association Annual Meeting, October 2009 (*State Taxation of Federal Crime*)
- VULS Criminal Law Roundtable, September 2009 (discussant)
- Owen School of Management, Vanderbilt University, September 2009 (*Drug Legalization*)
- VULS Faculty Workshop, May 2009 (*Co-optive Federalism*)
- AALS Conference on Constitutional Law, June 2008 (*Populist Safeguards*)
- The Ohio State University, Moritz College of Law, Law Faculty Workshop, February 2008 (*State Supervision of Federal Crime*)
- University of Notre Dame Law Alumni CLE Program, November 2007 (*State Supervision of Federal Crime: Policing Medical Marijuana Exemptions*)
- VULS Faculty Workshop, October 2007 (*Regulating Medical Marijuana*)
- University of Texas Law School Colloquia, October 2007 (*Regulating Medical Marijuana*)
- University of Notre Dame Law Faculty Colloquia, October 2007 (*Regulating Medical Marijuana*)
- Midwestern Law & Economics Association Annual Meeting, October 2007 (*Regulating Medical Marijuana Under the Influence of the Controlled Substances Act*)
- University of Michigan Law & Economics Workshop, March 2007 (*Populist Safeguards*)
- University of Virginia Legal Studies Workshop, February 2007 (*Populist Safeguards*)
- University of Notre Dame Law Faculty Colloquia, December 2006 (*Populist Safeguards*)

PRESENTATIONS CONT'D

Conference on Empirical Legal Studies, University of Texas, October 2006 (*Do Citizens Care About Federalism?*) (poster presentation)

Midwestern Law & Economics Association Annual Meeting, University of Kansas, October 2006 (*The Populist Safeguards of Federalism*)

Canadian Law & Economics Association Annual Meeting, University of Toronto, September 2006 (*Reining in Leviathan*)

Law & Society Annual Meeting, Baltimore, July 2006 (*The Societal Benefits of Shifting Crime*)

Canadian Law & Economics Association Annual Meeting, University of Toronto, September 2005 (*The Law and Economics of Crime Displacement*)

American Political Science Association Annual Meeting, Washington, D.C., September 2005 (*Elites Talk about It, But Do Citizens Care? The Impact of Federalism on Public Support for Federal Legislative Action*) (with Cindy D. Kam)

American Law & Economics Association Annual Meeting, New York University, May 2005 (*The Impact of Federalism on Public Support for Federal Legislative Action*) (with Cindy D. Kam)

University of California, Davis, Faculty Lunch Talk, October 2004 (*Federalism and Citizen Support for Congressional Legislation*)

Midwest Political Science Association Annual Meeting, April 2004 (*Explaining Member State Compliance with Decisions of the European Court of Justice*)

Cornell Law School Faculty Workshop, November 2002 (*State Crimes Carrying Federal Sanctions*)

University of Michigan Legal Theory Workshop, September 2002 (*State Crimes Carrying Federal Sanctions*)

University of Michigan Law & Economics Workshop, November 2001 (*Recovery for "Chance": The Law and Economics of Probabilistic Value*)

American Law & Economics Association Annual Meeting, Georgetown University, May 2001 (*Recovery for "Chance": The Law and Economics of Probabilistic Value*) (with Omri Ben-Shahar)

PAST PROFESSIONAL EXPERIENCE

Weintraub, Genshlea, Chediak, LLC, Sacramento, CA

Legal Consultant, 2007-08

The Honorable Michael Boudin, Chief Judge, U.S. Court of Appeals for the First Circuit, Boston

Law Clerk, 2001-2002

Williams & Connolly, Washington, DC

Summer Associate, summer 2000

United States Attorney's Office, District of Minnesota, Minneapolis, MN

Summer Law Clerk, summer 1999

The Parthenon Group, strategy consulting firm, Boston, MA

Principal, Senior Associate, and Associate, May 1996-May 1998

Braxton Associates, the strategy consulting division of Deloitte & Touche, LLP, Boston, MA

Business Analyst, August 1995-April 1996

OTHER PROFESSIONAL ACTIVITIES AND AFFILIATIONS

Selected Media Appearances:

Associated Press; CNN; Denver Post; NPR; Rolling Stone Magazine; Sacramento Bee; San Diego Union Tribune; San Jose Mercury News; Seattle Times; Tennessean

Selected Journals for which I serve as Peer Reviewer:

International Review of Law and Economics; Journal of Empirical Legal Studies; Journal of Law, Medicine, & Ethics; Journal of Legal Studies; Journal of Politics; Political Research Quarterly; Publius: The Journal of Federalism

Memberships:

ABA Section on Constitutional Law and Separation Of Powers; American Law and Economics Association; Midwestern Law and Economics Association