

## SUZANNA SHERRY

Herman O. Loewenstein Professor of Law *Emerita*  
Vanderbilt University Law School

suzanna.sherry@law.vanderbilt.edu

### EDUCATION:

- 1976-1979 UNIVERSITY OF CHICAGO LAW SCHOOL, Chicago, IL  
J.D. 1979 (*cum laude*)  
Order of the Coif  
University of Chicago Law Review
- 1972-1976 MIDDLEBURY COLLEGE, Middlebury, VT  
A.B. in History 1976 (*cum laude*)  
Davison-Foreman Scholar

### EMPLOYMENT:

- 2000-2021: VANDERBILT UNIVERSITY LAW SCHOOL, Nashville, TN  
Herman O. Loewenstein Professor of Law, 2006-2021  
Harvie Branscomb Distinguished University Professor, 2012-13  
Cal Turner Professor of Law and Leadership, 2000-2006  
Director, Cecil D. Branstetter Litigation and Dispute Resolution Program, 2010-2011
- 1982-2000 UNIVERSITY OF MINNESOTA LAW SCHOOL, Minneapolis, MN  
Earl R. Larson Professor of Civil Rights and Civil Liberties Law, 1992-2000  
Julius E. Davis Professor of Law, 1991-1992  
Professor 1988-2000; Associate Professor 1982-1988
- 1980-1982 MILLER, CASSIDY, LARROCA & LEWIN, Washington, D.C.
- 1979-1980 Law Clerk to:  
HONORABLE JOHN C. GODBOLD  
United States Court of Appeals for the Fifth Circuit  
Montgomery, AL
- Summer  
Employment  
1977-1979 STEPTOE & JOHNSON, Washington, DC  
COVINGTON & BURLING, Washington, DC  
HERRICK & SMITH, Boston, MA  
HUGHES, HUBBARD & REED, New York, NY

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**PUBLICATIONS:**

**SELECTED RECENT WORK:**

- Our Kardashian Court (and How to Fix It)*, 106 IOWA L. REV. 181 (2020)
- Term Limits and Turmoil: Roe v. Wade's Whiplash*, 98 TEX. L. REV. 121 (2019) (with Christopher S. Sundby)
- The Imaginary Constitution*, 17 GEO J.L. & POL'Y 441 (2019)
- Normalizing Erie*, 69 VANDERBILT L. REV. 1161 (2016)
- Selective Judicial Activism: Defending Carolene Products*, 14 GEO. J.L. & POL'Y 559 (2016)
- Why We Need More Judicial Activism*, in CONSTITUTIONALISM, EXECUTIVE POWER, AND THE SPIRIT OF MODERATION, edited by Giorgi Areshidze, Paul Carrese, & Suzanna Sherry (SUNY Press 2016)
- Property Is the New Privacy: The Coming Constitutional Revolution*, 128 HARV. L. REV. 1452 (2015)
- Microsymposium: *Suzanna Sherry's Why We Need More Judicial Activism*, 16 GREEN BAG 2D 441 (2013) (Summary and Response)
- Hogs Get Slaughtered at the Supreme Court*, 2011 SUP. CT. REV. 1
- Democracy's Distrust: Contested Values and the Decline of Expertise*, 125 HARV. L. REV. F. 7 (2011)

**ACADEMIC BOOKS AND SELECTED BOOK CHAPTERS:**

- JUDGMENT CALLS: PRINCIPLE AND POLITICS IN CONSTITUTIONAL LAW (Oxford University Press, 2009) (with Daniel A. Farber) (2010 Scribes Book Award, Honorable Mention)
- DESPERATELY SEEKING CERTAINTY: THE MISGUIDED QUEST FOR CONSTITUTIONAL FOUNDATIONS (University of Chicago Press, 2002) (with Daniel A. Farber)
- BEYOND ALL REASON: THE RADICAL ASSAULT ON TRUTH IN AMERICAN LAW (Oxford University Press, 1997) (with Daniel A. Farber)
- CONSTITUTIONALISM, EXECUTIVE POWER, AND THE SPIRIT OF MODERATION (edited volume) (SUNY Press 2016) (with Giorgi Areshidze & Paul Carrese)
- Building a Better Judiciary*, in THE PSYCHOLOGY OF JUDICIAL DECISION MAKING, edited by David Klein & Gregory Mitchell (Oxford University Press 2010) (with Daniel A. Farber)
- The First Amendment and the Freedom to Differ*, in THE BILL OF RIGHTS IN MODERN AMERICA, edited by David J. Bodenhamer & James W. Ely, Jr. (Indiana University Press, revised & expanded ed., 2008) (3d ed. forthcoming 2020)

**ADDITIONAL ACADEMIC ARTICLES AND BOOK CHAPTERS:**

- The Classical Constitution and the Historical Constitution: Separated at Birth*, 8 NYU J. L. & LIBERTY 983 (2014)
- A Pox on Both Your Houses: Why the Court Can't Fix the Erie Doctrine*, 10 J. L. ECON & POL'Y 173 (2013)
- Wrong, Out of Step, and Pernicious: Erie as the Worst Decision of All Time*, 39 PEPPERDINE L. REV. 129 (2011)

**PUBLICATIONS (continued):**

**ARTICLES (continued):**

- Foundational Facts and Doctrinal Change*, 2011 ILL. L. REV. 145
- The Four Pillars of Constitutional Doctrine*, 32 CARDOZO L. REV. 969 (2011)
- Putting the Law Back in Constitutional Law*, 25 CONSTIT. COMMENTARY 461 (2009)
- Habeas Corpus and Sentencing Reform: A Story of Unintended Consequences*, 58 DUKE L.J. 1 (2008) (with Nancy J. King)
- Overruling Erie: Nationwide Class Actions and National Common Law*, 156 U. PA. L. REV. 2135 (2008)
- Originalism and Unenumerated Rights*, in ORIGINALISM: A QUARTER-CENTURY OF DEBATE, edited by Steven G. Calabresi (Regnery Pub. 2007)
- Democracy and the Death of Knowledge*, 75 U. CINCINNATI L. REV. 1053 (2007) (William Howard Taft Lecture)
- Logic Without Experience: The Problem of Federal Appellate Courts*, 82 NOTRE DAME L. REV. 97 (2006)
- Politics and Judgment*, 70 MISSOURI L. REV. 937 (2005)
- The Intellectual Background of Marbury v. Madison*, in ARGUING MARBURY V. MADISON, edited by Mark Tushnet (Stanford Univ. Press, 2005)
- Hard Cases Make Good Judges*, 99 NW. U. L. REV. 3 (2004)
- What's Law Got to Do With It?* 2 PERSPECTIVES ON POLITICS (APSA) 769 (2004)
- Warning: Labeling Constitutions May be Hazardous to Your Regime*, 67 L. & CONTEMP. PROBS. 33 (2004)
- The Unmaking of a Precedent*, 2003 SUP. CT. REV. 231
- Integrity and Reflection*, 72 FORDHAM L. REV. 367 (2003)
- Judges of Character*, 38 WAKE FOREST L. REV. 793 (2003) [also reprinted in VIRTUE JURISPRUDENCE, edited by Colin Farrelly & Lawrence Solum (Palgrave MacMillan, 2007)]
- Irresponsibility Breeds Contempt*, 6 GREEN BAG 2D 47 (2002)
- Haste Makes Waste: Congress and the Common Law in Cyberspace*, 55 VAND. L. REV. 309 (2002)
- Pick a Number, Any Number: State Representation in Congress After the 2000 Census*, 90 CALIF. L. REV. 211 (2002) (with Paul H. Edelman)
- Too Clever by Half: The Problem with Novelty in Constitutional Law*, 95 NW. U. L. REV. 921 (2001)
- Implied Limits on the Legislative Power: The Intellectual Property Clause as an Absolute Constraint on Congress*, 2000 ILL. L. REV. 1119 (with Paul J. Heald)
- All or Nothing: Explaining the Size of Supreme Court Majorities*, 78 N. CAR. L. REV. 1225 (2000) (with Paul H. Edelman)
- The Canon in Constitutional Law*, in THE LEGAL CANON, edited by J.M. Balkin and Sanford Levinson (NYU Press, 2000)
- States Are People Too*, 75 NOTRE DAME L. REV. 1121 (2000)
- Plus ça Change . . . or: If Hard Cases Make Bad Law, What Do Bad Cases Make?* 16 CONST. COMMENTARY 575 (1999)

**PUBLICATIONS (continued):**

**ARTICLES (continued):**

- Beyond All Criticism?*, 83 MINN. L. REV. 1735 (1999) (with Daniel A. Farber)
- Judicial Federalism in the Trenches: The Rooker-Feldman Doctrine in Action*, 74 NOTRE DAME L. REV. 1085 (1999)
- Independent Judges and Independent Justice*, 61 LAW & CONTEMP. PROBS. 15 (1999)
- Textualism and Judgment*, 66 G.W. L. REV. 1148 (1998)
- Judicial Independence: Playing Politics with the Constitution*, 14 GA. ST. L. REV. 795 (1998)
- Justice O'Connor's Dilemma: The Baseline Question*, 39 WM. & MARY L. REV. 865 (1998)
- Religion and the Public Square: Making Democracy Safe for Religious Minorities*, 47 DEPAUL L. REV. 499 (1998)
- All The Supreme Court Really Needs To Know It Learned From the Warren Court*, 50 VAND. L. REV. 459 (1997)
- The Pariah Principle*, 13 CONST. COMMENTARY 257 (1996) (with Daniel A. Farber)
- Enlightening the Religion Clauses*, 7 J. CONTEMP. ISSUES 473 (1996)
- The Barking Dog*, 46 CASE W. RES. L. REV. 877 (1996)
- The Sleep of Reason*, 84 GEO. L.J. 453 (1996)
- Legal Storytelling and Constitutional Law: The Medium and the Message*, in LAW'S STORIES: NARRATIVE AND RHETORIC IN THE LAW, edited by Peter Brooks and Paul Gewirtz (Yale Univ. Press, 1996) (with Daniel A. Farber)
- The Indeterminacy of Historical Evidence*, 19 HARV. J.L. & PUB POL'Y 437 (1996)
- Is the Radical Critique of Merit Anti-Semitic?*, 83 CALIF. L. REV. 853 (1995) (with Daniel A. Farber)
- Responsible Republicanism: Educating for Citizenship*, 62 U. CHI. L. REV. 131 (1995)
- Our Unconstitutional Senate*, 12 CONST. COMMENTARY 213 (1995) [also reprinted in CONSTITUTIONAL STUPIDITIES, CONSTITUTIONAL TRAGEDIES, edited by William N. Eskridge, Jr., and Sanford Levinson (NYU Press, 1998)]
- State Constitutional Law: Doing the Right Thing*, 25 RUTGERS L.J. 935 (1994)
- Public Values and Private Virtue*, 45 HASTINGS L.J. 1099 (1994)
- The 200,000 Cards of Dimitri Yurasov: Further Reflections on Scholarship and Truth*, 46 STAN. L. REV. 647 (1994) (with Daniel A. Farber)
- "Without Virtue There Can Be No Liberty,"* 78 MINN. L. REV. 61 (1993)
- An Originalist Understanding of Minimalism*, 88 NW. U. L. REV. 175 (1993)
- Telling Stories Out of School: An Essay on Legal Narratives*, 45 STAN. L. REV. 807 (1993) (with Daniel A. Farber)
- Lee v. Weisman: Paradox Redux*, 1992 SUP. CT. REV. 123
- Natural Law in the States*, 61 U. CINCINNATI L. REV. 171 (1992)
- The Forgotten Victims*, 63 U. COLO. L. REV. 375 (1992)
- Speaking of Virtue: A Republican Approach to University Regulation of Hate Speech*, 75 MINN. L. REV. 933 (1991)
- The Eleventh Amendment and Stare Decisis: Overruling Hans v. Louisiana*, 57 U. CHI. L. REV. 1260 (1990)

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**PUBLICATIONS (continued):**

**ARTICLES (continued):**

- The Early Virginia Tradition of Extra-Textual Interpretation*, 53 ALBANY L. REV. 297 (1989)  
[also reprinted in TOWARD A USABLE PAST: AN EXAMINATION OF THE ORIGINS AND IMPLICATIONS OF STATE PROTECTIONS OF LIBERTY, edited by Paul Finkelman and Stephen E. Gottlieb (Univ. of Georgia Press, 1991)]
- The Ninth Amendment: Righting an Unwritten Constitution*, 64 CHI.-KENT L. REV. 1001 (1989)  
[also reprinted in THE RIGHTS RETAINED BY THE PEOPLE: THE HISTORY AND MEANING OF THE NINTH AMENDMENT (vol. 2), edited by Randy E. Barnett (George Mason Univ. Press, 1993)]
- Separation of Powers: Asking a Different Question*, 30 WM. & MARY L. REV. 287 (1989)
- The Intellectual Origins of the Constitution: A Lawyers' Guide to Contemporary Historical Scholarship*, 5 CONST. COMMENTARY 323 (1988)
- The Founders' Unwritten Constitution*, 54 U. CHI. L. REV. 1127 (1987)
- An Essay Concerning Toleration*, 71 MINN. L. REV. 963 (1987)
- Civic Virtue and the Feminine Voice in Constitutional Adjudication*, 72 VA. L. REV. 543 (1986)
- Issue Manipulation by the Burger Court: Saving the Community from Itself*, 70 MINN. L. REV. 611 (1986)
- Selective Judicial Activism in the Equal Protection Context: Democracy, Distrust, and Deconstruction*, 73 GEO. L.J. 89 (1984)

**SHORT ESSAYS AND BOOK REVIEWS:**

- What is a Scholarly Paper?*, 24 GREEN BAG 2D 89 (2020)
- The Risks of Supreme Court Term Limits*, SCOTUSblog, April 5, 2019,  
<https://www.scotusblog.com/2019/04/academic-highlight-the-risks-of-supreme-court-term-limits/>
- Confidentiality Is Wishful Thinking . . . But Get it In Writing Anyway*, 20 GREEN BAG 2D 299 (2017)
- Introduction: Is the Supreme Court Failing at Its Job, or Are We Failing at Ours?* 69 VANDERBILT L. REV. 909 (2016)
- Res Ipsa Loquitur (Or Why the Other Essays Prove My Point)*, 66 VAND. L. REV. EN BANC 197 (2013)
- Don't Answer That! Why (and How) the Supreme Court Should Duck the Issue in DaimlerChrysler v. Bauman*, 66 VAND. L. REV. EN BANC 111 (2013)
- OUR UNDEMOCRATIC CONSTITUTION: WHERE THE CONSTITUTION GOES WRONG (AND HOW WE THE PEOPLE CAN CORRECT IT), by Sanford Levinson, 25 CONSTIT. COMMENTARY 141 (2008)
- The Law Professor as Schizophrenic*, 3 GREEN BAG 2D 273 (2000)
- Against Diversity*, 17 CONST. COMMENTARY 1 (2000)
- CONSTITUTIONAL REVOLUTIONS: PRAGMATISM AND THE ROLE OF JUDICIAL REVIEW IN AMERICAN CONSTITUTIONALISM, by Robert Justin Lipkin, 44 AM. J. LEG. HIST. 484 (2000)

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**PUBLICATIONS (continued):**

**SHORT ESSAYS (continued):**

- On-line Exchange* on BEYOND ALL REASON: THE RADICAL ASSAULT ON TRUTH IN AMERICAN LAW, *Jurist*, August 1998 <<http://www.jurist.law.pitt.edu/lawbooks/revaug98.htm>>
- THE STRANGE CAREER OF LEGAL LIBERALISM, by Laura Kalman, 25 *REV. IN AM. HIST.* 337 (1997)
- RFRA-Vote Gambling*, 14 *CONST. COMMENTARY* 27 (1997)
- PROGRESSIVE CONSTITUTIONALISM: RECONSTRUCTING THE FOURTEENTH AMENDMENT, by Robin West, 47 *STAN. L. REV.* 1097 (1995)
- RIGHTS TALK: THE IMPOVERISHMENT OF POLITICAL DISCOURSE, by Mary Ann Glendon, 17 *L. & SOC. INQUIRY* 491 (1992)
- WE THE PEOPLE, by Bruce Ackerman, 105 *HARV. L. REV.* 918 (1992)
- THE TEMPTING OF AMERICA: THE POLITICAL SEDUCTION OF THE LAW, by Robert H. Bork, 84 *NW U. L. REV.* 1215 (1990)
- Employment Discrimination: An Overview of the 1989 Supreme Court Term*, 8 *LAW & INEQUALITY* 397 (1990)
- RED, WHITE, AND BLUE: A CRITICAL ANALYSIS OF CONSTITUTIONAL LAW, by Mark Tushnet, 87 *MICH. L. REV.* 1418 (1989)
- GENDER JUSTICE, by David L. Kirp, Mark G. Yudof & Marlene S. Franks, 6 *CONST. COMMENTARY* 150 (1989)
- Women's Virtue*, 63 *TULANE L. REV.* 1591 (1989)
- Two Hundred Years Ago Today*, 6 *LAW & INEQUALITY* 43 (1988)
- DEMOCRATIC EDUCATION, by Amy Gutmann, 66 *TEX. L. REV.* 1229 (1988)
- The Gender of Judges*, 4 *LAW & INEQUALITY* 159 (1986)
- Perspectives: Law in the Grand Manner*, 2 *CONST. COMMENTARY* 9 (1985)
- DEATH PENALTIES: THE SUPREME COURT'S OBSTACLE COURSE, by Raoul Berger, 1 *CONST. COMMENTARY* 171 (1984)
- ETHICS AT THE EDGE OF LIFE, by Paul Ramsey, *CHICAGO LAWYER* 19 (Sept. 1980) (with Ellen Wright)

**TEXTBOOKS AND OTHER STUDENT MATERIALS:**

- CIVIL PROCEDURE (5th ed., Foundation 2020) (with Thomas D. Rowe, Jr. and Jay Tidmarsh) and Annual Supplements
- FEDERAL COURTS: CASES, COMMENTS, AND QUESTIONS (8th ed., West 2018) (with Martin H. Redish and James E. Pfander) and Annual Supplements (9<sup>th</sup> ed. forthcoming 2022)
- A HISTORY OF THE AMERICAN CONSTITUTION (3d ed., West 2013) (with Daniel A. Farber)
- WHAT EVERY LAW STUDENT REALLY NEEDS TO KNOW: AN INTRODUCTION TO THE STUDY OF LAW (3d ed., Wolters Kluwer 2019) (with Tracey E. George)
- CIVIL PROCEDURE ESSENTIALS (Aspen 2007) (with Jay Tidmarsh)

**PUBLICATIONS (continued):**

**SELECTED NON-ACADEMIC PUBLICATIONS:**

- A Quest to Reclaim a Pissarro Masterpiece Hinges on the Erie Doctrine*, SCOTUSblog, January 16, 2022, available at <https://www.scotusblog.com/2022/01/a-quest-to-reclaim-a-pissarro-masterpiece-hinges-on-the-erie-doctrine/>
- Should Supreme Court Justices Have Term Limits? Pro/Con (No: Short-term appointments will escalate divisiveness)*, PHILADELPHIA INQUIRER, Sept. 24, 2020, available at <https://www.inquirer.com/opinion/commentary/supreme-court-term-limits-lifetime-appointment-ruth-bader-ginsburg-20200924.html>
- Ambition and Aspiration – and Celebrity*, Marquette Lawyer, Fall 2019, available at <https://law.marquette.edu/assets/marquette-lawyers/pdf/marquette-lawyer/2019-fall/2019-fall-full.pdf>
- Universities Should Be Safe Spaces – For Intellectual Diversity*, Real Clear Politics, June 1 2017 (with 5 others), available at [https://www.realclearpolitics.com/articles/2017/06/01/universities\\_should\\_be\\_safe\\_spaces--for\\_intellectual\\_diversity\\_134055.html](https://www.realclearpolitics.com/articles/2017/06/01/universities_should_be_safe_spaces--for_intellectual_diversity_134055.html)
- The Good the Supreme Court Has Done Far Outweighs the Harm*, NEW YORK TIMES (Room for Debate), July 6, 2015, available at <http://www.nytimes.com/roomfordebate/2015/07/06/is-the-supreme-court-too-powerful/the-good-the-supreme-court-has-done-far-outweighs-the-harm>
- Windsor v. United States*, VANDERBILT LAW 18 (Winter 2014), available at <http://law.vanderbilt.edu/news/windsor-v-united-states>
- It's Congress' Fault*, WASHINGTON POST BLOG, June 25, 2013, available at <http://www.washingtonpost.com/blogs/post-politics/wp/2013/06/25/the-supreme-courts-voting-rights-act-decision-live-updates/#liveblog-entry-48576>
- Influence and Independence: The Role of Politics in Supreme Court Decisions*, 14 EJOURNAL USA 11, <http://www.america.gov/media/pdf/ejs/1009.pdf#popup> (U.S. Department of State, October 2009)
- Is Roberts a Man of Judgment?*, LEGAL TIMES, July 25, 2005
- Op-Ed Essay: I Hate What They Say, But I Won't Stop Them*, WASHINGTON POST, Outlook, Sunday, February 14, 1999
- Op-Ed Essay: Did the Independent Counsel Make His Case?*, WASHINGTON POST, Outlook, Sunday, September 20, 1998
- Book Review*, NEW YORK TIMES BOOK REVIEW, Sunday, September 28, 1997 (reviewing Martha Minow, NOT ONLY FOR MYSELF: IDENTITY, POLITICS, AND THE LAW)
- Book Review*, NEW YORK TIMES BOOK REVIEW, Sunday, September 8, 1996 (reviewing Cass R. Sunstein, LEGAL REASONING AND POLITICAL CONFLICT)
- Book Review*, WASHINGTON POST BOOK WORLD, Sunday, September 8, 1996 (reviewing Amy Gutmann & Dennis Thompson, DEMOCRACY AND DISAGREEMENT; Owen M. Fiss, THE IRONY OF FREE SPEECH; Jack Blake, COMES THE MILLENNIUM)
- Op-Ed Essay: It's Not the President's Court*, WASHINGTON POST, June 26, 1986

**ENCYCLOPEDIA ENTRIES:**

OXFORD COMPANION TO THE SUPREME COURT OF THE UNITED STATES ("Indigency"; "*United States v. Hudson*") (1992)  
READER'S COMPANION TO AMERICAN HISTORY ("Sandra Day O'Connor") (1991)  
ENCYCLOPEDIA OF THE AMERICAN CONSTITUTION ("Sandra Day O'Connor") (1992 Supp.)

**SELECTED ACADEMIC LECTURES AND CONFERENCES:**

*The Law and Politics of Selecting Supreme Court Justices*, Vanderbilt Law School, September 2020  
Thomas M. Cooley Symposium, Georgetown Law School, April 2018  
*Hamilton's Vision: Federalism, National Authority, and Judicial Review*, National Constitution Center (sponsored by the Federal Judicial Center), November 2017  
Celebrating 800 Years of Magna Carta, UNIVERSITY OF NORTH CAROLINA LAW SCHOOL, October 2015  
The Role of History in Constitutional Law, STANFORD LAW SCHOOL, February 2014  
Supreme Mistakes: Exploring the Most Maligned Decisions in Supreme Court History, PEPPERDINE UNIVERSITY SCHOOL OF LAW, April 2011  
*Four Pillars and Four Failures: The Constitutional Lapses of the Roberts Court*, 2010 Uri & Caroline Bauer Lecture, Cardozo Law School, April 2010  
Swift Lecture on Constitutionalism, MIDDLEBURY COLLEGE, April 2009  
Fairness to Whom? Perspectives on the Class Action Fairness Act of 2005, UNIVERSITY OF PENNSYLVANIA LAW SCHOOL, December 2007  
*Democracy and the Death of Knowledge*, 2006 William Howard Taft Lecture in Constitutional Law, UNIVERSITY OF CINCINNATI COLLEGE OF LAW, November 2006  
*Politics and Judgment*, 2005 Earl F. Nelson Memorial Lecture, UNIVERSITY OF MISSOURI-COLUMBIA SCHOOL OF LAW, February 2005  
Constitutional Law Workshop, HARVARD LAW SCHOOL, November 2003  
*Marbury v. Madison* Bicentennial, GEORGETOWN UNIVERSITY LAW SCHOOL, February 2003  
Judicial Review: Blessing or Curse? WAKE FOREST LAW UNIVERSITY SCHOOL OF LAW, October 2002  
Bulwarks of the Republic: Judicial Independence and Judicial Accountability in the American System of Justice, AMERICAN BAR ASSOCIATION SYMPOSIUM, December 1998  
Textualism and the Constitution, GEORGE WASHINGTON UNIVERSITY LAW SCHOOL, February 1998  
*Religion and the Public Square: Making Democracy Safe for Religious Minorities*, Fourteenth Annual Lecture, DEPAUL UNIVERSITY COLLEGE OF LAW CENTER FOR CHURCH/STATE STUDIES, April 1997  
James Bradley Thayer Symposium, NORTHWESTERN UNIVERSITY LAW SCHOOL, April 1993  
Rothgerber Constitutional Law Conference, UNIVERSITY OF COLORADO LAW SCHOOL, October 1991  
Swift Lecture on American Constitutionalism, MIDDLEBURY COLLEGE, September 1991



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**SELECTED ACADEMIC LECTURES AND CONFERENCES (continued):**

*The Bill of Rights and Individual Liberty: The Forgotten Ninth and Tenth Amendments*,  
AMERICAN BAR ASSOCIATION Annual Meeting, August 1991

*The Bill of Rights: Government Proscribed*, U.S. CAPITOL HISTORICAL SOCIETY, Washington  
D.C., March 1991

*After the Bicentennial*, GEORGETOWN UNIVERSITY LAW CENTER, November 1987

*Women and Citizenship*, Women Historians of the Midwest Conference, March 1987

Supreme Court Preview, Institute of Bill of Rights Law and National Conference of Editorial  
Writers, MARSHALL-WYTHE SCHOOL OF LAW AT THE COLLEGE OF WILLIAM AND MARY,  
1988-1991, 1993, 1997 (moot court advocate), 1999 (moot court advocate), 2000, 2007,  
2009

**COURSES TAUGHT:**

Civil Liberties: Freedom of Speech

Civil Procedure

Civil Rights

Constitutional Law

Constitutional History

Constitutional Theory

Criminal Procedure

Employment Discrimination

Evidence

Federal Jurisdiction/Federal Courts

Judicial Activism Seminar

The Life of the Law: An Introduction to the Study of Law

Litigation and Dispute Resolution: Capstone Seminar (Advanced Litigation Seminar)

**Teaching Awards:** 2005, 2009, 2010, 2011, 2012, 2018

**On-line course:** Created, wrote, and videotaped one-third of courses for on-line V-Legal  
Certificate Program, aimed at businesspeople to help them understand law, legal concepts, and  
legal reasoning (promulgated October 2018)

**OTHER PROFESSIONAL ACTIVITIES AND AWARDS (SELECTED):**

Founder and Co-Host, Civil Procedure Unavailability Workshop, May 2020-present (remote  
workshop for Civil Procedure teachers and scholars)

Editor-in-Chief, NEW VOICES (inaugural issue in Volume 4 of the JOURNAL OF LAW, Spring  
2014)

Associate Editor, JOURNAL OF LAW AND COURTS (APSA), 2011-present

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**OTHER PROFESSIONAL ACTIVITIES AND AWARDS (SELECTED) (continued):**

Board of Advisers, THE GREEN BAG, 2006-present

Co-editor, CONSTITUTIONAL COMMENTARY, 1992-2000

SEC Faculty Achievement Award recipient, 2016-2017

Board of Directors, Planned Parenthood of Middle and Eastern Tennessee, 2017-2018

Board of Directors, Minnesota Civil Liberties Union, 1999-2000

Advisory Committee to the Chair of the AALS Section on Constitutional Law, 1996-1998, 2001

Advisory Board, SSRN Federal Courts & Jurisdiction eJournal, 2006-present

Member, Vanderbilt University Press Advisory Committee, 2018-present

Grievance Process Chair, VANDERBILT UNIVERSITY, 2007-2010

Law School Dean Search Committee, VANDERBILT UNIVERSITY, 2009

Promotion and Tenure Review Committee, VANDERBILT UNIVERSITY, 2000-2003, 2005 (Chair  
2002-2003, 2005)

University Senate Committee on Equal Employment Opportunity for Women, UNIVERSITY OF  
MINNESOTA 1984-1986