

JUSTIN DRIVER
Professor of Law
Herbert and Marjorie Fried Research Scholar
University of Chicago Law School
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EDUCATION

- HARVARD LAW SCHOOL, JURIS DOCTOR** 2004
Activities: *Harvard Law Review*, Volume 116 (Editor), Volume 117 (Book Reviews Chair and Articles Editor)
Lowell House, Pre-Law Residential Tutor and Member of Fellowships Committee
Black Law Students Association, Member
- OXFORD UNIVERSITY, MAGDALEN COLLEGE, MASTER OF STUDIES IN MODERN HISTORY** 2000
Honor: Marshall Scholarship
- DUKE UNIVERSITY, MASTER OF ARTS IN TEACHING** 1998
Honor: Rockefeller Brothers Fund Fellowship
- BROWN UNIVERSITY, BACHELOR OF ARTS WITH HONORS IN PUBLIC POLICY** 1997
Honors: Noah Krieger Prize for best senior thesis in Public Policy
Judge Alfred Joslin Award for outstanding campus leadership
Charles Royce Fellowship for academic achievement
Rose Writing Fellows Program

EXPERIENCE

- UNIVERSITY OF CHICAGO LAW SCHOOL, CHICAGO, IL** 2014-present
Professor of Law, Herbert and Marjorie Fried Research Scholar
- UNIVERSITY OF TEXAS SCHOOL OF LAW, AUSTIN, TX** 2013-2014
Professor of Law
2009-2013
Assistant Professor
- STANFORD LAW SCHOOL, STANFORD, CA** Winter, Spring 2014
Herman Phleger Visiting Professor
- HARVARD LAW SCHOOL, CAMBRIDGE, MA** Fall 2013
Sullivan & Cromwell Visiting Assistant Professor
- UNIVERSITY OF VIRGINIA LAW SCHOOL, CHARLOTTESVILLE, VA** Spring 2013
Visiting Assistant Professor
- UNIVERSITY OF CHICAGO LAW SCHOOL, CHICAGO, IL** Autumn 2012
Visiting Assistant Professor
- SIDLEY AUSTIN, LLP, WASHINGTON, D.C.** 2007-2009
Associate
- HON. SANDRA DAY O'CONNOR (RET.) & HON. STEPHEN BREYER, U.S. SUPREME COURT** 2006-2007
Law Clerk
- HON. MERRICK B. GARLAND, U.S. COURT OF APPEALS FOR THE D.C. CIRCUIT** 2005-2006
Law Clerk

CHARLES HAMILTON HOUSTON FELLOWSHIP , HARVARD LAW SCHOOL <i>Research Fellow</i>	2004-2005
SIDLEY AUSTIN, LLP , WASHINGTON, D.C. <i>Summer Associate</i>	2004
JENNER & BLOCK , WASHINGTON, D.C. <i>Summer Associate</i>	2003
O'MELVENY & MYERS , WASHINGTON, D.C. <i>Summer Associate</i>	2003
HALE & DORR , BOSTON, MA <i>Summer Associate</i>	2002
THE NEW REPUBLIC , WASHINGTON, D.C. <i>Assistant Literary Editor</i>	2001

SELECTED PUBLICATIONS & WORKS IN PROGRESS

ACADEMIC JOURNALS

The Warren Court Paradox (in progress)

Justice Thomas and Bigger Thomas (in progress)

The Supreme Court as Bad Teacher (in progress)

Constitutional Outliers, 81 UNIVERSITY OF CHICAGO LAW REVIEW 929 (2014)

Reactionary Rhetoric and Liberal Legal Academia, 123 YALE LAW JOURNAL 2616 (2014)

Supremacies and the Southern Manifesto, 92 TEXAS LAW REVIEW 1053 (2014)

The Constitutional Conservatism of the Warren Court, 100 CALIFORNIA LAW REVIEW 1101 (2012) [selected for Junior Faculty Forum at Harvard Law School, and the William Nelson Cromwell Article Prize]

The Significance of the Frontier in American Constitutional Law, 2011 SUPREME COURT REVIEW 345 (2012)

Recognizing Race, 112 COLUMBIA LAW REVIEW 404 (2012)

Rethinking the Interest-Convergence Thesis, 105 NORTHWESTERN UNIVERSITY LAW REVIEW 149 (2011)

Judicial Inconsistency as Virtue: The Case of Justice Stevens, 99 GEORGETOWN LAW JOURNAL 1263 (2011)

The Consensus Constitution, 89 TEXAS LAW REVIEW 755 (2011)

Rules, The New Standards: Partisan Gerrymandering and Judicial Manageability after Vieth v. Jubelirer, 73 GEORGE WASHINGTON LAW REVIEW 1166 (2005) [invited symposium participant]

Note, *Underenfranchisement: Black Voters and the Presidential Nomination Process*, 117 HARVARD LAW REVIEW 2318 (2004)

POPULAR PRESS

Divine Justice, THE NEW REPUBLIC, Sept. 29, 2014, pp. 40-45 (reviewing SCALIA: A COURT OF ONE, BY BRUCE ALLEN MURPHY)

Ignoble Specificities, THE NEW REPUBLIC, April 5, 2012, pp. 32-35 (reviewing LIVING ORIGINALISM, BY JACK M. BALKIN)

Obama's Law, THE NEW REPUBLIC, June 30, 2011, pp. 10-14

Why the High Court is Ready for Gay Marriage, THE WASHINGTON POST, June 26, 2011, pp. B1, B4

Robust and Wide-Open, THE NEW REPUBLIC, Feb. 17, 2011, pp. 36-39 (reviewing JUSTICE BRENNAN: LIBERAL CHAMPION, BY SETH STERN & STEPHEN WERMIEL)

It's Alive, THE NEW REPUBLIC, July 8, 2010, pp. 10-12

The Stevens Myth, THE NEW REPUBLIC, Apr. 29, 2010, pp. 19-20

Why Law Should Lead, THE NEW REPUBLIC, Apr. 8, 2010, pp. 28-32 (REVIEWING THE WILL OF THE PEOPLE, BY BARRY FRIEDMAN) [reprinted in 2011 GREEN BAG ALM. 375, issue honoring exemplary legal writing]

The Lawyer's Revolution, THE NEW REPUBLIC, Mar. 13, 2006, pp. 38-41 (reviewing A MATTER OF LAW: A MEMOIR OF STRUGGLE IN THE CAUSE OF EQUAL RIGHTS, BY ROBERT L. CARTER)

Indelible Marks, THE NEW REPUBLIC, Nov. 22, 2004, pp. 29-33 (reviewing BLACK TRIALS: CITIZENSHIP FROM THE BEGINNINGS OF SLAVERY TO THE END OF CASTE, BY MARK S. WEINER).

Dream Weaver, THE NEW REPUBLIC, Jan. 19, 2004, pp. 33-37 (reviewing HER DREAM OF DREAMS: THE RISE AND TRIUMPH OF MADAM C.J. WALKER, BY BEVERLY LOWRY)

Why Johnnie Can't Lead, THE NEW REPUBLIC, Feb. 17, 2003, pp. 36-41 (reviewing A LAWYER'S LIFE, BY JOHNNIE COCHRAN WITH DAVID FISHER)

Pillar of Ire, THE NEW REPUBLIC, Apr. 29, 2002, pp. 33-37 (reviewing AMIRI BARAKA: THE POLITICS AND ART OF A BLACK INTELLECTUAL, BY JERRY GAFIO WATTS)

Cambridge Diarist: Class Act, THE NEW REPUBLIC, Nov. 25, 2002, p. 42 (reviewing 8 MILE (Universal Studios))

The Mirth of a Nation: Black Comedy's Reactionary Hipness, THE NEW REPUBLIC, June 11, 2001, pp. 29-33

Sports Nut: The Soles of Black Folk, SLATE, Apr. 27, 2001

SELECTED ACADEMIC PRESENTATIONS & WORKSHOPS

Culp Colloquium, Duke University Law School, Durham, NC

May 2014 – served as discussant on two papers

The Meaning of the Civil Rights Revolution Symposium, Yale Law School, New Haven, CT

March 2014 – presented “Reactionary Rhetoric and Liberal Legal Academia”

Crime in Law and Literature Conference, University of Chicago Law School, Chicago, IL

February 2014 – presented “Bigger Thomas and Smaller Thomas”

Stanford Law School Faculty Colloquium, Stanford, CA

January 2014 – presented “Supremacies and the Southern Manifesto”

Harvard Law School Faculty Colloquium, Cambridge, MA

December 2013 – presented “Supremacies and the Southern Manifesto”

University of Texas School of Law Faculty Colloquium, Austin, TX

October 2013 – presented “Constitutional Outliers”

University of Virginia School of Law Faculty Colloquium, Charlottesville, VA

February 2013 – presented “Supremacies and the Southern Manifesto”

University of Michigan Law School Faculty Colloquium, Ann Arbor, MI

November 2012 – presented “Supremacies and the Southern Manifesto”

University of Chicago Law School Faculty Colloquium, Chicago, IL

November 2012 – presented “Supremacies and the Southern Manifesto”

University of Texas School of Law Faculty Colloquium, Austin, TX

October 2012 – presented “Supremacies and the Southern Manifesto”

Junior Faculty Forum, Harvard Law School, Cambridge, MA

June 2012 – presented “The Constitutional Conservatism of the Warren Court”

Culp Colloquium, Duke University Law School, Durham, NC

May 2012 – presented “The Constitutional Conservatism of the Warren Court”

Constitutional Interpretation and Change: A Conference on Jack Balkin’s *Living Originalism*, Yale Law School, New Haven, CT

April 2012 – presented “Ignoble Specificities” as part of a panel assessing Professor Balkin’s book

Countermajoritarianism and the Courts, University of Texas School of Law, Austin, TX

March 2012 – presented “The Consensus Constitution”

Columbia Law School Faculty Colloquium, New York, NY

February 2012 – presented “Recognizing Race”

Northwestern University Law School Faculty Colloquium, Chicago, IL

January 2012 – presented “Recognizing Race”

Vanderbilt Law School Faculty Colloquium, Nashville, TN

January 2012 – presented “Recognizing Race”

The Antibalkanization Turn in Antidiscrimination Law and Theory, American Association of Law Schools Annual Meeting, Washington, DC

January 2012 – presented commentary on constitutional law panel

Constitutional Faith & Constitutional Redemption, University of Texas School of Law, Austin, TX

October 2011 – moderated conference panel and served as discussant

The Future of Equality, University of Texas School of Law, Austin, TX

April 2011 – presented “The Consensus Constitution”

Federalism and Its Future, University of Texas School of Law, Austin, TX

February 2011 – moderated conference panel

University of Chicago Law School Constitutional Law Colloquium, Chicago, IL

January 2011 – presented “The Consensus Constitution”

University of Texas School of Law Faculty Colloquium, Austin, TX

January 2011 – presented “The Consensus Constitution”

Twenty Years After the 1991 Civil Rights Act: What Does the Future Hold?, Wake Forest University School of Law, Greensboro, NC

November 2010 – presented “Recognizing Race” as part of a conference panel

Vanderbilt Law School Faculty Colloquium, Nashville, TN

November 2010 – presented “The Consensus Constitution”

Supreme Court Round-up, University of Texas School of Law Federalist Society, Austin, TX

September 2009 – presented remarks on *Ricci v. DeStefano*