

ACADEMIC EMPLOYMENT

UNIVERSITY OF MEMPHIS CECIL C. HUMPHREYS SCHOOL OF LAW, Memphis, TN, Aug 2008 – present

FedEx Professor of Law and Director of Faculty Development

- Classes: Constitutional Law; Education & Civil Rights; Voting Rights & Election Law; Property I & II
- Research Focus: Constitutional Law; Racial Discrimination; Education; Legal History; Death Penalty
- Director of Faculty Development since 2022: Responsibilities include coordinating opportunities for development and sharing of faculty scholarship through WIPs, “half-baked” ideas sessions, a regional faculty scholar exchange, and issue-specific sessions; overseeing scholarship-related travel and coordinating with Admissions Office regarding appointment of faculty research assistants

RHODES COLLEGE, Memphis, TN

Visiting Professor, Politics & Law Department, Fall 2025

- Class: Schools & the American Constitution

UNIVERSITY OF THE FREE STATE, Bloemfontein, South Africa

Fulbright Core Scholar, July – Dec 2015

- Situated at University’s Institute for Social Justice and Reconciliation
- Research Project: “A Comparative Analysis of Educational Remedies in De-stratifying Societies” utilizing the experience of post-apartheid public education in South Africa as a case study

EDUCATION

HARVARD LAW SCHOOL, J.D., June 2004

Activities: The Civil Rights Project, Student Fellow, 2001-2004

- Drafted portions of amicus brief submitted for Univ. of Mich. affirmative action cases at Supreme Court (*Gratz v. Bollinger*, *Grutter v. Bollinger*)
- Drafted complaint challenging use of standardized tests to determine third-grade promotion in Texas, focusing on claims of discrimination against minority and low-income students

Founded a creative writing workshop for law students, 2003-2004

Negotiation Workshop, Winter 2004

UNIVERSITY OF TEXAS AT AUSTIN, B.A. with High Honors, Special Honors in History, May 2001

Honors Thesis: *Shook Up the World: Muhammad Ali’s Impact on Black America, 1964-1971*

Honors: Phi Beta Kappa, 2001

Normandy Scholars Program, Spring 1999

Coluccio Salutati Prize (Syracuse), Fall 1999

M.E. Stell Endowment Scholarship, 1997-2001

Study Abroad: Syracuse University in Florence, Fall 1999

Obirin University, Tokyo, Summer 1998

RESEARCH AND SCHOLARSHIP

Book

The Transition: Interpreting Justice from Thurgood Marshall to Clarence Thomas (2023, Stanford Univ. Press)
Juxtaposing the lives and work of the nation's first two Black justices, *The Transition* argues that the 1991 transition from Marshall to Thomas was the most impactful on the Supreme Court over the past 70 years.

Documentary

The Memphis 13 (released 2011) (stream online at www.thememphis13.com)
Wrote, directed, and executive produced a 35-minute documentary building on my scholarship on school desegregation in Memphis and featuring the stories of the families of all 13 pioneering first-grade students.

Articles & Essays

Citing Brown (work-in-progress investigating the 187 cases – and more than 200 distinct opinions – in which Supreme Court justices have cited *Brown v. Board of Education*, compiling quantitative and thematic analysis)

Good for This Day and This Day Only: A Study on Changes in Court Personnel, Precedent, and Judicial Legitimacy
55 Univ. of Memphis Law Review 821 (2025) (lead paper in symposium edition)

Originalism and the Chronological Separation of Powers
69 Saint Louis University Law Journal 739 (2025) (invited essay for Childress Memorial Lecture)

Justice Thurgood Marshall's Last Stand
47(2) Journal of Supreme Court History 197 (2022)

A Bolt of Lightning: Measuring the Impact of Modern Transitions on the Supreme Court
42 Cardozo Law Review 2813 (2021) (invited commentary for emergency volume on judicial appointments)

Debt to Society: The Role of Fines and Fees Reform in Dismantling the Carceral State
54 Univ. of Michigan Journal of Law Reform 857 (2021) (co-authored with Wesley Dozier)

Annulment: Inside the Largest – and Briefest – School District Consolidation in American History
50 Univ. of Memphis Law Review 887 (2020)

Avoiding Atkins: How Tennessee Is On The Verge of Unconstitutionally Executing an Individual with Intellectual Disabilities
Law & Inequality: Inequality Inquiry (online companion) (2020)

Where Do We Go From Here? Memphis and the Legacy of Dr. King's Unfinished Work
49 Univ. of Memphis Law Review 1 (2018) (co-authored with Demetria Frank)

No Caste Here? Toward a Structural Explanation of American Education Disparities
119 Penn State Law Review 611 (2015)

Lessons of the Memphis 13: What 13 First Graders Have To Teach About Life, Law, and the Legacy of Brown
39 Thurgood Marshall Law Review 63 (2014)

The Enduring Power of Milliken's Fences
45 Urban Lawyer 137 (2013)

The Endangered School District: The Promise and Challenge of Redistributing Control of Public Education
22 B.U. Public Interest L.J. 341 (2013)

A Memphis Dilemma: A Half Century of Public Education Reform in Memphis and Shelby County
41 Univ. of Memphis Law Review 787 (2011) (symposium edition)

An Ounce of Prevention is Worth a Pound of Cure: Reframing the Debate About Law School Affirmative Action
88 Denver Law Review 791 (2011) (invited commentary)

Accepting Justice Kennedy's Dare: The Future of Integration in a Post-PICS World
78 Fordham Law Review 2873 (2010)

It Takes a Hurricane: Might Hurricane Katrina Deliver for New Orleans What Brown Once Promised?
40 Journal of Law & Education 105 (2011)
(AALS Education Law Section program entitled "Five Years After Katrina: Access to Education")

Exploded Dream: Desegregation in the Memphis City Schools
26 Law & Ineq. 261 (2008) (University of Minnesota)

Book Chapters

"Liberty, Equality, and Education,"
in Oxford Handbook of U.S. Education Law, Oxford University Press, Oxford, UK (2019)

"Beauty and Bitterness: Two Centuries of Memphis Education,"
in Memphis: 200 Years Together, Schadt Press, Memphis, TN (2019)

"How School Autonomy Restricts Equitable Access for South African Learners"
in Transforming Education in Africa, the Caribbean, and the Middle East, Information Age Publishing, Charlotte, NC (2019) (co-authored with Kevin Teise)

"Two Attempts, One Fate: Desegregation and Consolidation as Strategies for Reducing Educational Inequality in Memphis"
in The Dynamics of School District Consolidation: Race, Economics, and the Politics of Educational Change, University of Tennessee Press, Knoxville, TN (2018)

"Still a Dilemma: Structural Explanations for the Disconnect between Ideals and Practice in Education"
in School Integration Matters: Research-Based Strategies to Advance Equity
Teachers College Press, New York, NY (2016)

"Equity Through Differentiation: The Paradoxical Quest to Make Education Equal for Everyone by Making it Different for Everyone," in Law and Educational Inequality: Removing Barriers to Educational Opportunities, Information Age Publishing, Charlotte, NC (2015)

Convener of Scholarly Programs

Brown at 70, Co-Convener for Conference at the University of Memphis, April 2024

- Generated call for papers, helped craft conference vision, secured speakers, moderated portions of program, participated as panelist in day-long conference featuring national leaders, scholars, and advocates

MLK50: Where Do We Go From Here?, Conference co-organized by University of Memphis and National Civil Rights Museum, April 2018

- Chaired committee tasked with developing conference vision, secured speakers for educational justice panel, which included national leaders and scholars, secured post-conference publications

Production of Video Advocacy and Scholarship, Working Group Conference at the University of Pennsylvania Carey School of Law (co-convended with Regina Austin), June 2014

- Sought out colleagues at law schools utilizing film and film editing as part of teaching, scholarship, or advocacy, co-coordinated working group gathering, moderated panel on topic at AALS annual conference

Closing the Gap: Solutions to Educational Inequality, Student-led conference by University of Memphis Law Review, March 2020 (physical event canceled due to COVID)

- Supported students by securing speakers for law review symposium in area of expertise

Scholarly Presentations (selected)

Presenter, “How Critical Race Theory Became White”

UCLA Critical Race Studies Symposium, Los Angeles, CA, October 24, 2025

Plenary Panelist, “Courageous and Visionary Leadership for Education and Civil Rights”

Grantmakers for Education Annual Conference, Memphis, TN, October 22, 2025

Presenter, “Good for This Day and This Day Only”

Memphis Law Review Symposium, Memphis, TN, Feb. 21, 2025

Keynote Address, Nat’l Foundation for Judicial Excellence Annual Conference, Washington, DC, July 26, 2024

Invited Lecture, Barbara Jordan Speaker Series on Race, Law, and Inequality, Boston Univ. School of Law, Boston, MA, March 25, 2024

Presenter, *Measuring the Impact of Supreme Court Transitions*

Federal Bar Association National Annual Meeting, Memphis, TN, Sept 22, 2023

Presenter, *Supreme Court 2021-22 Term Overview*

Federal Bar Association, Memphis, TN, October 21, 2022

Panelist, *The Role of Law in Education (In)Equity*

AALS Annual Meeting Discussion Group, New Orleans, LA, January 6, 2019

Presenter, *The Choice-as-Remedy Fallacy*

International and Comparative Urban Law Conference,

Fordham Urban Law Center/Univ. of Cape Town, Cape Town, South Africa, July 18, 2017

Presenter, *No Caste Here?*

“Education and Civil Rights: Historical Legacies, Contemporary Strategies, and Promise for the Future,” Penn State Univ. Symposium, State College, PA, June 7, 2014

Presentations of *The Transition: Interpreting Justice from Thurgood Marshall to Clarence Thomas* (selected)

Vanderbilt University Law School, Nashville, TN, March 22, 2023
Loyola University School of Law, Chicago, IL, Sept. 14, 2023
University of Missouri School of Law, Columbia, MO, October 25, 2023
University of Memphis School of Law (w/ Judge Bernice Donald), November 6, 2023
Pepperdine University School of Law, Malibu, CA, February 13, 2024

Presentations of *The Memphis 13* (documentary film) (selected)

Colleges and Universities

Harvard Law School, Cambridge, MA, Feb 16, 2012
Howard Law School, Washington, DC, Feb 28, 2012
Penn State Dickinson School of Law, Carlisle, PA, Feb. 12, 2013
Univ. of Arkansas-Little Rock Bowen School of Law, Little Rock, AR, Feb 19, 2013
Texas Southern Univ. Thurgood Marshall School of Law, Houston, TX, Feb 28, 2013
Univ. of Mississippi School of Law, Sept. 10, 2013
Univ. of Iowa School of Law, Sept. 10, 2013
Univ. of Pennsylvania Screening Scholarship Media Festival, Philadelphia, PA, March 2, 2014
Michigan State Univ., *Brown* at 60 Symposium, East Lansing, MI, April 10, 2014
Univ. of Missouri School of Law, Columbia, MO, Feb 16, 2018
Rhodes College, Memphis, TN, Oct 22, 2019
Univ. of Virginia School of Law, Charlottesville, VA, multiple screenings

Museums and Film Festivals

National Civil Rights Museum, Memphis, TN, October 3, 2011
The Museum of Tolerance, Los Angeles, CA, January 21, 2013
San Diego Black Film Festival, San Diego, CA, Feb. 1, 2013
Little Rock Reel Civil Rights Film Festival, Little Rock, AR, Sept. 23, 2013

Multiple Screenings at Local Memphis High Schools

Multiple Screenings for Local and National Community Organizations

Presenter, *Impact of the Civil Rights Act on School Desegregation: A Look Back*

“The Civil Rights Act 50 Years Later: Legal Implications of Voter Rights, Desegregation & Immigration,” Thurgood Marshall Law School Symposium, Houston, TX, Feb 13, 2014

Presenter, *Jumping Milliken’s Fences*

ABA Section on Local and State Government Conference, Kansas City, MO, Oct 5, 2012

Presenter, *Unsticking a Stuck School District: Lessons from New Orleans and Memphis*

Education Law Association Annual Conference, Chicago, IL, Nov 11, 2011

Presenter, *It Takes a Hurricane: Might Hurricane Katrina Deliver for New Orleans What Brown Once Promised?*

Association of American Law Schools Annual Meeting, Education Law Section program “Five Years After Katrina: Access to Education,” New Orleans, LA, Jan 8, 2010

Presenter, *Accepting Justice Kennedy’s Dare: Jefferson County Public Schools and the Future of Integration*

Consortium of Research in Educational Accountability and Teacher Evaluation Annual Meeting, Louisville, KY, Oct 9, 2009

Expert Testimony and Case Participation

Expert Testimony, Tennessee House of Representatives Criminal Justice Committee, April 14, 2021 (provided testimony in support of legislation enabling individuals with death sentences opportunity to present unadjudicated claims of intellectual disability)

Expert Testimony, *Shelby County Schools v. Memphis City Schools*, W.D. Tenn., September 5, 2012 (provided courtroom testimony regarding impact of structural changes to local education administration during merger of school districts in Shelby County)

Amicus Signatory for Brief of Constitutional and Education Law Scholars, *Guzman v. Minnesota*, Minn. Sup. Ct., June 2017

Amicus Signatory for Brief of Constitutional and Education Law Scholars, *In re: Renewal Application of Various Charter Schools*, Sup. Ct. of N.J., May 2020

Amicus Signatory for Brief of Education and Constitutional Law Scholars, *Carson v. Makin*, U.S. Supreme Court, October 2021

AWARDS & HONORS

Fulbright Core Scholar Fellowship, Fall 2015

Martin Luther King, Jr., Human Rights Award, Univ. of Memphis, April 2013

University Alumni Association Distinguished Teaching Award, April 2017

Unity in Diversity Award, Univ. of Memphis Black Law Students Association, Feb. 2017

Benjamin Hooks Institute for Social Change Distinguished Service Award, April 2018

Farris Bobango Faculty Scholarship Award

The Memphis 13, 2011-12

The Transition, 2023-24

Memphis Business Journal

“Top 40 Under 40,” 2011

“Best of the Bar: Public Service,” 2020

University of Memphis Law Alumni Pillars of Excellence Faculty Award, August 2018

National Association for Multicultural Education Film Award, November 2018

Professor of the Year, Univ. of Memphis Cecil C. Humphreys School of Law, May 2026

International Board of Scholars, Facing History and Ourselves, 2025 – present

LEGAL EMPLOYMENT

BURCH, PORTER & JOHNSON, PLLC, Memphis, TN

Associate, September 2005 – January 2008

- Drafted pleadings, motions, and appellate briefs in civil and commercial litigation, including contract disputes, products liability cases, and ADA accessibility reviews
- Argued post-conviction criminal appeals cases before Tennessee Court of Criminal Appeals, Sixth Circuit Court of Appeals

BINGHAM MCCUTCHEN, LLP, Boston, MA

Associate, September 2004 – August 2005; *Summer Associate*, 2003.

- Worked on initial intake of legal challenge to detention on behalf of Uighur detainees at U.S. military base at Guantanamo Bay, Cuba
- Prepared multi-session arbitration before New York Stock Exchange involving employment and contract issues

SERVICE

Public Service

City of Memphis Integrity Policing Initiative (2025-present)

- Appointed by Mayor of the City of Memphis to public task force charged with implementing reforms in response to findings by U.S. Dep't of Justice investigation into Memphis Police Department

Shelby County Transition Planning Commission (2011-13)

- Appointed by Memphis City Schools Board of Education to public commission charged with crafting transition plan for merger of Memphis City Schools (100,000 students) and Shelby County Schools (50,000 students) into a single district.
- Served as Co-Chair, Education Services Committee; Member, Executive Committee; TPC Representative on SCS Implementation Committee

Community Service (selected)

JustCity, www.justcity.org (2015-2023)

- Helped found and served as inaugural board chair (2015-2021) for nonprofit organization advocating for greater fairness in the criminal justice systems of Memphis and Tennessee

Benjamin L. Hooks Institute for Social Change, www.memphis.edu/benhooks (2008-present)

- Served as Associate Director (2019-2023) for campus institute committed to teaching, studying, and promoting civil rights and social change
- Served as co-editor of Institute's Policy Papers Series (2020-present) and on Institute's National Book Award Committee (2012-2019, chair 2015-2017)
- Co-convened and served as presenter and panelist for Institute symposium commemorating 70th anniversary of *Brown v. Board of Education* (2023-2024)

National Civil Rights Museum, www.civilrightsmuseum.org

- Scholar reviewer for the renovation of the Museum's *Brown v. Board of Education* exhibit (2012-13); contributed original data and resources, including video interviews, for the Museum's displays
- Served as consultant, facilitator, and panelist for various Museum programming (2006-present)

The Memphis 13 Foundation

- Helped found and served as inaugural board chair (2022-present) for nonprofit organization aiming to preserve the legacy of school desegregation pioneers in Memphis and providing educational resources for teachers hoping to use primary sources from desegregation era in class lessons

Facing History and Ourselves, www.facinghistory.org (2007-present)

- Served on local advisory board for nonprofit organization devoted to developing resources for teachers and communities to teach engaged civics and participation to young people
- Co-Chair of annual benefit dinner (2016, 2024)

Common Ground Memphis

- Served on founding steering committee (2008-2010) and chair of Action Forum Committee (2008) for nonprofit organization aimed at creating unity among Memphians through facilitated dialogue

American Civil Liberties Union – Tennessee

- Board Member (2026-present)

ADDITIONAL SPEAKING AND MEDIA

Full Length Interviews, Podcasts, and Other Media (selected)

“Touro Law Review Podcast,” Touro Law School, Mar 18, 2024

“The Tavis Smiley Show,” KBLA, April 26, 2023

“Discussion with Daniel Kiel, author of *The Transition*,” The Last Negroes at Harvard Podcast, Sept 28, 2023

“The Long and Winding Road of the Pervis Payne Case,” Show Cause (podcast of Memphis Law), Dec 9, 2021

“A Conversation With...,” WKNO-TV (Memphis), Feb 15, 2012

“CrossTalk,” Germantown Community Television, Jan 16, 2012

“Memphis School Desegregation at 50,” C-SPAN, Aug 21, 2011

Op-Eds, Essays, and Other Writing (selected)

The Washington Post

“Obama’s Subtle Hurdle,” Sept 28, 2008

USA Today

“NCAA Tournament Reflects a Cinderella Nation,” Mar 22, 2006

Bloomberg Law

“Tennessee Must Nix System Allowing for Execution of Intellectually Disabled Defendant,” Nov 17, 2020

Fulbright Scholar Program Blog

“Creating Cultural Connections as a Fulbright Family,” Jan 17, 2017

MLK50: Justice Through Journalism

“Where Do You Send Your Kids to School?” March 27, 2019

LitHub

“Mythologized Impartiality: A Conversation about the Supreme Court’s Checkered Past and Future,”
Dec 20, 2023 (co-authored with Lori Ringhand)

The Conversation

“Supreme Court Justice Clarence Thomas Moves to Reverse the Legacy of His Predecessor, Thurgood Marshall,”
April 20, 2023

Stanford University Press Blog

“Racial Equality, Affirmative Action, and the Supreme Court,” Sept 13, 2023
“Presidential Immunity and the Supreme Court,” Aug 25, 2024 (co-authored with other SUP authors)

The Commercial Appeal (Memphis)

“Repairing the Fragmentation and Re-segregation of Our Schools,” Dec 9, 2018
“Balance, cooperation key school success,” Dec 7, 2013
“We Must Learn from Past Education Failures,” Dec 10, 2010
“Message to City School Students: Buzz Off,” June 20, 2008
“Hypocrisy Rules in Legislating from the Bench,” Jan 12, 2006
“Goal of Diversity is Elusive,” May 16, 2004

Chapter 16 (Humanities Tennessee)

“Supremes and Extremes,” March 30, 2023 (Q & A with Aram Goudsouzian)

Memphis Flyer

“Shade in Shelby County,” Aug 2018
“Rhodes Must Fall and Memphis Confederate Monuments,” Sept 24, 2015

Tennessee Young Lawyer

“Cruel and Unusual: Tennessee Wrestles with Lethal Injection,” Spring 2007

Benjamin Hooks Institute Policy Papers

“COVID-19 Reveals the Power – and Limits – of Collective Will,” in *Race in the Time of COVID-19*, Nov 2021
“The Dangers of a Fragmented Educational Landscape in Shelby County,” in *Climbing Out from Under the Rock: Restoring Civil Rights, Economics, and Social Justice in Memphis and the Nation*, Nov 2018

Scholarly Panels (selected)

Panelist, *Brown v. Board of Education at 70*

Hooks Institute for Social Change, Memphis, TN, April 11, 2024

Panelist, “Racial Diversity and the Constitution,”

Memphis Bar Association and National Bar Association, Memphis, TN, Feb 23, 2023

Panelist

“Schooling, The American Dream, and the Price of Integration”

Dubin Leadership Service Seminar, Harvard Kennedy School of Government, Cambridge, MA, March 23, 2017

Panelist, “Dismantling the School-to-Prison Pipeline”

ABA Criminal Justice Section, Memphis, TN, April 21, 2016

Panelist, *Before I am a Law Professor, I am a Memphian*

“The Ethics and Practice of Community Engagement,”

AALS Annual Meeting Discussion Group, New York, NY, Jan 7, 2016

Panelist

Re-Litigating *Brown*: A Cost-Benefit Analysis, Texas Southern Univ. Thurgood Marshall School of Law, Houston, TX, Feb 28, 2013

Panelist, *School Integration Revisited*

ACT Pasadena, Pasadena, CA, June 7, 2012

Panelist, Education Forum,

Mount Vernon Triangle Community Dev. Corp., Washington, DC, Feb 28, 2012

Citations and References in National Media (selected)

Publishers Weekly, Review of *The Transition*, 2024

The Washington Post, “The lines that divide: School district boundaries often stymie integration,” December 16, 2019

Arkansas Public Media, “In City’s School Discrimination Lawsuit, Burden of Proof is ‘Did They Mean To?’” September 17, 2017

RSI (Radio Italia), “I 13 di Memphis- Dalla segregazione alla segregazione,” November 7, 2016

The New Yorker, “The Mail: Portrait of Ferguson,” December 22, 2014

The Nation, “How a New Secessionist Movement is Threatening to Worsen Segregation and Widen Inequalities,” May 15, 2014

Education Week, “Memphis-Shelby Schools Merge Amid Uncertainty,” July 10, 2013

The Atlantic, “In Memphis Classrooms, the Ghost of Segregation Lingers,” Feb. 13, 2012

The New York Times

“Merger of Memphis and County School Districts Revives Race and Class Challenges,” Nov. 5, 2011

“Memphis Votes for County To Run Schools,” Mar. 9, 2011

The Guardian (London), “Election is not in the bag- Race could still undo Obama,” Oct. 12, 2008

Tom Joyner Radio Show (national syndication), “Little Known Black History Fact of the Day,” Oct. 3, 2011

The Tennessean, “Tennesseeans Tackle Tough Subjects Like Slavery, Segregation in the Classroom Using Local Context, Living History,” Dec. 3, 2020

Montgomery (AL) Advertiser, “Southern Schools’ History Textbooks: A Long History of Deception, and What the Future Holds,” Dec. 2, 2020

Scholastic News for Kids

“Understanding the Impeachment Process,” Feb. 10, 2020

“Trump Faces a Second Impeachment Trial,” Feb. 8, 2021