

CRAIG GREEN

craig.green@temple.edu

215-880-0374 (c)

EXPERIENCE:

Temple University (2004-present)

James E. Beasley Professor of Law (2014-present)

Friel-Scanlan Award for Outstanding Scholarship (2012)

Temple University Lindback Award for Distinguished Teaching (2010)

Temple Law School Williams Award “Outstanding Professor of the Year” (2009, 2015)

Courses Taught: Civil Procedure, Federal Courts, Administrative Law, Constitutional Law, Guided Research Seminar (elite writing and research workshop), Survey of Legal Topics (bar preparation for at-risk 3Ls), Reproductive Health, Rights & Justice (co-taught), Supreme Court Seminar (co-taught), American Legal History (precept)

Other Teaching Interests: Conflicts of Law, Appellate Advocacy, Federal Judicial History, International Litigation, Complex Civil Litigation, History of Administrative Law, “Great Cases” in Supreme Court History

Princeton University, Department of History

Ph.D. (2018); M.A. (2012), (4.0 GPA)

Visiting Associate Professor, American Legal History (Fall 2012)

University Fellowship (2010); John Edwin Pomfret Fellowship (2011)

Department of Justice, Civil Appellate Staff (2002-2004)

Department of Justice, Office of the Solicitor General Bristow Fellowship (2001)

Hon. Merrick B. Garland, Law Clerk, D.C. Cir. (2000)

Hon. Louis H. Pollak, Law Clerk, E.D. Pa. (1999)

University of Pennsylvania, Teaching Assistant (2000)

Yale Law School, J.D. (1999); Yale L.J. Editor; Yale J.L. & Fem. Editor

Wake Forest University, B.S. *summa cum laude*(1995)

Hon. in Philosophy and in Mathematical Economics

PUBLICATIONS:

The Law Review Project: A Qualified Defense, __ TEMPLE L. REV. ONLINE __ (2018) (solicited essay for the publication’s 90th anniversary)

Turning the Kaleidoscope: Toward a Theory of Iconic Precedents, 94 U.N.C. L. REV. 379 (2016)

Public Law Under Stress: The Historical Puzzlement of War, Crime, and Terrorism (chapter published by the Justice Academy of Turkey 2014)

In Human Hands: Constitutional Meaning and Judicial Responsibility, in A ROAD MAP OF A NEW CONSTITUTION FOR TURKEY: ESSAYS IN COMPARATIVE CONSTITUTIONAL LAW (2014)

Can Erie Survive as Federal Common Law, 54 WM. & MARY L. REV. 813 (2013) (solicited symposium on “Law Without Lawmakers”)

Ending the Korematsu Era: An Early View from the War on Terror Cases, 105 NW. U.L. REV. (2011)

Black-and-White Judging in a World of Grays, 46 TULSA L. REV. 391 (2011) (solicited symposium on Roberts Court)

Our Not-So-Great Depression, 108 MICH. L. REV. 1031 (2010) (solicited book rev.)

What Does Richard Posner Know About How Judges Think?, 98 CAL L.REV. 625 (2010) (book rev.)

An Intellectual History of Judicial Activism, 58 EMORY L.J. 1958 (2009)

Repressing Erie’s Myth, 95 CAL L.REV. 595 (2008)

Erie and Problems of Constitutional Structure, 95 CAL. L. REV. 661 (2008)

Wiley Rutledge, Executive Detention, Judicial Conscience at War, 84 WASH. U. L. REV. 99 (2006)

The Untimely Death and Rebirth of the Federal Sentencing Guidelines, 93 GEO. L.J. 395 (2005)

Apprendi’s Limits, 39 U. RICH. L. REV. 1155 (2005)

Equal Protection & the Status of Stereotypes, 108 YALE L.J. 1885 (1999) (comment)

Defining Interests in Equal Protection, 108 YALE L.J. 439 (1998) (note)

WORKS IN PROGRESS:

Creating American Land: A Territorial History from the Albany Plan to the U.S. Constitution (successful dissertation defense Jun. 2018) (committee: Dirk Hartog, Dan Rodgers, Sean Wilentz, Wendy Warren, Mary Sarah Bilder)

Deconstructing the Administrative State: Constitutional Debates over Chevron and the Political Transformation of American Law

How The Pill Swallowed Abortion: A Legal and Cultural History

When Affirmative Action Worked: Yale Law School Graduates from the 1970s

Making “New Federalism” Old: A Congressional Approach To the Commerce Clause

ACADEMIC PRESENTATIONS:

Korematsu Day, Boston College Law School (2018)

Affirmative Action, Temple Law School Federalist Society (2018)

Keywords: Territory, BrANCA, Warwick University, England (2015)

The New Doctrinalism: Legal Realism and Legal Doctrine, Penn. Law Review (2014)

Interpreting Precedents, Drexel Law School (2014), Temple Law School (2014)

Rehabilitating Lochner?, Temple American Constitution Society (2014)

Affirmative Action, Temple Black Law Students Association (2014)

Public Law Under Stress: The Historical Puzzlement of War, Crime, and Terrorism, Istanbul (2013)

Presidential Recess Appointments, Temple Federalist Society (2013)

Gideon’s Failure, Temple Federalist Society (2013)

History and Structure: The Semi-Accountable Presidency in 2012, discussing Jack Goldsmith's book *Can Erie Survive as Federal Common Law*, William & Mary Law School (2012)
Erie and the Constitution, AALS Choice of Law Section (2012)
Debating Judicial Activism, Penn-Temple-Rutgers Federalist Society (2012)
Claim and Issue Preclusion in Municipal Practice, Philadelphia City Solicitor's Office (2011)
Ending the Korematsu Era, American University Law School (2009)
The "Great Case" of Erie v. Tompkins, Penn Law School (2009, 2010)
What Does Richard Posner Know about How Judges Think?, Temple Law School (2009)
Jack Goldsmith's Terror Presidency, Temple Law School (2009)
International Law Roundtable, Temple Law School (2009) (participant)
An Intellectual History of Judicial Activism, Junior Federal Courts Faculty Conference at American Law School (2008), Florida State University Law School (2008), Widener Law School Harrisburg (2008), Temple Law School (2008)
Judging Executive Detention, Keynote Speaker, Japanese American Society for Legal Studies, Kyoto Bunkyo University, Japan (2005)
Repressing Erie's Myth, OSU Law School (2008), American Law School (2007), Widener Law School (2007), Temple Law School (2006)
Boumediene, Temple Law School (2008)
Erie and Customary International Law, Delaware Valley International Law Day (2007)
Executive Power, Temple Law School (2007)
Recent Abortion Cases, Temple Law School (2007)
Hamdan, Delaware Valley International Law Day (2006)
Federal Sentencing after Booker, United States Sentencing Commission (2004)
Guantanamo, Temple Law School (2006)
Appellate Advocacy, Duke Law School (2004) (panel)
State Sovereign Immunity, Duke Law School (2004) (panel)
Transitions in Federal Sentencing, Temple Law School (2004)
Symposium on White House Review of Rulemaking, U. Penn. (2006) (participant)
No Rights To Have Rights, discussing Muneer Ahmad's paper (2007)
Choice of Form in International Regulation, discussing David Zaring's paper (2007)
Suspension and the Extrajudicial Constitution, discussing Trevor Morrison's paper (2007)
Originalism and Formalism in Criminal Procedure, discussing Stephanos Bibas's paper (2007)
Transparency & Participation in Criminal Procedure, discussing Steph. Bibas's paper (2005)
Dole's Future: A Strategic Analysis, discussing Neil Siegel's paper (2005)
Federalism and the States as Laboratories, Temple Law School (2007) (moderator)
Immigration Reform and Policy, Temple Law School (2006) (moderator)
Executive Power and the Limits of Article II, Temple Law School (2006) (moderator)

APPELLATE PRACTICE:

Authored Supreme Court merits stage brief for law-professor amici in *United States v. Stevens* (First Amendment). Authored Second Circuit amicus brief in wiretapping case (amicus brief reported by *Financial Times*, 5/10/2010). Helped draft ten merits briefs, including *Oregon v. Gonzales* (assisted suicide), *Eldred v. Ashcroft* (copyright term extension), *Nevada Dep't of Human Serv. v. Hibbs*, (Family Medical Leave Act), and *Harris v. United States*, (mandatory minimum sentencing). Briefed fourteen cases in federal courts of appeals and argued four cases. Served on various Supreme Court

moot courts for Georgetown's Supreme Court Institute, Penn's Supreme Court Clinic, the National Association of Attorneys General, and private law firms.