

KAREN M. TANI

418 North Addition, UC Berkeley School of Law, Berkeley, CA 94720 • ktani@law.berkeley.edu

CURRENT POSITION **UNIVERSITY OF CALIFORNIA, BERKELEY SCHOOL OF LAW** (2011-present)
Assistant Professor of Law
Teaches Legal History, Torts, and Social Welfare Law.

EDUCATION **UNIVERSITY OF PENNSYLVANIA**, Ph.D. (History), 2011
Dissertation: “Securing a Right to Welfare: Public Assistance Administration and the Rule of Law, 1935-1965” (Thomas J. Sugrue, supervisor).

UNIVERSITY OF PENNSYLVANIA LAW SCHOOL, J.D., *magna cum laude*, 2007
Order of the Coif; University of Pennsylvania Law Review.

DARTMOUTH COLLEGE, B.A. (History), *summa cum laude*, 2002
High honors in major; Phi Beta Kappa; Presidential Scholar.

ACADEMIC APPOINTMENTS **NEW YORK UNIVERSITY SCHOOL OF LAW** (2010-11)
Samuel I. Golieb Fellow in Legal History

UNIVERSITY OF PENNSYLVANIA LAW SCHOOL (2008-10)
George Sharswood Fellow in Law and History

CLERKSHIP **HONORABLE GUIDO CALABRESI** (2007-08)
UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

PUBLICATIONS & WORKS IN PROGRESS Works in Progress
STATES OF DEPENDENCY: WELFARE, RIGHTS, AND AMERICAN GOVERNANCE, 1935-1965 (Cambridge University Press, forthcoming 2015/2016).

Articles and Book Chapters

Administrative Equal Protection: Cooperative Federalism in the Shadow of the Fourteenth Amendment, 100 CORNELL L. REV. __ (forthcoming, 2015) (selected for presentation at the 2014 Harvard/Stanford/Yale Junior Faculty Forum).

States’ Rights, Welfare Rights, and “The Indian Problem”: *Negotiating Citizenship and Sovereignty, 1935-1954*, 33 L. & HIST. REV. __ (forthcoming, 2015) (peer reviewed).

Siting the Legal History of Poverty: Below, Above, and Amidst, in BLACKWELL COMPANION TO AMERICAN LEGAL HISTORY (Sally Hadden & Alfred Brophy eds.) (2013) (with Felicia Kornbluh).

Welfare and Rights before the Movement: Rights as a Language of the State, 122 YALE L. J. 314 (2012).

Portia’s Deal, 86 CHI-KENT L. REV. 549 (2012) (invited contribution to symposium

on “Women’s Legal History: A Global Perspective”).

The House that ‘Equality’ Built: The Asian American Movement and the Legacy of Community Action, in THE WAR ON POVERTY: A NEW GRASSROOTS HISTORY (Annelise Orleck & Lisa Hazirjian eds.) (University of Georgia Press, 2011).

Flemming v. Nestor: *Anticommunism, the Welfare State, and the Making of ‘New Property,’* 26 L. & HIST. REV. 379 (2008) (peer reviewed) (winner of the Kathryn T. Preyer Prize from the American Society for Legal History).

Reviews, Op-Eds, and Shorter Works

Review, “The Cowboy Suit Tragedy: Spreading Risk, Owning Hazard in the Modern American Consumer Economy,” (2014), JOTWELL (2014).

“Training Historians and the Dual Degree,” CHRON. OF HIGHER ED., January 28, 2014 (with Merlin Chowkwanyun).

Review, “Remembering the ‘Forgotten Child’: The American Indian Child Welfare Crisis of the 1960s and 1970s” (2013), JOTWELL (2013).

Review, *Caring for America: Home Health Workers in the Shadow of the Welfare State* (2012), 31 L. & HIST. REV. 901 (2013).

Review, *The Sympathetic State: Disaster Relief and the Origins of the American Welfare State* (2012), JOTWELL (2013).

Review, *This Is Not Civil Rights: Discovering Rights Talk in 1939 America* (2012), 47 J. AM. STUD. 858 (2013).

Review, *Tax and Spend: the Welfare State, Tax Politics, and the Limits of American Liberalism* (2012), JOTWELL (2012).

Poverty Law 101: The Law and History of the U.S. Welfare State, 39 FORDHAM URB. L.J. CITY SQUARE 1 (2012) (invited response to Amy L. Wax).

Review, *Champion of Civil Rights: Judge John Minor Wisdom* (2009), 28 L. & HIST. REV. 268 (2010).

Review, *A People’s History of Poverty in America* (2008), 15 J. CHILDREN & POVERTY 141 (2009).

Goldberg v. Kelly, 397 U.S. 254 (1970), *Mathews v. Eldridge*, 424 U.S. 319 (1976), and *Lalli v. Lalli*, 439 U.S.259 (1978), in ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES (Macmillan/Gale, 2008).

**ADDITIONAL
PROFESSIONAL
& TEACHING
EXPERIENCE**

UNIVERSITY OF PENNSYLVANIA LAW SCHOOL, Philadelphia, PA (2008-10)
Taught courses on employment discrimination law and social welfare law.

UNIVERSITY OF PENNSYLVANIA, Department of History, Philadelphia, PA (2005-06)
Led discussion sections and graded written work in courses on American Legal History, U.S. War and Diplomacy, and American Capitalism.

DECHERT, LLP, New York, NY, and Philadelphia, PA
Summer Associate

(2005, 2006)

**SELECTED
PROFESSIONAL
PRESENT-
ATIONS**

Columbia Law School Conference on Administrative Constitutionalism, Spring 2015.
Scheduled to present “Administrative Equal Protection.”

American Society for Legal History, November 2014. Presented “The Poor Belong to Us: Legal Contests over Poor Relief and the Making of the Modern American State.”

University of Pennsylvania Conference on the War on Poverty at 50, September 2014.
Presented “The Price of Rights: The Legal Services Program and the Constitutional Underpinnings of the Neoliberal Welfare State.”

Harvard/Stanford/Yale Junior Faculty Forum, June 2014. Presented “Administrative Equal Protection: Cooperative Federalism in the Shadow of the Fourteenth Amendment.”

Policy History, Biennial Conference, June 2014. Presented “Administrative Constitutionalism and the Welfare State: An Historical Case Study.”

University of Pennsylvania Legal History Workshop, March 2014. Presented “Administrative Equal Protection: Cooperative Federalism in the Shadow of the Fourteenth Amendment.”

University of California, Berkeley, Public Law Workshop, February 2014. Presented “Administrative Equal Protection: Cooperative Federalism in the Shadow of the Fourteenth Amendment.”

Hastings Race and Poverty Law Journal Symposium on the War on Poverty, 1964-2014, February 2014. Participated in a panel titled “Historical Perspectives on the War on Poverty.”

Social Science History Association, Annual Meeting, November 2013. Participated in a panel on Michele Landis Dauber’s *The Sympathetic State: Disaster Relief and the Origins of the American Welfare State* (2012).

Harvard Law School Legal History Workshop, September 2013. Presented “The ‘Indian Problem’: Welfare, Rights, and Citizenship in the Wake of the New Deal.”

West Coast Law and Society Retreat, September 2013. Participated in a panel titled “Legal History: New Versions and ‘Uses’ of History.”

Law and Society Association, Annual Meeting, May 2013. Presented “The ‘Indian Problem’: Contesting Citizenship and Sovereignty in the Wake of the ‘New Federalism.’”

Law and Society Association, Annual Meeting, May 2013. Participated in a roundtable titled “The Poverty State.”

American Bar Foundation United States Legal History Roundtable, April 2013.
Commented on William Forbath, “Jews, Law, and Identity Politics.”

Organization of American Historians, Annual Meeting, April 2013. Presented

“Administering Citizenship: The ‘Indian Problem’ in the Age of the Federal Grant.”

Organization of American Historians, Annual Meeting, April 2013. Commented on a panel titled “Race and Law: New Directions in Southern Legal History.”

University of Michigan Law School Legal History Workshop, March 2013. Presented “The ‘Indian Problem’ in the Age of the Federal Grant-in-Aid: The Expansion of Citizenship and the Inadequacies of Sovereignty.”

Stanford Law School Legal History Workshop, January 2013. Presented “Rights, Resources, and Jurisdiction: The ‘Indian Problem’ at Mid-Century.”

American Society for Legal History, Annual Meeting, November 2012. Presented “Citizens of the Welfare State? The ‘Indian Problem’ in the Age of New Federalism.”

Social Science History Association, Annual Meeting, November 2012. Presented “Human Needs and Legal Rights: Social Workers and Lawyers in New Deal Welfare Administration.”

American Historical Association, Annual Meeting, January 2012. Presented “Human Needs and Legal Rights: Social Workers and Lawyers in New Deal Welfare Administration.”

Center for the Study of Law and Society, University of California, Berkeley, November 2011. Presented “‘Precisely Who Is My Brother’s Keeper?: Welfare, Federalism, and the Rule of Law, 1935-1965.’”

Santa Clara Law School Faculty Workshop, October 2011. Presented “Welfare and Rights Before the Movement: Rights as a Language of the State.”

Chicago-Kent Law Review Symposium on Women’s Legal History: A Global Perspective, October 2011. Presented “Interpreting the Law of the Welfare State: Women Lawyers, Social Workers, and the New Deal Grounding of Poverty Law.”

War on Poverty: Reflections on Poverty Policy Past and Present, Dartmouth College, October 2011. Presented “Policies of Contradiction: Community Development and the Return of the Old Poor Law.”

American Society for Legal History, Annual Meeting, November 2010. Presented “Legal Rights and Human Needs in New Deal Welfare Administration.”

New York University Legal History Colloquium, October 2010. Presented excerpts from “Securing a Right to Welfare: Public Assistance Administration and the Rule of Law, 1935-1965.”

Policy History, Biennial Conference, June 2010. Presented “Legal Rights and Human Needs: The Contested Emergence of Rights-Based Liberalism in Public Assistance Administration.”

American Society for Legal History, Annual Meeting, November 2009. Presented “Administering ‘Welfare Rights’: ‘Fair Hearings’ in Public Assistance in the 1940s.”

J. Willard Hurst Summer Institute in Legal History, June 2009.

Law and Society Association, Annual Meeting, May 2009. Presented “Cold War ‘Security’ and the Welfare State: Dashed Hopes and New Opportunities.”

University of Pennsylvania Law School Faculty Workshop, Spring 2009.

American Society for Legal History, Annual Meeting, November 2006. Presented “*Flemming v. Nestor*: Anticommunism, the Welfare State, and the Making of ‘New Property.’”

War on Poverty Conference, Shelby Cullom Davis Center for Historical Studies, Princeton University, November 2003. Presented “Asian Americans and the Community-Based Development Movement.”

**OTHER
FELLOWSHIPS,
PRIZES &
AWARDS**

Selected to present at the Harvard/Stanford/Yale Junior Faculty Forum, as co-winner of the “Constitutional Law – Historical Foundations” category, 2014.

Research Award from the Hellman Fellows Fund, University of California, Berkeley, 2013.

John A. Heinz Dissertation Award, National Academy of Social Insurance, 2012.

William Nelson Cromwell Fellowship (awarded by the William Nelson Cromwell Foundation, with the advice of the American Society for Legal History), 2010.

Fellow (one of twelve), J. Willard Hurst Summer Institute in Legal History (co-sponsored by the American Society for Legal History and the University of Wisconsin Institute for Legal Studies), 2009.

Dean’s Scholar (one of ten, selected from across the graduate divisions of the School of Arts and Sciences; awarded for “exceptional academic performance and intellectual promise”), University of Pennsylvania, 2007.

Fred. G. Leebron Memorial Prize (Best Paper in Constitutional Law), University of Pennsylvania Law School, 2007.

Kathryn T. Preyer Scholars Prize, American Society for Legal History, 2006.

SERVICE

Professional

American Society for Legal History, Board of Directors, 2013-present.

American Society for Legal History, Kathryn T. Preyer Memorial Committee, 2012-present.

Legal History Blog, Blogger (with Daniel Ernst, Tomiko Brown-Nagin, and Emily

Prifogle), 2010-present.

JOTWELL, Contributing Editor, Legal History Section, 2012-present.

H-Law, Editorial Board, 2010-2014.

American Society for Legal History, Board of Directors - elected graduate student representative, 2008-10.

University of Pennsylvania Law and History Consortium, co-coordinator, 2006-07, 2008-10.

University

Oral examination committee – Aaron Hall, History Department, 2014.

Law School

Faculty Advisor (with Leti Volpp) to the *Asian American Law Journal*, 2014-present.

Lloyd McCullough Robbins Award Committee, 2014-present.

L.L.M. Admissions Reviewer, 2013-present.

Ph.D. Programs Committee, 2013-14.

Coach of the Berkeley Law entrants to the Roger J. Traynor Appellate Moot Court Competition, 2013-14 (with Sean Kiley, Coblenz, Patch, Duffy & Bass).

Faculty Workshop co-coordinator, 2013.

Thelen Marrin Prize Committee, 2013.

Jurisprudence and Social Policy Program Search Committee, 2012-13.

Academic Placement Committee, 2011-12.

J.S.D. dissertation committee – Yen-Chi Liu, 2011.

PROFESSIONAL MEMBERSHIPS

American Society for Legal History; Law and Society Association; Organization of American Historians; American Historical Association.

ADDITIONAL INFORMATION

Teaching certificate from the University of Pennsylvania School of Arts and Sciences Center for Teaching and Learning, 2009.

Conversational Spanish.