BERTRALL ROSS

UNIVERSITY OF CALIFORNIA, BERKELEY SCHOOL OF LAW
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ACADEMIC APPOINTMENTS

University of California, Berkeley
Assistant Professor of Law, July 2010-Present
Faculty Member, Haas Institute for a Fair and Inclusive Society, Diversity and Democracy Cluster, Oct. 2011-present

Classes: Constitutional Law, Law of Democracy, Legislation
Service: Haas Institute for a Fair and Inclusive Society, Diversity and Democracy Cluster (search committee: Aug. 2012-May 2013; Oct. 2014-present); Academic Placement Committee (co-chair: July 2012-June 2013; member: 2010-11); Thelton E. Henderson Center for Social Justice (Executive Committee Member: July 2010-present; co-faculty chair: July 2014-present); Junior Working Ideas Group (co-coordinator: July 2012-June 2013); First Generation Professionals Student Group (faculty advisor: Nov. 2011-present); Curriculum Committee (2011-12).

Princeton University
Fellow, Program on Law and Public Affairs, September 2013-June 2014

Columbia Law School
Kellis Parker Academic Fellow, 2008-2010

EDUCATION

Yale Law School
J.D., 2006

Journal: *Yale Journal on Regulation*, Editor

Activities: Educational Adequacy Project, Temporary Restraining Order Project

Research: Research Assistant to Professor Judith Resnik (2004-2006)

Princeton University, Woodrow Wilson School of Public and International Affairs
M.P.A. (Economics and Public Policy Concentration), 2003

Activities: Trenton High School Tutoring Program; Bronx Mentoring Program

Research: Graduate Policy Task Force on North American Monetary Union

London School of Economics and Political Science
M.Sc. (Politics of the World Economy), 2001

Thesis: Regional Agreements and Regulatory Barriers to Trade in Services: Building Blocks to the Multilateral Foundation

Activities: LSE Secondary School Tutoring Program

University of Colorado, Boulder
B.A. summa cum laude (Double Major: International Affairs and History), 1998

Honors: Marshall Scholarship, Phi Beta Kappa Honors Society
Thesis: Prologue to Disintegration: The Impact of Indirect Rule in Nigeria

Activities: President, Sigma Iota Rho (International Affairs Honors Society)

JUDICIAL CLERKSHIPS

Hon. Myron Thompson, U.S. District Court for the Middle District of Alabama
Clerk, 2007-2008

Hon. Dorothy Nelson, U.S. Court of Appeals for the Ninth Circuit
Clerk, 2006-2007

PUBLICATIONS

Law Review Articles, Essays, and Chapters in Books

Measuring Political Power: Suspect Class Determinations and the Poor, 104 CAL. L. REV. ___ (forthcoming 2015) (with Su Li)

Embracing Administrative Constitutionalism, 95 B.U. L. REV. ___ (forthcoming 2015)

Paths of Resistance to Our Imperial First Amendment, 113 MICH. L. REV. ___ (forthcoming 2015) (book review of Robert Post, Campaign Finance Reform and the Constitution)

Many Laws of Discrimination: The Multiple Sources of Constitutional-Statutory Convergence, 100 IOWA L. REV. BULL. 55-67 (2015)

The State as Witness: Windsor*,* Shelby County*, and Judicial Distrust of the Legislative Record*, 89 N.Y.U. L. REV. 2027-2105 (2014) (selected for the Yale-Harvard-Stanford Junior Faculty Forum, 2014)

Denying Deference: Civil Rights and Judicial Resistance to Administrative Constitutionalism, 2014 U. CHI. LEGAL F. 223-287

Democracy and Renewed Distrust: Equal Protection and the Evolving Judicial Conception of Politics, 101 CAL. L. REV. 1565-1640 (2013)

Reconsidering Statutory Interpretive Divergence Between Elected and Appointed Judges, 80 U. CHI. L. REV. DIALOGUE 53-80 (2013)

The Representative Equality Principle: Disaggregating the Equal Protection Intent Standard, 81 FORDHAM L. REV. 101-166 (2012) (selected for the Yale-Harvard-Stanford Junior Faculty Forum, 2012)

The Costs and Elusive Gains of Creating Complementarities Between Party and Popular Democracy, 3 CAL. L. REV. CIRCUIT 146-158 (2012)

Against Constitutional Mainstreaming, 78 U. CHI. L. REV. 1203-1261 (2011)

Minimum Responsiveness and the Political Exclusion of the Poor, 72 LAW & CONTEMP. PROBS. 197-221 (2009) (with Terry Smith).

Reconciling the Booker *Conflict: A Substantive Sixth Amendment in a Real Offense Sentencing System*, 4 CARDOZO PUB. L. POL'Y & ETHICS J. 725-778 (2006).

"Regulations Confronting Trade in Services," *in* REGIONALISM, MULTILATERALISM, AND ECONOMIC INTEGRATION: THE RECENT EXPERIENCE (pp. 253-274) (Gary Sampson & Stephen Woolcock eds., 2003).

Works in Progress

"This is [Not] a White Man's Government:" The Fifteenth Amendment and the Original Meaning of the Nondiscriminatory Right to Vote (book project)

The New Chilling Effects Doctrine

Encyclopedia Entries

"Minor v. Happersett," *in* ENCYCLOPEDIA OF THE UNITED STATES CONSTITUTION (David Schultz ed., 2009).

"United Jewish Organization v. Carey," *in* ENCYCLOPEDIA OF THE UNITED STATES CONSTITUTION (David Schultz ed., 2009).

"Republican Party of Minnesota v. White," *in* ENCYCLOPEDIA OF THE UNITED STATES CONSTITUTION (David Schultz ed., 2009).

"Fifteenth Amendment," *in* ENCYCLOPEDIA OF CAMPAIGNS, ELECTIONS, AND ELECTORAL BEHAVIOR (Kenneth F. Warren ed., 2008).

"Literacy Tests," *in* ENCYCLOPEDIA OF CAMPAIGNS, ELECTIONS, AND ELECTORAL BEHAVIOR (Kenneth F. Warren ed., 2008).

"Voter Disenfranchisement," *in* ENCYCLOPEDIA OF CAMPAIGNS, ELECTIONS, AND ELECTORAL BEHAVIOR (Kenneth F. Warren ed., 2008).

"Voting Rights Act of 1965," *in* ENCYCLOPEDIA OF CAMPAIGNS, ELECTIONS, AND ELECTORAL BEHAVIOR (Kenneth F. Warren ed., 2008).

Blog Posts

"Shelby County v. Holder and the Second-Guessing of Congress," Alliance for Justice: Justice Watch blog at http://afjjusticewatch.blogspot.com/2013/02/shelby-county-v-holder-and-second.html (Feb. 27, 2013).

"Shelby County v. Holder and the State of Democratic Distrust," American Constitution Society blog symposium on *Shelby County v. Holder* at http://www.acslaw.org/acsblog/all/bertrall-ross (Feb. 22, 2013).

"The Court Chips Away at the Voting Rights Act," Alliance for Justice: Justice Watch blog at http://10-9.blogspot.com/2012/01/the-court-chips-away-at-voting-rights.html (Jan. 23, 2012).

PRESENTATIONS

"Measuring Power: Suspect Class Determinations and the Poor," presentation at the UC Berkeley School of Law Junior Working Ideas Group (February 2015)

"Measuring Power: Suspect Class Determinations and the Poor," presentation at Class Crits VII, UC Davis School of Law (November 2014)

"Measuring Power: Suspect Class Determinations and the Poor," presentation at the UC Davis Center for Poverty Research, Poverty and Place Conference (November 2014)

"Embracing Administrative Constitutionalism," presentation at the Emory Law School Faculty Workshop (October 2014)

"The State as Witness: Credibility and the Democratic Process," presentation at the Yale-Harvard-Stanford Junior Faculty Forum, Stanford Law School (June 2014)

"Embracing Administrative Constitutionalism," presentation at Duke Law School Culp Colloquium (May 2014)

"Embracing Administrative Constitutionalism," presentation at Princeton University Law and Public Affairs Seminar (March 2014)

"Transparent Adjudication: Promoting Dialogue on Judicial Conceptions of Politics," presentation at the University of Maryland School of Law Constitutional Law Schmooze (February 2014)

American Constitution Society, Convening on Voting Rights, George Washington University Law School (December 2013)

"Resisting Administrative Constitutionalism," presentation at the University of Chicago Legal Forum on the 50th Anniversary of the Civil Rights Act (November 2013)

"The State as Witness: Credibility and the Democratic Process," presentation at the Loyola Constitutional Law Colloquium (November 2013)

"Discrete and Insular: Re-Assessing the Political Power of the Poor," presentation at the American University School of Law Poverty Law Conference (October 2013)

"The State as Witness: Credibility and the Democratic Process," presentation at the Fordham Law Legal Theory Workshop (October 2013)

"Democracy and Renewed Distrust: Equal Protection and the Evolving Judicial Conception of Politics," and "Transparent Adjudication: Promoting Democratic Dialogue on Judicial Conceptions of Politics," presentation at the U.C. Berkeley School of Law Faculty Workshop (April 2013)

American Constitution Society, Convening on Federalism and Marijuana Legalization, Washington D.C. (April 2013)

"Democracy and Renewed Distrust: Equal Protection and the Evolving Judicial Conception of Politics," and "The State as Witness: Credibility and the Democratic Process," invited presentation at the Workshop on Law, Philosophy, and Political Theory, U.C. Berkeley School of Law (April 2013).

"Democracy and Renewed Distrust: Equal Protection and the Evolving Judicial Conception of Politics," invited presentation at the Race, Ethnicity, and Immigration Colloquium, Institute of Governmental Studies, U.C. Berkeley (February 2013)

"Democracy and Renewed Distrust: Equal Protection and the Evolving Judicial Conception of Politics," invited presentation for the Junior Faculty Federal Courts Workshop at William & Mary School of Law (October 2012).

"U.S. Supreme Court Preview," Panel Presentation at the Bar Association of San Francisco (October 2012)

"NFIB v. Sebelius," Panel Presentation at the U.C. Berkeley Summer Faculty Colloquium Supreme Court Review (July 2012)

"Democracy and Renewed Distrust: Equal Protection and the Evolving Judicial Conception of Politics," work-in-progress presentation at the Law and Society Association Annual Meeting, Honolulu, HI (June 2012).

"The Representative Government Principle," invited presentation at the Yale-Harvard-Stanford Junior Faculty Forum, Harvard Law School (June 2012).

"The Representative Government Principle," workshop presentation at Duke Law School Culp Colloquium (May 2012)

"The Representative Government Principle," workshop presentation at UCLA School of Law faculty workshop (April 2012)

"The Representative Government Principle," work-in-progress presentation at UC Berkeley School of Law Junior Working Ideas Group (December 2011)

"Microsoft v. I4I," Panel Presentation at the U.C. Berkeley Summer Faculty Colloquium Supreme Court Review (July 2012)

"Against Constitutional Mainstreaming," invited presentation at the Columbia Law School Legislation Works Roundtable (April 2011).

"Against Constitutional Mainstreaming," work-in-progress presentation at UC Berkeley School of Law Junior Working Ideas Group Workshop (December 2010).

"Against Constitutional Mainstreaming: Toward a Proper Role for Courts in Dynamic Statutory Interpretation," job talk presentation at the law school faculty workshops at Fordham, Boston University, Cardozo, Minnesota, University of Colorado, UC Davis, Vanderbilt, Duke, Temple, Loyola-Los Angeles, San Diego, University of North Carolina, American, UC Irvine, UC Berkeley, UCLA (October 2009-January 2010).

"Against Constitutional Mainstreaming: Toward a Proper Role for Courts in Dynamic Statutory Interpretation," work-in-progress presentation at Columbia Law School Summer Junior Faculty Workshop (July 2009).

"Against Constitutional Mainstreaming: Toward a Proper Role for Courts in Dynamic Statutory Interpretation," work-in-progress presentation at Columbia Law School Associates' and Fellows' Workshop (May 2009).

"Minimum Responsiveness and the Political Exclusion of the Poor," invited paper presentation at *Race & Socio-economic Class: Unraveling a Complex Tapestry* – Duke Law School, Durham, NC (January 2009).

"Minimum Responsiveness and the Political Exclusion of the Poor," work-in-progress presentation at Columbia Law School Associates' and Fellows' Workshop (December 2009).

"North American Monetary Union," workshop presentation to members of Congress – Princeton University, Princeton, NJ (April 2003).

"Regulations Confronting Trade in Services," presentation to officials from the European Commission – London, UK (May 2001).