

Resume of George Rutherglen

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Personal Data: Born September 12, 1949, in Portland, Oregon
Married to Jessica Feldman
Two children, Susannah and Michael

Education: J.D., 1974, Boalt Hall, University of California, Berkeley
Order of the Coif
Articles Editor, California Law Review

A.B. (Philosophy), 1971, University of California, Berkeley
Undergraduate at M.I.T.: 1967-70
Phi Beta Kappa

Employment: Distinguished Professor of Law, 2003-
Justice Thurgood Marshall Distinguished Professor of Law
2024-2027
Barron F. Black Research Professor 2015-18
Earle K. Shawe Professor of Employment Law, 2020-
2011-14, 1997-98
Edward F. Howrey Research Professor, 2004-09
O.M. Vicars Professor, 1994-2002
Earle K. Shawe Professor of Employment Law, 2001-02
Edward F. Howrey Research Professor, 2000-01
F. Palmer Weber Research Professor, 1995-97
John Allan Love Professor, 1990-94
John V. Ray Research Professor, 1991-94
Professor of Law, 1982-1990
Associate Professor, 1980-82
Assistant Professor, 1976-80
Director, Graduate Program for Judges, 1995-2001

Law Clerk to Justices William O. Douglas and John Paul Stevens
Supreme Court of the United States 1975-76

Law Clerk to Judge J. Clifford Wallace
United States Court of Appeals for the Ninth Circuit
1974-75

Professional Associations: Virginia State Bar
Editorial Board, Journal of Maritime Law and Commerce

Chair, Maritime Law Section of the AALS, 1999-2000
Chair, Advisory Committee on Fourth Circuit Rules, 1990-94

Courses Taught: Admiralty
Civil Procedure
Civil Rights
Class Actions
Conflict of Laws
Employment Discrimination
Federal Courts
International Civil Litigation
Philosophy of Law
Professional Responsibility

Publications: After Affirmative Action: The Future of the Past in Employment
In Discrimination Law (Foundation Press 2024)

Civil Rights in the Shadow of Slavery
(Oxford University Press 2013)

Civil Rights Actions: Enforcing the Constitution
(Foundation Press 5th ed. 2022) (and earlier editions) (with
Peter W. Low, John C. Jeffries, Jr., and
Pamela S. Karlan)

Transnational Civil Litigation: Principles and Prospects
(West 2d ed. 2022) (and earlier edition)

Employment Discrimination Law: Visions of Equality in Theory
and Doctrine (6th ed. Foundation Press 2024) (and earlier
editions)

Major Issues in the Federal Law of Employment
Discrimination and Annotated Bibliography
(Federal Judicial Center 5th ed. 2012) (and earlier editions)

The United States Courts of Appeals: Reexamining
Structure and Process After a Century of Growth
(1989) (as consultant to the ABA Standing Committee)

on Federal Judicial Improvements)

Protecting Recent Immigrants and Aliens from
Discrimination in Employment: The American
Experience, Internal Labor Organization (1994)

Categorical Common Law: An Essay on *Erie* (submitted to
Va. L. Rev.)

Admiralty and Territoriality 65 Va. J. Int'l L. ____ (2024)

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72 Rutgers U. L. Rev. 1 (2019)

Disaggregated Discrimination and the Rise of Identity Politics,
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Territoriality and Its Troubles in The Restatement and Beyond:
The Past, Present and Future of U.S. Foreign
Relations Law 3711 (Paul B. Stephan & Sarah H.
Cleveland 2020)

Reconstruction in Legal Theory, Minn. L. Rev. Online (2020)

Self-Portrait in a Complex Mirror: Review of The Making of a
Justice: Reflections on My First 94 Years by John Paul
Stevens, Va. L. Rev. Online.

The Problem with Procedure: Some Inconvenient Truths about
Aspirational Goals, 56 San Diego L. Rev. 1 (2019)

The Rights of Aliens under the United States Constitution: At the
Border and Beyond, 57 Va. J. Int'l L. 707 (2018)

In What Sense a Coup? A Review of The Framers' Coup: The
Making of the United States Constitution by Michael J.
Klarman, 34 J. L. & Pol. 117 (2018)

The Rule of Recognition in Reconstruction: A Review of

Secession on Trial: The Treason Prosecution of Jefferson Davis, Va. L. Rev. online (2017)

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What Happened to the Framers of the Federal Rules? Generational Change and the Transformation of the Rulemaking Process, J. Sup. Ct. Hist. 193 (2017)

The Origins of Arguments Against Reverse Discrimination: Lessons from the Civil Rights Act of 1866, in "The Greatest and Grandest Act": The Civil Rights Act of 1866 from Reconstruction to Today (Christian Samito, ed. 2018)

The Constitution and Slavery Overseas, 39 Seattle U. L. Rev. 695 (2016)

Thirteenth Amendment, in 5 American Governance 189 (Stephen L. Schechter ed., Macmillan Reference USA, 2016)

Fisher II: Whose Burden, What Proof?, 20 The Green Bag 2d 19 (2016).

Personal Jurisdiction and Political Authority, 32 J.L. & Pol. 1 (2016)

The Rights of Aliens under the United States Constitution: At the Border and Beyond, 57 Va. J. Int'l L. 707 (2018).

The Civil Rights Act of 1964, in The American Middle Class: An Economic Encyclopedia of Progress and Poverty (2017)

"The Great Task Remaining Before Us": Lincoln and Reconstruction, in The Gettysburg Address: Perspectives on Lincoln's Greatest Speech 191 (Sean Conant, ed., Oxford University Press, 2015).

Private Rights and Private Actions: The Legacy of Civil Rights in the Enforcement of Title VII, 95 B.U. L. Rev. 733 (2015).

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Title VII as Precedent: Past and Prologue for Future Legislation,
10 *Stan. J.C.R. & C.L.* 159 (2014).

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Economic Encyclopedia of Progress and Poverty* (Robert
Rycroft ed., forthcoming 2014).

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editions)

The Thirteenth Amendment, The Power of Congress, and the
Shifting Sources of Civil Rights Law, 112 *Colum. L. Rev.*
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of Adversity, 2009 *Sup. Ct. Rev.* 83

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to Enforce the Thirteenth Amendment, in *The Promises of*

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Title IX, Title VII, and Statistical Evidence of
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(with Earl Dudley)

A Farewell to Tournaments? The Need for an Alternative
Explanation of Law Firm Structure and Growth,
84 Va. L. Rev. 1695 (1998) (with Kevin Kordana)

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and Decreasing Significance, 29 J. Maritime
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for the Perplexed, in *Diversity and Community
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Settlement Stage of Class Actions,
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- Discrimination, 82 Geo. L.J. 135 (1993)
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- Not With a Bang But A Whimper: Collisions, Comparative
Fault, and the Rule of *The Pennsylvania*,
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- Reconsidering Burdens of Proof: Ideology, Evidence,
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- After Affirmative Action: Conditions and Consequences
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and Attachment, 30 Wm. Mary L. Rev. 541 (1989)
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65 Va. L. Rev. 199 (1979)

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78 Va. L. Rev. 1463 (1992)

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7 Ox. J. Leg. Stud. 115 (1987)

Note, Parolee's Right to Bail,
62 Calif. L. Rev. 521 (1974)

Presentations:

Funding Legal Services
University of Virginia School of Law
May 11, 2018

Legal Ethics in the Cloud: Protecting Confidential Information in the Age of the Internet
University of Virginia School of Law
May 8, 2015

Current Issues in Legal Ethics
University of Virginia School of Law
May 4, 2012 and May 1, 2009 (with George Cohen)

Legal Ethics in the Electronic Age
University of Virginia School of Law
May 4, 2007 (with George Cohen)

Legal Ethics: Attorney for the Organization

University of Virginia School of Law
May 5, 2006, May 4, 2007 (with George Cohen)

Diversity and Professional Ethics
University of Virginia School of Law
Nov. 3-4, 2005

Current Issues in Professional Responsibility,
University of Virginia School of Law, June 29, 2001

Evidence, Procedure, and Class Action Issues,
Workshop on Employment Law for Federal Judges
Federal Judicial Center and New York University,
March 16-17, 2000

When Is a Precedent Not a Precedent?
Appellate Judges Seminar, Appellate Judges
Conference of the ABA, April 21, 1999

Practical Solutions to Real World Ethical Problems,
Virginia Bar Association,
Sept. 15-16, 1995

Legal Ethics in Employment Law,
Virginia Bar Association,
Oct. 18, 1994

The Corporate Attorney-Client Privilege,
Virginia Bar Association, July 30, 1993

Current Issues in Legal Ethics, University of
Virginia School of Law, July 14, 1992

Current Issues in Legal Ethics, University of
Virginia School of Law, March 6, 1992

Recent Developments in the Federal Law of
Employment Discrimination,
Orientation Seminar for Federal Judges
Federal Judicial Center, Sept. 1, 1987

Individual Claims of Discrimination in Employment
Under Title VII, ALI-ABA, June 12, 1987

Recent Developments in the Federal Law of Employment
Discrimination, Seminar for Appellate Judges

Federal Judicial Center, Oct. 30, 1986

Statistics for Judges and Attorneys
U.S. Department of Labor, May 28, 1986

Selected Cases:

Morse v. Republican Party of Virginia,
517 U.S. 186 (1996)

Neitzke v. Williams, 490 U.S. 319 (1989)

Seaboard System Railroad v. Caldwell,
238 Va. 148, 380 S.E.2d 910 (1989),
cert. denied, 493 U.S. 1095 (1990)

In re A.H. Robins, Bergstrom v. Dalkon Shield
Claimants Trust 91 F.3d 128 (4th Cir. 1996)

Raymond Lee X v. Murray, 888 F.2d. 1387
(4th Cir. 1989) (table)

Pressly v. Hutto, 875 F.2d. 316 (1987) (table)

Nusbaum v. Terrangi, 210 F.Supp.2d 784 (E.D.Va.2002)