

# CASEY E. FAUCON

## CURRICULUM VITAE

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### ACADEMIC APPOINTMENTS

UNIVERSITY OF ALABAMA SCHOOL OF LAW, Tuscaloosa, AL  
*Assistant Professor of Clinical Legal Instruction; Founding Director, Entrepreneurship & Nonprofit Clinic*, July 2018 to present

UNIVERSITY OF DENVER, STURM COLLEGE OF LAW, Denver, CO  
*Whiting Clinical Fellow / Clinical Instructor*, Aug. 2015 to June 2018

- Participant in Roger Salters Writing Institute, Denver's Interdisciplinary Research Incubator for the Study of (In)Equality

UNIVERSITY OF WISCONSIN SCHOOL OF LAW, Madison, WI  
*William H. Hastie Fellow / Doctrinal Instructor*, Aug. 2013 to July 2015

- Courses taught: Marital Property, Spring 2015

### EDUCATION

UNIVERSITY OF DENVER, STURM COLLEGE OF LAW, Denver, CO

- Master of Laws (LL.M.), Clinical Legal Education, May 2018

UNIVERSITY OF WISCONSIN SCHOOL OF LAW, Madison, WI

- Master of Laws (LL.M.), May 2015
- LL.M. thesis: "*Marriage on the Margins*"

LOUISIANA STATE UNIVERSITY, PAUL M. HEBERT SCHOOL OF LAW, Baton Rouge, LA

- Juris Doctor/Graduate Diploma in Civil Law (J.D./D.C.L.), May 2010
- *Magna cum laude*
- *Louisiana Law Review*, Executive Senior Editor, Vol. 70
- *Louisiana Law Review*, Junior Associate, Vol. 69
  - Highest Write-On Competition Paper Score
  - Received publication offer for student paper
- CALI Awards: 1L Property, Business Associations II, Matrimonial Regimes, Community Property Seminar
- Faculty Merit Scholarship, Henry D. & Rita Felder Scholarship, Ben R. Miller Scholarship, Judge Paul Landry Scholarship, Law Review Editor Scholarship

RICE UNIVERSITY, Houston, TX

- B.A., Art History, May 2007
- Admitted into Rice School of Architecture undergraduate program
- James H. & M.M. Edmonds Scholarship Recipient, 2003 to 2007

## PUBLICATIONS

- Casey E. Faucon, *The Principle of Amateurism in College Sports* (current work in progress).
- Casey E. Faucon, *Third Parties with Benefits*, STANFORD JOURNAL OF CIVIL RIGHTS AND CIVIL LIBERTIES (forthcoming 2021).
- Casey E. Faucon, *Black Market Law Firms*, 41 CARDOZO LAW REVIEW 2283 (2020), available at <http://cardozolawreview.com/black-market-law-firms/>.
- Casey E. Faucon, *Economic Empowerment in the Alabama Black Belt—A Transactional Law Clinic Theory and Model*, 7 TENNESSEE JOURNAL OF RACE, GENDER, & SOCIAL JUSTICE 2:9 (2018) (invited symposium essay), available at <https://trace.tennessee.edu/rgsj/vol7/iss2/9/>.
- Casey E. Faucon, *Decriminalizing Polygamy*, 2016 UTAH LAW REVIEW 709 (2016) (lead article), available at <http://dc.law.utah.edu/cgi/viewcontent.cgi?article=1001&context=ulr>
- Casey E. Faucon, *Polygamy after Windsor: What's Religion Got to Do with It?*, 9 HARVARD LAW & POLICY REVIEW 471 (2015), available at [http://harvardlpr.com/wp-content/uploads/2015/07/9.2\\_7\\_Faucon.pdf](http://harvardlpr.com/wp-content/uploads/2015/07/9.2_7_Faucon.pdf)
- Casey E. Faucon, *Marriage Outlaws: Regulating Polygamy in America*, 22 DUKE JOURNAL OF GENDER LAW & POLICY 1 (2014) (lead article), available at <http://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1288&context=djglp>
- Casey E. Faucon, *Living "Separate and Apart": Solving the Problem of Putative Community Property in Louisiana*, 85 TULANE LAW REVIEW 771 (2011), abstract available at [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2754389](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2754389)
- Casey E. Faucon, *The Suspension Theory: Hurricane Katrina Looting, Property Rights, and Personhood*, 70 LOUISIANA LAW REVIEW 1303 (2010), available at <http://digitalcommons.law.lsu.edu/cgi/viewcontent.cgi?article=6331&context=lalrev>
- Casey E. Faucon, *Louisiana Contractors Doing Business in Mississippi Must Attach Louisiana's Resident Bidder Preference Laws or Risk Losing Public Bids*, louisianalawblog.com, October 2010.

## INVITED ACADEMIC SPEAKING ENGAGEMENTS

ORDER OF THE COIF, ANNUAL MEMBER MEETING, University of Alabama School of Law, July 19, 2019

- Guest speaker: *Impact of UA Law's New Entrepreneurship & Nonprofit Clinic*

THE URGENCY OF POVERTY, 2018 University of Tennessee Law School and the *Tennessee Journal of Race, Gender, & Social Justice* Symposium, Oct. 25, 2018

- Invited panel speaker: Intersection of Civil Rights and Economic Justice
- Presented essay: *Economic Empowerment in the Alabama Black Belt—A Transactional Law Clinic Theory and Model*

RADIOWEST, The Legal Future of Polygamy, Apr. 19, 2016

- Invited guest speaker on KUER 90.1, Salt Lake City, UT, RadioWest & VideoWest
- Discussed recent “Sister Wives” case and future of polygamy with host Doug Fabrizio
- <http://radiowest.kuer.org/post/legal-future-polygamy>

UNIVERSITY OF PENNSYLVANIA SCHOOL OF LAW, Philadelphia, PA, Mar. 16, 2016

- Invited panel speaker for the American Constitution Society, Penn Law Chapter

## ACADEMIC CONFERENCES, TALKS, AND PRESENTATIONS

CLINICAL LAW REVIEW WRITERS' WORKSHOP, via Zoom, October 3, 2020

- Presented work-in-progress: *The Principle of Amateurism in College Sports*

SOUTHEASTERN ASSOCIATION OF LAW SCHOOLS CONFERENCE 2020, via Zoom, August 2, 2020

- Presented on Junior Faculty Works in Progress Panel: *The Principle of Amateurism in College Sports*
- Panel participant for Aspiring Law Professors, clinic interviewee simulation

*\*postponed or cancelled due to COVID*

\*INTERNATIONAL LEGAL ETHICS CONFERENCE, UCLA Law School, July 23-25, 2020

- (Planned submission) Panel presentation: *Black Market Law Firms*

\*COMPLIANCENET, London, UK, June 28-30, 2020

- (Planned submission) Paper presentation: *Black Market Law Firms*

\*TRANSACTIONAL LAW AND SKILLS TEACHING CONFERENCE, Emory Law School, June 5-6, 2020

- (Planned submission) “Bright Idea” session: *When Students Choose the Clients: Using Pitch Presentations and Firm Meetings to Teach Board Governance, Voting, Advocacy, and Ethics*

AALS CLINICAL LAW CONFERENCE, San Francisco, CA, May 6, 2019

- Presented on panel: *Rebellious Transactional Lawyering: Innovative Pedagogical Tools to Advance Economic Justice*

SOUTHERN CLINICAL CONFERENCE, South Carolina School of Law, Oct. 18-20, 2018

- Conference attendee and commentator

CLINICAL LAW REVIEW WRITERS' WORKSHOP, New York University School of Law, Sept. 22, 2018

- Presented paper: *Black Market Law Firms*

MIDWEST LAW & ECONOMIC CONFERENCE, University of Alabama School of Law, Sept. 14- 15, 2018

- Presented paper: *Third Parties with Benefits*

CLINICAL FELLOWS WORK-IN-PROGRESS, University of Denver, Sturm College of Law, July 11, 2017

- Presented paper: *Black Market Law Firms*

2017 TRANSACTIONAL CLINICAL CONFERENCE, University of Pennsylvania School of Law, Philadelphia, PA, June 1-2, 2017

- Presented writing pedagogy: *Using Self-Assessment and Organizational Methods to Foster Critical and Self-Directed Improvement in Student Writing*

AALS CLINICAL LAW CONFERENCE, WORKS-IN-PROGRESS SESSION, Denver, CO, May 2- 6, 2017

- Presented paper: *Black Market Law Firms*

CLINICAL LAW REVIEW WRITERS' WORKSHOP, New York University School of Law, Sept. 24, 2016

- Presented paper: *Boxes Over Slopes*

CONSTITUTIONAL RIGHTS AND REMEDIES WORKS-IN-PROGRESS, University of Denver, Sturm College of Law, July 12, 2016

- Presented paper: *Boxes Over Slopes*

CLINICAL FELLOWS WORK-IN-PROGRESS, University of Denver, Sturm College of Law, Feb. 1, 2016

- Presented paper: *Decriminalizing Polygamy*

GRADUATE RESEARCH & PERFORMANCE SUMMIT, University of Denver, Jan. 28-29, 2016

- Presented paper: *Decriminalizing Polygamy*

AALS WORKSHOP FOR NEW LAW SCHOOL TEACHERS AND PRE-TENURED LAW SCHOOL TEACHERS OF COLOR, Washington, DC, June 3-6, 2015

- Conference attendee

4<sup>TH</sup> INTERNATIONAL CONFERENCE ON THE FUTURE OF MONOGAMY AND NON-MONOGAMY, University of California-Berkley, Feb. 13-15, 2015

- Conference attendee and commentator

LEGAL STUDIES WORKSHOP, University of Wisconsin Law School, Nov. 11, 2014

- Presented paper: *Marriage Outlaws: Regulating Polygamy in America*

MIDWEST LAW & SOCIETY CONFERENCE, University of Wisconsin Law School, Oct. 24-25, 2014

- Presented an Idea-in-Progress

UNIVERSITY OF ARKANSAS-FAYETTEVILLE LAW SCHOOL, Oct. 1, 2014

- Presented paper: *Marriage Outlaws: Regulating Polygamy in America*

WISCONSIN BIG IDEAS CAFÉ 2014, University of Wisconsin Law School, Aug. 27, 2014

- Presented an Idea-in-Progress

INT'L SOCIETY OF FAMILY LAW CONFERENCE 2014, Recife, Brazil, Aug. 6-9, 2014

- Presented research on comparative global treatment of polygamous marriages, with focus on Africa, Asia, the Middle East, and North America

WORKING PAPER SERIES, University of Wisconsin Law School, June 6, 2014

- Presented and discussed draft of working paper: *Polygamy after Windsor: What's Religion Got to Do with It?*

EMERGING FAMILY LAW SCHOLARS AND TEACHERS CONFERENCE 2014, University of Minnesota Law School, May 29, 2014

- Presented and discussed draft of accepted paper, *Marriage Outlaws: Regulating Polygamy in America*
- Provided commentary and suggestions for revision on works-in-progress and incubator ideas

JUNIOR FACULTY SEMINAR, University of Wisconsin Law School, Apr. 17, 2014

- Presented and discussed draft of working paper: *Polygamy after Windsor: What's Religion Got to Do with It?*

NON-TRADITIONAL FAMILIES: TRANSGRESSIVE AND TRANSFORMATIVE, University of Wisconsin Law School, Mar. 28-29, 2014

- Presented working papers of untenured faculty with invited scholars Nancy Polikoff and Cynthia Grant Bowman
- Presented and discussed draft of working paper, *Marriage Outlaws: Regulating Polygamy in America*

LEGAL STUDIES WORKSHOP, University of Wisconsin Law School, Jan. 28, 2014

- Presented working paper, *Marriage Outlaws: Regulating Polygamy in America*

LLM/SJD STUDENT WORKSHOP, University of Wisconsin Law School, Jan. 22, 2014

- Presented working paper, *Marriage Outlaws: Regulating Polygamy in America*, to graduate students at the law school

MISSISSIPPI COLLEGE SCHOOL OF LAW, Apr. 18, 2012

- Presented published paper, *Living "Separate and Apart": Solving the Problem of Putative Community Property in Louisiana*, to law faculty and civil law certificate students

## NOTABLE MEDIA AND JUDICIAL REFERENCES

- Interview quotes used: Andrew O'Reilly, "Polygamy debate returns to Utah capital, as lawmaker looks to reduce penalties," FOX NEWS, Sept. 9, 2019, <https://www.foxnews.com/politics/polygamy-utah-penalties>.
- Citation to *Polygamy after Windsor: What's Religion Got to Do with It?* in the Browns' appellee brief to 10th Circuit in *Brown et al. v. Buhman*, a lawsuit brought by the polygamous Brown family from the "Sister Wives" TV series challenging the constitutionality of Utah's criminal polygamy statute
- Discussion of *Marriage Outlaws: Regulating Polygamy in America* in THE ATLANTIC, Conor Friedersdorf, "The Case Against Encouraging Polygamy: Why civil marriage should not encompass group unions," July 9, 2015, available at <http://www.theatlantic.com/politics/archive/2015/07/case-against-polygamy/397823/>
- Discussion of "*Marriage Outlaws*" in SALON.COM, Katie McDonough, "Ross Douthat Gets Polygamy Disastrously Wrong," June 1, 2015, available at [http://www.salon.com/2015/06/01/ross\\_douthats\\_polygamy\\_cluelessness\\_what\\_the\\_new\\_york\\_times\\_scold\\_misses\\_about\\_plural\\_marriage\\_equality/](http://www.salon.com/2015/06/01/ross_douthats_polygamy_cluelessness_what_the_new_york_times_scold_misses_about_plural_marriage_equality/)

## COMMUNITY PRESENTATIONS WITH CLINIC STUDENTS

- Public Works Contracts and Joint Bidding, TuscaloosaBUILDS, Lunch & Learn, November 21, 2019
- Contract Negotiations for Artists, CREATE Tuscaloosa, October 25, 2019
- WVUA News, Segment on the Entrepreneurship & Nonprofit Clinic, September 19, 2019, available at <https://wvua23.com/the-edge-law-student-rachel-parker-discusses-entrepreneurial-clinics/>
- Legal Structures and IP Issues, STEM Path Program, April 18, 2019.

## **OTHER PROFESSIONAL EXPERIENCE**

KEAN MILLER LLP, Baton Rouge, LA

Associate (partnership-track), Sept. 2010 to May 2013

- Construction litigation and arbitration, complex multi-party contract negotiation for contractors building drilling spars and floating production systems in the Gulf of Mexico, small business counseling and general construction contract drafting, public project bid disputes

U.S. FIFTH CIRCUIT COURT OF APPEALS, JUDGE DENNIS, New Orleans, LA Judicial Extern, LSU Law Judicial Externship Program, Jan. 2010 to May 2010

- Prepared bench memoranda involving a *Brady* violation in murder-for-hire case and an unconstitutional traffic stop and seizure
- Analyzed merits of and produced a memorandum on *pro se* challenge to federal pension change

LOUISIANA STATE UNIVERSITY, PAUL M. HEBERT SCHOOL OF LAW, Baton Rouge, LA

Research Assistant to Andrea B. Carroll and Ronald J. Scalise, Jr., May 2008 to Aug. 2010

Summer Associate positions:

- PHELPS DUNBAR LLP, Baton Rouge, LA, May 2009 to July 2009
- BREAZEALE, SACHSE & WILSON LLP, BATON ROUGE, LA, JULY 2008 TO AUG. 2008
- MCGLINCHY STAFFORD PLLC, Baton Rouge, LA, May 2008 to July 2008

RICE UNIVERSITY, Houston, TX

- PUBLICATIONS DEPT., Part-time Intern/Office Assistant, Jan. 2006 to June 2006
- BAKER INSTITUTE FOR PUBLIC POLICY, Part-time Office Assistant, Jan. 2005 to May 2005

## **BAR AND COURT ADMISSIONS**

- Bar: Louisiana, 2010; Colorado, 2015; Alabama, 2019 (active)
- Court: Louisiana federal district courts, U.S. Court of Appeals for the Fifth Circuit, Louisiana Coushatta Tribal Court

## **UNIVERSITY AND LAW SCHOOL SERVICE**

- Public Interest Committee, University of Alabama School of Law, 2018-current
- UA Entrepreneurship Leadership Group, Member, 2018-current
- River Pitch Competition, Judge, Tuscaloosa, AL, 2018-current
- UA Entrepreneurship Academy, guest speaker, "Legal Structures and IP Issues," June 16, 2020

- ALDAG Business Plan Competition, April 14, 2020, facilitator
- The EDGE Center for Entrepreneurship & Innovation, guest speaker on Legal Topics in Entrepreneurship, July 17, 2019
- University of Alabama Community Affairs Board of Advisors, guest speaker at bi- annual board meetings, April 1, 2019 and September 10, 2018
- University of Alabama Community Affairs Board of Advisors, guest speaker in Entrepreneurship Initiatives, Birmingham, AL, September 2018
- United Way Campaign, Law School Liaison, Level I Coordinator, University of Alabama, 2018-2019
- Guest Lecturer in “Law & Entrepreneurship,” University of Alabama School of Law, Fall 2018
- Peer Reviewer: *Journal of African Studies and Development*, 2017
- Active involvement with Admissions in meeting with admitted students, Open House Lunch with Admitted Students
- PLUS Program Lunch, faculty table host participant
- Guest lecturer in Family Law II: Parent, Child, & State, Wisconsin Law School, Spring 2014
- Invited commentator in Politics & Equality, Wisconsin Law School, Spring 2014

#### **COMMUNITY AND PROFESSIONAL SERVICE**

- Member of WAGE, the West Alabama Growth, Entrepreneurship, & Innovation Alliance, to support entrepreneurship growth and support in West Alabama
- Shaw for the Law Campaign Kick-Off, October 20, 2019
- Lucero Small Business Workshop, monthly speaker on “Legal Structures,” Denver, CO, 2015-2018
- Louisiana Bar Association, Member, 2010-2013
- Baton Rouge Bar Association, Member, Pro Bono Divorce participant, 2010-2013
- Baton Rouge Ballet Theatre, Board Member, 2012-2013
- Forum 36, Viva il Vino Committee, Auction Chair, 2011 and 2012
- Member of Kean Miller Recruiting Committee, 2011 and 2012; participant in Kean Miller Dictionary Project and Belly Up to the Bar, 2011
- Jones College Theater, Rice University, *Closer*, Role: Anna, 2006
- Brown College Theater, Rice University, *Don't Dress for Dinner*, Role: Suzanne, 2004
- Brown College, Rice University, Social Chair, 2004-2005
- Rice School of Architecture, ArchiArts Coordinator, 2004