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ACADEMIC POSITIONS

*The Ohio State University, Moritz College of Law:*

Jacob E. Davis and Jacob E. Davis II Chair in Law, 2007- [Joseph S. Platt-Porter, Wright, Morris and Arthur Professor of Law, 2003-2007] and Professor (by courtesy) of Public Policy and Management, 2003 - Present, and Comparative Studies, 2006 - Present; Affiliated Faculty, Mershon Center for International Security Studies, 2008 - Present; Distinguished University Scholar, 2011.

Director, Center for Interdisciplinary Law and Policy Studies, 2003 - 2007.

*H. John Heinz III School of Public Policy and Management, Carnegie Mellon University:*

Distinguished Service Professor (Adjunct) of Law and Public Policy, 2003 - 2006.

Founding Director, Institute for the Study of Information Technology and Society (InSITEs), and Distinguished Service Professor of Law and Public Policy, 2001-2003.

Visiting Professor of Law and Public Policy, 2000-01.

Project Director, Community Connections, 2000-05.

*University of Pittsburgh School of Law:* Dean, 1994-98; Professor of Law, 1994-2001.

*University of Iowa College of Law:* Associate Professor, 1981-85; Professor of Law, 1985-1994; President, University Faculty Senate, 1988-89 .

*Visiting Teaching and Research Positions:*

Visiting Professor of Law, Harvard Law School, 2011-12.

Fellow, Program in Networked Governance, John F. Kennedy School of Government, Harvard University, Spring, 2007.

Inaugural Visiting "Foreign Chair," University of Ghent Program in Foreign and Comparative Law, Ghent, Belgium, December, 2001.

Harold Gill Reuschlein Distinguished Visiting Professor of Law, Villanova University School of Law, Fall, 1999.

Visiting Professor of Law, Boston College Law School, Spring, 1999.

Visiting Professor of Law, Duke University School of Law, Spring, 1986.

### EDUCATION

YALE LAW SCHOOL, New Haven, Connecticut, J.D., 1977.

HARVARD COLLEGE, Cambridge, Massachusetts, A.B. *magna cum laude* in Social Studies (interdisciplinary program in history, economics, sociology, and government), 1974 (Elected to Phi Beta Kappa, 1973).

### COURSES TAUGHT

**Primary:** Administrative Law, Separation of Powers Law (a/k/a, Law of the Presidency), Constitutional Law, Telecommunications Law, The Internet, Law and Democracy.

**Secondary:** Apartheid, Social Change, and the Law (co-taught), Comparative Administrative Law, Courts and Social Integration, Education Law, Future of Media Policy, Internet and the Future of Democracy (co-taught), Law and Social Theory Reading Group, Law and the Political Process, Legislation, Legislation and Regulation, Electronic Democracy.

### OTHER EMPLOYMENT

Attorney-Adviser, Office of Legal Counsel, U.S. Dep't of Justice, Washington, D.C., 8/1978-12/1980, 4/1981-6/1981.

Assistant General Counsel, Office of Management and Budget, Washington, D.C., 12/80-4/1981.

Law Clerk, Hon. Alvin B. Rubin, U.S. Court of Appeals, Fifth Circuit, New Orleans, LA., 8/1977-7/1978.

Bar Admissions: New York, 1978; District of Columbia, 1979.

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**Book Chapters**

“Signing Statements,” in DAVID COATES, KATHY SMITH AND WILL WALDORF, OXFORD COMPANION TO AMERICAN POLITICS (2011) (forthcoming).

“Online Consultation and Political Communication in the Era of Obama: An Introduction,” and “The Legal Environment for Electronic Democracy” (with Polona Pičman Stefančič), in STEPHEN COLEMAN AND PETER M. SHANE, EDs., CONNECTING DEMOCRACY: ONLINE CONSULTATION AND THE FLOW OF POLITICAL COMMUNICATION (MIT Press, forthcoming 2011).

“Resolved: Presidential signing statements threaten to undermine the rule of law and the separation of powers,” in RICHARD J. ELLIS AND MICHAEL NELSON, DEBATING THE PRESIDENCY (CQ Press, 2d. ed. 2009).

“Analyzing Constitutions,” in R.A.W. RHODES, SARAH BINDER & BERT ROCKMAN, EDs., OXFORD HANDBOOKS OF POLITICAL SCIENCE: POLITICAL INSTITUTIONS 191-216 (Oxford University Press, 2006).

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“Humphrey’s Executor v. United States,” in Gerald S. Greenberg, ed., Historical Encyclopedia of U.S. Independent Counsel Investigations 171-173 (Greenwood Press, 2000) [also, “Bowsher v. Synar” at 31-33, and “Buckley v. Valeo,” at 38-40].

“Executive Agreements,” in II L.W. Levy and L. Fisher, eds., Encyclopedia of the American Presidency 566-568 (1993) [also, “Dames & Moore v. Regan,” I, at 342-343; “Independent Counsel,” II, at 815-817; “Morrison v. Olson,” III, at 1048-1049; “United States v. Belmont,” IV, at 1528-1529; and “United States v. Pink,” IV, at 1534].

### **Video Projects**

Information Stories: Sustaining Democracy in the Digital Age (with Liv Gjestvang, et al.) (Ohio State University Digital Union 2011), available at <http://informationstories.org> and <http://kunaki.com/Sales.asp?PID=PX00TWJ703>.

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Using “Mandate Gap” to Measure Fault in the Event of a Government Shutdown, HuffingtonPost.Com, April 7, 2011, available at [http://www.huffingtonpost.com/peter-m-shane/using-mandate-gap-to-meas\\_b\\_845561.html](http://www.huffingtonpost.com/peter-m-shane/using-mandate-gap-to-meas_b_845561.html).

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An Inconvenient Text: Will House Members Obey the Constitution They Read Aloud? HuffingtonPost.Com, Jan. 5, 2011, available at [http://www.huffingtonpost.com/peter-m-shane/an-inconvenient-text-will\\_b\\_804701.html](http://www.huffingtonpost.com/peter-m-shane/an-inconvenient-text-will_b_804701.html).

The Magical Misdirection of Charles Murray: The Elite is Patriotic, But Not "Of America," HuffingtonPost.Com, Oct. 25, 2010, available at [http://www.huffingtonpost.com/peter-m-shane/the-magical-misdirection\\_b\\_773830.html](http://www.huffingtonpost.com/peter-m-shane/the-magical-misdirection_b_773830.html).

Why I Am Skeptical About the Media Narrative of Democratic Disaster and Hopeful for My Congress Member, Mary Jo Kilroy, HuffingtonPost.Com, Oct. 18, 2010, available at [http://www.huffingtonpost.com/peter-m-shane/why-i-am-skeptical-about\\_b\\_766936.html](http://www.huffingtonpost.com/peter-m-shane/why-i-am-skeptical-about_b_766936.html).

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Anatomy of a Canard: "The Condescending Liberal," HuffingtonPost.Com, Mar. 5, 2010, available at [http://www.huffingtonpost.com/peter-m-shane/anatomy-of-a-canard-the-c\\_b\\_488035.html](http://www.huffingtonpost.com/peter-m-shane/anatomy-of-a-canard-the-c_b_488035.html).

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### **Consultant Reports and Unpublished Papers**

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Peter M. Shane, ed., Building Democracy Through Online Citizen Deliberation: A Framework for Action (2008), available at <http://moritzlaw.osu.edu/cilps/events/edemocracy/>.

Neil J. Kinkopf and Peter M. Shane, Signed Under Protest: A Database of Presidential Signing Statements, 2001-2006 (2007), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1022202](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1022202).

Promoting Accuracy and Fairness in the Use of Government Watch Lists (Report to The Constitution Project, 2007), available at [http://www.constitutionproject.org/pdf/Promoting\\_Accuracy\\_and\\_Fairness\\_in\\_the\\_Use\\_of\\_Government\\_Watch\\_Lists.pdf](http://www.constitutionproject.org/pdf/Promoting_Accuracy_and_Fairness_in_the_Use_of_Government_Watch_Lists.pdf).

Peter Muhlberger and Peter M. Shane, The Prospects for Electronic Democracy: A Survey Analysis (Version 1.0, November 1, 2001, available at <http://www.geocities.com/pmuhl78/abstracts.html#MarkleFinal>).

Litigation and National Security (Report to the MacArthur Justice Center, 1988) (32 pp.).

Negotiating for Knowledge: Administrative Responses to Congressional Demands for Information (Report to the Administrative Conference of the United States, 1990) (43 pp.).

Who May Remove or Discipline Federal Judges? A Constitutional Analysis (Report to the National Commission on Judicial Discipline and Removal, 1992) (50 pp.).

### **Congressional Testimony**

#### ***Requested Personal Appearances:***

Statement on Executive Order No. 13,233, "Further Implementation of the Presidential Records Act," to the Subcommittee on Government Efficiency of the House Committee on Government Reform, November 6, 2001.

Statement on Reauthorization of the Administrative Conference of the United States, Fiscal Years 1995-98, to the Subcommittee on Commercial and Administrative Law of the House Committee on the Judiciary, May 11, 1995.

Statement on H.R. 5092, 100th Cong., 2d Sess., Proposed "Presidential Directives and Records Accountability Act" to the Subcommittee on Legislation and National Security of the House Committee on Government Operations, Aug. 3, 1988.

Statement on "Proposed Legislation on Retirement Pay of Lt. Col. Oliver L. North," to the Senate Committee on the Judiciary, Oct. 18, 1989.

***Requested Written Testimony and Opinion Letters:***

Statement to the Constitution Subcommittee Of the U.S. Senate Committee on the Judiciary On Restoring the Rule of Law, Sept. 15, 2008, available at <http://feingold.senate.gov/ruleoflaw/testimony/shane.pdf>.

Letter to Hon. Dave Nagle, U.S. House of Representatives, on proposals for a Balanced Budget Amendment, June 4, 1992.

Letter to Hon. Edward M. Kennedy, Chairman, Senate Committee on Labor and Human Resources, on proposed National Institutes of Health Reauthorization Act of 1992, H.R. 2507, 102d Cong., 2d Sess. (1991), Mar. 20, 1992.

Letter to Hon. Joseph R. Biden, Jr., Chairman, Senate Committee on the Judiciary, on proposed legislation on retirement pay of Lt. Col. Oliver L. North, Oct. 25, 1989.

Letter to Hon. John Conyers, Jr., Chairman, Subcommittee on Criminal Justice of the House Committee on the Judiciary, on the legality of impeachment following acquittal, June 10, 1988.

**PROFESSIONAL ACTIVITIES**

**Funded Research and Outreach Projects**

*Information Stories: Video Presentations to Dramatize the Impact of Healthy Information Flow on the Lives of Individuals and Communities, 2010.*

Co-principal with filmmaker Liv Gjestvang in creating a series of short videos intended as tools for community organizers seeking to mobilize public support for strengthening the information ecology of local communities through various forms of personal engagement with “the information issue.” Funded by the John S. and James L. Knight Foundation.

*Knight Commission on the Information Needs of Communities in a Democracy, 2008-2009.*

Executive Director of a national commission charged with analyzing the performance of media in serving the information needs of American communities, and recommending public and private measures for the improvement in media’s performance. Funded by the John S. and James L. Knight Foundation, and organized and staffed through the Aspen Institute, Washington, D.C.

*International Working Group on Online Consultation and Public Policy Making, 2006-2009.*  
See [www.reconnectingdemocracy.org](http://www.reconnectingdemocracy.org).

Originator and, with Stephen Coleman, the co-chair of a 19-member international research collaboration focusing on the design and impacts of government-staged and government-sponsored online consultations related to actual public policy making. Supported through an NSF-funded initiative of the SUNY Albany Center for Technology and Government to "build and sustain an international digital government research community of practice."

*Building Democracy Through Online Citizen Deliberation, Ohio State University, 2005-08.*

Principal coordinator for workshops involving government and civil society leaders in learning about, and pilot testing, tools for on-line citizen policy deliberations; joint coordinator of online public outreach initiative with the Mid-Ohio Regional Planning Commission. Funded by the Batelle Endowment for Technology and Human Affairs.

*Developing and Testing A High Telepresence Virtual Agora For Broad Citizen Participation: A Multi-Trait, Multi-Method Investigation, H. John Heinz III School of Public Policy and Management, Carnegie Mellon University, 2002 - 2006.* See [www.virtualagora.org](http://www.virtualagora.org).

Principal investigator (with Peter Muhlberger and Robert Cavalier) on project to develop video, audio, and text-based software tools that could permit any community to educate itself on complex issues, both through collaboratively sharing information and through structured discussion that can relay information and ideas among large numbers of people. The project will include an extensive multidisciplinary program of research to identify the factors that contribute to effective community engagement and individual empowerment through computer-mediated communication. The research seeks also to clarify the individual, social, and political consequences of collaborative IT, particularly on communication and decision-making processes. Funded by the NSF.

*Community Connections Project, H. John Heinz III School of Public Policy and Management, Carnegie Mellon University, 2000 -2005 .*

Originator and Project Director for interdisciplinary study designed to identify most effective means of deploying web-based information technology to enable ordinary citizens to become more active participants in democratic society. Using Allegheny County as its test area, project seeks to help determine the conditions under which new information technologies can promote political engagement. Funded by the William and Flora Hewlett Foundation (with survey research supported by the Markle Foundation).

*Youth Civic Participation Project, H. John Heinz III School of Public Policy and Management, Carnegie Mellon University, 2000 -2003.*

Co-Principal Investigator (with Peter Muhlberger) for partnership with the Pittsburgh Public School System to develop on-line local history curriculum and city-wide on-line dialogue among high school students on civic projects to improve Pittsburgh's attractiveness to young adults. Funded by the Grable Foundation.

### **Other Higher Education Activities**

Member, Board of Editors, Journal of Information Technology and Politics, 2006-Present.

Co-Founder and Chair, Faculty Editors, I/S: A Journal of Law and Policy for the Information Society, Moritz College of Law, Ohio State University, 2004 - Present.

Member, Academic Board of Editors, Journal of Public Deliberation, BEPress, 2005 - Present.

Organizer, Verizon Foundation Distinguished Lecture Series on Information Technology and Society, Carnegie Mellon University, 2000-03.

Member, Advisory Group, Digital Rivers: Broadband to the People, Carnegie Mellon University-3 Rivers Connect, Pittsburgh, PA, 2000-02.

Council Member and Chair of the Program Committee, Council on Legal Education Opportunity (CLEO), Washington, D.C., 1996-2004.

Association of American Law Schools:

Chair, Section for the Law School Dean, 1997.

Member, Committee on Accreditation, 1995-1997.

Chair, Section on Administrative Law, 1/90 - 1/91 (Member, Executive Committee, 1988-91).

Chair, Section on Remedies, 1/92 - 1/93 (Member, Executive Committee, 1991-93).

Member, AALS Section Communications Task Force, 2004 - Present.

President, University of Iowa Faculty Senate, 1988-89.

Chair, Planning Committee, University of Iowa Symposium on "The Nature of the University," 1988-89.

Mellon Foundation Fellow of the Aspen Institute for Humanistic Studies, New York, N.Y., 6/82 - 5/83.

Adjunct Lecturer, Washington College of Law, American University, Washington, D.C. (Education Law), 6/79 - 1/80.

**Other Activities in the Legal Profession, Government, and Nonprofit Sector**

Visiting Scholar, Federal Communications Commission, 2009-2010.

Contributor, ExecutiveWatch.net, 2009-Present.

Agency Team Lead, International Trade Commission, Obama-Biden Transition Project, 2008.

Executive Director, Knight Commission on Media and the Information Needs of Communities in a Democracy, Aspen Institute, Washington, D.C., 2008-2009.

Member, ABA Committee on the Status and Future of Federal E-Rulemaking, 2007-2008.

Chair, U.S. Advisory Group: Oversight, ABA Project on the Administrative Law of the European Union, 2004-2007.

Contributing Editor, Jurist, 2006 - 2008.

Member, American Law Institute, 1998-Present.

Member, Administrative Conference of the United States, 1995-96.

American Bar Association, Section of Administrative Law and Regulatory Practice:

Member of the Council, 1993-96.

Chair, Committee on Government Organization and Separation of Powers, 1987-91 (Vice-Chair, 1983-87, 1991-93).

Consultant, Carnegie Mellon Research Institute, Pittsburgh, PA, 2000-2001.

Contributing Editor, IntellectualCapital.Com, 1999 - 2000.

Member, Board of Editors, Carolina Academic Press, 1990 - Present.

Member, Allegheny County Administrative Code Drafting Committee for County Executive Candidate Dr. Cyril Wecht, 1999.

Member, Working Group on Comparative Regulation, University of Pittsburgh Graduate School of Public and International Affairs, 1998-2000.

Member, Citizens for Independent Courts, Task Force on the Legislative Role in Setting Jurisdiction, Washington, D.C., 1998-99.

Chair, Judiciary-Academy-Bar Committee on Legal Education of the Pennsylvania Bar Association, Harrisburg, PA, 1997-98.

Reporter, Civil Justice Advisory Group, United States District Court for the Western District of Pennsylvania, 1996-98.

Allegheny County Bar Association, 1995-. (Member, Planning Committee, 1997-98; Committee on Opportunities for Minorities in the Profession, 1995-98.)

Coordinator, Alliance for Justice Midwest Regional Conference on "Forging a New Vision of Justice: Law in the Public Interest," 1994.

Member, Society of American Law Teachers Committee on Access to Justice in Health Care Reform, 1994.

Consultant, National Commission on Judicial Discipline and Removal, Wash., D.C., 1992-93.

Member, Delegation to Provide Technical Assistance to the Republic of Belarus on Judicial Restructuring and Constitutional Drafting, American Bar Association Central and East European Law Initiative Program on New Independent States, Minsk, Belarus, 9/92.

Consultant, Administrative Conference of the United States, Washington, D.C., 9/88 - 12/90.

Consultant, MacArthur Justice Foundation, Niles, Illinois, 1/88 - 6/88.

Consultant, American College Testing, Iowa City, Iowa, 5/88 - 8/88.

Co-counsel, *United States v. Eklund*, 733 F.2d 1287 (8th Cir. 1984) (en banc), *cert. denied*, 105 S.Ct. 1864 (1985), and *United States v. Martin*, 733 F.2d 1309 (8th Cir. 1984) (en banc), *cert. denied*, 105 S.Ct. 1864 (1985) [challenging selective criminal prosecution of draft nonregistrants].

Member, National Ad Hoc Committee on ACLU War Powers Policy, May, 1984.

Member, State Board of Directors, and Legal Committee Chair, Iowa Civil Liberties Union, 3/87 - 7/89 (Member, Legal Committee, 12/82-).

Consultant, Legal Services Task Force, Secretary of Education's Transition Team, U.S. Department of Education, Washington, D.C., 1/80 - 3/80.

### **Community Service Activities**

Founding Organizer and Steering Committee Member, Central Ohio Regional Issues Forum, Mid-Ohio Regional Planning Commission, 2008-2009.

Board Member, Community Justice Project, Harrisburg, PA, 1997.

Board Member, Conflict Resolution International, Pittsburgh, PA, 1996-98.

### **PROFESSIONAL HONORS**

University Distinguished Scholar, The Ohio State University, 2011.

Council on Legal Education Opportunity, Distinguished Service Award, November, 2004.

Recipient, Citation of the Commonwealth of Pennsylvania House of Representatives for "Outstanding contributions as dean of the University of Pittsburgh School of Law," June 2, 1998.

Highlighted as one of 40 "Young Leaders of the Academy" in *Change: The Magazine of Higher Learning*, January-February 1998, at p. 25 (published by the American Association for Higher Education).

### **PROFESSIONAL PRESENTATIONS**

Panelist, "Executive Power and National Security," American Constitution Society 2011 National Convention, Washington, D.C., June 18, 2011.

Presenter, Public Forum on "Information Needs and Access," Literacy Studies at OSU Program, Thomson Library, May 20, 2011.

Speaker, "Presidential Signing Statements and Executive Privilege," Discussion Series on the Rule of Law and Its Status in America, Chicago Bar Association and American Constitution Society, Chicago Chapter, Jan. 28, 2011.

Presenter, "Informing Democracy in the Digital Age: A Role for Government Initiative?" OSU Center for Urban and Regional Analysis, Jan. 21, 2011.

Keynote Speaker, "Informing Democracy: Local Leadership and the Changing Information Needs of Communities," 2010 League of California Cities' Annual Conference, San Diego, CA, Sept. 16, 2010.

Presenter, "Online Consultation and Democratic Discourse in the Era of Obama," Faculty Seminar, Bar-Ilan University Faculty of Law, Ramat Gan, Israel, May 11, 2010.

Featured Author, Symposium on "Executive Power," University of Texas Law School, Apr. 8-10, 2010.

Panelist, Symposium on "What Change Will Come: The Obama Administration and the Future of the Administrative State," University of Miami School of Law, Jan. 30, 2010.

Panelist, "Preserving Local Journalism," Symposium on "Journalism and the New Media Ecology: Who Will Pay the Messengers?" Yale Law School, New Haven, CT, Nov. 14, 2009.

Presenter, "Participatory Government," City of Columbus Department of Transportation Lunch and Learn Program, Columbus, OH, Oct. 20, 2009.

Panelist, "The Information Needs of Communities in a Democracy: Engagement," Knight Commission on the Information Needs of Communities in a Democracy, Newseum, Wash., D.C., Oct. 2, 2009.

Panelist, "Connecting Democracy: Online Consultation and the Future of Democratic Discourse," American Political Science Association 2009 Annual Meeting, Toronto, CN, Sep. 3-6, 2009.

Organizer and Panelist, "The Unitary Presidency and the Obama Administration," 2009 American Constitution Society National Convention, Washington, D.C., June 19, 2009.

Discussant, "The Future of Journalism," The National Academies Division of Behavioral and Social Sciences and Education, Washington, D.C., May 20, 2009.

Presenter, "Cyber-optimism v. Cyber-pessimism at a Moment of Media Transformation," International Symposium on Electronic Democracy: Towards New Forms Of Governance? Issues and Experiences, Université de Technologie de Compiègne-Costech and Sciences Po Paris-CEVIPOF, Paris, France, Apr. 25, 2008.

Panel moderator and conference co-organizer, Mashup/Remix: The Future of Cultural Production and Ownership, *I/S: A Journal of Law and Policy for the Information Society* 2009 Symposium, Ohio State University, Columbus, OH, March 12-13, 2009.

Panelist, "The Administrative State and the Constitution," Federalist Society 2009 National Student Conference, Yale Law School, New Haven, CT, Feb. 28, 2009.

Presenter, "The Future of Democracy," Ohio State University Digital Union, Columbus, OH, Oct. 29, 2008.

Presenter, "The Information Needs of Communities in a Democracy," Heinz Research Seminar Series, H. John Heinz III School of Public Policy and Management, Carnegie Mellon University, Pittsburgh, PA, Oct. 13, 2008.

2008 Distinguished Scholar Presentation, "Electronic Democracy: Challenges for Legislators and Legislation," National Conference of State Legislatures Legal Services Staff Section, Columbus, OH, Sept. 13, 2008.

Speaker, "Introduction to the Knight Commission on the Information Needs of Communities in a Democracy," Knight Foundation Grantees' Meeting, Chicago, IL, July 22, 2008.

Discussant, The Baker-Christopher Commission on War Powers, Radio Times with Marty Moss-Coane, WHYY, Philadelphia, PA, July 15, 2008, available at <http://www.whyy.org/91FM/radiotimes.html>.

Panelist, "Building a Sustainable International Digital Government Research Community," Ninth Annual International Digital Government Research Conference, Digital Government Society of North America, Montreal, Canada, May 19, 2008.

Panelist, "Signing Statements," Center for the Study of Law and Culture, Columbia Law School, New York, NY, Nov. 8, 2007.

Panelist, "The Unitary Executive Theory Revisited - The Presidency in Times of National Crisis," ABA Section of Administrative Law and Regulatory Practice, Fall 2007 Annual Meeting, Washington, D.C., Oct. 25, 2007.

Panelist, "The New Separation of Powers: Parties, Politics and the Presidency," Alumni Weekend 2007, Yale Law School, New Haven, CT, Oct. 12, 2007.

Interviewed regarding issues pertaining to the testimony before Congress of Attorney General Alberto Gonzales, The NewsHour with Jim Lehrer, PBS, July 27, 2007.

Interviewee, "Political Warfare Between the White House and Congress," To the Point with Warren Olney, Public Radio International, July 26, 2007.

Panelist, "Building a Sustainable International Digital Government Research Community," Eighth Annual International Digital Government Research Conference, Digital Government Society of North America, Philadelphia, PA, May 22, 2007.

Panelist, "Administrative Reform," Harvard Journal on Legislation Symposium on National Security Reform, Harvard Law School, Cambridge, MA, Apr. 12, 2007.

Presenter, "The Due Process of Government Watch Lists," Faculty Seminar, Vanderbilt Law School, April 5, 2007.

Presenter, Conference on "The Last Word? The Constitutional Implications of Presidential Signing Statements," William and Rights Bill of Rights Journal Symposium, William & Mary Marshall-Wythe School of Law, Williamsburg, VA, Feb 2, 2007.

Presenter, "Promoting Public Deliberation," Ohio Commission on Dispute Resolution Workshop on "Can We Talk?: Upgrading Your Public Engagement Strategy," Columbus, OH, Dec. 1, 2006.

Presenter, "The Supreme Court, the U.S. Constitution and Progressive American Identity," Conference on "U.S. National Identity in the 21<sup>st</sup> Century, Rothermere American Institute, Oxford University, England, Nov. 11, 2006.

Presenter, "The Virtual Agora Project: Final Report and Future Directions," Seminar for the Oxford Internet Institute, Oxford University, Oxford, England, Nov. 9, 2006.

Panelist, George Washington Law Review Administrative Law Scholarship Panel, ABA Section of Administrative Law and Regulatory Practice Annual Fall Meeting, National Press Club, Washington, D.C., Oct. 26, 2006.

Presenter, "The Due Process of Government Watch Lists," Cyberlaw Works-in-Progress Symposium, Villanova Law School, Villanova, PA, Oct. 21, 2006.

Panelist, Civic Literacy, Working Group on Literacy Studies, Institute for Collaborative Research and Public Humanities, The Ohio State University, Oct. 16, 2006.

Presenter, "Electronic Democracy: The Agenda; the Virtual Agora Project, and a Role for Foundations," The Aspen Institute, Washington, D.C., Sept. 29, 2006.

Co-Presenter, "'Emergency Powers in Russia and the United States: A Comparative Discussion,'" Mershon Center for International Security Studies, Ohio State University, Apr. 14, 2006.

Moderator (and conference co-organizer), "Disability as a Human Phenomenon and as a Legal Category," Conference on Disability, Narrative and the Law, Center for Interdisciplinary Law and Policy Studies, Ohio State University Moritz College of Law, Feb. 17, 2006.

Presenter, "The Due Process of Government Watch Lists," Batelle Policy Day, John Glenn Institute of Public Service and Public Affairs, Ohio State University, Feb. 7, 2006.

Interviewee, "Nomination of Samuel J. Alito to the U.S. Supreme Court," To the Point with Warren Olney, Public Radio International, January 7, 2006, transcribed at [http://prairieweather.typepad.com/the\\_scribe/2006/01/10706\\_npr\\_to\\_th.html](http://prairieweather.typepad.com/the_scribe/2006/01/10706_npr_to_th.html).

Featured Guest, "Presidential Powers," C-SPAN *Washington Journal*, Dec. 28, 2005.

Presenter (and conference co-organizer), "Introduction to 'Delibera,'" Conference on Building Democracy Through Online Citizen Consultation, Center for Interdisciplinary Law and Policy Studies, Ohio State University Moritz College of Law, Nov. 18, 2005.

Presenter, "Electronic Rulemaking and Online Citizen Consultation," Adaptive Complex Enterprise - ACE - Seminar Series, Collaborative for Enterprise Transformation and Innovation , Ohio State University Department of Computer Science, Nov. 1, 2005.

Keynote speaker, "The Living Constitution in the Information Age," National Constitution Day Celebration, Carnegie Mellon University, Sep. 15, 2005.

Moderator, "Alternative Models: What Works, What Might Work," Conference on Independent Election Administration: Who Draws the Lines? Who Counts the Votes? Ohio State University Moritz College of Law, Sep. 10, 2005.

Presenter and Co-Organizer, "Turning GOLD into EPG: Lessons from Low-Tech Democratic Experimentalism for Electronic Rulemaking and Other Ventures in Cyberdemocracy," Conference on Online Deliberation 2005, Stanford University, Palo Alto, CA, May 20-22, 2005.

Panelist, "The Electoral College," Conference on Election Law, Washington College of Law Program on Law & Government and the American University Journal of Gender, Social Policy & the Law, Washington, D.C., March 31, 2005.

Presenter, "Helping Teachers Prepare Students for On-Line Democratic Deliberation," SITE 2005--Society for Information Technology & Teacher Education International Conference, Phoenix, AZ, USA, March 4, 2005.

Panelist, “The Legacy of Election 2000 if the System Fails Again?” Moritz College of Law, Ohio State University, Columbus, OH, Oct. 21, 2004.

Panelist, Commentary on the Third Presidential Debate Between George W. Bush and John Kerry, “Columbus Responds,” WOSU-TV and Radio, Ohio State University, Columbus, OH, Oct. 13, 2004.

Moderator, “Regulating the Internet: Can the Imposition of Standards Save the Internet?” Symposium on “Cybersecurity Policy: Developing a Legal & Regulatory Framework for Cybersecurity,” Carnegie Mellon University, Washington, DC, Oct. 13, 2004.

Moderator, “Voting Technology in the Courts,” Conference on “Electronic Voting: The 2004 Election and Beyond,” Moritz College of Law, Ohio State University, Columbus, OH, Sept. 23, 2004.

Presenter, “Developing and Testing A High Telepresence Virtual Agora for Broad Citizen Participation: A Multi-Trait, Multi-Method Investigation,” for the Panel on “E-Rulemaking and Citizen Participation,” dg.o2004 – National Conference on Digital Government Research, Seattle, WA, May 26, 2004.

Presenter, “Symposium: Twenty Years After – The Impact of the *Chevron* Decision Upon the Development of Federal Environmental Law,” Villanova Law School, Philadelphia, PA, March 13, 2004.

Panelist, “E-Rulemaking: New Directions for Information Technology and Government Regulation, National Conference on Digital Government Research, Digital Governance Research Center, Boston, MA, May 20, 2003.

Presenter, “Institutionalizing IT-Enhanced Democratic Practice,” Faculty Seminar, The Ohio State University School of Public Policy, Columbus, OH, May 8, 2003.

Conference Co-Chair and Presenter, “Do New Technologies Support a Broadening of Public Information Rights?” Conference on Security, Technology, and Privacy: Shaping a Public Information Policy for the 21<sup>st</sup> Century (organized by Carnegie Mellon University, Georgetown University, The Century Foundation, and Carnegie Corporation of New York), Georgetown University Law Center, Washington, D.C., April 24-25, 2003.

Presenter, "Institutionalizing On-Line Democratic Deliberation," Seminar on Information, Institutions and Governance, The National Center for Digital Government, Harvard University Kennedy School of Government, Cambridge, MA, Apr. 21, 2003.

Panel Moderator, "How Political Decisions are Made: Citizen Participation and Decision-Making," Conference on Democracy in the Digital Age, Yale Law School Information Society Project, New Haven, CT, Apr. 5, 2003.

Presenter, "When Interbranch Norms Break Down: Of Arms-for-Hostages, 'Orderly Shutowns,' Presidential Impeachments, and Judicial Coups," Symposium on "Policy at the Intersection of Law and Politics," Cornell Journal Of Law and Public Policy, Cornell Law School, November 1-2, 2002.

Conference Organizer and Presenter, "The Prospects for Electronic Democracy," Carnegie Mellon University, Pittsburgh, PA, September 21-22, 2002.

Panelist, "Information and Communications Technology Innovation for Development," International Meeting on Education for Development, Universidad Autonoma de Nuevo Leon, Monterrey, MX, March 20, 2002.

Conference Organizer and Panel Moderator, Law and Information Technology: Promise and Pitfalls, Carnegie Mellon University, Pittsburgh, PA, February 7-8, 2002.

Principal Paper Presentation, The Law of Presidential Elections: Issues in the Wake of Florida, 2000, Florida State University College of Law, Tallahassee, Florida, March 23, 2001.

Moderator, Judicial Independence Roundtable, Mid-Year Meeting of the Conference of Chief Justices, Baltimore, Md., Jan. 24, 2001.

Panelist, The Supreme Court and Federalism, Federalist Society, Pittsburgh Chapter, Pittsburgh, PA, Sept. 25, 2000.

Harold Gill Reuschlein Distinguished Lecturer, "Federalism's 'Old Deal': What's Right and Wrong With Conservative Judicial Activism," Villanova University School of Law, Villanova, PA, Oct. 29, 1999 [also on this topic: Faculty Workshop, Washington University in St. Louis School of Law, St. Louis, MO, Nov. 8, 1999).

Keynoter and Moderator, "Judicial Independence," 42d Annual Washington Judicial Conference, Washington, Olympia, WA, Oct. 4, 1999.

Presenter, "Presidentialism and Representation," Harvard Law School Faculty Workshop Series, Harvard Law School, Cambridge, Massachusetts, Jan. 29, 1999.

Presenter, "Executive Branch Oversight of Regulation," University of Pittsburgh Working Group on Comparative Regulation, Pittsburgh, PA, Jan. 27, 1999.

Panelist, "Nixon Redux: Executive Power Issues in the 90's." Section on Constitutional Law, Association of American Law Schools Annual Meeting, New Orleans, LA, January 9, 1999.

Presenter, "State Judicial Independence and Interbranch Accountability: A Framework For Reform," for "Judicial Independence Challenged—A Panel Discussion About Interbranch Relationships," American Bar Association Symposium: Bulwarks of the Republic - Judicial Independence and Accountability in the American System of Justice, Philadelphia, PA, Dec. 5, 1998.

Presenter, "Complicating the Obstacle Course: Standing, Ripeness and Other Barriers to Judicial Review of Federal Administrative Decision Making," Third Annual Supreme Court Year in Review, University of Pittsburgh School of Law Continuing Legal Education (co-sponsored by the Western Pennsylvania Chapter of the Federal Bar Association), Pittsburgh, PA, Sept. 18, 1998 (also Panel Moderator, "Overview of the 1997 Term").

Presenter, "Long-Term Planning," ABA Seminar for New Law Deans, Winston-Salem, NC, June 21-22, 1998.

Organizer and Presenter, "Skills Training in Pennsylvania Law Schools," Judiciary-Academy - Bar Committee, Pennsylvania Bar Association Annual Meeting, Hershey, Pennsylvania, May 13, 1998.

Presenter, "Dick Thornburgh as Attorney General," University of Pittsburgh Founders Day, Presentation of the Thornburgh Archival Collection to the University of Pittsburgh, Pittsburgh, PA, February 27, 1998.

Endowed Lecture, "Reflections in Three Mirrors: Complexities of Representation in a Constitutional Democracy," Frank R. Strong Law Forum, Ohio State University College of Law, February 4, 1998.

Organizer and Moderator, "Law Schools, Practicing Lawyers, and the Organized Bar -- What's the Future of Our Relationship(s)?" AALS Section for the Law School Dean, AALS Annual Meeting, San Francisco, California, January 9, 1998.

Organizer, "Preparation for Deaning: A Leadership Preparation Workshop," AALS Section for the Law School Dean, AALS Annual Meeting, San Francisco, California, January 8, 1998.

Presenter, "Alternatives to Lecturing: The Socratic Method and Other Interactive Teaching Techniques" and "The Selection and Evaluation of Faculty," Conference on New Challenges for European Law Schools--U.S. Legal Education: A Source of Inspiration for Europe, University of Ghent, Belgium, December 8-9, 1997.

Panel Moderator, "Overview of the 1996-98 Term," Second Annual Supreme Court Year in Review, University of Pittsburgh School of Law Continuing Legal Education (co-sponsored by the Western Pennsylvania Chapter of the Federal Bar Association), Pittsburgh, PA, Sept. 5, 1997.

Panelist, "Long-Term Planning," ABA Seminar for New Law Deans, Winston-Salem, NC, June 12-13, 1997.

Presenter, "Learning McNamara's *Lessons*: How the War Powers Resolution Advances the Rule of Law," Symposium on Presidential Power in the Twenty-First Century, Case Western Reserve University School of Law, Cleveland, Ohio, April 4-5, 1997.

Presenter, "The Constitutional History of Federalism," World Federalist Association of Greater Pittsburgh, Pittsburgh, Pennsylvania, October 29, 1996.

Presenter, "Separation of Powers Under the Pennsylvania Constitution: Does Federal Law Have Lessons for State Practice?" Pennsylvania Bar Association Mid-Year Meeting, Phoenix, Arizona, October 26, 1996.

Panel Moderator, "Overview of the 1995-96 Term," First Annual Supreme Court Year in Review, University of Pittsburgh School of Law Continuing Legal Education (co-sponsored by the Western Penn. Chapter of the Federal Bar Association), Pittsburgh, PA, Sept. 16, 1996.

Panelist, Plenary Session: Legal Educators in a Learning Society, AALS Annual Meeting, San Antonio, Texas, January 5, 1996.

Presenter, "Political Accountability in a System of Checks and Balances: The Case of Presidential Review of Rulemaking," Symposium on Law of the Presidency/Separation of Powers, University of Arkansas, Fayetteville, AK, Apr. 14-15, 1994.

Presenter, Faculty Speaker Series, Cornell Law School, Ithaca, New York, September 24, 1993.

Presenter, "The Place of 'Separation of Powers' in Constitutionalism and 'Constitutional Law I,'" AALS Conference on Constitutional Law, Ann Arbor, Michigan, June 12-16, 1993.

Panelist, "Resistance and Reformation," University of Iowa Conference on Teaching Texts and Diversity, Iowa City, Iowa, May 10-11, 1993 (also Moderator, "Diversifying Diversity").

Panelist, "Holding Government Officials Criminally Accountable: Special Prosecutors, Pardons, and the Separation of Powers," Columbia University School of Law, New York, March 31, 1993.

Presenter, "Congressional Demands for Agency Information," Administrative Conference of the United States Seminar for Congressional Staff, Washington, D.C., January 11, 1993.

Panel Moderator and Organizer, "The Rehnquist Court's War on the Structural Injunction," Section on Remedies, Association of American Law Schools Annual Meeting, San Francisco, Cal., January 9, 1993.

Presenter, "Who May Remove or Discipline Federal Judges?" National Commission on Judicial Discipline and Removal Roundtable, Washington, D.C., December 18, 1992 (televised by C-SPAN).

Lecturer, Continuing Legal Education: "The Political and Free Speech Rights of State Employees: An Overview of Recent Developments," University of Iowa College of Law, October 30, 1992.

Moderator, "Discussing the Academy," Ford Foundation-University of Iowa Faculty Seminars on Diversity in Higher Education, Iowa City, Iowa, 1992-93 (six sessions).

Panelist, "Political Correctness: Issues for Teaching," Society of American Law Teachers Workshop on Political Correctness, San Antonio, Texas, Jan. 3, 1992.

Discussant, "Race, Remedy and Identity," for "Post-Modern Constitutional Law," the Third Biennial Georgetown Discussion Group on Constitutional Law, Georgetown University Law Center, Washington, D.C., November 16, 1991.

Speaker, "The Bill of Rights: What Are We Celebrating?" University of Iowa College of Law Observance of the Bicentennial of the Bill of Rights, Iowa City, Iowa, November 7, 1991.

Panel Moderator and Organizer, "Civil Rights and Administrative Law: What Makes Agencies Effective?" Section on Administrative Law, Association of American Law Schools Annual Meeting, Washington, D.C., January 4, 1991.

Presenter, "Symposium: Is There a New Public Law?" University of Michigan Law School, Ann Arbor, Michigan, Oct. 6, 1990.

Panelist, "Teaching on the Borders of Constitutional Law and Political Science," Association of American Law Schools Administrative Law Workshop, Washington, D.C., June 22, 1990.

Panel Moderator and Organizer, "Denials and Revocations of Security Clearances: Issues of Law and Policy," Section of Administrative Law, American Bar Association 1990 Spring Meeting, Williamsburg, Virginia, April 28, 1990.

Commentator, "The New Separation of Powers Jurisprudence," Section on Constitutional Law, Association of American Law Schools Annual Meeting, San Francisco, CA, January 5, 1990.

Presenter, "Law on the Edge of Politics: The Supreme Court and the Separation of Powers in the Eighties," Iowa Conference of Political Scientists, 1989 Annual Meeting, Ames, Iowa, November 11, 1989.

Featured Speaker, "Institutional Remedies and the Seventh Circuit: Do the Courts Run Chicago?" Roundtable Discussion sponsored by IIT Chicago-Kent School of Law and The Chicago Lawyer, Chicago, Ill., December 14, 1988 (Published in Chicago Lawyer, Apr. 18, 1989, at 15-20).

Panelist, "Supreme Court Preview: What to Expect from the 1988-89 Term," Conference Sponsored by Institute of Bill of Rights Law and the National Conference of Editorial Writers, Marshall-Wythe School of Law, College of William & Mary, November 18-19, 1988.

Commentator, "The American Constitutional Tradition of Shared and Separated Powers: The Judicial Role in Umpiring Inter-branch Conflicts," Fifth Annual Bill of Rights Symposium, Marshall-Wythe School of Law, College of William & Mary, April 8, 1988.

Lecturer, Continuing Legal Education: "A Legal Primer for School Boards and Their Attorneys: Selected Developments in State and Federal Law," University of Iowa College of Law, Oct.3, 1987.

May 16, 2011