

THOMAS B. BENNETT

Associate Professor and Wall Family Fellow
University of Missouri School of Law
216 Hulston Hall, Columbia, MO 65211

ACADEMIC APPOINTMENTS

University of Missouri School of Law & Kinder Institute on Constitutional Democracy
Associate Professor and Wall Family Fellow, 2020–

New York University School of Law
Furman Academic Fellow, 2018–2020

EDUCATION

New York University School of Law, J.D., *magna cum laude*, 2012

New York University Law Review, Managing Editor, 2011–12

Law Review Alumni Association Award (third-highest GPA at graduation)

Order of the Coif

Furman Scholar (exceptional candidates for careers in legal academia)

Frank H. Sommer Memorial Award (outstanding scholarship, character, & professional activities)

Paul D. Kaufman Memorial Award (outstanding note in the *Law Review*)

Harry J. Rudick Memorial Award (excellence in taxation)

Butler Scholar (top ten students after the second year)

Pomeroy Scholar (top ten students after the first year)

Orison S. Marden Moot Court, best brief and finalist (spring 2012)

Teaching Assistant, Professor Troy McKenzie (Civil Procedure)

Research Assistant, Professors Rachel Barkow, Geoffrey Miller & Barry Friedman

Swarthmore College, B.A., with honors, History and Philosophy of Politics, 2007

ADDITIONAL LEGAL EXPERIENCE

Kellogg, Hansen, Todd, Figel & Frederick, P.L.L.C., Associate, 2014–2018
(formerly Kellogg, Huber, Hansen, Todd, Evans & Figel, P.L.L.C.)

Hon. Jesse M. Furman, Southern District of New York, Law Clerk, 2013–14

Hon. Gerard E. Lynch, Second Circuit Court of Appeals, Law Clerk, 2012–13

ACADEMIC PUBLICATIONS

The Paradox of Exclusive State-Court Jurisdiction Over Federal Claims, 105 MINN. L. REV. __ (forthcoming 2021)

- Argues that recent changes in the law of individual Article III standing interact with state law to produce a paradox: many federal claims can be brought only in state court, and only in some states, leading to substantial costs for litigants and the uneven development of federal law.

Divide and Concur: Separate Opinions and Legal Change, 103 CORNELL L. REV. 817 (2018) (with Barry Friedman, Andrew Martin, & Susan Smelcer)

- Uses a novel empirical database of Supreme Court concurring opinions created for the article and a global comparative study of separate judicial opinions to argue that separate opinions signal, invite, and catalyze legal change.
- Awarded the American Academy of Appellate Lawyers' 2017–2018 Eisenberg Prize for the best article on appellate practice and procedure.

Note, *The Canon at the Water's Edge*, 87 N.Y.U. L. REV. 207 (2012)

- Argues that the presumption against extraterritorial application of statutes has been strengthened as its justification shifted away from promoting international comity and toward ostensibly empirical assumptions about how Congress legislates.
- Awarded the Paul D. Kaufman Memorial Award for the outstanding note in the *Law Review*.

POPULAR WRITING

Baseball Prospectus, Columnist, 2009–11

Additional: ESPN.com, *Baseball Prospectus 2011*, *Baseball Prospectus 2012*, *Baseball Prospectus 2014*

ACADEMIC PRESENTATIONS

State Rejection of Federal Law (previously *Federal Law's Polarizing Effect on State Law*)

- Lawyering Scholarship Colloquium, New York University School of Law (February 2020)
- Furman Academic Scholars Workshop, New York University School of Law (February 2020)

The Paradox of Exclusive State-Court Jurisdiction Over Federal Claims

- Junior Faculty Federal Courts Workshop, University of Arkansas School of Law (September 2019) (selected for plenary session)
- Civil Procedure Workshop, University of Texas School of Law (October 2019) (selected for plenary session)

Congressional Control Over State Jurisdiction

- Lawyering Scholarship Colloquium, New York University School of Law (August 2019)

Divide and Concur: Separate Opinions and Legal Change

- Soshnick Colloquium on Law and Economics, Northwestern Law School (Spring 2015) (with B. Friedman and S. Smelcer)
- Princeton Public Law Colloquium (Spring 2014) (with B. Friedman)

Concurrences as Evidence of the Factors Influencing Judicial Speech Acts

- Judicial Speech Acts Workshop, Perry World House, University of Pennsylvania (May 2019)

ADDITIONAL INFORMATION

Bar admissions: New York (2014); District of Columbia (2015)