

KIMBERLY L. WEHLE¹

EDUCATION

J.D., University of Michigan Law School Ann Arbor, MI
cum laude; Note Editor, Michigan Law Review

B.A., Cornell University Ithaca, NY
magna cum laude, English; Phi Beta Kappa; English department award for best honors thesis

ACADEMIC AWARDS

2020 University System of Maryland Board of Regents Faculty Award for Excellence in Research.

PROFESSIONAL EXPERIENCE

American University Washington College of Law Washington, D.C.
Visiting Professor of Law and Fellow in Law and Government January 2020-present
Teach Civil Procedure and seminar entitled Democracy at Risk.

University of Baltimore School of Law Baltimore, MD
Professor of Law (with tenure) 2009 - present
Teach Civil Procedure, Administrative Law, and Federal Courts. Taught Comparative Administrative Law at the University of Aberdeen in Aberdeen, Scotland, Summer 2016.

CBS News Washington, D.C.
On Air and Off-Air Legal Expert, Analyst and Commentator February 2019-August 2020
Under an exclusive contract with CBS News for legal analysis; provided daily live coverage of the first impeachment trial with Norah O'Donnell and Jonathan Turley, among others.

BBC World News Washington, D.C.
Contributor February 2019-present

MSNBC, CNN, NPR, PBS November 2017-present
Frequent guest commentator and legal expert. For clips, see www.kimwehle.com.

POLITICO

Regular Op-Ed Contributor January 2020-present
One of my pieces for POLITICO, *A Conservative Judge Draws a Line in the Sand with the Trump Administration* (Feb. 12, 2020), was number one on the site and on Apple News.

The Atlantic

Regular Op-Ed Contributor October 2019-present
All pieces are on *The Atlantic* site at: <https://www.theatlantic.com/author/kim-wehle/>.

¹ Formerly Kimberly N. Brown.

The Bulwark January 2019-present
Regular Op-Ed and Podcast Contributor
All pieces are on *The Bulwark* site at <https://thebulwark.com/author/kimwehle/>.

The Hill September 2017-present
Regular Op-Ed Contributor
A selection of pieces are on *The Hill* site at <https://thehill.com/social-tags/kimberly-wehle>.

Protect Democracy Spring 2020-present
Advisor
Consult on and join as signatory on briefs filed in cases of constitutional significance, including *Trump v. Vance* (SCOTUS 2020) and *Committee on the Judiciary of the House of Representatives v. McGahn* (D.C. Cir. 2020).

Miller Friel, PLLC Washington, D.C.
Of Counsel January 2017-present
Of counsel in boutique firm that specializes corporate insurance coverage disputes. Participate in all stages of civil litigation and arbitration across the country, in both state and federal courts. Argued case in the First Circuit in February 2020; retired Justice Souter was on the panel.

George Washington University Law School Washington, D.C.
Visiting Professor of Law 2007 – 2009
Courses taught: Civil Procedure, Federal Courts, Administrative Law.

University of Oklahoma College of Law Norman, OK
Associate Professor of Law 2006 – 2008
Courses taught: Civil Procedure, Federal Courts, Administrative Law.

Caplin & Drysdale, Chartered Washington, D.C.
Of Counsel, Litigation Group 2000 - 2006

Office of the United States Attorney Washington, D.C.
Assistant United States Attorney, Civil Division 1997 - 1999

Independent Counsel Kenneth W. Starr Washington, D.C.
Associate Independent Counsel, Whitewater Investigation 1996 - 1997

Federal Trade Commission Washington, D.C.
Staff Attorney, Bureau of Consumer Protection, Division of Enforcement 1995 - 1996

The Honorable Charles R. Richey Washington, D.C.
Law Clerk, United States District Court for the District of Columbia 1994 - 1995

Morrison & Foerster San Francisco, CA
Summer Associate, Litigation Group Summer 1993

PUBLICATIONS

BOOKS

HOW TO THINK LIKE A LAWYER AND WHY: A COMMON SENSE GUIDE TO EVERYDAY DILEMMAS (forthcoming HARPERCOLLINS Fall 2021).

WHAT YOU NEED TO KNOW ABOUT VOTING—AND WHY (HARPERCOLLINS June 2020).

HOW TO READ THE CONSTITUTION—AND WHY (HARPERCOLLINS June 2019).

THE OUTSOURCED CONSTITUTION: HOW BIG DATA SURVEILLANCE AND PRIVATIZED GOVERNMENT ERODE DEMOCRACY (forthcoming CAMBRIDGE UNIV. PRESS).

SCHOLARLY ARTICLES

“Law and” the OLC’s Article II Immunity Memos, STAN. L. & POLICY REV. (forthcoming Feb. 2021).

Defining Lawmaking Power, 41 WAKE FOREST L. REV. 881 (2016).

Public Laws and Private Lawmakers, 93 WASH. U. L. REV. 615 (2016).

Insourcing, Data Outsourcing, and the Irrelevant Constitution, 49 GEORGIA L. REV. 607 (Spring 2015).

Anonymity, Faceprints, and the Constitution, 21 GEORGE MASON L. REV. 409 (Winter 2014).

“We the People,” Constitutional Accountability, and Outsourcing Government, 88 IND. L.J. 1347 (Fall 2013).

Government by Contract and the Structural Constitution, 87 NOTRE DAME L. REV. 491 (2011).

Presidential Control of the Elite “Non-Agency,” 88 N.C. L. REV. 71 (Dec. 2009).

Justiciable Generalized Grievances, 68 MARYLAND L. REV. 221 (2008).

What’s Left Standing? FECA Citizen Suits and the Battle for Judicial Review, 55 KANSAS L. REV. 677 (April 2007).

SELECTED PRESENTATIONS²

Featured Speaker, *How to Read the Constitution—and Why*, The John Adams Institute, Amsterdam, Netherlands (March 2020).

Featured Speaker, *How to Read the Constitution—and Why*, The Montesquieu Institute, The Hague, Netherlands (March 2020).

Featured Speaker, *How to Read the Constitution—and Why*, YPO, Amsterdam, Netherlands (March 2020).

Featured Speaker, *How to Read the Constitution—and Why*, University of Amsterdam, Amsterdam, Netherlands (March 2020).

Panelist, *Trumpeachment: The Law, The Politics, The National Divide*, The Federalist Society for the American University Washington College of Law (February 2020).

Panelist, *Should President Trump Be Impeached? Part One*, National Constitution Center, Philadelphia, PA (December 2020).

Panelist, *Symposium on a Fair and Impartial Judiciary*, Rendell Center for Civics and Civic Engagement, University of Pennsylvania Law School, Philadelphia, PA (October 2019).

Featured Speaker, *How to Read the Constitution—and Why*, Oberlin College, Oberlin, OH (September 2019).

Featured Speaker, *How to Read the Constitution—and Why*, Johns Hopkins University Book Store, Baltimore, MD (August 2019).

Featured Speaker, *How to Read the Constitution—and Why*, Politics & Prose Book Store, Washington, D.C. (July 2019).

Speaker, *Trump and the Constitution*, Maryland State Bar Association Annual Meeting, Ocean City, MD (June 2019).

Panelist, *Symposium on Presidential Lawmaking*, American University Washington College of Law (March 2019).

Panelist, *Delegations to Private Actors*, Antonin Scalia Law School, George Mason University (March 2019).

Panelist and Organizer, *Trump, the Mueller Investigation, and the Constitution: A Discussion with Chuck Rosenberg*, University of Baltimore School of Law (February 2019).

² This is an incomplete list. For further information on selected op-eds, podcasts, and media appearances, with links, see www.kimwehle.com.

Panelist and Organizer, *Restoring the Promise of Democracy: A Panel Discussion on Electoral Reform with former U.S. Representative Donna Edwards*, University of Baltimore School of Law (October 2018).

Panelist and Organizer, *The Kavanaugh Confirmation Hearings*, University of Baltimore School of Law (October 2018).

Panelist, Constitution Day, *Trump, Mueller, Kavanaugh: The Constitutional Landscape Ahead*, University of Baltimore School of Law (October 2018).

Presenter, University of Copenhagen, CEVIA – Centre for Enterprise Liability, *Private Actors as Providers of Welfare and Security Services – Responsibility and Liability* (November 2016).

Panelist, *The 2015 Amendments to the Federal Rules of Civil Procedure Symposium: The View from the Bench and Bar*, University of Baltimore School of Law (September 2016).

Panelist, Teleforum, *The 21st Century PUC: Dealing with Disruption*, New York Law School Advanced Communications Law & Policy Institute (Feb. 2016).

Presenter, *Due Process and Administrative Adjudications*, District of Columbia Office of Administrative Hearings Judiciary (May 2015).

Panelist, *Government by Contract and the Structural Constitution*, American Constitution Society Convention, Washington, D.C. (May 2015).

Participant, *Madness or Badness: Duran and the Evolution of the Insanity Defense in the D.C. Circuit*; The Historical Society of the District of Columbia Circuit and the Litigation Section of the District of Columbia Bar; Ceremonial Courtroom of the E. Barrett Prettyman U.S. Courthouse; Washington, D.C. (2012).

Moderator, *George Washington University Law Review's Annual Scholar's Review of Administrative Law*, 2008 ABA Administrative Law Conference, Washington, D.C. (2008).

OTHER

Peer Reviewer, COLUMBIA LAW REVIEW (2019).

Member, Facial Recognition Task Force, The Constitution Project at POGO (2018).

Peer Reviewer, Netherlands Organisation for Scientific Research, Innovational Research Incentives Scheme Veni Grant (2017).

Participated in review of the nomination of Judge Merrick Garland for the United States Supreme Court at the request of the ABA Standing Committee on Federal Judiciary and the Executive Committee of the New York City Bar.

Peer Reviewer, CAMBRIDGE UNIVERSITY PRESS (2016).

Peer Reviewer, Netherlands Organisation for Scientific Research, Innovational Research Incentives Scheme Veni Grant (2016).

Peer Reviewer, STANFORD LAW REVIEW (2013).

BAR ADMISSIONS

Admitted in the District of Columbia and California. Admitted to practice in D.C., Federal, First, Second and Fourth Circuit Courts of Appeal as well as the U.S. District Court for the District of Columbia.

REFERENCES

Available upon request.