

TONI M. MASSARO

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PROFESSIONAL EXPERIENCE

University of Arizona James E. Rogers College of Law, Tucson, AZ.

Dean Emerita (2009 – present)

Regents' Professor (2006 – present)

Milton O. Riepe Chair in Constitutional Law (1997 – present)

Professor (1989 – present)

University of Arizona James E. Rogers College of Law, Tucson, AZ.

Dean (1999-2009)

Stanford University, Stanford, CA.

Visiting Professor of Law (Fall 1989)

University of North Carolina, Chapel Hill, NC, 27514.

Visiting Professor of Law (Spring 1989)

University of Florida, Gainesville, FL

Professor of Law (1988-1989)

Johann Wolfgang Goethe University, Frankfurt, W. Germany.

Visiting Professor of Law (Spring –Summer 1988)

University of Florida, Gainesville, FL.

Associate Professor of Law (1985-1988)

University of Florida, Gainesville, FL.

Visiting Assistant Professor of Law (1984-1985)

Washington & Lee University, Lexington, VA.

Assistant Professor of Law (1982 - 1984)

Vedder, Price, Kaufman & Kammholz, Chicago, IL.

Associate (1980-1982)

EDUCATION

College of William and Mary, J.D., with Highest Distinction, 1980.

- William and Mary Law Review, *Editor-in-Chief*

Northwestern University, B.S., with Highest Distinction, 1977.

BOOKS

The Arc of Due Process in American Constitutional Law (Oxford Press 2013) (with E. Thomas Sullivan)

F. Daniel Frost and the Rise of the Modern American Law Firm (2011)

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Civil Procedure: Cases and Problems (6th edition 2018)(co-authors, Barbara Allen Babcock and Norman W. Spaulding)

Civil Procedure: Cases and Problems (5th edition 2013)(co-authors, Barbara Allen Babcock and Norman W. Spaulding)

Civil Procedure: Cases and Problems, (4th edition 2009) (co-authors, Barbara Allen Babcock and Norman W. Spaulding),₂

Civil Procedure: Cases and Problems, (3d edition 2006) (co-authors, Barbara Allen Babcock and Norman W. Spaulding).

Civil Procedure: Cases and Problems (co-author, Barbara Allen Babcock) (2d edition 2001), and annual Supplements.

Civil Procedure: Cases and Problems (co-author, Barbara Allen Babcock) (1st edition 1997).

Constitutional Literacy: A Core Curriculum for a Multicultural Nation, (Duke University Press 1993).

CHAPTERS

ARTIFICIAL INTELLIGENCE AND THE FIRST AMENDMENT, (with Helen Norton) *forthcoming* in **RESEARCH HANDBOOK ON LAW AND ARTIFICIAL INTELLIGENCE** (Woodrow Barfield, ed. 2019)

SHOW (SOME) EMOTIONS, IN THE PASSIONS OF LAw (N.Y.U. Press 1999) (Susan Bandes, editor).

E PLURIBUS UNUM? THE NATIONAL CURRICULUM DEBATE IN THE UNITED STATES, IN IV EDUCATIONAL DILEMMAS: DEBATE AND DIVERSITY, 199 (K. Watson, C. Modgil & S. Modgil, eds. 1997).

ARTICLES, REVIEWS, ESSAYS

Constitutional Cities: Sanctuary Jurisdictions, Local Voice, and Individual Liberty, *forthcoming* 50:1 **COLUM. HUMAN RTS. REV.** (2018-19) (with Shefali Milczarek-Desai)

Flint of Outrage, 93 **NOTRE DAME L. REV.** 155 (2017) (with Ellen E. Brooks)

Siri-ously 2.0.: What Free Speech Rights for Artificial Intelligence Reveal About the First Amendment, 101 **MINN. L. REV.** 2481 (2017) (with Helen Norton and Margot E. Kaminski)

Chilling Rights, 88 **UNIV. COL. L. REV.** 33 (2017).

The Lawfulness of the Same-Sex Marriage Decisions: Charles Black on Obergefell, 25 **WM. & MARY BILL OF RTS J.** 321 (2016)

Siri-ously?: Free Speech Rights and Artificial Intelligence, 110 **NORTHWESTERN UNIV. L. REV.** 1169 (2016) (with Helen Norton)

Outrageous and Irrational, 100 **MINN. L. REV.** 285 (2015)(with Jane Bambauer)

Nuts and Seeds: Mitigating Third-Party Harms of Religious Exemptions Post-Hobby Lobby, 92 **DEN. L. REV.** (2014)

Tread on Me!, 17 **U. PA. CONST. L.** 365 (2014)

Some Realism About Constitutional Liberalism, 28 **CONST. COMMENTARY** 383(2013)

Freedom of Speech, Liberal Democracy, and Emerging Evidence on Civility and Effective Democratic Engagement, 54 **ARIZ. L. REV.** 375 (2012) (with Robin Stryker).

Due Process Exceptionalism, XLVI **THE IRISH JURIST** 117 (peer-reviewed) (2011)(with E. Thomas Sullivan).

Foreign Nationals, Electoral Spending and the First Amendment, 34 **HARV. J. L. & PUB. POLICY** 663 (2011).

Christian Legal Society v. Martinez: Six Frames, 38 **HAST. CONST. L.Q.** 569 (2011).

Substantive Due Process, Black Swans, and Innovation, 2011 **UTAH L. REV.** 987.

A Legal Labyrinth: Issues Raised By Arizona Senate Bill 1070, 25 **GEO IMMIG. L. J.** 47 (2010) (with Gabriel J. Chin, Carissa Byrne Hessick and Marc L. Miller).

Religious Freedom and “Accommodationist Neutrality”: A Non-Neutral Critique, 84 **ORE L. REV.** 935 (2005).

Constitutional Law as “Normal Science,” 21 **CONST. COMMENTARY** 547 (2004).

History Unbecoming, Becoming History, 98 **MICH. L. REV.** 1564 (2000).

Reviving Hugo Black: The Court’s “Jot for Jot” Account of Substantive Due Process, 73 **N.Y.U. L. REV.** 1086 (1998).

The Meanings of Shame: Implications for Legal Reform, 3 **PSYCH. PUB POL’Y & L.** 645 (1997).

Gay Rights, Thick and Thin, 49 **Stan L. Rev.** 45 (1996).

Post, Fiss, and the Logic of Democracy, 64 **UNIV. COLO. L. REV.** 1145 (1993) (comment on Post).

Shame, Culture, and American Criminal Law, 89 **MICH. L. REV.** 1880 (1991).

Equality and Freedom of Expression: The Hate Speech Dilemma, 32 **WM & MARY L. REV.** 211 (1991).

Empathy, Legal Storytelling and the Rule of Law: New Words, Old Wounds? 87 **MICH. L. REV.** 2099 (1989).

Das Amerikanische Plea-bargaining System: Staatsanwaltschaftliches Ermessen bei der Strafverfolgung, STRAFVERTEIDIGER 454 (October 1989) (translation by Dr. Cornelius Nestler-Tremel).

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The Dignity Value of Face-to-Face Confrontations, 40 **UNIV. FLA. L. REV.** 863 (1988).

Significant Silences: Freedom of Speech in the Public Sector Workplace, 61 **S. CAL. L. REV.** 1 (1987).

Peremptories or Peers? – Rethinking Sixth Amendment Doctrine, Images and Procedures, 64 **N.C. L. REV.** 501 (1986).

Experts, Psychology, Credibility and Rape: The Rape Trauma Syndrome Issue and Its Implications for Expert Psychological Testimony, 69 **MINN. L. REV.** 395 (1985).

COURSES

Constitutional Law I
Equal Protection
First Amendment
Presidential Power and Its Limits

AWARDS

Teacher of the Year (2013-14, 2012-13, 1996-97, 1993-94, 1992-93, 1991-92, 1990-91, 1987-88)

Planned Parenthood Educator/Civil Liberties Award (2013)

Law College Association Professional Achievement Award (2012)

Center for Law in the Public Interest Service Award (2011)

McGuire Center for Entrepreneurship Business / Law Exchange Award (2009)

Arizona Minority Bar Association Scholarship Banquet Honoree (2009)

Judge Learned Hand Public Service Award (2009)

Administrator of the Year (2008-2009)

Volunteer Lawyers Program Distinguished Service Award (2008)

Women's Studies Advisory Council, 12th Annual Women Who Lead Honoree (2008)

YWCA "Women on the Move" Award Recipient (2002)

Women's Foundation of Southern Arizona Honoree (2001)

Arizona State Bar, 100 Women and Minorities Honoree (2000)

SELECTED PROFESSIONAL ACTIVITIES

American Bar Foundation

Fellow (2003-present)

The American Law Institute

Elected Member (1999-present)

J. Byron McCormick Society

President (2012 to present)

Haury Program in Environment and Social Justice Advisory Board

Chair (2015-present)

National Institute for Civil Discourse

Advisory Council (2011 to 2014)

William H. Rehnquist Center Advisory Board

Member (2006 – present)

Arizona State Bar Board of Governors

Ex Officio Member (1999-2009)

The Green Bag 2d

Advisory Board

Journal of Law

Advisory Board

Arizona Center for Civic Leadership

Mentor (2011-2012)

State Bar of Arizona Leadership Institute

Board of Directors (2007-2009)

University of Arizona Presidential Search Committee

(2005-2006)

President's Cabinet

(2004-2006)

BAR ADMISSIONS

State Bar of Arizona (since 1990)

Supreme Court of the United States (since 2005)

State Bar of Illinois (since 1980) (inactive status)