

# SHALEV GAD ROISMAN

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## ACADEMIC APPOINTMENTS

### **UNIVERSITY OF ARIZONA JAMES E. ROGERS COLLEGE OF LAW**

Associate Professor of Law, 2019-present

Distinguished Early Career Scholar, 2022-present

- Courses: Constitutional Law, Administrative Law, Presidential Power Seminar

### **HARVARD LAW SCHOOL**

Climenko Fellow & Lecturer on Law, 2017-2019

- Taught courses on Legal Research and Writing and “Lawyering for the President”

### **NEW YORK UNIVERSITY SCHOOL OF LAW**

Acting Assistant Professor of Lawyering, 2013-2015

## EDUCATION

**HARVARD LAW SCHOOL**, J.D., *magna cum laude*, June 2008

**CORNELL UNIVERSITY**, B.A., in Economics & History, May 2005

## SELECTED PUBLICATIONS & WORKS IN PROGRESS

*Separation of Powers Balancing* (work in progress)

*The President’s Subjective and Objective Legal Obligations*, 91 *FORDHAM LAW REVIEW* \_\_\_\_ (forthcoming 2023)

*Presidential Motive*, 108 *IOWA LAW REVIEW* \_\_\_\_ (forthcoming 2022) (lead article)

*Presidential Law*, 105 *MINNESOTA LAW REVIEW* 1269 (2021)

- Cited in *THE ATLANTIC*
- Featured on Top Ten Administrative Law SSRN Reading List (January & February 2021), Yale J.Reg. Notice & Comment Blog

*Presidential Factfinding*, 72 *VANDERBILT LAW REVIEW* 825 (2019)

- Cited in CURTIS A. BRADLEY, ASHLEY DEEKS & JACK L. GOLDSMITH, *FOREIGN RELATIONS LAW: CASES AND MATERIALS* (7th ed. 2020); *N.Y. TIMES*, *LAWFARE*, and *JUST SECURITY*.
- Partial basis for proposed reforms of the Office of Legal Counsel by [Project on Government Oversight](#) & by American Constitution Society, [Issue Brief: Reforming the Office of Legal Counsel: Living up to Its Best Practices](#) (October 2020).

*Constitutional Acquiescence*, 84 *GEORGE WASHINGTON LAW REVIEW* 668 (2016)

- Cited by Federal Circuit, *Veterans4You LLC v. United States*, 985 F.3d 850 (Fed. Cir. 2021)

- Cited in Congressional Research Service, *Withdrawal from International Agreements: The Legal Framework, the Paris Agreement, and the Iran Nuclear Agreement* (May 4, 2018)

*Constraining States: Constitutional Lessons for International Courts*, 55 VIRGINIA JOURNAL OF INTERNATIONAL LAW 729 (2015)

#### SELECTED SHORTER WRITING

- [\*Betting it all: A response to Doerfler and Moyn's proposal to abandon constitutionalism\*](#), BALKINIZATION (Sept. 13, 2022)
- [\*The Originalist Presidency in Practice?\*](#), LAWFARE BOOK REVIEW (Jan. 12, 2021) (invited book review of Saikrishna Bangalore Prakash, *The Living Presidency* (2020))
- [\*Whose Immigration law is it?\*](#), BALKINIZATION (Dec. 2, 2020) (invited contribution to book review symposium on Adam Cox & Cristina Rodríguez, *The President and Immigration Law* (2020))
- [\*To the extent permitted by law\*](#), BALKINIZATION (July 24, 2020)
- [\*The Real Decline of OLC\*](#), JUST SECURITY (Oct. 8, 2019)
- [\*Rejecting the Bush Comparison: A Response to Goldsmith & Waxman\*](#), JUST SECURITY (Oct. 17, 2014)
- [\*Assessing the Claim that ISIL is a Successor to Al Qaeda—Part 2 \(Organizational Goals\)\*](#), JUST SECURITY (Oct. 6, 2014) (with Ryan Goodman)
- [\*Assessing the Claim that ISIL is a Successor to Al Qaeda—Part 1 \(Organizational Structure\)\*](#), JUST SECURITY (Oct. 1, 2014) (with Ryan Goodman)
- [\*A Response to Bruce Ackerman's NYT Op-Ed on the President's War Powers\*](#), JUST SECURITY (Sept. 12, 2014)

#### OTHER EXPERIENCE

##### **UNITED STATES DEPARTMENT OF JUSTICE**

Attorney-Adviser, Office of Legal Counsel, Washington, DC, 2015 – 2017

##### **WILMER CUTLER PICKERING HALE & DORR LLP**

Senior Associate, Appellate & Supreme Court Litigation & Business Trial Grp., New York, NY, 2011-13

Summer Associate, Washington, DC (summer 2007) & New York, NY (summer 2008)

##### **OBAMA FOR AMERICA**

Volunteer Attorney, Research and Writing Team, Sept.-Nov. 2012

##### **UNITED STATES DEPARTMENT OF STATE**

Summer Intern, Office of the Legal Adviser, Washington, DC, summer 2007

## **INTERNATIONAL FOUNDATION FOR ELECTION SYSTEMS**

Asia Region Intern, Washington, DC, summer 2006

## **AMERICAN JEWISH COMMITTEE**

*Goldman Fellow*, Office of Government and International Affairs, Washington, DC, summer 2004

## JUDICIAL CLERKSHIPS

Judge Gerard E. Lynch, U.S. Court of Appeals for the Second Circuit, 2010-2011

Judge Robert D. Sack, U.S. Court of Appeals for the Second Circuit, 2008-2009

## SELECTED PRESENTATIONS & INVITATIONS

Panelist, “Governing without Congress: The Use (and Abuse) of Executive Orders,” AALS Administrative Law Section, AALS Annual Meeting, January 8, 2022.

Conversant, Rehnquist Center on Constitutional Structures of Government “Constitution Day” Event with Judge David J. Barron, U.S. Court of Appeals for the First Circuit

Invited Participant at University of Virginia-Duke Foreign Relations Law Roundtable (February 2021)

Invited Participant at “The Ballot and the Sword: The 2020 Election and the U.S. Military: A Discussion Among Experts on Civil-Military Relations and Law,” The Ohio State University (July 27, 2020)

Invited Participant at Symposium on Presidential Power, Floersheimer Center for Constitutional Democracy, Benjamin N. Cardozo School of Law, New York, NY (November 8, 2019)

Invited Participant at Eleventh Annual Potomac Foreign Relations Law Roundtable, George Washington University Law School, Washington, DC (April 2017)

Presenter, *The President’s Subjective and Objective Legal Obligations*

- University of Arizona Law Fall Faculty Workshop (August 2022)
- Junior International Law Scholars Association Annual Meeting (January 2022)
- University of Virginia-Duke Foreign Relations Law Roundtable (February 2021)
- Rocky Mountain Junior Scholars Conference (November 2020)

Presenter, *Presidential Motive*

- AALS Administrative Law “New Voices” Panel, January 6, 2022
- Twelfth Annual Constitutional Law Colloquium, The George Washington University School of Law & Loyola-Chicago School of Law (November 2021)
- Administrative Law New Scholarship Roundtable, Yale Law School (September 2021)
- University of Arizona Law Fall Faculty Workshop (August 2021)

Presenter, *Presidential Law*

- University of Arizona Law Faculty Workshop (August 2020)
- Administrative Law New Scholarship Roundtable, Yale Law School (August 2020)
- National Security Junior Scholars Workshop (June 2020)
- University of New Mexico School of Law Faculty Workshop (February 2020)
- ClimenkoFest Reunion 2019, Harvard Law School (March 2019)
- Junior International Law Scholars Association Annual Meeting, Brooklyn Law School (January 2019)

Presenter, *Presidential Factfinding*

- Faculty workshops at the University of Arizona, Brooklyn Law School, the University of New Hampshire, New York Law School, St. John's University, and the University of Virginia.
- National Conference of Constitutional Law Scholars, William Rehnquist Center, The University of Arizona James Rogers College of Law (March 2018) (selected for plenary panel)
- Junior International Law Scholars Association Annual Meeting, American University College of Law (January 2018)
- Eighth Annual Constitutional Law Colloquium, Loyola University Chicago School of Law (November 2017)
- Climenko Fellows Workshop, Harvard Law School (October 2017)

Presenter, *Constitutional Acquiescence*

- International Society of Public Law Annual Conference, NYU School of Law (July 2015)
- Lawyering Scholarship Colloquium, NYU School of Law (January 2015, July 2014)
- Junior International Law Scholars Association Annual Meeting, University of Miami Law School (January 2015)

Presenter, *Constraining States: Constitutional Lessons for International Courts*

- American Society of International Law Research Forum, Northwestern University Law School (November 2014) (selected through double-blind peer-review process)
- International Society of Public Law Conference, "Rethinking the Boundaries of Public Law and Public Space," University of Florence and European Union Institute (June 2014)
- Younger Comparativists Committee of the American Society of Comparative Law Global Conference, Lewis & Clark Law School (April 2014)
- Junior International Law Scholars Association Annual Meeting, Berkeley Law School (January 2014)
- Lawyering Scholarship Colloquium, NYU School of Law (September 2013, January 2014)

Commentator:

- *Private Enforcement of National Security*, Maryam Jamshidi, Junior International Law Scholars Association Annual Meeting (January 2022)
- *The Cost of Precedent*, Sergio Puig, University of Arizona Law 2020 Fall Faculty Workshop

- *Administrative National Security*, Elena Chachko, Junior International Law Scholars Association Annual Meeting, Brooklyn Law School (Jan. 2019)
- *The Overlapping Web of Data, Territoriality, and Sovereignty*, by Jennifer Daskal, Junior International Law Scholars Association Annual Meeting, American University College of Law (Jan. 2018)
- *Offshore Clouds*, by Andrew K. Woods, Junior International Law Scholars Association Annual Meeting, University of Miami Law School (January 2015)
- *The International Arbitrator's Duty to Apply the Law*, by Joshua Karton, Junior International Law Scholars Association Annual Meeting, Berkeley Law School (January 2014)

Guest Lectures:

- *Foreign Affairs and the President*, Public International Law, Professor Sergio Puig, University of Arizona James E. Rogers College of Law, (February 2020, February 2021)
- *Lawyering in the Executive Branch*, Foreign Relations Law, Professor Harlan Cohen, University of Georgia School of Law (October 2020)

SELECTED SERVICE

Committee Work: Appointments Committee (2021-22); Admissions Committee (2019-20, 2020-21 (Chair), 2021-22 (Chair)), Enrichment Committee (2019-20, 2022-23), Clerkship Committee (2019-20, 2022-23), Legal-Writing Professor Search Committee (2022-23)

The William H. Rehnquist Center on the Constitutional Structures of Government

- Co-organizer of National Conference of Constitutional Law Scholars
- Co-organizer of National Constitutional Law Workshop

SELECTED MEDIA APPEARANCES

- [Interviewed and featured on AZ Family](#), KTVK3TV & KPHO CBS 5, Phoenix, AZ, on legal challenges by then-President Donald Trump to the November 2020 presidential election results, (Nov. 7, 2020)
- Interviewed and featured on Arizona Public Media, Southern Arizona's PBS and NPR affiliate, [U.S. Supreme Court Nomination Carries High Stakes](#), (Oct. 1, 2020)
- Featured in Charlie Savage, [Could Trump Use the Sept. 11 War Law to Attack Iran Without Going to Congress?](#), N.Y. Times (June 19, 2019).

OTHER PROFESSIONAL INFORMATION

- Member of American Society of International Law; International Society of Public Law; Junior International Law Scholars Association
- Peer reviewed for *Yale Law Journal*
- Admitted to Practice: New York (2009); U.S. Supreme Court; U.S. District Court for the Southern District of New York