

TODD E. PETTYS

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EDUCATION University of North Carolina School of Law: Juris Doctor with Highest Honors (May 1995)

- Class Rank: 1/232
- Editor-in-Chief, *North Carolina Law Review*
- Chancellor's Scholar (full-tuition merit scholarship)
- James E. and Carolyn B. Davis Honorary Society
- Order of the Coif

Seattle Pacific University: Bachelor of Arts (philosophy), summa cum laude (June 1988)

- University Scholar, 1984-1988

**CURRENT
EMPLOYMENT**

- University of Iowa College of Law, Iowa City, Iowa
- H. Blair and Joan V. White Chair in Civil Litigation (2009-present); Professor of Law (2004-2009); Associate Professor of Law (1999-2004)
 - Courses taught: Constitutional Law I, Constitutional Law II, Comparative Constitutional Law, Evidence, Federal Courts, and Supreme Court Seminar
 - Associate Dean for Faculty (January 2011-June 2015)
 - Winner, Michael J. Brody Award for Faculty Service (a University-wide honor) (2020)
 - Winner, President & Provost Teaching Award (2011) (a University-wide honor)
 - Winner, Collegiate Teaching Award (2017, 2001)

**PUBLICATIONS
BOOKS**

THE IOWA STATE CONSTITUTION (Oxford University Press, 2018): The book is part of Oxford's series, "The Oxford Commentaries on the State Constitutions of the United States." Part One sketches the Iowa Constitution's origins and evolution; Part Two presents the history and meaning of each of the constitution's provisions. A bibliographic essay introduces readers to the resources available to those studying the Iowa Constitution.

- To take account of subsequent judicial rulings and other relevant developments, I provide a free online supplement that updates the book's contents, at <https://www.todd-pettys.com/the-iowa-constitution.html>.
- Favorably reviewed by Wake Forest University's Professor John Dinan at 77 ANNALS OF IOWA 303 (Summer 2018) (published by the State Historical Society of Iowa).

ARTICLES &
ESSAYS

The First Amendment Speech Rights of College Student-Athletes, 31 GEORGE MASON LAW REVIEW (forthcoming in 2024): Free-speech cases involving college student-athletes are often difficult because they bring into play two important principles that stand in strong tension with one another: (1) college student-athletes are entitled to broad freedom of expression as adult members of postsecondary academic communities and (2) when the government launches a goal-seeking project and individuals agree to join it, the project's leaders are entitled to regulate the participants' speech in ways reasonably calculated to ensure the project's success. I contend that the tension between those principles cannot be satisfactorily resolved with the absolutist presumption that, when joining their respective teams, student-athletes implicitly waive all First Amendment objections to speech restrictions that their coaches impose for the good of the team. I argue that the best way to reconcile the two principles is by drawing lessons from the First Amendment law of public employment.

Serious Value, Prurient Interest, and "Obscene" Books in the Hands of Children 31 WILLIAM & MARY BILL OF RIGHTS JOURNAL 1003 (2023) (58 pages): I first explain the narrow circumstances in which the First Amendment permits the government to block the distribution of books to children due to concerns about the books' prurient appeal. I then examine the Supreme Court's half-century-old teaching that even a patently offensive, pruriently appealing work retains the First Amendment's protection if it possesses "serious literary, artistic, political, or scientific value." I argue that, under the best reading of the First Amendment and the Court's precedents, classifying a work's value as literary, artistic, political, or scientific in nature is constitutionally irrelevant, and assessments of literary and artistic works' aesthetic merits are unnecessary. Instead, the serious-value inquiry should simply ask whether the author used the work to speak about one or more matters of public concern and whether the author spoke about those matters merely to create a pretext for publishing patently offensive, pruriently appealing content.

Constructing Students' Speech Rights, from College Admissions to Professional Schools, 59 SAN DIEGO LAW REVIEW 229 (2022) (60 pages): I provide analytic frameworks for determining when the First Amendment bars public colleges and universities from rejecting applicants because of their speech, as well as when it bars public professional schools from disciplining students for speech that falls short of professional standards. I also provide a lens for better understanding the speech rights of postsecondary students in curricular settings of all kinds.

Hostile Learning Environments, the First Amendment, and Public Higher Education, 54 CONNECTICUT LAW REVIEW 2 (2022) (53 pages): The Supreme Court has never addressed the First Amendment status of student-on-student verbal harassment at public institutions of higher education. Does the First Amendment permit public colleges and universities to discipline students on the grounds that their speech has created a hostile learning environment for others on campus? If so, what is the analysis underlying that constitutional judgment and what are the requisite hallmarks of such an environment? Does it matter whether a student's speech created the hostile environment on its own or whether it wielded that power only by virtue of its combination with the speech of other students? Does it matter whether the speech was directed to those for whom it created the hostile environment or whether the speech was merely overheard? This Article answers to those questions.

A View from the Recount Room, 106 IOWA LAW REVIEW ONLINE 37 (2021) (22 pages): The 2020 race to represent Iowa's Second Congressional District in the U.S. House of Representatives proved to be one of the closest federal elections in modern American history. When the race went to a recount, I had the honor of serving on the recount board for Johnson County, the second-largest county in the district. In this Essay, I first describe how we performed the recount. I then critique Iowa laws that require recount boards to disregard votes that appear on ballots bearing certain types of markings, as well as laws that limit the types of ballot markings that recount boards may count as valid votes. Using examples from ballots we encountered in Johnson County, I argue that some of these laws should be amended while others should be abandoned altogether.

Judging Hypocrisy, 70 EMORY LAW JOURNAL 251 (2020) (57 pages): Charges of hypocrisy are commonplace in American public life, including in assessments of the Justices' rulings. But what is hypocrisy, why does it draw our moral condemnation, and when are the Justices rightly accused of it? I first offer a conceptual framework for thinking about hypocrisy of all sorts. I argue that hypocrisy appears in three principal forms—Faking Hypocrisy, Concealing Hypocrisy, and Gerrymandering Hypocrisy—and I identify the anti-equality thread that runs through all of them. I then show how this three-part framework can deepen our thinking about the work of the Court. With respect to the Justices' pledge to be impartial, for example, I argue that there are circumstances in which the Justices can be guilty of hypocrisy only if they are schemers bent on duping the American public into believing they are unbiased. In other circumstances, however, the Justices can be guilty of hypocrisy even if they sincerely believe they are doing what the law requires.

The N.R.A.'s Strict-Scrutiny Amendments, 104 IOWA LAW REVIEW 1455 (2019) (27 pages): The National Rifle Association is urging states to declare in their constitutions that the right to keep and bear arms is fundamental and that any restraint on that right is invalid unless it meets the stringent demands of strict scrutiny. In this Essay, I make two arguments. First, contrary to the apparent aims

of the N.R.A. and its legislative partners, the proposed strict-scrutiny amendments leave courts with significant latitude to define the scope of the fundamental constitutional right to which the strict-scrutiny standard attaches. Second, courts can reasonably conclude that the right protected by these amendments is narrow in scope, encompassing little or no more than what federal courts today strongly protect under the Second Amendment.

Partisanship, Society Identity, and American Government: Reality and Reflections, 22 LEWIS & CLARK LAW REVIEW 301 (2018) (34 pages): In this invited symposium contribution, I consider the significance of the growing body of evidence which indicates that voters' decisions on Election Day have less to do with their autonomous public-policy preferences and more to do with the belief- and behavior-shaping power of their social identifications. I pay particular attention to the influence of political partisanship.

Free Expression, In-Group Bias, and the Court's Conservatives: A Critique of the Epstein-Parker-Segal Study, 63 BUFFALO LAW REVIEW 1 (2015) (83 pages): In a widely publicized study, a prestigious team of political scientists concluded that there is strong evidence of ideological in-group bias among the Supreme Court's members in First Amendment free-expression cases, with the current four most conservative justices being the Roberts Court's worst offenders. The study's uniform indictment of the Court's current conservatives is manifestly flawed. More broadly, the study and its largely uncritical public reception offer important cautionary lessons not only for those who study in-group bias, but also for all who conduct or rely upon empirical analyses of the justices' ideological voting patterns.

Campaign Finance, Federalism, and the Case of the Long-Armed Donor, 81 UNIVERSITY OF CHICAGO LAW REVIEW DIALOGUE 77 (2014) (16 pages): I examine retired justice John Paul Stevens's criticism of the Supreme Court's 2014 ruling in *McCutcheon v. Federal Election Commission*. Justice Stevens's critique conflicts with the understanding of American federalism that he championed while on that Court and is far more compatible with a conception of federalism that he explicitly rejected. Under current Court precedent, those who wish to restrict donors' ability to make campaign expenditures and contributions in states and districts other than their own face an uphill First Amendment battle.

Remembering Randy Bezanson, 99 IOWA LAW REVIEW 1461 (2014) (6 pages): In this brief remembrance of the Iowa College of Law's Professor Randy Bezanson, I recall some of Professor Bezanson's accomplishments and core professional values, focusing particularly on some of his convictions about legal education and about the importance of using writing as a device to increase one's own and one's students' analytic capacities.

Retention Redux: Iowa 2012, 14 JOURNAL OF APPELLATE PRACTICE & PROCESS 47 (2013) (33 pages): In its 2009 ruling in *Varnum v. Brien*, the Iowa Supreme Court struck down Iowa's statutory ban on same-sex marriage. Iowans removed three of

the *Varnum* justices from office in the 2010 retention elections, but they voted to retain a fourth member of the *Varnum* court in 2012. Commissioned by the Journal of Appellate Practice & Process, this paper seeks to explain the difference in the *Varnum* justices' political fortunes.

Unions, Corporations, and the First Amendment: A Response to Professors Fisk and Chemerinsky, 99 CORNELL LAW REVIEW ONLINE 23 (2013) (17 pages): In this response to Professor Fisk and Chemerinsky's critique of the Supreme Court's ruling in *Knox v. SEIU Local 1000*, I make two arguments. First, I challenge the premise of shareholder-employee equivalency that undergirds key portions of Fisk and Chemerinsky's analysis. Second, I contest the claim that *Knox* contributes to incoherence in the Court's First Amendment jurisprudence. Specifically, I challenge Fisk and Chemerinsky's argument that *Knox* is difficult to reconcile with the Court's leading precedents on the speech rights of government employees, and I raise doubts about their reading of the Court's compelled-speech cases involving complaints that one's resources are being used to help facilitate others' speech.

The Analytic Classroom, 60 BUFFALO LAW REVIEW 1255 (2012) (67 pages): This article proposes a shift in law schools' approach to teaching doctrinal courses. The proposal flows in large part from three separate developments: (1) the rise of strong economic headwinds in the market for legal education; (2) the emergence of empirical evidence that law schools are falling short of their goal of equipping students with powerful analytic abilities that transcend the particular doctrinal frameworks law schools teach; and (3) the incipient revolution in higher education, with prestigious universities now aggressively pursuing the opportunity to provide the public with free or low-cost access to many of their courses through the Internet.

Judicial Retention Elections, the Rule of Law, and the Rhetorical Weaknesses of Consequentialism, 60 BUFFALO LAW REVIEW 69 (2012) (76 pages): The 2010 election season brought the nation an unprecedented number of organized campaigns aimed at denying retention to judges who had ruled in ways that some voters found objectionable. I push back against the common wisdom in legal circles by arguing that the leading rhetorical strategies of those who seek to defend judges against anti-retention campaigns are fundamentally misguided. I argue that ousting judges in response to their rulings is often perfectly consistent with a commitment to the rule of law, and that the key consequentialist arguments that judges and their defenders commonly advance lack the rhetorical power necessary to persuade morally outraged voters to set their anger aside on Election Day.

Letter from Iowa: Same-Sex Marriage and the Ouster of Three Justices, 59 KANSAS LAW REVIEW 715 (2011) (31 pages): In this invited symposium contribution, I examine the path from the Iowa Supreme Court's 2009 ruling in *Varnum v. Brien* (in which the court struck down the state's ban on same-sex marriage) to the ouster of three of the court's seven justices in Iowa's 2010 judicial retention election. I describe and evaluate the campaign efforts of the justices'

detractors and supporters. I then identify lessons that academics, activists, and judges nationwide can learn from the Iowa experience.

Judicial Discretion in Constitutional Cases, 26 JOURNAL OF LAW & POLITICS 123 (2011) (55 pages): Popular constitutional discourse is frequently hindered by reliance upon what I call the “legitimacy dichotomy”—the notion that, when adjudicating constitutional disputes, judges either obey the sovereign people’s determinate constitutional instructions or illegitimately trump the sovereign people’s value judgments with their own. I critique that dichotomy from a variety of vantage points, including popular rhetoric, Supreme Court confirmation hearings, the law school classroom, and the debate between Justice Stevens and Justice Scalia in *McDonald v. City of Chicago* about the extent to which judges may properly exercise their discretion when adjudicating questions of substantive due process. Properly understood, judicial discretion plays a vital role in our system of democratic constitutionalism.

The Vitality of America’s Sovereign, 108 MICHIGAN LAW REVIEW 939 (2010) (reviewing CHRISTIAN G. FRITZ, AMERICAN SOVEREIGNS: THE PEOPLE AND AMERICA’S CONSTITUTIONAL TRADITION BEFORE THE CIVIL WAR (Cambridge University Press 2008)) (17 pages): In *American Sovereigns*, Professor Fritz argues that two very different conceptions of the American people’s sovereignty—one broad and one narrow—battled for the nation’s allegiance in the eighteenth and nineteenth centuries, and that the narrow conception ultimately prevailed. In my review, I dispute Professor Fritz’s claim that the broad conception of the people’s sovereignty no longer plays a viable role in American politics. Most fundamentally, I argue that the American people have learned that they can transcend the more extreme elements of the broad and narrow conceptions that Professor Fritz describes. The sovereign people have learned that they can retain ultimate control over their government while still permitting government leaders to retain the credibility and power they need to do the people’s work.

Sodom’s Shadow: The Uncertain Line Between Public and Private Morality, 61 HASTINGS LAW JOURNAL 1161 (2010) (54 pages): I examine the frequently encountered argument that a political community must proscribe certain forms of private conduct if it wishes to avoid divine punishment. Drawing from the work of Ronald Dworkin and others, I contend that this argument has an influential secular counterpart that often pushes in precisely the same direction—toward using the law as a means of restricting individuals’ freedom to make certain moral decisions for themselves. There are seven questions that advocates of these and other worldviews ought to address when determining whether the morality of a given form of conduct should be resolved collectively by the political community or by each individual on his or her own.

Instrumentalizing Jurors: An Argument Against the Fourth Amendment Exclusionary Rule, 37 FORDHAM URBAN LAW JOURNAL 837 (2010) (35 pages): In this invited symposium contribution, I argue that the application of the

Fourth Amendment exclusionary rule in jury trials raises troubling moral issues that are not present when a judge adjudicates a case on his or her own. Courts infringe on jurors' deliberative autonomy in a morally problematic way whenever they refuse to admit evidence that is both relevant and reasonably available; this infringement is especially problematic in the Fourth Amendment setting; and although there are several ways in which these moral problems could be mitigated, the best approach might be to abandon the exclusionary rule entirely. I conclude by identifying three legislative reforms that are needed to render the exclusionary rule dispensable.

Counsel and Confrontation, 94 MINNESOTA LAW REVIEW 201 (2009) (59 pages): I argue that, under the Anglo-American common-law principles that the Confrontation Clause now incorporates, defendants are not entitled to an attorney's assistance when interrogating witnesses prior to trial. Although the Assistance of Counsel Clause and the Due Process Clauses will pick up the slack in many cases, I contend that there are other instances in which the Constitution now leaves unrepresented defendants responsible for cross-examining witnesses on their own. I suggest that legislative reform may be necessary to ameliorate the new constitutional landscape's deficiencies.

The Myth of the Written Constitution, 84 NOTRE DAME LAW REVIEW 991 (2009) (64 pages): Drawing on two different meanings of the term "myth," I argue that many Americans' commonly held assumptions about the written Constitution and its role in constitutional adjudication are not literally true, but Americans' attachment to those assumptions serves critical functions, thereby posing extraordinary challenges for courts and constitutional scholars.

Popular Constitutionalism and Relaxing the Dead Hand: Can the People Be Trusted?, 86 WASHINGTON UNIVERSITY LAW REVIEW 313 (2008) (48 pages): I critique five leading rationales for privileging the originally understood meaning of the Constitution over the meaning that a majority of Americans would assign to the Constitution's text today. I then provide five reasons to believe that, if the ultimate power to interpret the Constitution's text were shifted from the courts to the political domain, the American people would prove themselves able to distinguish between their long-term commitments and their short-term desires in the manner that constitutionalism demands.

The Immoral Application of Exclusionary Rules, 2008 WISCONSIN LAW REVIEW 463 (50 pages): Drawing on the work of Jeremy Bentham, Immanuel Kant, Thomas Scanlon, and others, I argue that, when courts withhold relevant, readily available evidence from jurors pursuant to evidentiary exclusionary rules, they often infringe upon jurors' autonomy in ways that cannot be morally justified.

State Habeas Relief for Federal Extrajudicial Detainees, 92 MINNESOTA LAW

REVIEW 265 (2007) (58 pages): The Court's nineteenth-century rulings in *Ableman v. Booth* and *Tarble's Case* marked a little-known but sharp break with state courts' decades-long practice of granting habeas relief to federal extrajudicial detainees. I contend that the Court's reasoning in those cases is unpersuasive, and that modern efforts to rationalize those cases' outcomes fare no better. I also argue that the Suspension Clause bars Congress from stripping state courts of their power to grant habeas relief to persons being extrajudicially detained by federal authorities.

The Emotional Juror, 76 FORDHAM LAW REVIEW 1609 (2007) (32 pages): Addressing the dichotomy often drawn between emotions and rationality, I argue that, while emotions sometimes exert undesirable influences in the courtroom, there are a variety of ways in which emotions aid rational decision-making by jurors.

Killing Roger Coleman: Habeas, Finality, and the Innocence Gap, 48 WILLIAM & MARY LAW REVIEW 2313 (2007) (50 pages): I examine Roger Coleman's futile efforts to secure federal habeas relief in the 1980s and early 1990s, despite what many at the time perceived to be powerful reasons to doubt his guilt of the murder for which he had been convicted. I argue that the story of Coleman's case illustrates the way in which the Court's habeas jurisprudence suffers from an "innocence gap"—a gap between the amount of exculpatory evidence sufficient to thwart the finality that habeas law purports to achieve and the amount of exculpatory evidence sufficient to persuade a federal habeas court to forgive a prisoner's procedural mistakes and adjudicate the merits of his or her constitutional claims.

- Reprinted in substantial part in THE WRONGFUL CONVICTIONS READER 526-42 (Carolina Academic Press 2018) (Russell Covey & Valena Beety, editors).

Choosing a Chief Justice: Presidential Prerogative or a Job for the Court?, 22 JOURNAL OF LAW & POLITICS 231 (2006) (51 pages): After identifying the original rationales for our longstanding tradition of permitting the President and Senate to decide which of the Court's nine members will serve as Chief Justice, I argue that those rationales are anachronistic, that the tradition creates unnecessary conflicts of interest and separation-of-powers concerns, and that the Court's members should be permitted to decide for themselves which of them will serve as Chief Justice.

Our Anticompetitive Patriotism, 39 U.C. DAVIS LAW REVIEW 1353 (2006) (61 pages): I contend that the nation's claim to patriotism significantly shields the federal government from regulatory competition with the states, thereby blunting the competitive forces that the Framers believed would restrain Congress and the President from governing in objectionable ways. We might usefully expose the federal government to new forms of regulatory competition

by encouraging Americans to extend their political affections beyond the nation's borders and to place greater reliance on regulatory arrangements that require negotiation with others in the international community.

The Mobility Paradox, 92 GEORGETOWN LAW JOURNAL 481 (2004) (41 pages): Responding to the common argument that the work of Charles Tiebout suggests that citizens' interests would best be served by shrinking the federal government and permitting state and local government to regulate a greater number of important matters, I argue that citizens' mobility—the very mobility on which Tiebout's model relies—paradoxically gives citizens powerful incentives to oppose decentralization and to seek federal legislation embodying their preferences.

Competing for the People's Affection: Federalism's Forgotten Marketplace, 56 VANDERBILT LAW REVIEW 329 (2003) (64 pages): I argue that the Rehnquist Court's leading federalism decisions are best understood as being animated by the Court's desire to preserve the political marketplace in which federal and state authorities compete with one another for the nation's regulatory business.

Federal Habeas Relief and the New Tolerance for "Reasonably Erroneous" Applications of Federal Law, 63 OHIO STATE LAW JOURNAL 731 (2002) (67 pages): After examining ways in which the "unreasonably erroneous" standard prescribed by the Antiterrorism and Effective Death Penalty Act of 1996 is incompatible with leading theories of adjudication, I identify three analytic touchstones that can help federal courts determine the likelihood that state courts' rulings should be deemed objectively unreasonable.

Evidentiary Relevance, Morally Reasonable Verdicts, and Jury Nullification, 86 IOWA LAW REVIEW 467 (2001) (65 pages): Responding to the Court's assertion that the government's evidence in a criminal case has "fair and legitimate weight" if it tends to show that a guilty verdict would be morally reasonable, I argue that adopting the Court's conception of relevance would necessitate significant changes in the rules relating to jury nullification.

The Intended Relationship Between Administrative Regulations and Section 1983's "Laws", 67 GEORGE WASHINGTON LAW REVIEW 51 (1998) (49 pages): After examining the history surrounding Section 1983's enactment, I argue that Congress did not intend Section 1983 to provide a remedy for rights that are grounded entirely in administrative regulations.

ANNUAL
SUMMARIES

For eight years, I wrote annual summaries of the U.S. Supreme Court's most significant rulings in civil cases. Those summaries were commissioned by the American Judges Association for publication in the AJA's *Court Review*.

- *Civil Cases in the Supreme Court's October 2018 Term*, 55 COURT REVIEW 85 (2019) (11 pages)
- *From ALJs to Wedding Cakes: Civil Cases in the Supreme Court's October 2017 Term*, 54 COURT REVIEW 116 (2018) (11 pages)
- *From Playgrounds to Plavix: Civil Cases in the Supreme Court's October 2016 Term*, 53 COURT REVIEW 98 (2017) (12 pages)
- *Eight in the Eye of a Political Storm: Civil Cases in the Supreme Court's October 2015 Term*, 52 COURT REVIEW 102 (2016) (8 pages)
- *Weddings, Whiter Teeth, Judicial Campaign Speech, and More: Civil Cases in the Supreme Court's 2014-2015 Term*, 51 COURT REVIEW 94 (2015) (11 pages)
- *Doubting Abood, Finding Religion at Hobby Lobby, and More: Civil Cases in the Supreme Court's 2013-2014 Term*, 50 COURT REVIEW 112 (2014) (13 pages)
- *More than Marriage: Civil Cases in the Supreme Court's 2012-2013 Term*, 49 COURT REVIEW 164 (2013) (13 pages)
- *Healthcare, Unions, Ministers and More: Civil Cases in the Supreme Court's 2011-12 Term*, 48 COURT REVIEW 112 (2012) (12 pages)

OTHER SHORT
PIECES

Book Review, 76 ANNALS OF IOWA 420 (2018) (reviewing Frank Cicero Jr., *CREATING THE LAND OF LINCOLN: THE HISTORY AND CONSTITUTIONS OF ILLINOIS, 1778-1870* (University of Illinois Press 2018))

Laissez Faire, in *ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES* (2008)

Habeas Corpus: A Modern History, in *ENCYCLOPEDIA OF AMERICAN CIVIL LIBERTIES* (2007)

Coleman v. Thompson, in *ENCYCLOPEDIA OF AMERICAN CIVIL LIBERTIES* (2007)

STUDENT NOTES

Making the Government Pay: The Application of the Equal Access to Justice Act in EEOC v. Clay Printing Company, 72 NORTH CAROLINA LAW REVIEW 1575 (1994) (22 pages)

Punishing Offensive Conduct on University Campuses: Iota Xi Chapter of Sigma Chi Fraternity v. George Mason University, 72 NORTH CAROLINA LAW REVIEW 789 (1994) (24 pages)

COLLEGE AND
UNIVERSITY
SERVICE
ACTIVITIES

- College of Law Associate Dean for Faculty (January 2011-June 2015)
- University of Iowa Faculty Senate (2003-2006)
- University of Iowa Strategic Plan Development Group (2016)
- College of Law Faculty Appointments Committee (2021-2022 (chair), 2018-2019 (chair), 2017-2018, 2014-2015, 2011-2012, 2010-2011 (chair, lateral appointments subcommittee), 2005-2006)
- University Non-Resident Classification Review Committee (2010-2014 (chair), 2008-2010)
- Law Library Director Search Committee (Chair, 2019-2020)
- Faculty Advisor, *Iowa Law Review* (2001-2007; 2009-2019)
- College of Law Promotion and Tenure Committee for Professor Cristina Tilley (2018-2021, chair); Professor Paul Gowder (2013-2017) and for Professor Angela Onwuachi-Willig (2006-2007, chair)
- College of Law Tenure Oversight and Peer Review Committee (2016-2017 (chair), 2015-2016 (chair), 2007-2008)
- College of Law Strategic Initiatives Committee (2013-2016)
- Co-Founder and Co-Chair (with Professor Herb Hovenkamp), the Iowa Legal Studies Workshop (2008-2015)
- College of Law Faculty Advisor, Middle Eastern Law Students Association (2007-2009)
- Additional College of Law Committees:
- Pre-tenure Teaching Review Committee (2018-2019, 2013-2014)
 - Chair, Ad Hoc Long-Range Planning Committee (2010-2011)
 - Dean Search Committee (2009-2010, 2003-2004)
 - Student Honors and Awards Committee (2008-2010)
 - Promotion Committee for Christina Bohannon (2008-2009)
 - Speakers and Professional Development Committee (2006-2009)
 - College of Law Internal Campaign Steering Committee (2008-2009)
 - Diversity Committee (2006-2007).
 - Curriculum and Externship Approvals Committee (2005-2006)
 - Co-chair, Curriculum Policy Committee (2004-2005)
 - Teaching Improvement Committee (2003-2005)

- Dean Search Committee (2003-2004)
- Small-Section Committee (2001-2002)
- Career Services Committee (1999-2002)
- Internal Procedures Committee (1999-2001)

OTHER
PROFESSIONAL
ACTIVITIES

Rather than list all my miscellaneous professional activities throughout my career, I list here a few representative examples from the past few years:

- American Association of American Law Schools' Committee to Review Scholarly Papers for the 2025 AALS Annual Meeting
- Frequent guest on Iowa Public Radio's *River to River*, with host Ben Kieffer, to discuss cases pending before or decided by the U.S. Supreme Court and the Iowa Supreme Court (links to appearances are available at <https://www.todd-pettys.com/radio.html>)
- Occasional guest on *Ethical Perspectives in the News*, a locally broadcast television program covering current events.
- Speaker, "Gun Rights on the Ballot," Linn Phoenix Club (August 2022)
- Speaker, "Gun Rights and the Second Amendment," Iowa City Senior Center (June 2022)
- Speaker, "Are We a United States?" League of Women Voters (March 2022)
- Speaker, "The Free-Speech Rights of Public Employees," University of Iowa Staff Council (December 2021)
- Speaker, "Freedom of Expression on Public Campuses," Committee on Free Expression, Iowa Board of Regents (September 2021)
- Speaker and Moderator, "Free Speech and Social Media," sponsored by the Iowa College of Law, the Iowa Public Policy Center, and the Iowa Board of Regents (September 2021)
- Speaker, University of Iowa Faculty Council Administrative Retreat, "Academic Freedom: Free Speech and DEI" (August 2021)

OTHER
EMPLOYMENT

University of North Carolina School of Law, Chapel Hill, North Carolina

- Visiting Associate Professor of Law (Spring and Summer 2003)
- Courses taught: Constitutional Law and Comparative Evidence

Perkins Coie LLP, Seattle, Washington

- General Litigation Associate (1996-1999)

Judge Francis D. Murnaghan, Jr., United States Court of Appeals for the Fourth Circuit, Baltimore, Maryland

- Judicial Clerk (1995-1996)

Duke University, Capital Campaign for the Arts & Sciences, Durham, North Carolina

- Assistant Director (1990-1992)
- Public Relations Specialist (1990)
- Staff Writer (1989-1990)

PROFESSIONAL
MEMBERSHIPS

American Law Institute
United States Supreme Court Bar
Iowa State Bar Association
Washington State Bar Association (inactive)
Who's Who Among American Teachers