

CURRICULUM VITAE

CATHERINE E. SMITH

University of Denver
Sturm College of Law
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ACADEMIC WORK EXPERIENCE

University of Denver, Sturm College of Law, Denver, CO

Associate Professor with Tenure
Assistant Professor

Sept. 2007 - Present
Aug. 2004 - Sept. 2007

Courses: Torts, Advanced Torts, Employment Discrimination, Comparative Employment Discrimination, Extremism and the Law (seminar on domestic hate groups' impact on law)

Research: Civil Rights, Employment Discrimination, Discriminatory Intent and Unconscious Bias, Torts, Critical Race Theory, Critical Race Feminism, Critical Queer Race Theory

UCLA School of Law, Los Angeles, CA
Visiting Scholar, Williams Institute

Spring 2009

Texas Southern University, Thurgood Marshall School of Law, Houston, TX
Assistant Professor

2000-2004

Courses: Torts, Employment Discrimination, Extremism and the Law, Criminal Law

PUBLICATIONS

Articles:

A Cautionary Tale: Obama's Coalition, Anti-Subordination Principles and Proposition 8, -- DENV. UNIV. L. REV. -- (forthcoming 2009).

Unconscious Bias and "Outsider" Interest Convergence, 40 CONN. L. REV. 1077 (2008) (symposium paper).

John Calmore's America, 86 N.C. L. REV. 739 (2008) (with Robert Chang) (symposium paper).

Queer as Black Folk? 2007 WIS. L. REV. 379 (2007) (symposium paper).

The Group Dangers of Race-Based Conspiracies, 59 RUTGERS L. REV. 55 (2006).

(Un)masking Race-Based Intra-Corporate Conspiracies Under the Ku Klux Klan Act, 11 VA J. SOC. POL'Y & L. 129 (2004).

Intentional Infliction of Emotional Distress: An Old Arrow Targets the New Head of the Hate Hydra, 80 DENV. U. L. REV. 1 (2002).

Other Publications:

Peace and Protest: Can city officials force protesters to identify themselves by name? INTELLIGENCE REPORT, No. 121, Spring 2006.

Citizens' Unrest: In Arizona, a county prosecutor opens the door for vigilante justice, INTELLIGENCE REPORT, No. 120, Winter 2005.

Threats.com: Radical animal rights activists set the stage for a First Amendment showdown, INTELLIGENCE REPORT, No. 118, Summer 2005.

What First Amendment? Alabama State Rep. Gerald Allen is no lawyer. But he must know that his proposed ban on pro-gay books is unconstitutional, INTELLIGENCE REPORT, No. 117, Spring 2005.

Hate on Trial: The First Amendment protects hatemongers' racist beliefs. So how can prosecutors introduce evidence of racism at trial? INTELLIGENCE REPORT, No. 116, Winter 2004.

Refuge for Hate? After his conviction in Germany for Holocaust denial activities, a revisionist requests political asylum in the United States, INTELLIGENCE REPORT, No. 115, Fall 2004.

Taxing the First Amendment: A recent injunction prohibiting the sale of a tax protester's book raises thorny questions about the First Amendment, INTELLIGENCE REPORT, No. 114, Summer 2004.

Stop the Hate. Educate: An Interview with James Byrd Jr.'s Sister, OUTSMART, September 2000.
(with Jennifer Holladay)

OTHER LEGAL WORK EXPERIENCE

Southern Poverty Law Center, Montgomery, AL

Legal Fellow

1998-2000

- Developed, researched and litigated civil rights cases with a particular focus on race, national origin, class, homelessness, education, incarceration and disability.
- Researched and wrote legal memoranda on cases, primarily based in tort law, against hate groups.
- Researched and wrote legal documents and memoranda for appellate cases, including Title VI case, *Alexander v. Sandoval*, 532 U.S. 275 (2001).

Honorable Henry Politz, Chief Judge, 5th Circuit Ct. of Appeals, Shreveport, LA

Judicial Clerkship

1997-1998

- Researched and drafted appellate opinions
- Researched and wrote bench briefs for oral arguments.

Honorable William M. Catoe, Jr., U. S. Magistrate Judge, Greenville, SC

Judicial Clerkship

1996-1997

- Researched and drafted judicial opinions in the following areas: Title VII of the Civil Rights Act of 1964, including claims on the basis of race, religion, gender and sex; Americans with Disabilities Act; Age Discrimination in Employment Act; Fair Labor Standards Act; Employee Retirement Income Security Act; Family and Medical Leave Act; Federal Arbitration Act; and 42 U.S.C. § 1983.
- Drafted jury charges.
- Assisted the court in deciding pre-trial motions and evidentiary matters.

Sinkler and Boyd, P.A., Columbia, SC

Law Clerk

Summer 1994, Summer 1995

EDUCATION

University of South Carolina Law School, Columbia, SC

Juris Doctor, May 1996

Honors and Activities:

Moot Court Bar, Member of the National Moot Court Team

American Jurisprudence Award, Torts I, Fall 1993

Academic Assistance Peer for Torts, 1994-1996

Black Law Students' Association, Outstanding Senior Award, 1996

Founding member of the Lesbian and Gay Legal Society (LEGALS)

Research Assistant for Professor Jane Aiken, 1994-1996

University of South Carolina, Columbia, SC

Masters in Public Administration, May 1993

Wofford College, Spartanburg, SC

B.A. Government & French, May 1991

College International de Cannes, France

Foreign Language Semester Abroad, 1989

CONFERENCES/PRESENTATIONS

Speaker and Panelist, *Straight Scrutiny*, Evaluating the Critical Race Theory Movement on its Twentieth Anniversary, South Eastern Association of American Law Schools, Palm Beach, FL, August 2-6, 2009.

Work-in-Progress, *Straight Scrutiny*, Lutie A. Lytle Black Women Law Faculty Writing Workshop, Seattle School of Law, Seattle, WA, June 2009.

Speaker, *Straight Scrutiny*, Hofstra Colloquium on Law and Sexuality, Hofstra Law School, April 15, 2009.

Work-in-Progress, *Straight Scrutiny*, Critical Race Theory 20: Honoring Our Past, Charting Our Future, University of Iowa College of Law, April 3, 2009.

Speaker, *Straight Scrutiny*, Ski CLE – University of Denver Sturm College of Law, Keystone Resort, February 29, 2009.

Speaker, *Straight Scrutiny*, Laverne Law School, Los Angeles, CA, February 26, 2009.

Speaker, *Straight Scrutiny*, Williams Institute's Work-in-Progress Series, UCLA School of Law, Los Angeles, CA, February 25, 2009.

Speaker, *Straight Scrutiny*, Same-Sex Marriage and Beyond: Charting a Progressive Course, University of North Carolina School of Law, Raleigh, NC, February 21, 2009.

Speaker and Panelist, *Civil Rights, Gay Rights and the Evolution of Equality*, Seventh Annual Day of Equality, Birmingham, Alabama, September 20, 2008.

Speaker and Panelist, *A Cautionary Tale: Obama's Coalition, Anti-Subordination Principles and Proposition 8*, Obama Phenomena: Facets of a Historic Campaign, University of Denver Sturm College of Law, Denver, Colorado, August 29, 2008 (symposium the day after Democratic National Convention).

Co-Organizer, Obama Phenomena: Facets of a Historic Campaign, University of Denver Sturm College of Law, Denver, Colorado, August 29, 2008 (symposium the day after Democratic National Convention).

Organizer, Black Female Law Faculty Writing Workshop, University of Denver Sturm College of Law, Denver, Colorado, June 26-29, 2008. (hosting 30-50 law professors from across the country).

Speaker, *Civil Rights, Gay Rights and the Axis of (In)equality*, Emory University, Presentation sponsored by the Women's Studies Department and African American Studies Department, April 17, 2008.

Panelist, *Queer in the Academy: Review, Tenure, and Promotion*. University of Denver, Denver, Colorado, March 4, 2008.

Selected Participant, UCLA's Williams Institute's Primer on Empirical Research on Sexual Orientation, UCLA School of Law, Los Angeles, CA, February 21-22, 2008.

Panelist, *Hate Speech v. Free Speech: A Dialogue about the Limits and Interests*, Colorado College, Colorado Springs, Colorado, February 6, 2008.

Panelist, *MLK and Gay Rights, What Does King Mean Now?: Essays on the 40th Anniversary of the Assassination of Martin Luther King, Jr.*, American Association of American Law Schools 2008 Annual Meeting, New York, New York, January 5, 2008.

Panelist, *Outsider Interest Convergence, Coalitions and the Legal Construction of "Family,"* The 20th Anniversary of Charles Lawrence's *The Id, the Ego, and Equal Protection: Reckoning Unconscious Racism*, *Connecticut Law Review*, University of Connecticut School of Law, Hartford, Connecticut, November 1-2, 2007.

Participant, *One People, One Nation? Housing and Social Justice: The Intersection of Race, Place, and Opportunity*, University of North Carolina School of Law, Chapel Hill, NC, October 11-12, 2007.

Moderator, *Examining the Subconscious Bias within Us* (panelists: Robert Chang, Charles Lawrence and Mari Matsuda), The Rocky Mountain Legal Diversity Summit, Invesco Field, Denver, Colorado, September 20, 2007.

Speaker, *Why You, Too, Should Pursue a Judicial Clerkship*, Presentation to minority law student groups APALSA, BLSA, LLSA, NLSA and the Outlaws, University of Denver Sturm College of Law, August 2007, August 2006 and August 2005.

Panelist, *Biology as a License to Family*, Panel on Race, Law and Performance Identity, 2007 Joint Meeting of the Law and Society Association and the Research Committee on Sociology and Law (ISA), Berlin, Germany, July 27, 2007.

Presenter, *Queer as Black Folk?*, The South-North Exchange on Theory, Culture and Law, Race & Color Across the Americas: Comparative Constructions of Racial and Ethnic Subjugation, Rio De Janeiro, Brazil, May 10-12, 2007.

Panelist, *How Same-Sex Couples Protect Themselves and Their Children*, Reproductive Rights Week, University of Denver Sturm College of Law, Denver, CO, January 24, 2007.

Panelist, "Care-ing" the Dream from a Legal & Social Justice Perspective, Law School Forum, University of Denver Sturm College of Law, Denver, Colorado, January 9, 2007.

Presenter, *Queer as Black Folk?*, *Loving by Law: Forty Years After Loving v. Virginia*, The Thelton E. Henderson Center for Social Justice, UC Berkeley –Boalt Hall School of Law, Berkeley,

CA, November 17-18, 2006.

Presenter, *Queer as Black Folk?*, Intimacy, Marriage, Race, and the Meanings of Equality: Perspectives on the 40th Anniversary of *Loving v. Virginia*, *Wisconsin Law Review*, Wisconsin Law School, Madison, WI, November 10-11, 2006.

Presenter, *The Group Dangers of Race-Based Conspiracies*, Employment Law Panel, First Annual Colloquium on Current Scholarship in Labor and Employment Law, Marquette University Law School, Milwaukee, WI, October 27-28, 2006.

Participant and Co-organizer, Roundtable: Critical Relations: Identity Matters, Part 2. Eleventh Annual LatCrit Conference, Working and Living in the Global Playground: Frontstage and Backstage, Las Vegas, Nevada, October 7, 2006.

Responding Panelist to Keynote Speaker, *Castle Rock v. Gonzales* Conference: Some are Guilty – All are Accountable, Accountability in the Age of Denial, University of Denver Sturm College of Law, Denver, CO, March 16-17, 2006.

Panelist and Co-organizer, *The Professional and the Personal: Navigating Intimate Space Across (and Within) Perceived Racial and Gender Boundaries*, Panel on Critical Relationships: The Political and Academic Consequences of Choosing Different-Race Partners – Is the Politically Personal Professional?, Tenth Annual LatCrit Conference, Critical Approaches to Economic In/justice, San Juan, Puerto Rico, October 8, 2005.

Presenter and Co-organizer, On Balance: Work, Family and Professionalism, Junior Faculty Development Workshop Tenth Annual LatCrit Conference, Critical Approaches to Economic In/justice, San Juan, Puerto Rico, October 6, 2005.

Presenter, *Race-Based Civil Conspiracy Theory*, The Southeast/Southwest Scholars of Color Conference, New Orleans, LA, May 5-May 8, 2005.

Speaker, Careers in Law that Raise Social Awareness, 37th Annual National Black Law Student Association (NBSA) Convention, Denver, CO, April 1, 2005.

Panelist, Issues Faced by Women in Law: Relating to Clients and Colleagues, Navigating the System, and Balancing it All, Panel for Diversity Week, University of Denver, Sturm College of Law, March 23, 2005.

Presenter, *Race-Based Civil Conspiracy Theory*, The Oxford Roundtable on Employment Rights and Responsibilities, Pembroke College, University of Oxford, Oxford, England, March 13 – March 18, 2005.

Moderator, Developments in International Reproductive Rights, Panel for Reproductive Rights Week, University of Denver, Sturm College of Law, January 27, 2005.

Panelist, The Black Pride Survey, The Policy Institute of the National Gay and Lesbian Task Force, Houston, TX, July 9, 2002.

Panelist, “Staying Connected During and After Classroom Crises,” AALS 2002 Annual Meeting, New

Orleans, LA, January 3, 2002.

Panelist, The Pros and Cons of Mandatory Pro Bono in Law Schools, Houston Bar Association's 2nd Annual Joint Law School Faculty Meeting. Moderated by Texas Supreme Court Justice Deborah Hankinson, Houston, TX, September 28, 2001.

Co-presenter, *All Civil Rights Movements Are Not the Same*, The Racist Rainbow Forum, Houston Lesbian and Gay Community Center, Houston, TX, September 29, 2000. (with Jennifer Holladay)

Speaker, *A Multifaceted Attack on Intolerance: The Work of the Southern Poverty Law Center*, Beyond the Box II: Redefining Multiculturalism on College Campuses, Wellesley College, Wellesley, MA, April 24, 1999.

Speaker, *Reflections on My First Year*, Orientation for First Year Students, University of South Carolina School of Law, Columbia, SC, August 1994.

SERVICE

DU

Appointments Committee, 2006-2008

Policy Committee (five-member, faculty-elected committee that makes promotion and tenure decisions), 2007-2008

Spanish For Lawyers Program Committee, 2007-2008

Faculty Development Committee, 2006-2007

Chair, Inaugural Faculty Executive Committee (five-member, faculty-elected governance committee), 2005-2006

Budget Committee, 2005-2006 (in conjunction with role as Chair of Faculty Executive Committee)

Judicial Clerkship Committee, 2005--present

Multicultural Committee, 2004-2005

Faculty Advisor, Outlaws, 2006--present

Member of the Colorado Employment Law Faculty Scholarship Group (CELF), 2004--present

Implemented "Lessons Learned" Student Mentor/Mentee Project, 2005.

TSU

Curriculum Committee, 2000- 2002

Clinic Committee, 2000- 2002

Appointments Committee, 2002-2003

Rank and Tenure Committee, 2002-2003

Implemented "Lessons Learned" Mentor/Mentee Project, 2001-2004.

Founder and participant in the TMSL Running Club, 2001-2004

Other Service

Board member, ACLU of Colorado, 2005-2007

Chair, Legal Panel, ACLU of Colorado, 2005-2007

Board Member, Latina/o Critical Theory, Inc., 2007—present

Co-Chair, Latina/o Critical Theory Junior Faculty Development Workshop Committee

Member, Latina/o Critical Theory Junior Faculty Development Workshop Committee,
2006-2007

Member, Latina/o Critical Theory Works-in-Progress Committee, 2006-2007