

# **THOMAS D. RUSSELL, J.D., Ph.D.**

University of Florida, Levin College of Law  
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## **ACADEMIC EMPLOYMENT**

### **Washington University in St. Louis School of Law (Spring 2023)**

- Visiting Professor

Courses Taught: Contracts, Torts seminar.

### **University of Florida Fredric G. Levin College of Law (Spring 2022, Fall 2022, Fall 2023)**

- Visiting Professor

Most-downloaded SSRN author over the past 12 months

Courses Taught: Torts, Remedies, Personal Injury Law

### **University of Denver College of Law (2001-Present)**

- Professor of Law (2001-present)

Awards/Recognition:

- Robert L. Habush Grant, American Association for Justice (2021-23)
- Hughes-Ruud Mini-Grant (2020)
- Hughes-Ruud Professorship (2006-07)
- Provost Bonus for Outstanding Service and Dedication to the College of Law (2004)
- Fulbright Senior Specialist Award, University of the West Indies, St. Augustine Campus, Trinidad and Tobago (2003)
- Hughes-Ruud Research Fund Grant (2002)
- Provost Bonus for Outstanding Service and Dedication to the College of Law (2002)
- Teachtech Summer Grant (2001)
- Faculty member, Conflict Resolution Program (2002-2005)
- Visiting Professor of Law (2000-01)

## **University of Denver College of Law (2001-Present) (cont'd)**

Courses Taught: Torts, Contracts (including Sales), Experiential Live-Client Personal Injury Practicum, Advanced Torts, American Legal History (17th-21st centuries), Restorative Justice

Teaching Awards: Outstanding Faculty Member Award of the Student Bar Association (2019-20)

Faculty Career Champion, Mentor/Advisor (2017, 2018, 2019, 2020, 2021) Nominated by students

## **Maynooth University, Republic of Ireland (2012-13)**

- Visiting Professor

Courses Taught: Irish law of Torts, Irish law of Contracts

## **University of the West Indies, St. Augustine, Trinidad and Tobago (Fall 2003)**

- Fulbright Senior Scholar

Course Taught: Restorative Justice

## **The University of Texas at Austin (1991-2001)**

- Professor of Law and History (1997-2001)
- Assistant Professor of Law and History (1994-1997)
- Assistant Professor of Law (1991-1994)

### Awards/Recognition:

- Alyce Drysdale Sheffield Regents Chair in Law (Summer 1998)
- FAST Tex Intern Grant (1998)
- Jurist Site of the Week (September 29, 1997)
- Alyce Drysdale Sheffield Regents Chair in Law (Summer 1997)
- John and Melba Estes Regents Research Professorship in Law (Summer 1996)
- Morris and Rita Atlas Family Centennial Professorship in Law (Summer 1995)
- Cooper K. Ragan Regents Professorship in Law (Summer 1994)
- Summer Research Grant: The University of Texas School of Law (Summer 1993)
- Summer Research Grant (1991-93, 1999, 2000)

## **The University of Texas at Austin (1991-2001) (cont'd)**

Courses Taught: Torts, Contracts (including Sales), History of American Law, Legal History of the 19th-Century South, History of Racial Discrimination at The University of Texas

Teaching Awards: Law Week Faculty Honoree, 32d Annual W. Page Keeton Law Week, selected by the Student Bar Association (2000)

Outstanding UT Law Faculty Member Award, Thurgood Marshall Legal Society (1999)

Open Door Award, selected by students (1993)

## **Berkeley Law (Spring 1996)**

- Visiting Professor
- Jurisprudence and Social Policy Program

Course Taught: History of American Law

## **University of California, Hastings College of Law (1995-96)**

- Visiting Professor

Courses Taught: Contracts, History of American Law, Legal History of California

## **Stanford Law School (Spring 1991)**

- Lecturer

Course Taught: History of American Law (with Lawrence M. Friedman)

## **EDUCATION**

### **Stanford University**

- Ph.D. History 1993 Dissertation: "Sale Day in Antebellum South Carolina: Slavery, Law, Economy, and Court-Supervised Sales" Committee: Carl N. Degler, Lawrence M. Friedman, and Gavin Wright
- J.D. with distinction 1989
- M.A. History 1986

## Northwestern University

- B.A. Program in American Culture, Departmental Honors 1983

## PUBLICATIONS AND CASES

### Articles, Chapters, and Reported Cases

"Car Crashes, Personal Injury Litigation, and Frivolous Defenses in Alberta and Colorado," Alberta Civil Trial Lawyers Association, *The Barrister* (2021).

"Disrupting Frivolous Defenses," *52 Loyola University Chicago Law Journal* 911 (2021).

"Frivolous Defenses," *69 Cleveland State Law Review* 785 (2021).

- SSRN all-time top ten download lists:
  - (#2) [LSN: Tort Litigation, Arbitration, & Dispute Resolution](#)
  - (#6) [TransportRN: Transportation Safety & Security](#)
  - (#8) [LSN: Pleadings, Motions & Pretrial Procedure](#)
- Reviewed by Professor Linda S. Mullenix, University of Texas at Austin, *A Non-Frivolous Challenge to Frivolous Defenses*, JOTWELL (January 6, 2021).

Marchant v. Boulder Cmty. Health, Inc., 2018 COA 126M, ¶ 1, as modified (October 18, 2018), cert. denied, 18SC671, 2019 WL 922352 (Colo. February 25, 2019) Case of first impression interpreting amendments to Colorado hospital lien statute. University of Denver law students assisted with the litigation and appeal.

Rebecca Brinkman and Margaret Burd v. Karen Long and the State of Colorado, 2014 WL 3408024 (Colo. Dist. Ct.) Co-counsel with Ogden & Wilcox for Colorado's first-filed marriage equality lawsuit, which struck as unconstitutional the state's statutory and constitutional bans on same-sex marriage.

Mile High Cab, Inc. v. Colo. Pub. Utils. Comm'n, No. 11SA312, slip op. 2013 WL 1715473 (Colo., April 22, 2013) Unanimous decision overturning Colorado Public Utility Commission's denial of operating authority to Mile High Cab, Inc.

BDG International, Inc. v. Bowers, 2013 WL 1459552 (Colo. App. April 11, 2013) Admiralty law matter involving jurisdictional issues, maritime liens, and attorney's fee determination under California law.

"'Keep Negroes Out of Most Classes Where There are a Large Number of Girls': The Unseen Power of the Ku Klux Klan and Standardized Testing at the University of Texas, 1899-1999" *52 South Texas Law Review* 1 (Fall 2010)

- Commentary by:

Alfred L. Brophy "The Law and Morality of Building Renaming," *52 South Texas Law Review* 69 (Fall 2010);

Lee A. Daniels, "William Stewart Simkins and the Fable of White Victimization," *52 South Texas Law Review* 69 (Fall 2010);

Leslie M. Harris, "Life Among the Ruins," *52 South Texas Law Review* 73 (Fall 2010); and

José Roberto Juárez, Jr. "Recovering Texas History: Tejanos Jim Crow, Lynchings & The University of Texas School of Law," *52 South Texas Law Review* 85 (Fall 2010)

- This paper was a cause of the 2010 renaming of The University of Texas' Simkins Hall
- SSRN all-time top ten download lists:

(#4) [America: North America & North America's Orbit History eJournal](#)

"Keep Negroes Out of Most Classes Where There are a Large Number of Girls': The Unseen Power of the Ku Klux Klan and Standardized Testing at the University of Texas, 1899-1999" in Robert W. Gordon and Morton J. Horwitz, eds. *Law, Society and History: Essays on Themes in the Legal History and Legal Sociology of Lawrence M. Friedman* (Cambridge University Press, 2011).

Wycoff v. Grace Community Church of Assemblies of God, 251 P.3d 1260 (Colo.App., 2010). Concerning the interpretation of recreational releases involving children

Wycoff v. Seventh-Day Adventist Ass'n of Colorado, 251 P.3d 1258 (Colo.App., 2010). Premises liability distinction between licensees and invitees

"Between Town and Gown: The Rise and Fall of Restorative Justice on Boulder's University Hill," *2003 Utah Law Review* 91-136 (2003).

"The Shape of the Michigan River as Viewed from the Land of *Sweatt v. Painter* and *Hopwood*: Comments on Lempert, Chambers, and Adams's study of the University of Michigan Law School's Minority Graduates" *25 Law & Social Inquiry* 507 (2000).

"Articles Sell Best Singly: The Disruption of Slave Families at Court Sales," *1996 Utah Law Review* 1161-1209 (1996).

"A New Image of the Slave Auction: An Empirical Look at the Role of Law in Slave Sales and a Conceptual Reevaluation of the Nature of Slave Property," *18 Cardozo Law Review* 473 (November 1996) (Published May 27, 1997) (Presented at Symposium entitled "Bondage,

Freedom, and the Constitution: The New Slavery Scholarship and its Impact on Law and Legal Historiography, February 1994).

"The Antebellum Courthouse as Creditors' Domain: Trial-Court Activity in South Carolina and the Concomitance of Lending and Litigation," 40 *American Journal of Legal History* 331-64 (July 1996).

"Slave Auctions on the Courthouse Steps: Court Sales of Slaves in Antebellum South Carolina," in Paul Finkelman, ed. *Slavery and the Law* 329-64 (Madison: Madison House, 1997).

"South Carolina's Largest Slave Auctioneering Firm," in "Symposium on the Law of Slavery," 68 *Chicago-Kent Law Review* 1241-82 (1993).

"Historical Study of Personal Injury Litigation: A Comment on Method," 1 *Georgia Journal of Southern Legal History* 109-33 (Spring/Summer 1991).

Lawrence M. Friedman and Thomas D. Russell, "More Civil Wrongs: Personal Injury Litigation, 1901-1910," 24 *American Journal of Legal History* 296-314 (July 1990).

## **Book Reviews**

Gary M. Lavergne, *Before Brown: Heman Marion Sweatt, Thurgood Marshall, and the Long Road to Justice* (University of Texas Press, 2010), *Austin American-Statesman* (October 17, 2010).

William Wiethoff, *A Peculiar Humanism: The Judicial Advocacy of Slavery in High Courts of the Old South, 1820-1850* (Athens and London: The University of Georgia Press, 1996), 6 *Journal of Southern Legal History* 199-202 (1998).

Thomas D. Morris, *Southern Slavery and the Law, 1619-1860* (1996) 64 *Journal of Southern History* 523-25 (August 1998).

Judith Kelleher Schafer, *Slavery, the Civil Law, and the Supreme Court of Louisiana* (1995) 40 *American Journal of Legal History* 216-17 (April 1996).

Allen Steinberg, *The Transformation of Criminal Justice: Philadelphia, 1800-1880* (1989), 10 *Law and History Review* 366 (Fall 1992).

## **Encyclopedia Entries**

"Slavery and Property," in *Encyclopedia of the American Constitution, Supplement II* ed. Leonard W. Levy, Kenneth L. Karst, and Adam Winkler (New York: MacMillan Reference).

## INTERNET

### Publishing

- *Sweatt v. Painter* Archive ([www.houseofrussell.com/legalhistory/sweatt/](http://www.houseofrussell.com/legalhistory/sweatt/))
- [HouseofRussell.com](http://HouseofRussell.com), web site for course materials and historical documents

### Video

"Health Care 101" Produced by Naomi Binkley, Fireside Production, Denver, CO (3,252 views as of April 9, 2010)

### Unpublished manuscript

*Blood on the Tracks: Streetcar Injuries, Claims, and Litigation in Early Twentieth-Century California (working title)*

## PAPERS AND TALKS

Defeating Frivolous Defenses, Kentucky Justice Association Annual Meeting, Nashville, TN (2021)

Complaints and Answer, Guest Lecture, Professor Robert Hardaway's Civil Procedure class, University of Denver School of Law (October 18, 2021)

Defeating Frivolous Defenses in Texas, Dallas Trial Lawyers Association CLE, Dallas, TX (2021)

Defeating Frivolous Defenses in Business Torts, Hot Topics in Business Torts, American Association for Justice, Washington, D.C. (2021)

"1619, the 13<sup>th</sup> Amendment, and Nonprofits," We Shall Overcome Civil Rights Summit, University of Denver Sturm College of Law (2021)

Complaints and Answer, Guest Lecture, Professor Robert Hardaway's Civil Procedure class, University of Denver School of Law, November 19, 2020

"F#&% You Tom Russell": History & Media in the Texas Klan Dorm (Simkins Hall) Controversy," Slavery and the University: Histories and Legacies, Emory University, Atlanta, GA (February 3–6, 2011)

"National Health Care Reform Update," Health Care Reform Briefing, League of Women Voters Denver, Denver, CO (November 2, 2009)

"What about State-Level Health Care Reform?" Denver County Republicans Monthly Meeting, Denver, CO (October 1, 2009)

"Colorado and National Health Care Reform Possibilities," (with Sen. Morgan Carroll) Healthcare Reform Townhall Meeting, Colorado House District 4, Denver, CO (June 24, 2009)

"Building Collaboration Amongst Diverse Organizations" and "The Politics of Politicking," Health Care for All Colorado Summit, Denver, CO (June 20, 2008)

"Single-Payer Health Care Reform in Colorado," Breckenridge Mountain Rotary Club, Breckenridge, CO (June 7, 2009)

"Health Care Reform in Colorado," Gilpin County Democrats, Gilpin County, CO (June 7, 2009)

"Single-Payer Health Care in Colorado: House Bill 09-1273 and the Colorado Legislature," Colorado House District 6A Meeting, Washington Park United Church of Christ, Denver, CO (May 30, 2010)

"Health Care Reform Possibilities in Colorado," First Universalist Church of Denver, Denver, CO (May 17, 2009)

"Health Care Reform Legislative Wrap-up," Health Care for All Colorado, Boulder County Chapter, Lafayette, CO (May 9, 2009)

"Health Care Reform for Democrats," Idaho Springs Democratic Party Annual Picnic, Idaho Springs, CO (July 11, 2009)

"The Colorado Guaranteed Health Care Act (HB09-1273)," Windsor Gardens Democratic Club, Denver, CO (April 28, 2009)

"Single-Payer Health Care," Alliance of Professional Women's Public Affairs Committee, Denver, CO (April 21, 2009)

"Health Care in Colorado," Healthcare Issues Meeting Summary (with Sen. Joyce Foster) Colorado House District 6B, Denver, CO (April 16, 2009)

"The Green Party USA's Platform and HB09-1273 Compared," Evergreen Convergence, Green Party Colorado, Evergreen, CO (April 11, 2009)

"Health Care Legislation in Colorado," Amalgamated Transit Union, Local 1000 (March 2, 2009)

"Single Payer Facts," Roots Camp, Central Presbyterian Church, Denver, CO (January 31, 2009)

"Medical Malpractice: The Facts May Set You Free," Exempla Saint Joseph Family Medicine Residency, Denver, CO (January 9, 2009)



"Health Care Reform: HB09-1273," Colorado Social Legislation Committee, Denver, CO (January 5, 2009)

"Torts: A Primer for Doctors," Exempla Saint Joseph Family Medicine Residency, Denver, CO (December 18, 2008)

"The Costs of Health Care in the United States," Colorado Brain Injury Association, Vail, CO (October 17, 2008)

"HR 676: An Overview," Health Care for All Colorado, Denver Chapter, August 2, 2008

"A Civil Action," Law and Literature Book Discussion, 2008 Annual Meeting of the Colorado Trial Lawyers Association, Snowmass, CO (August 9, 2008)

Numerous campaign talks, speeches, and forums as part of campaign for Colorado House District 6, September 2007 - March 2008

Panelist, Patient Safety Town Hall Meeting, with Sen. Morgan Carroll, Aurora Community College (November 15, 2007)

"The Sunset of No-Fault, Personal Injury Protection (PIP), and the Collateral Source Rule: The Last Word (Again) on No-Fault," Continuing Legal Education, Colorado Bar Association, Denver, CO (September 7, 2007)

"Research, Networking, & Getting Necessary Information: The Sausage Pipe," Colorado Trial Lawyers Association Annual Meeting, Steamboat Springs (August 9, 2007)

"Channeling Larry Lee: Complaints," Colorado Trial Lawyers Association Annual Meeting, Steamboat Springs (August 9, 2007)

Co-presenter/Commenter with Whitney High, M.D., Assistant Professor, Dermatology and Dermatopathology, University of Colorado School of Medicine, "Clinical, Histological, and Medicolegal Aspects of Malignant Melanoma," American Academy of Dermatology, 65th Annual Meeting, Washington D.C. (February 3, 2007)

"Equitable Subrogation," Blockbuster 2007, Colorado Trial Lawyers Association, Denver, CO (January 25, 2007)

"Dermatology and Medical Malpractice in Colorado: Real Facts and the Views of a Trial Lawyer," Colorado Dermatologic Society, Denver, CO (December 4, 2006)

"The Ethics of Serving Two Masters: Conflicts of Interest in the Simultaneous Representation of Common Carriers and Operators," Getting the Big Picture: The Transportation Law Institute of 2006, The 39th Transportation Law Institute, Denver, CO (October 27, 2006)

"Hospital Liens," Subrogation Seminar, Colorado Trial Lawyers Association, Subrogation Seminar, Denver, CO (October 20, 2006)

Roundtable participant, "Cultural Foundations of Tort Law," Law and Society Association Annual Meeting, Baltimore, MD (July 7, 2006)

"The Salmon Run: A New Metaphor for Understanding Injuries, Claims, and Tort Litigation in Context," Cultural Foundations of Tort Law, University of Denver Sturm College of Law (April 7, 2006)

"Securing Payment for the Medical Treatment of Uninsured Tort Victims," Boulder County Bar Association, Boulder, CO (February 14, 2006)

"Victims, Compensation, and Accountability: Tort Law Truth," Colorado Citizens for Accountability Rollout Event, Starz Film Center, Denver, CO (December 13, 2006)

"Medical Malpractice," St. Joseph's Hospital Family Medicine Residency Program, Denver, CO (October 28, 2005)

"Tort Law for Doctors," St. Joseph's Hospital Family Medicine Residency Program, Denver, CO (October 14, 2005)

"Keep the Negroes Out of Most Classes Where There Are a Large Number of Girls': Cross-cutting stories of the Ku Klux Klan, Admissions, and Standardized Testing at The University of Texas, 1899-1999," Conference and Festschrift in Honor of Lawrence Friedman, Stanford Law School (September 30 - October 1, 2005)

"The Smell of the Stacks: An End-User's Perspective on Interlibrary Loan," 36th Annual Interlibrary Loan Conference, Denver, Colorado, April 28, 2005

"Golf: Etiquette, History, and Return on Investment," Business Law Society, University of Denver Sturm College of Law, September 8, 2004

"The Historical and Legal Context for *Brown v. Board of Education*," Building Constructive Frameworks for Improving Ethnic Relations: Best Practices Here and Abroad 50 years after *Brown v. Board of Education*," University of Denver, August 19-21, 2004

Guest Lecture, "Restorative Justice," Professor Tamra D'Estree's Conflict Resolution seminar, University of Denver, April 2004

"The Make-Whole Doctrine, Hospital Liens, and Experts," Blockbuster, Colorado Trial Lawyers Association (Denver, January 30, 2004)

"Restorative Justice: Possibilities for Trinidad and Tobago," invited to speak by the Ministry of the Attorney General, Ministry of National Security and Rehabilitation, the Restorative Justice Action Group, and the University of the West Indies. Port of Spain, Trinidad and Tobago (December 16, 2004)

"Restorative Justice and Community Safety," Gulf View Residents Association, San Fernando, Trinidad and Tobago (December 8, 2004)

"Restorative Justice and Indiscipline in Trinidad's Schools," Invited Speaker by Ministry of Education School Supervisor III Dr. George Gowrie, Prince's Town, Trinidad and Tobago, December 6, 2004

"Denver Community Court," Colorado Municipal League CLE, Vail, CO, October 11, 2003

"Restorative Justice," CLE program, University of Denver Sturm College of Law Alumni Weekend, September 20, 2003

"The Tort Pyramid and Tort Reform," part of a panel entitled "Roundtable—Torts: A Sociolegal Beachhead in the First-Year Law School Curriculum," 2003 Annual Meeting of the Law and Society Association, Pittsburgh, PA, June 5, 2003

"Restorative Justice," presentation to Conflict Resolution Forum, University of Denver, May 15, 2003

"Boulder Riots," Guest Lecture in CORE 2512, "Coming of Age," Professor Bonnie Adrian, University of Denver, May 13, 2003

"Coming of Age on Boulder's University Hill?" Guest Lecture in CORE 2512, "Coming of Age," Professor Bonnie Adrian, University of Denver, May 14, 2002

"The Everyday Law of Slavery," Diversity Week lecture, University of Denver Sturm College of Law, April 2, 2002

"The Rise and Fall of Restorative Justice in Boulder," The Utah Restorative Justice Conference, University of Utah S.J. Quinney College of Law, March 22, 2002

"New Frontiers in Restorative Justice: Restorative Justice in Boulder," Colorado Council of Mediators and Mediation Organizations, September 28, 2001

"Restorative Community Justice on University Hill: Successes and Obstacles in the Implementation of Restorative Solutions," 2001 Rocky Mountain Restorative Community Justice Conference--"Beyond Just Us," Keystone, CO, 4-6 September 2001

"Tools for the Neighbors and Results for the Community: Law, Restorative Justice, and Boulder's University Hill Neighborhood Association," presented at:

- 28th Annual National Conference on Juvenile Justice, National Council of Juvenile and Family Court Judges/National District Attorney's Association Annual Meeting, Reno, NV, March 19, 2001
- Colorado Municipal Judges Association, Estes Park, CO, April 2001

"Race and the Late Twentieth-Century History of Education in Texas," Guest Lecture, Professor Catherine Kemp's course, "Ideology and Culture: Racism and Sexism," Philosophy Department, University of Colorado at Denver, November 15, 2000

"Blood on the Tracks: Early Twentieth-Century Streetcar Injuries, Claims, and Litigation in Alameda County, California," University of Denver Sturm College of Law, November 9, 2000

"Race and History in the Land of *Sweatt v. Painter* and *Hopwood*: Theory and Practice of a Seminar Entitled 'The History of Racial Discrimination at The University of Texas,'" Society of American Law Teachers teaching conference, New York University School of Law, October 21, 2000

"Reading the Past into the Present: Studying and Teaching the History of Racial Discrimination at The University of Texas" presented as part of "Documenting the History and Current Practice of Racism: A Workshop on Techniques and Community Creation," LatCrit V, Breckenridge, CO (May 5, 2000)

"Law and Society in a Law-and-Law Environment: On Using McDonald's Coffee, Movies, and History to Introduce Law Students to the Law-and-Society Way," part of a panel titled Roundtable--Bringing Students In: The Introductory Law and Society Course, Law and Society Association Annual Meeting, Miami, FL (May 26, 2000)

Guest Lecture, Professor Dagmar Hamilton's *Policy Development* course, LBJ School, The University of Texas, February 28, 2000

"Keeping 'Negroes out of Most Classes Where There are a Large Number of Girls': The University of Texas from the Klan through *Sweatt v. Painter* to *Hopwood*," McGeorge School of Law (December 10, 1999)

"Blood on the Tracks: A Sociolegal Study of Turn-of-the-Century Streetcar Injuries, Claims, Litigation, and Compensation (Below the Realm of the Appellate Courts, University of Pittsburgh, Department of History (October 8, 1999)

"Keeping 'Negroes out of Most Classes Where There are a Large Number of Girls': The University of Texas from the Klan through *Sweatt v. Painter* to *Hopwood*," Chicago-Kent College of the Law (September 28, 1999)

"Episodes and Lessons from the Racial History of a University: The University of Texas from the Klan through *Sweatt v. Painter* to *Hopwood*," University of Colorado School of Law (September 17, 1999)

"History of Racial Discrimination at The University of Texas: One Strategy for the Post-*Hopwood* World," presented as part of a roundtable "Affirmative Action and Admission to Colleges, Graduate Schools, and Law Schools," Law and Society Association Annual Meeting, Chicago, IL (May 27-30, 1999)

"Deaths on the Tracks: Solace and Recompense in Turn-of-the-Century Streetcar Deaths," Law and Society Association Annual Meeting, Chicago, IL (27-30 May 1999)

"William Stewart Simkins: Law Professor and Klansman," Thurgood Marshall Legal Society, School of Law, The University of Texas (April 26, 1999)

"The Racial History of The University of Texas," guest lecture in Judge Ouisa Davis's course entitled "From *Brown* to *Hopwood*: Throwing the Baby Out with the Bathwater," The University of Texas El Paso, African-American Studies/History Department (April 14, 1999)

"The Racial History of The University of Texas," guest lecture in Vice Provost Ricardo Romo's course entitled "Civil Rights in America, The University of Texas at Austin, History Department (April 1, 1999)

"Course-Related Materials on the Internet: Why and How," with Alex Albright, The University of Texas School of Law Faculty Presentation (February 2, 1999)

"Colonel William Stewart Simkins: Klan Organizer, UT Law Professor, and Dorm Namesake," presented as part of a mini-conference discussing Sanford Levinson, *Written in Stone* (1998), School of Law, The University of Texas (February 14, 1999)

"A Legal History of Admissions and Affirmative Action from *Sweatt v. Painter* (1950) to *Hopwood v. Texas* (1996)," Education Writers Association," Education Writers Association, Austin, TX (January 22, 1999)

"The History of Racial Discrimination at The University of Texas: Historical and Pedagogical Issues," History Department, Rice University (October 30, 1998)

"*Sweatt v. Painter* and the Establishment of Texas Southern University Law School," Texas Southern University School of Law (October 29, 1998)

"Blood on the Tracks: Turn-of-the-Century Streetcar Injuries, Claims, and Litigation," Rorschach Lecture, Rice University (October 29, 1998)

"Excesses of Democracy," Patrick Henry Chapter of the Sons of the American Revolution, Austin, TX (August 15, 1998)

"History of Racial Discrimination at The University of Texas," What's Goin' On: Africa and the African Diaspora at The University of Texas at Austin, The Center for African and African-American Studies (February 11, 1998)

"Blood on the Tracks: Tort Law in Action at the Turn of the Century," University of Wisconsin at Madison Law School (November 13, 1997)

"Blood on the Tracks: Turn-of-the-Century Streetcar Injuries, Claims, and Litigation in Alameda County, California," presented at:

- The University of Texas Department of History (September 26, 1997)
- New York University, Institute for Law and Society, Law & Society Faculty Colloquium (October 6, 1997)
- American Society for Legal History Annual Meeting, Minneapolis (October 18, 1997)
- Social Science History Workshop, Stanford University (April 10, 1996)
- Huntington Library (March 2, 1996)

- University of California, Berkeley, Center for the Study of Law and Society (JSP, School of Law (Boalt Hall) (February 26, 1996)
- University of California, Hastings College of the Law (February 16, 1996)

"A Trip Down Market Street, or Blood on the Tracks: An Empirical Look at Turn-of-the-Century Streetcar Torts in Alameda County, California," Law and Society Association Annual Meeting (June 1995)

"A New Image of the Slave Auction," Bondage, Freedom, and the Constitution: The New Slavery Scholarship and its Impact on Law and Legal Historiography, Cardozo Law School (19-20 February 1995)

"Slave Auctions on the Courthouse Steps," Social Science History Association (October 1994)

"The Antebellum Courthouse as Creditors' Domain" and "Slave Prices by Operation of Law," The University of Texas School of Law (March 1994)

"Sale Day in Antebellum South Carolina," The University of Texas at Austin, Department of History (November 1993)

"The Problem of Low Prices at Sales by Operation of Law: Appellate Construction of Markets in Antebellum South Carolina," American Society for Legal History (October 1990)

"Slave Prices by Operation of Law: The Social and Legal Construction of Economic Exchange in South Carolina, 1823-1865," Law and Society Association (June 1990)

"Slave Auctions by Operation of Law: Prices and the Legal Construction of Markets in South Carolina, 1820-1860," Social Science History Workshop, Department of Economics, Stanford University (May 1990)

#### **CONFERENCE COMMENTS:**

Chair and commenter, "The Irish in America," at conference titled The Irish Diaspora and Revolution, 1845-1945, Department of History, NUI, Maynooth and The Gathering, Ireland 2013 (October 31, 2012)

Debate Moderator, "Fundamentals of Healthcare," Federalist Society, American Constitution Society, and Public Interest Law Group, University of Denver Sturm College of Law, Denver, CO (October 1, 2009)

Chair, "History and Context for Attempts to Shape Intergroup Contact," Building Constructive Frameworks for Improving Ethnic Relations: Best Practices Here and Abroad 50 years after *Brown v. Board of Education*," University of Denver, 19-21 August 2004

Introduction of Professor Derrick Bell, Plenary Speaker, 2003 Annual Meeting of the Law and Society Association (June 5, 2003)

Chair, "Historical Approaches to Law and Jurisprudence," Law and Society Association (May-June 2002)

Chair, "Crime and the Restoration of Community," Law and Society Association (May-June 2002)

Comment on William J. Woodward, Jr., "Neoformalism in a Real World of Forms," University of Wisconsin School of Law Contracts Conference, Madison, WI (October 15, 2000)

Comment on Work in Progress by Professor Mary Romero, "The Textual Character of the Objectified Latino Criminality: The Case of Julio Valerio," LatCritV, Breckenridge, CO (May 6, 2000)

Chair and Participant, "35th Anniversary Roundtable--Policy: Where Have All the Gaps Gone?" Law and Society Association (June 29, 1999)

Chair and commenter, "Social and Legal Concerns," The University of Texas at Austin Plan II Senior Thesis Symposium (March 27, 1999)

Commenter, "Slave Traders and the Slave Trades," Social Science History Association Annual Meeting (November 21, 1998)

Commenter, "Historical Perspectives on Race and Law in the United States: Three Case Studies," Wisconsin Sesquicentennial Symposium, University of Wisconsin, Madison--School of Law (September 27, 1998)

Chair, "Credit Mechanisms and Law in the Nineteenth-Century South," American Society for Legal History (October 1995)

Chair, "New Work in North American Legal History," Law and Society Association (June 1995)

Chair and Comment, "Biography and Legal History," Comment on Presentations of Andrew L. Kaufman (Harvard Law School) and Zipporah Wiseman (The University of Texas School of Law), American Society for Legal History (November 1992)

## **GRANTS AND AWARDS**

Robert L. Habush Endowment Grant, American Association for Justice (2022-23)

Hughes-Ruud Mini-Grant: \$3,000 grant (Summer 2021)

Outstanding Faculty Member Award of the University of Denver Student Bar Association (2019-20)

Faculty Career Champion: University of Denver, Mentor/Advisor (2017, 2018, 2019, 2020)  
Nominated by students for making a difference by going above and beyond in support of student internship, career, and continuing education goals

Hughes-Ruud Mini-Grant: \$3,300 award to support collection of data for follow-up to "Frivolous Defenses" (Summer 2020)

Summer Research Grant: University of Denver Sturm College of Law (Summer 2020)

Summer Research Grant: University of Denver Sturm College of Law (Summer 2019)

Excellence in Leadership: Health Care for All Colorado for outstanding leadership and legislative advocacy as Vice President of Health Care For All Colorado in working to achieve single-payer universal health care for all Coloradans (June 20, 2009)

Hughes-Ruud Professorship: Competitive grant to support sociolegal scholarship at the University of Denver Sturm College of Law. Included one-semester research leave as Hughes-Ruud Professor (2006-07)

Summer Research Grant: University of Denver Sturm College of Law (Summer 2006)

Summer Research Grant: University of Denver Sturm College of Law (Summer 2005)

Winner, Colorado Trial Lawyers Association Golf Tournament: 2004 Annual Meeting, Steamboat Springs, CO (Formed and played on four-person scramble team that won the tournament, played at Sheraton Steamboat Springs Golf Resort, with a ten-under-par 62)

Summer Research Grant: University of Denver Sturm College of Law (Summer 2004)

Provost Bonus for Outstanding Service and Dedication to the College of Law: (February 2004)

Fulbright Senior Specialist Award: Fulbright Scholar Program, United States Department of State, Bureau of Educational and Cultural Affairs. Funding to support teaching intensive course on Restorative Justice at the invitation of the University of the West Indies, St. Augustine Campus, Trinidad and Tobago. (November-December 2003)

Summer Research Grant: University of Denver Sturm College of Law (Summer 2003)

Summer Research Grant: University of Denver Sturm College of Law (Summer 2002)

Hughes-Ruud Research Fund Grant: Awarded \$6,000 grant to support introducing new faculty members to the Law and Society Association at the 2002 annual meeting

Provost Bonus for Outstanding Service and Dedication to the College of Law (February 2002)

Summer Research Grant: University of Denver Sturm College of Law (Summer 2001)

Teachtech Summer Grant: Participate in the implementation of web-based enhancements of curriculum and integration of first-year curriculum. University of Denver Sturm College of Law (Summer 2001)

Summer Research Grant: The University of Texas School of Law (Summer 2000)



Law Week Faculty Honoree: 32d Annual W. Page Keeton Law Week, sole faculty member selected by the Student Bar Association of The University of Texas School of Law to receive this honor (March 2, 2000)

Summer Research Grant: The University of Texas School of Law (Summer 1999)

Outstanding UT Law Faculty Member Award: Thurgood Marshall Legal Society, The University of Texas School of Law, 1998-99 Annual Awards Banquet, April 15, 1999

Alyce Drysdale Sheffield Regents Chair in Law: The University of Texas School of Law (Summer 1998)

Received Grant to Support FAST Tex Intern: The University of Texas, Center for Instructional Technologies, Faculty And Student Teams for Technology. Selected to receive student intern to develop Web orientation of "History of Racial Discrimination at U.T." seminar (1998)

Jurist Site of the Week: Bernard J. Hibbitts, editor of JURIST: Law Professors on the Web, Associate Dean for Communications & Information Technology, and Professor of Law at the University of Pittsburgh School of Law selected my web site as Jurist Site of the Week for the week of September 29, 1997

Alyce Drysdale Sheffield Regents Chair in Law: The University of Texas School of Law (Summer 1997)

John and Melba Estes Regents Research Professorship in Law: The University of Texas School of Law (Summer 1996)

Morris and Rita Atlas Family Centennial Professorship in Law: The University of Texas School of Law (Summer 1995)

Cooper K. Ragan Regents Professorship in Law: The University of Texas School of Law (Summer 1994)

Summer Research Grant: The University of Texas School of Law (Summer 1993)

Open Door Award: The University of Texas School of Law. Selected by students as "member of the faculty who has demonstrated outstanding qualities of accessibility, friendliness, and concern in his/her relationships with individual students both inside and outside the classroom." (March 1993)

Summer Research Grant: The University of Texas School of Law (Summer 1992)

Summer Research Grant: The University of Texas School of Law (Summer 1991)

John E. Rovensky Fellowship in American Business and Economic History: University of Illinois Foundation; supported graduate research in economic history (1990-91)

James Birdsall Weter Memorial Fund Grant: Stanford History Department; (1990-91)

Littleton-Griswold Research Grant: American Historical Association; competitive research grant to support research in the history of American law and society (1990)

Mellon New Directions Fellow: Stanford University; two-year full-tuition fellowship with stipend to support graduate study in law and history (1988-90)

Departmental Fellow: Stanford History Department; four-year fellowship (1984-88)

Richter Research Fellow: Northwestern University College of Arts and Sciences (1982)

Wingspread Fellow: Johnson Foundation, Racine, Wisconsin (1982)

## **PRACTICE OF LAW**

Bold, Educated Lawyering LLC (2015-present)

- General litigation practice formed for the experiential education of law students focusing on civil rights, commercial, insurance, probate, and personal injury litigation

Law Office of Professor Thomas D. Russell, Ph.D., LLC (2003-13)

- Commercial and personal injury litigation; business planning; and administrative law practice related to the taxi industry

Morrison and Foerster LLP (Summer 1988)

- Summer associate

## **Bar Memberships**

- Colorado, California

## **Expert Testimony**

- In the Matter of the Estate of Josephine Padilla, Probate Court, Denver County (02 PR 1563) Retained by Leventhal, Brown, and Puga, Denver, CO to testify concerning the law regarding attorneys' fees and the reasonableness of the fees in the Padilla case No Deposition (December 9, 2002)

## **SERVICE**

### **University Service**

#### **University of Florida:**

- Admitted Students Day (March 18, 2022)
- Mock-deponent, Professor Paige Snelgro's pre-trial practice course (April 4, 2022)

### **University of Denver:**

- Chair, Examinations, Standing, and Readmissions Committee (2009-2018, 2021-22); Member (2019-20)
- Faculty Executive Committee Budget Subcommittee (2020-21)
- COVID-19 Planning Committee (Summer 2020 – 2022)
- Tribal Wills Project, Cahuilla Band, Anza, CA (May 2019)
- College of Law Budget Committee (2005-06)
- Admissions and Financial Aid Committee, Scholarships Subcommittee (2005-06)
- Faculty Advisor, Student Trial Lawyer Association (2005-2006)
- Titles and Job Classification Ad-Hoc Committee (2005-06)
- Conference Planning Committee, Building Constructive Frameworks for Improving Ethnic Relations: Best Practices Here and Abroad 50 years after *Brown v. Board of Education*," 19-21 August 2004
- Library Committee (2004-05)
- Policy Committee (Elected) (2002-03)
- Scheduling Committee (2002-03)
- Appointments Committee (Chair, August-October 2005; 2003-04, 2001-02)
- National Fundraising Campaign Committee (2001-03)
- Faculty/Staff Fundraising Campaign Committee (2001-03)
- TeachTech Committee (2001-02)
- Faculty Note-taker (2001-02)
- Faculty Presenter, College of Law Commencement (December 2001, May 2002, December 2002, May 2003, December 2003, May 2004)
- Presenter before College of Law Visiting Committee (October 2002)

### **National University of Ireland, Maynooth:**

- Moot Court Judge, Preliminary and Semi-final rounds, Maynooth Law Society, Silken Thomas Inter-Varsity Moot Court Competition, April 6, 2013
- "Why Law is a good subject for Arts students," Orientation talks, Faculty of Arts (September 2012)
- "The Study of Law," Open Day talk (November 24, 2012)
- "Exam Preparation," Panel Discussion in Lecturer Ilana Buschkin's legal writing module (December 13, 2012)
- Moot Court Judge for Lecturer Aideen Ryan's module

### **The University of Texas:**

- Faculty Council Executive Committee (1997-98)

- Faculty Council (At-Large Representative, 1997-99)
- Elected by Law School Faculty as Representative to Faculty Council (2000-02)
- Budget Advisory Committee of the General Faculty (1997-98)
- University Hearing Officer (1998-99)
- University Hearing Officer Pool (1991-94, 1997-99)
- Chair, UT Student Government Appellate Court (1998-2000)
- Commencement and Academic Ceremonies Committee of the General Faculty (1997-99)
- Heman Sweatt Symposium Steering Committee (1994-95, 1999)
- Law School Computer Services Committee (1993-95, 1996-97)
- Chair, Law School Interdisciplinary Issues Committee (1997-98)
- Law School Curriculum Committee (1991-95, 1996-99)
- Law School Library Committee (1991-94, 1996-97)
- Law School Standards and Rules Committee (1991-93)

## **Legislative**

Colorado Guaranteed Health Care Act, House Bill 09-1273. Assisted with the drafting and research of the Colorado Guaranteed Health Care Act, which would have been a step toward a state-level, single-payer health care plan. Served as registered volunteer lobbyist while vice-president of Health Care for All Colorado and helped bring the Act within one vote of passing the House of Representatives. Testified (March 4, 2010) before the House Business Affairs and Labor Committee. Organized support by more than 60 organizations for the bill. Delivered countless speeches on behalf of the bill. First Regular Session of Sixty-Eighth General Assembly of the State of Colorado. (2009)

House Bill 09-1170. Testified in favor of bill that would have ensured that union workers locked out by management would receive unemployment benefits. House Committee on Business Affairs and Labor. (March 4, 2009) Vetoed by Gov. Bill Ritter (2009)

Task Force on the Study of Health Care for Vulnerable Populations. Testimony in favor of single-payer health care reform proposals. Old Supreme Court Chambers, Colorado State Capitol (December 3, 2008)

Candidate, Five-way race for Democratic Nomination for Colorado House District 6. Advocated single-payer health care; solution to TABOR/Arveschoug-Bird constitutional mess; and elimination of the ad valorem county tax deduction (oil severance tax) to pay for higher education. Raised funds, participated in candidate forums, walked districts. Withdrew due to time constraints; endorsed and campaigned with Lois Court, the eventual winner of the Democratic primary and general election. (September 2007 - March 2008)

Senate Bill 07-256. Using poker chips, testified in support of bill and explained that SB256 would stack uninsured and underinsured motorist coverage on top of liability coverage. House Committee on Business Affairs and Labor (April 30, 2007) Signed into law

Michael Skolnik Medical Transparency Act, House Bill 07-1331. Testified in support of the bill, which requires the Board of Medical Examiners to make publicly available information concerning physicians' training, disciplinary actions, and judgments. House Committee on Health and Human Services (March 22, 2007) Senate Committee on Business, Labor, and Technology (April 25, 2007) Signed into law

House Bill 04-1235. Testified in support of bill that would have allowed double damages for workers whose employers fail to pay them after written demand for earned wages. (February 10, 2004) Failed in 2004 but subsequently reintroduced and signed into law in 2007

Senate Bill 02-73. Testified in support of bill concerning protection of Colorado homeowners against abusive home loan practices of predatory lenders. House Committee on Information and Technology (April 15, 2002) Bill killed in committee

Authored Texas Local Government Code Section 202.004. Drafted amendment to Local Government Code to allow local governments to transfer records to public institutions of higher learning, libraries, and museums. Amendment incorporated into Senate Bill 366, Texas Legislature, 74th Regular Session. Signed into law

Authored Senate Bill 771. Texas Legislature, 73d Regular Session, Drafted amendment to Medical Practice Act [Vernon's Ann.Civ.St. art. 4495b, Sec. 5.08(d) (1993)] to allow historical researchers access to medical records 100 years old or older (Approved June 6, 1993) Signed into law

## **Community Service**

- Special Projects, Successful Campaign of Candi CdeBaca for Denver City Council District 9 (Spring 2019)
- Judge, Speech and Debate, National Forensic League Competitions, George Washington High School, Denver Public Schools (Fall 2008 - August 2012)
- Poll watcher, Democratic party, November 2008 general election, Denver, CO
- Listserv owner, Lowry Northwest Neighborhood Safety/Crime List (2004-2012)
- Parent listserv owner, Montclair Marlins Swim Team (Summer 2007-2008)
- Volunteer, FairVote Colorado, November 2, 2004 (Answered legal questions from voters)
- Member, Denver Community Court Working Council (December 2002-December 2003)
- Assistant Coach, Southeast Denver Baseball League Cardinals, Instructional League, 7-8-year-olds (Summer 2002)
- Community Accountability Board volunteer, Division of Community Justice, Denver District Attorney's Office, November 2000-2002
- Founding member, executive committee, webmaster, and keeper of listserv (October 2000-May 2001) University Hill Neighborhood Association, Boulder, CO Authored "Neighbors Working Hard to Improve Hill," *The Daily Camera*, Boulder, CO, January 20, 2001
- Guest lecture, "Alcohol and Tort Liability," Lambda Chi Alpha fraternity, University of Colorado, Boulder (March 2001)

- Volunteer, Alaya Pre-School, Boulder, CO (2001-02)
- Volunteer, New Horizons Pre-School, Boulder, CO (2000-01)
- Volunteer, Flatirons Elementary School, Boulder, CO (2000-02)
- Volunteer, Mothers' Milk Bank at Austin (1999-2000)
- Homeroom Parent, Mrs. Salcher's Kindergarten Class, Mathews Elementary School, Austin Independent School District (1999-2000)
- Keeper of the fish tank, listserv, and HEPA filters, Habibi's Hutch and Natural Childlife Preserve Preschool, Austin, TX (1996-2000)

## **Professional Service and Memberships**

- Colorado Trial Lawyers Association (Executive Committee, 2005-2008; Board of Directors, 2005-2008)
- Law and Society Association (Trustee, Class of 2006; Chair, Program Committee, 2003 Annual Meeting; Dissertation Prize Committee, 2001-02; Kalven Prize Committee, 1999-2000; Board of Editors, *Law & Society Review*, 1998-2000; Program Committee, 1999 Annual Meeting; Graduate Student Workshop, 1999; Student Prize committee, 1997-98; J Willard Hurst Prize Committee, 1995-96)
- Irish Association of Law Teachers (2012-13)
- Health Care for All Colorado (Vice President and Board Member, November 2008 - August 2009)
- Health Care for All Colorado Foundation (Vice President and Board Member, July 2008 - November 2008)
- Colorado Citizens for Accountability (Advisory Board, 2005-2009)
- American Bar Association
- Friends of the Bancroft Library
- American Society for Legal History (Program Committee, 1992)

## **Peer-Reviews**

- *Journal of Economic History*
- *Law and History*
- *Law & Social Inquiry*
- *Law & Society Review*
- National Science Foundation
- *Social Science History*

This cv excludes media appearances/mentions

Last edit: 7/1/22