

ALLISON ORR LARSEN

William & Mary Law School
613 South Henry Street, Williamsburg, Virginia 23185
amlarsen@wm.edu

EXPERIENCE:

William & Mary Law School, Williamsburg, Virginia

Alfred Wilson & Mary I.W. Lee Professor of Law (with tenure) (current position)

Director, Institute of Bill of Rights Law, (appointed 2020) (current position)

Associate Professor of Law, July 2013 – July 2016

Assistant Professor of Law, Fall 2010 – July 2013

- Courses Taught: Constitutional law, Administrative law, Statutory Interpretation, Advanced Constitutional Law
- 2023 1L Professor of the Year Award
- 2018 & 2015 Plumeri Award for Faculty Excellence (university-wide award)
- 2016 McGlothlin Teaching Award (inaugural recipient)
- 2014 SCHEV Outstanding Faculty Award, “Rising Star”
 - Awarded by the State Council of Higher Education of Virginia (SCHEV), these awards are the Commonwealth’s highest honor for faculty at Virginia’s public and private universities.
 - Two faculty members in the state are recognized annually as early career “Rising Stars”
- Class of 2013 Walter Williams Jr Memorial Teaching Award – awarded by graduating class to one member of the faculty
- 2012 Alumni Fellowship Award (university-wide award)

Harvard Law School,

Daniel P.S. Paul Visiting Professor of Constitutional Law, Fall 2018

Oxford University, UK

Visiting Scholar, Hertford College and Centre for Socio-Legal Studies, Fall 2016

Catholic University, Columbus School of Law, Washington, DC

Scholar in Residence, 2009 – 2010

O’Melveny & Myers LLP, Washington, DC

Associate, January 2007 to May 2009

JUDICIAL CLERKSHIPS:

The Honorable David H. Souter, Supreme Court of the United States

Law Clerk, 2005-2006 Term

The Honorable J. Harvie Wilkinson, III, U.S. Court of Appeals for the Fourth Circuit

Law Clerk, 2004-2005 Term

PUBLICATIONS:

How The Courts Can Save Themselves (with Neal Devins), OXFORD U. PRESS (forthcoming 2025).

Becoming a Doctrine, 76 Fla. L. Rev. __ (forthcoming 2024)

- Featured in the *New York Times*. Adam Liptak, *The Curious Rise of a Supreme Court Doctrine that Threatens Biden's Agenda* (NY Times, March 2023).
- Selected as Download of the Week by Legal Theory Blog (March 3, 2023)

The Precarious Art of Classifying Facts, 73 Duke L.J. Online __ (forthcoming 2024)

Circuit Personalities, 108 Va. L. Rev. 1315 (2022) (with Neal Devins)

- Featured in Cover Story, *How Fostering 'Circuit Personalities' Can Help Curb Partisan Divisions in the Judiciary* (National Law Journal, April 2022)

Weaponizing En Banc, 96 NYU L. Rev. 5 (2021) (with Neal Devins)

- Featured in *New York Times*: Adam Liptak, *On Federal Courts, a Spike in Partisanship*, (NY Times, February 22, 2021).
- Selected as Download of the Week by Legal Theory Blog (February 12, 2021) and Top Ten Download of the Year (December 31 2021)
- Cited by Sixth Circuit Court of Appeals in *Bristol Regional Women's Center, P.C. v. Slatery*, -- F.3d --, 2021 WL 650893 at *1 n.3 (6th Cir. Feb. 19, 2021).

Judging Under Fire & the Retreat to Facts, 61 William & Mary Law Rev. 1083 (2020)

Judicial Decision-Making (West 2020) (with Barry Friedman, Maggie Lemos, Andrew Martin, Tom Clark and Anna Harvey)

Virtual Briefing in the Supreme Court, 105 Cornell Law Rev. 85 (2019)(with Jeff Fisher)

- Number 2 download on all of SSRN (week of June 3rd), and voted a top ten article of the year by Legal Theory Blog
- Featured in *Reuters* and in other national media and numerous blogs. See, e.g. Frankel, *Supreme Court scholars' new paper sparks debate over influence of blogs, podcasts* (May 30, 2019)
- Favorably reviewed in JOTWELL (Marin Levy, September 4, 2019)
- Awarded the 2018 Eisenberg price for best piece of scholarship about appellate courts by the American Academy of Appellate Lawyers

Constitutional Law in an Age of Alternative Facts, 93 NYU L. Rev. 175 (2018)

Supreme Court Norms of Impersonality, 33 Constitutional Commentary 373 (2018)

Judicial Fact-Finding in an Age of Rapid Change: Creative Reforms from Abroad, 130 Harv. L. Rev. F. 316 (2017)

The Amicus Machine, 102 Va. Law Rev. 1901 (2016) (with Neal Devins)

- Featured in *The New York Times*, Adam Liptak, *Study Shows How Much Work It Takes to Be Supreme Court's Friend*, (March 7, 2016)

- Awarded the 2016 Eisenberg price for best piece of scholarship about appellate courts by the American Academy of Appellate Lawyers

Do Laws Have a Constitutional Shelf Life?, 94 Tex. Law Rev. 59 (2015)

- Selected as Download of the Week by Legal Theory Blog (April 25, 2015)

The Trouble with Amicus Facts, 100 VA. LAW REV. 1757 (2014)

- Discussed with Stephen Colbert as a guest on Comedy Central's *The Colbert Report* (October 6, 2014)
- Cited by Seventh Circuit Court of Appeals, *Rowe v. Gibson*, 798 F.3d 622, 638 (2015) (Judge Hamilton, dissenting)
- Featured in *The New York Times* (Adam Liptak, "Seeking Facts, the Justices Settle for what the Briefs tell Them," September 1, 2014)
- Featured on Talking Points Memo (Sahil Kapur, "Seven Times the Court has Relied on Sketchy Facts," September 2, 2014)
- Selected as one of ten "Downloads of the Year" on Lawrence Solum's, Legal Theory Blog.

Factual Precedents, 162 U. PA. L. REV. 59 (2013)

- Favorably reviewed on JOTWELL by Adam Steinman, "Judicial Fact-Making" (November 2014)

Confronting Supreme Court Fact Finding, 98 VA L. REV. 1255 (2012)

- Cited by the Fourth Circuit, *United States v. Perkins*, 67 F.4th 583, 640 (4th Cir. May 4, 2023).
- Cited by the Ninth Circuit, *Isaacson v. Home*, 716 F.3d 1213, (9th Cir. 2013).
- Featured in *The Washington Post*, (Robert Barnes, "Supreme Court rule: (Other) justices shouldn't conduct independent research," March 25, 2018)
- Featured in *The New York Times*, (Adam Liptak, "In Supreme Court Opinions, Web Links to Nowhere," September 23, 2013)
- Featured in *The Boston Globe* (Josh Rothman, "Supreme Court Justices Addicted to Google," June 7, 2012).

Bargaining Inside the Black Box, 99 GEORGETOWN LAW JOURNAL 1567 (2011)

- Cited by US District Court (WD VA), *Ewing v. Clarke*, No. 19-cv-00702 (2020)

Perpetual Dissents, 15 GEORGE MASON LAW REVIEW 447 (2008)

- Featured in *The New York Times* (Adam Liptak, "When Perpetual Dissent Removes the Blindfold," September 5, 2011)

OTHER PUBLICATIONS:

- *Why the Word 'Doctrine' Matters in the Major Questions Doctrine*, Bloomberg Law, July 6, 2023.
- *The Supreme Court Decisions on Guns and Abortion Relied Heavily on History. But Whose History?*, Politico, July 26, 2022.
- *Legal scholarship highlight: The Amicus Machine*, SCOTUSblog (2016) (with Neal E. Devins).

EDUCATION:

University of Virginia School of Law, J.D., 2004

- Highest GPA in a class of 360
- Margaret Hyde Award (highest award given to a UVA law student, selected by the faculty)
- Law School Alumni Award for Academic Excellence, Z Society Shannon Award
- Order of the Coif
- *Virginia Law Review*, Managing Board

The College of William and Mary

B.A., *magna cum laude*, English and Psychology, May 1999

RECENT INVITED PRESENTATIONS

- Northwestern Law School, Public Law Colloquium (2024)
- NYU Law School, Constitutional Colloquium (2023)
- Duke Law School, Judicial Roundtable Workshop (2018-2023)
- Annenberg Retreat at Sunnylands, *Protecting Science and the Courts* (2019) (featured speaker presenting research on amicus briefs funded by Annenberg).
- University of Virginia Law School, Faculty Workshop Series (2018)
- Duke Law School, Constitutional Law Workshop Series (2018)
- Arizona State University, Faculty Workshop Series (2018)
- Harvard Law School, Public Law Workshop (2016)
- University of Chicago Law School, Constitutional Law Workshop Series (2016)
- Cornell University School of Law, Constitutional Law Workshop Series (2015)
- University of Pennsylvania School of Law, Con. Law Workshop Series (2014)
- Oral Argument, Podcast (Episode 97 “Fact-y”)
- National Association of Attorneys General (invited speaker to annual meeting of state solicitor generals, June 2016)
- 2016, 2014 & 2012 Virginia Judicial Conference (invited speaker on Supreme Court’s Term to the annual conference for all Virginia judges)
- 2013 U.S. Court of Appeals for the Fourth Circuit Judicial Conference (invited speaker and panelist (with Ted Olson, Linda Greenhouse, and John McGinnis) to discuss U.S. Supreme Court’s 2012 Term)

SELECT SERVICE

- Associate Dean for Faculty Research & Development (2022-2023)
- Chair, Law School Dean’s Search Committee (2019-2020)
- Appointments Committee (2017-2024, Chair in 2021-2022 and 2023-24)
- Faculty Status and Tenure Committee (2019-2020)
- Clerkship Committee, Chair (2017-2021)
- Honor System Advisory Committee (university-wide) (2017-2020)

SELECT MEDIA APPEARANCES:

- Washington Post, “This Humble Fish may help the Supreme Court weaken the administrative state,” (Ann Marimow, Jan 15 2024)
- NY Times, “June 24, 2022: The Day Chief Justice Roberts Lost His Court,” (Adam Liptak, June 24, 2022).

- Washington Post, “How a Supreme Court case is decided,” (Ann Marimow May 3, 2022)
- CBS News “Supreme Court's Conservatives Assert Control as Momentous Term Comes to an End,” (Melissa Quinn June 30, 2022).
- NYTimes, “New Supreme Court Term Could End Roberts’s Dominant Role” (Adam Liptak Oct. 4, 2020)
- Wall Street Journal, “No Obama or Trump Judges Here,” (Jess Bravin, September 15, 2019)
- USA Today, (Richard Wolf, “His Supreme Court divided like the country, Chief Justice John Roberts prepares for outsized role as umpire,” Sep 25, 2019)
- CNN, (Ariane de Vouge, “Supreme Court Hears from All Corners of the country ahead of travel ban case,” April 24, 2018)
- Wall Street Journal (Jess Bravin, “Obama’s Gun Plan: A Legal Assessment” January 5, 2016)
- Bloomberg, (Greg Stohr, “Post Scalia Clerk Has Liberals Winning, Conservatives Venting, June 28, 2016)
- Washington Post (Bob Barnes, “Justices Kennedy and Scalia and their Divide on Gay Rights, April 26, 2015)
- Newsweek, (Pema Levy, “Does the Hobby Lobby Decision Threaten Gay Rights,” July 9, 2014)
- C-SPAN (June 29, 2013) (Supreme Court 2012-2013 Term Review)
- CNN, (John Blake, “Has the Roberts Court Placed Landmark 1964 Civil Rights Law on a Hit List,” April 10, 2014)
- The Colbert Report, Comedy Central (October 6, 2014) (invited guest)

PRINCIPAL TEACHING AND RESEARCH INTERESTS:

CONSTITUTIONAL LAW
 ADMINISTRATIVE LAW
 STATUTORY INTERPRETATION
 JUDICIAL DECISION MAKING
 ADVANCED CON LAW (First Am / Second Am)

ADMITTED TO PRACTICE: Virginia, Washington DC