

REBECCA GREEN

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ACADEMIC EXPERIENCE

WILLIAM & MARY LAW SCHOOL, Williamsburg, Virginia, *Associate Professor of Law, Herbert V. Kelly Professor for Excellence in Teaching* (May 2019-May 2021), *Professor of the Practice of Law* (2011-2022); *Senior Lecturer* (2008-2011); *Adjunct* (2005-2008)

COURSES: Election Law; Legislative Redistricting & Geographic Information Systems; Alternative Dispute Resolution; Contract Law; Privacy Law; Media, Technology & the Courts; State Supreme Court “Bloginar”

INSTITUTIONAL AFFILIATIONS: *Co-Director*, Election Law Program (2008-present); *Assistant Director*, Institute for Bill of Rights Law (2008-present); *Assistant Director for Privacy & Technology*, Center for Legal and Court Technology (2004-present)

Recipient of 2016 Walter Williams Jr. Memorial Teaching Award (awarded annually by graduating class to one professor for teaching excellence)

Recipient of Reveley Interdisciplinary Faculty Fellowship, 2018-present (partner with faculty at the William & Mary Center for Geospatial Analysis to teach a course on Legislative Redistricting and GIS)

COLLEGE OF WILLIAM & MARY, University Ombuds (January 2021-present) (assist faculty and staff in resolving workplace conflict and employment concerns)

EDUCATION

HARVARD LAW SCHOOL, Cambridge, Massachusetts

J.D., *cum laude*, June 2001; Training Director, Harvard Mediation Program; Article Editor, Harvard Negotiation Law Review

HARVARD UNIVERSITY, Cambridge, Massachusetts

M.A., Chinese History, June 1996

CONNECTICUT COLLEGE, New London, Connecticut

B.A., *magna cum laude*, Phi Beta Kappa, Asian Studies and Political Science, May 1993

PUBLICATIONS

Adversarial Election Administration (forthcoming 2023)

Partisanship and Transparency in U.S. Election Administration, in THE OXFORD HANDBOOK OF AMERICAN ELECTION LAW (Eugene Mazo ed.) (forthcoming 2023)

Election Surveillance, 57 WAKE FOREST L. REV. __ (forthcoming 2022)

Redistricting Transparency and Litigation, 71 SYRACUSE L. REV. 1121 (2021)

Election Observation Post-2020, 90 FORDHAM LAW REVIEW 467 (2021)

Liquidating Elector Discretion, 15 HARVARD LAW & POLICY REVIEW 53 (2020)

How Many Votes is Too Few? 81 OHIO STATE LAW JOURNAL ONLINE 209 (2020)

Candidate Privacy, 95 WASHINGTON LAW REVIEW 205 (2020)

Digitized Election Administration, AMERICA VOTES (Fourth Edition) (2019) (with Margaret Hu)

Counterfeit Campaign Speech, 70 HASTINGS LAW JOURNAL 103 (2019)

The Surveillance Gap: The Harms of Extreme Privacy and Data Marginalization, 42 NYU REVIEW OF LAW & SOCIAL CHANGE 253 (2018) (with Michele Gilman)

Redistricting Transparency, 59 WILLIAM & MARY LAW REVIEW 1787 (2018)

Arbitrating Ballot Battles, 103 KENTUCKY LAW JOURNAL 699 (2016)

Rethinking Transparency in U.S. Elections, 75 OHIO STATE LAW JOURNAL 779 (2014)

Petitions, Privacy, and Political Obscurity, 85 TEMPLE LAW REVIEW. 367 (2013)

Mediation and Post-Election Litigation: A Way Forward, 27 OHIO STATE. JOURNAL OF DISPUTE RESOLUTION 325 (2012)

Privacy and Domestic Violence in Court, 16 WILLIAM & MARY JOURNAL OF WOMEN & THE LAW 237 (2010)

Sequencing, Acoustic Separation, and 3-D Negotiation of Complex Barriers: Charlene Barshefsky and I.P. Rights in China, 8 INTERNATIONAL NEGOTIATION JOURNAL OF THEORY & PRACTICE 2 (2003) (with James K. Sebenius)

Recent Developments in the Law of Access, COMMUNICATIONS LAW 2002, (October 2002) (with J. Steinfield, E. Burton and S. Svonkin)

ACADEMIC PRESENTATIONS

Election Transparency Mismatch, FORDHAM LAW REVIEW (February 26, 2021)

Transparency and Public Faith in Election Outcomes, Scholars Workshop: AALS Section on Election Law (January 6, 2021)

Transparency and Public Faith in Election Outcomes, Symposium: Election Law & Litigation: Strict Construction or Serious Confusion?, University of Idaho College of Law (November 19, 2020)

Too Much Privacy for Democracy? Symposium: This is What Democracy Looks Like, Northeastern Law School, Center for Law, Innovation and Creativity (CLIC) (remote) (October 16, 2020)

Loyalty Oaths and the Electoral College, Symposium: The Electoral College: Open Questions, Paths Forward, HARVARD LAW & POLICY REVIEW, Cambridge, MA, (October 18-19, 2019)

Candidate Privacy, Privacy Law Scholars Conference, Boalt Law School, Berkeley, CA (June 1, 2019)

Counterfeit Campaign Speech, Constitutional Law Colloquium, University of Illinois College of Law (April 25, 2019)

Counterfeit Campaign Speech, Symposium: Tech Ethics and Governance: Kenan Institute for Ethics Conference on the Ethics of Emerging Tech, Duke Law School (April 19, 2019)

Counterfeit Campaign Speech, Symposium: Elections: Where Law and Politics Intersect, JOURNAL OF LAW & POLITICS, University of Virginia (March 5, 2019)

The Surveillance Gap (with Michele Gilman), Privacy Law Scholars Conference, Boalt Law School, Berkeley, CA (June 2, 2017)

Arbitrating Ballot Battles, Symposium: Election Law Post 2016, KENTUCKY LAW JOURNAL, Lexington KY (March 25, 2016)

Post-Election Transparency, Privacy Law Scholars Conference, Berkeley Law School, Berkeley, CA (June 3-4, 2013)

Post-Election Transparency, Symposium: Administration of Elections, RICHMOND LAW REVIEW, Richmond, VA (October 6, 2012)

Moderating Election Disputes, Symposium: Talking the Vote: Facilitating Disputed Election Processes through ADR, OHIO JOURNAL OF DISPUTE RESOLUTION, Moritz College of Law, Columbus Ohio (February 18, 2011)

The Public Private Distinction in Domestic Violence Court, Symposium: From the Courtroom to the Mother's Womb: Protecting Women's Privacy in the Most Important Places, WILLIAM AND MARY JOURNAL OF WOMEN & THE LAW, (Feb. 28, 2009)

SELECTED SPEAKING ENGAGEMENTS

Panelist, Penn Law Journal of Constitutional Rights, Fordham Voting Rights and Democracy Project, and the National Constitution Center, *Voting Rights and Elections: Safeguarding Constitutional Democracy* (April 8th, 2022)

Panelist, American Association of Law Schools, Hot Topics Session, *Election Subversion: Assessing the Dangers to American Democracy* (January 5, 2022)

Panelist, American Association of Law Schools, Election Law Section, *Redistricting, Gerrymandering, and the Voting Rights Act* (January 5, 2022)

Invited Speaker, *Voting Rights Reform: A View of the U.S. and Perspectives from Europe*, Notre Dame Kellogg Institute, South Bend, IN (December 7, 2021)

Panelist, Election Litigation, 2021 8th Circuit Judicial Conference, Colorado Springs, CO (October 28, 2021)

Participant, Carter Center, *How International Standards Can Support U.S. Elections* (May 26, 2021)

Participant, Electoral Count Act Reform Convening, Campaign Legal Center (April 28, 2021)

Speaker, *Voting and Virginia's Constitution*, 50th Anniversary of Virginia's Constitution, hosted by E.A. Dick Howard, Virginia Bar Association (January 22, 2021)

Invited Speaker (with Michael Li and Walter Olson), National Conference of State Legislatures,

Redistricting Panel (January 8, 2021)

Multiple media appearances during the 2020 General Election season (e.g., NPR, BBC, C-SPAN, PBS Newshour and others) (November 2020-January 2021)

Panelist, Ohio State Election Law 2020 Roundtable Series, Ohio State, Moritz College of Law, four-part series (October 29, November 19, December 17, 2020 and January 14, 2021)

Panelist, Election 2020, Women+ Law event with Michael Kang (Northwestern), Ellen Katz (Michigan), Sam Issacharoff (NYU), University of Chicago (October 21, 2020)

Speaker, *Corruption and U.S. Elections*, "An Election in the time of Pandemic: Protecting the Quality of Democracy and preventing from Potential Corruption," Center for Constitution Studies [PUSaKO] Faculty of Law Andalas University, Corruption Eradication Commission [KPK] of the Republic of Indonesia (remote) (June 24, 2020)

Invited Liveblog of Faithless Elector Cases on C-SPAN/SCOTUSblog (May 13, 2020) with Tom Goldstein and Derek Muller, available at <https://www.c-span.org/video/?471677-1/chiafalo-v-washington-oral-argument&live>

Panelist, *What if the 2020 Presidential Election is Disputed? An Expert Roundtable*, Ohio State, Moritz College of Law (May 4, 2020)

Invited Contributor, SCOTUSblog Symposium: Faithless Electors (April 24, 2020), available at <https://www.scotusblog.com/2020/04/symposium-liquidating-elector-discretion/>

Speaker, *Digitized Election Administration*, ABA Standing Committee on Election Law (July 21, 2020)

Speaker, *Voting Rights in Virginia*, League of Women Voters Convention, Virginia Beach, VA (May 18, 2019)

Panelist, *Transparency in Redistricting*, University of Arizona Conference on Redistricting (October 5-6, 2018)

Panelist, *Voting Rights in Virginia*, Virginia Bar Association Annual Meeting, (June 16, 2017)

Participant, American Constitution Society, National Voting Rights Convening (December 16, 2016)

Speaker, *Election Administration in 2016*, International Federation of Election Systems (November 7, 2016)

Speaker, *The Courts and Politics*, L'Anson-Hoffman Inn of Court, Williamsburg, Virginia (October 5, 2016)

Speaker, Leadership Metro Richmond Forum, Virginia Redistricting Roundtable (September 24, 2015)

Guest, Hearsay with Cathy Lewis, WHRV 89.5 (Norfolk, Virginia's NPR affiliate) on Voting Rights Restoration in Virginia (August 10, 2015)

Panelist, *Voting Rights: A Cause for Concern—A Call to Action*, Old Dominion Bar Association 75th Anniversary Conference, Richmond, VA (May 30, 2015)

Moderator, *Criminal Records in the Digital Age*, ABA National Summit on Collateral Consequences,

Washington, DC (*February 27, 2015*)

Moderator, *On Democracy's Doorstep* with author J. Douglas Smith, Coke Inn of Court, Washington, DC (January 29, 2015)

Panelist, *Election Litigation in 2014*, National Conference of State Legislatures Fall Forum, Washington, DC (December 11, 2014)

Speaker, *Redistricting in Virginia*, League of Women Voters (October 14, 2014)

Invited Testimony, *Revive My Vote: Restoring Voting Rights to Virginians*, National Commission on Voting Rights (Lawyers Committee), Richmond, VA (April 29, 2014)

Moderator, Symposium: DC Votes: The Politics of Congressional Representation for DC Residents, with former Virginia Congressman Tom Davis and former Obama White House Counsel Robert Bauer, (February 21, 2014)

Speaker, *Looking Ahead to 2014*, National Conference of State Legislatures Fall Forum, Washington, DC (December 3, 2013)

Moderator, "Privacy and Family Court Records, 9th Annual Privacy and Court Records Access Conference, William & Mary Law School (October 2013)

Invited Guest, Hearsay with Cathy Lewis, WHRV 89.5 (Norfolk, Virginia's NPR affiliate) on voting in Virginia (June 25, 2013)

Speaker and Organizer, *Election Law War Game*, Wisconsin Judicial Conference, Neenah, WI (December 7, 2012)

Participant, Election Delays Debrief, Bipartisan Policy Center, Washington, DC (November 29, 2012)

Panelist, *Voter ID and Election Transparency*, The Role of Administrative Agencies in the Political Process; A Preview of Potential Election Day Issues, American Bar Association Administrative Law Conference, Washington, DC (October 26, 2012)

Panelist, *The VRA and Voter Suppression*, Symposium: Voter Suppression 2012: Jim Crow Lives, William & Mary Africana Studies Department, Williamsburg, VA (October 18, 2012)

Moderator, "Privacy 2.0," TPRC Research Conference on Communication, Information & Internet Policy, George Mason University School of Law, Fairfax, VA (September 22, 2012)

Panelist, American Ideas: the Will of the People, Colonial Williamsburg Connect Live Webcast, Williamsburg, VA (September 20, 2012)

Speaker and Organizer, "Election Law War Game," Colorado Judicial Conference, Vail, CO (September 11, 2012)

Invited Commenter, Danielle Citron (University of Maryland) "Hate 3.0," Privacy Law Scholars Conference, Washington, DC (June 7, 2011)

Speaker and Organizer, "Election Law War Game," Virginia Judicial Conference, Norfolk, VA (May 16, 2012)

Participant, American Law Institute Election Law Project Roundtable, Bipartisan Policy Center, Washington, DC (February 10, 2012)

Invited Speaker, “Select Topics in Election Law,” William & Mary Constitutional Literacy Course (December 7, 2011)

Invited Guest, *Redistricting Roundtable: Redrawing the Lines*, What Matters with Cathy Lewis, WHRO Television (April 11, 2011)

Moderator, Disclosure and Elections, W&M Bill of Rights Journal Symposium (October 22, 2010)

Commenter, Joel Reidenberg (Fordham) paper: “The Transparent Citizen,” Privacy Law Scholars Conference, Washington, DC (June 4, 2010)

Speaker, *From the Women’s Suffrage Movement to Current Issues Affecting Voting Rights: Continuing the Tradition of Equal Access to the Political Process*, Virginia Women’s Attorney Association Annual Meeting, Virginia Beach (June 18, 2010)

Panelist, *Cameras in the Federal Courts: Is it Time?*, Federal Bar Association Mid-Year Leadership Meeting, Alexandria, VA (March 2010)

Moderator, The Selective Access Trend: Should Courts Limit Access to Certain Groups and/or Certain Information to Protect Privacy? 7th National Conference on Privacy and Access to Court Records, Williamsburg, VA (March 2010)

Presenter, *IBRL State Supreme Court Initiative*, Annual Conference of Court Public Information Officers, Minneapolis, MN (August 2009)

Participant, 2009 Technology & Privacy Roundtable, University of Maryland School of Law, Baltimore, MD (April 16, 2009)

Presenter, *New Trends in Court Records Privacy*, New Hampshire Judicial College, with Vermont Supreme Court Justice John Dooley, Meredith, NH (May 1-2, 2008)

Panelist, *e-Filing, Court Records, and Privacy*, Court Technology Conference with Alan Carlson, President, Justice Management Institute, Tampa, FL (October 2007)

PROFESSIONAL EXPERIENCE

HINCKLEY, ALLEN & SNYDER, LLP, Boston, Massachusetts
Associate (2003 –2004) *Corporate, Securities*

HILL & BARLOW, P.C., Boston, Massachusetts
Associate (2001 –2003) *Media Law, Corporate Law, Litigation; volunteer mediator at Boston Municipal Court*

HARVARD BUSINESS SCHOOL, Allston, Massachusetts
Research Associate for Professor James K. Sebenius (Spring 1998) Wrote HBS negotiation case studies.

UNITED STATES TRADE REPRESENTATIVE, Washington, DC
Deputy Director for China and Hong Kong (1996-1997) Assisted in U.S.-China trade negotiations, including U.S.-China intellectual property protection negotiations and negotiations on China’s accession to the World Trade Organization.

BAR ADMISSIONS

Massachusetts, 2001