

Anthony J. Bellia Jr.

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Notre Dame Law School
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ACADEMIC APPOINTMENTS

- 2000 – present **University of Notre Dame**, Notre Dame, Indiana
O’Toole Professor of Constitutional Law (2014-present)
Concurrent Professor of Political Science (2010-present)
- Professor of Law and Notre Dame Presidential Fellow* (2007-2014)
John Cardinal O’Hara, C.S.C. Associate Professor of Law (with tenure)
(2005-2007)
Associate Professor of Law (2003-2005)
Assistant Professor of Law (2000-2003)
- Spring 2007 **University of Virginia School of Law**
Visiting Professor of Law

SELECTED PROFESSIONAL EXPERIENCE

- Associate*, Miller, Cassidy, Larroca & Lewin, L.L.P., Washington, DC
1998-2000
- Law Clerk*, Justice Antonin Scalia, Supreme Court of the United States, Washington, DC
1997-1998
- Law Clerk*, Judge Diarmuid F. O’Scannlain, United States Court of Appeals for the Ninth Circuit, Portland, OR
1996-1997
- Law Clerk*, Judge William M. Skretny, United States District Court for the Western District of New York, Buffalo, NY
1994-1996

EDUCATION

J.D., Notre Dame Law School, Notre Dame, IN, *summa cum laude*, 1994
Notre Dame Law Review, Editor-in-Chief
Kiley Fellowship
Dean Joseph O'Meara Award, *for outstanding academic achievement*

B.A., Canisius College, Buffalo, NY, *summa cum laude*, Economics & Political Science, 1991

Truman Scholarship
Economics and Finance Department Outstanding Graduate Award
Pi Sigma Alpha Award, *for outstanding graduate in political science*
Student Commencement Speaker
Honors Program
Alpha Sigma Nu, Beta Gamma Sigma, Di Gamma Honor Societies
Distinguished Alumnus Award (2010)

Visiting Student, Institute for Economic and Political Studies, University of Cambridge, England, Spring 1990

PUBLICATIONS

Books

THE LAW OF NATIONS AND THE UNITED STATES CONSTITUTION (forthcoming March 2017, Oxford University Press) (with Bradford R. Clark).

FEDERALISM (2d ed., Aspen/Wolters Kluwer 2017).

FEDERALISM (Aspen/Wolters Kluwer 2011).

Articles

The Original Source of the Cause of Action in Federal Courts: The Example of the Alien Tort Statute, 101 VIRGINIA LAW REVIEW 609 (2015) (with Bradford R. Clark).

Two Myths About the Alien Tort Statute, 89 NOTRE DAME LAW REVIEW 1609 (2014) (with Bradford R. Clark).

General Law in Federal Court, 53 WILLIAM & MARY LAW REVIEW 655 (2013) (with Bradford R. Clark).

The Law of Nations as Constitutional Law, 98 VIRGINIA LAW REVIEW 729 (2012) (with Bradford R. Clark).

The Alien Tort Statute and the Law of Nations, 78 UNIVERSITY OF CHICAGO LAW REVIEW 445 (2011) (with Bradford R. Clark).

The Political Branches and the Law of Nations, 85 NOTRE DAME LAW REVIEW 1795 (2010) (with Bradford R. Clark).

The Federal Common Law of Nations, 109 COLUMBIA LAW REVIEW 1 (2009) (with Bradford R. Clark).

The Origins of Article III "Arising Under" Jurisdiction, 57 DUKE LAW JOURNAL 263 (2007).

Federalism Doctrines and Abortion Cases: A Response to Professor Fallon, 51 ST. LOUIS UNIVERSITY LAW JOURNAL 767 (2007). *State Courts and the Interpretation of Federal Statutes*, 59 VANDERBILT LAW REVIEW 1501 (2006).

Congressional Power and State Court Jurisdiction, 94 GEORGETOWN LAW JOURNAL 949 (2006).

State Courts and the Making of Federal Common Law, 153 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 825 (2005).

Article III and the Cause of Action, 89 IOWA LAW REVIEW 777 (2004).

Promises, Trust, and Contract Law, 47 AMERICAN JOURNAL OF JURISPRUDENCE 25 (2002).

Contracting With Electronic Agents, 50 EMORY LAW JOURNAL 1047 (2001).

Federal Regulation of State Court Procedures, 110 YALE LAW JOURNAL 947 (2001).

Shorter Articles

Il vincolo all'assistenza sanitaria nel sistema federale degli Stati Uniti (The Health Care Mandate in the United States Federal System), RIVISTA DELL'ASSOCIAZIONE ITALIANA COSTITUZIONALISTI 1/2013 (translated from English to Italian by Davide Paris).

Re-examining Customary International Law and the Federal Courts, 85 NOTRE DAME LAW REVIEW 1787 (2010).

La sussidiarietà e il sistema americano (Subsidiarity and the American Federal System), 18 ATLANTIDE 41 (2010).

Federalismo e matrimonio omosessuale nell'Unione Europea: una prospettiva americana di diritto comparato (Federalism and Same-Sex Marriage in the European Union: A Comparative American Perspective), 2009/1 QUADERNI COSTITUZIONALE 131 (2009) (translated from English to Italian by Annalisa Stefani).

Establishment and Judicial Administrability, 26 CONSTITUTIONAL COMMENTARY 259 (2009) (review of Kent Greenawalt, *Establishment and Fairness* (2008)).

Form, Function, and Justiciability, 86 TEXAS LAW REVIEW SEE ALSO 1 (2007).

Sosa, Federal Question Jurisdiction, and Historical Fidelity, 93 VIRGINIA LAW REVIEW IN BRIEF 15 (2007).

Brief

Amicus Brief in Support of Respondents in *Kiobel v. Royal Dutch Petroleum Co.* (No. 10-1491, in the Supreme Court of the United States) (with Bradford R. Clark).

SELECTED LECTURES, PRESENTATIONS, AND PANELS

Justice Scalia, Implied Rights of Action, and Historical Practice
Presentation at AALS Legislation Section Program: *Justice Scalia and Statutory Interpretation: A Retrospective Assessment*, San Francisco, CA, January 6, 2017.

The Law of Nations and the United States Constitution (selected chapters)
Tenth Annual Potomac Foreign Relations Law Roundtable, George Washington University Law School, April 29, 2016.

Italian Constitutional Justice in Global Context
Panelist at Book Launch and Discussion, University of Notre Dame, November 18, 2015

The Law of Nations in United States Courts
Northwestern University School of Law Constitutional Law Colloquium, October 26, 2015

Constitutional Interpretation and the Political Process in the United States
Lecture at University of Milan–Statale, Milan, Italy, May 25. 2015.

Constitutional Interpretation and the Political Process in the United States
Lecture at University of Padua, Treviso, Italy, May 22. 2015.

The Process Acts and the Alien Tort Statute

Presentation at Conference: *The Common Law in an Age of Regulation*, Notre Dame London Law Centre, London, England, February 6, 2015.

The Process Acts and the Alien Tort Statute

Workshop at Notre Dame Law School, January 13, 2015.

Indirect History: Recovering Background Context in Federal Courts Jurisprudence

Presentation at AALS Federal Courts Section Program: *The Role of History in the Federal Courts Canon*, Washington, DC, January 4, 2015.

The Process Acts and the Alien Tort Statute

Workshop at George Washington University Law School, October 22, 2014 (with Bradford R. Clark).

The Process Acts and the Alien Tort Statute

New York University Legal History Colloquium, September 22, 2014 (with Bradford R. Clark).

The Law of Nations as Constitutional Law

Panel Discussion at Centennial Symposium of the *Virginia Law Review*, University of Virginia School of Law, March 28, 2014.

The Italian Constitutional Court in Global Context

Participant in Italian-American Constitutional Dialogue, University of Florence, Italy, July 12, 2013.

The Law of Nations in United States Courts

Seventh Annual Potomac Foreign Relations Law Roundtable, George Washington University Law School, April 26, 2013.

The Law of Nations in United States Courts

Workshop at Roundtable Conference: *The Constitution and Unwritten Law*, at Notre Dame Law School, March 22, 2013.

General Law in Federal Court

Workshop at University of Minnesota Law School, November 19, 2012.

The Unwritten Constitution and the Law of Nations

Presentation at Symposium: *America's Unwritten Constitution*, at University of Illinois College of Law, October 12, 2012.

The Law of Nations in United States Courts

Workshop at George Washington University Law School, October 2, 2012 (with Bradford R. Clark).

The Law of Nations as Constitutional Law

Workshop at Georgetown University Law Center, February 10, 2012 (with Bradford R. Clark)

Cases Arising Under the Law of Nations

Presentation at Symposium: *Commemorating the 100th Anniversary of Farrand's Records of the Federal Convention*, at George Washington University Law School, November 4, 2011 (with Bradford R. Clark).

The Law of Nations as Constitutional Law

Workshop at George Washington University Law School, September 29, 2011 (with Bradford R. Clark).

Separation of Powers: Theory, Development, and Applications

Conference at Notre Dame Law School, March 25, 2011 (conference organizer and moderator).

The Alien Tort Statute and the Law of Nations

Workshop at Annual Workshop, International Law in Domestic Courts Interest Group, American Society of International Law, University of Virginia School of Law, December 13, 2010 (with Bradford R. Clark).

The Alien Tort Statute and the Law of Nations

Workshop at George Washington University Law School, November, 10, 2010 (with Bradford R. Clark).

The Alien Tort Statute and the Law of Nations

Workshop at Potomac Foreign Relations Law Conference, George Washington University Law School, May 7, 2010 (with Bradford R. Clark).

Federalism Roundtable

Roundtable Conference at Vanderbilt University Law School, February 26, 2010.

The Political Branches and the Law of Nations

Presentation at AALS Federal Courts Section Program: *Re-examining Customary International Law and the Federal Courts*, New Orleans, Louisiana, January 7, 2010 (program organizer and moderator).

The Federal Common Law of Nations

Workshop (*in absentia*) at Annual Workshop, International Law in Domestic Courts Interest Group, American Society of International Law, Temple Law School, December 8, 2008 (with Bradford R. Clark).

Establishment and Fairness

Roundtable Conference on Kent Greenawalt, *Religion and the Constitution: Establishment and Fairness*, at University of Notre Dame, October 10, 2008.

Treaties and the Self-Execution Debate

Duke-Harvard Foreign Relations Law Workshop: *Treaty Self-Execution*, at Duke Law School, September 27, 2008 (with Bradford R. Clark).

Federalism Implications of Supranational Adjudication

Presentation at AALS Federal Courts Section Program: *The Federal Courts and the International System*, New York, New York, January 5, 2008.

Recent Developments in American Federalism

Lecture at University of Milan–Statale, Milan, Italy, November 7, 2007.

The Structure of American Constitutional Federalism

Lectures at University of Milan–Bicocca, Milan, Italy, November 6-7, 2007.

Separation of Powers as a Safeguard of Federalism: The Thesis and its Implications

Introduction to Conference *Separation of Powers as a Safeguard of Federalism* at Notre Dame Law School, October 19, 2007 (conference organizer).

The Origins of Article III “Arising Under” Jurisdiction

Workshop at University of Virginia School of Law, February 9, 2007.

The Origins of Article III “Arising Under” Jurisdiction

Workshop at Institute for Constitutional Studies, George Washington University Law School, January 25, 2007.

The Origins of Article III “Arising Under” Jurisdiction

Workshop at Vanderbilt University Law School, Cecil D. Branstetter Civil Litigation and Dispute Resolution Program, October 27, 2006.

Federalism Doctrines and Abortion Cases: A Response to Professor Fallon

Response to Professor Richard Fallon, *If Roe Were Overruled: Abortion and the Constitution in a Post-Roe World*, at St. Louis University School of Law, October 13, 2006.

The Recent Federalism Jurisprudence of the Supreme Court of the United States, and its Implications for State Courts

Presentation to the Indiana Judicial Conference, September 13, 2006.

Tort Reform and Federalism

Lecture at Case Western Reserve University School of Law, October 20, 2005.

State Courts and the Making of Federal Common Law

Presentation at University of Pennsylvania Law Review's Author's Lunch,
University of Pennsylvania Law School, February 7, 2005.

State Courts and the Making of Federal Common Law

Faculty colloquium at University of Connecticut School of Law, December 6, 2004.

The Impact of the 2004 Elections on Judicial Nominations

Panel at University of Texas School of Law, October 15, 2004.

The Election: What's at Stake for Judicial Appointments?

Panel at Indiana University School of Law-Bloomington, September 20, 2004.

Article III and the Cause of Action

Faculty colloquium at Rutgers School of Law-Camden, October 27, 2003.

Promises, Trust, and Contract Law

Presentation at the Notre Dame Law School Natural Law Institute Conference, "The
Moral Foundations of Private Law," April 12, 2002.

Hayek's "The Constitution of Liberty"

Roundtable Conference at the University of San Diego School of Law, November 29 -
December 2, 2001.

Does the American Legal System Thwart or Encourage Forgiveness?

Presentation (*in absentia*) at the College of the Holy Cross, September 15, 2001
(reproduced in TOWARD A DEEPER UNDERSTANDING OF FORGIVENESS, A Special
Collection of Talks from the Inaugural Conference of the Center for Religion, Ethics
and Culture).

TEACHING

Courses

Civil Procedure
Constitutional Law
Contracts
Federal Courts
Federalism
Federalism Seminar
History of the Common Law

Awards

Distinguished Professor of the Year, Notre Dame Law School, 2015, 2008, 2003

SELECTED UNIVERSITY SERVICE

Notre Dame Law School

Promotions Committee, 2014-2016
 Clerkship Committee (Chair), 2012-2014
 Curriculum Committee, 2009-2012 (Chair, 2009-2010)
 Dean Search Committee, 2008-2009
 Clerkship Committee (Chair), 2008-2009
 Faculty Advisor, *Notre Dame Law Review*, 2007-2015
 Appointments Committee (elected), 2006-2008 (Faculty Chair, 2006-2007)
 Appointments Committee (elected), 2005-2006 (Faculty Chair)
 Loan Forgiveness Committee (appointed), 2003-2004
 Curriculum Committee (appointed), 2001-2003

University of Notre Dame

Provost's Advisory Committee (elected), 2011-14
 Law Dean Review Committee (elected) (Chair), 2013
 Academic Council (appointed by University President), 2009-2010; Subcommittee on Faculty Affairs, 2009-2010
 Academic Council (appointed by University President), 2008-2009; Subcommittee on Faculty Affairs, 2008-2009
 Academic Council (appointed by University President), 2007-2008; Subcommittee on Faculty Affairs, 2007-2008
 Academic and Faculty Affairs Committee of the Board of Trustees (elected), University of Notre Dame, 2005-2008
 Academic and Faculty Affairs Committee of the Board of Trustees (elected), University of Notre Dame, 2002-2004

SELECTED PROFESSIONAL SERVICE AND AFFILIATIONS

Member, Bar of the State of New York, 1995-present
 Member, Bar of the District of Columbia, 1998-present (currently inactive)

Member, American Law Institute (ALI), 2009-present

Chair, Federal Courts Section of the Association of American Law Schools (AALS), 2010-2011
 Chair-Elect (Program Chair), Federal Courts Section of the Association of American Law Schools (AALS), 2009-2010
 Member, Executive Committee of the Federal Courts Section of the AALS, 2007-present

Editor, *Federal Courts and Jurisdiction Abstracts*, Social Science Research Network,
2006-present