

MICHAEL J. HIGDON

W. Allen Separk Distinguished Professor of Law
University of Tennessee College of Law
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ACADEMIC APPOINTMENTS

UNIVERSITY OF TENNESSEE COLLEGE OF LAW Knoxville, Tennessee

- *Associate Dean for Academic Affairs, 2023-Present*
- *Associate Dean for Faculty Development, 2019-2023*
- *W. Allen Separk Distinguished Professor of Law, 2023-Present; Professor of Law, 2017-Present; Associate Professor (with tenure), 2012-2017; Associate Professor, 2009-2012*
- *Faculty Fellow, Provost's Office of Faculty Affairs, 2023*

Courses Taught: Constitutional Law; Family Law; Legal Process; Wills & Trusts

WILLIAM S. BOYD SCHOOL OF LAW Las Vegas, Nevada *Lawyering Process Professor, July 2004 to July 2009*

Courses Taught: Family Law; Lawyering Process; Wills, Trusts and Estates

SEATTLE UNIVERSITY Seattle, Washington *Visiting Professor, Spring Semester 2007*

LEADERSHIP AND SERVICE

College Leadership and Service:

Associate Dean for Academic Affairs, 2023 – Present

- Assign teaching responsibilities;
- Create teaching schedules;
- Monitor and approve faculty professional development spending;
- Assist with preparation of the annual ABA questionnaire;
- Supervise curricular expansion and development;
- Direct and supervise academic assessment for the College of Law;
- Assist in determining Law Faculty committee assignments;
- Handle honor code complaints;
- Recruit and supervise adjunct faculty;
- Assist in annual evaluation processes for the College of Law faculty;
- Participate in strategic planning for the College of Law; and
- Plan academic orientation for entering students.

Associate Dean for Faculty Development, 2019 – 2023

- Supervised collection of data to provide U.S. News and World Report;
- Managed and supervised faculty tenure and promotion applications;

- Developed and supervised faculty mentoring program;
- Coordinated outside speaker series;
- Provide teaching support to adjuncts at the College of Law;
- Created and distributed bimonthly newsletter promoting faculty accomplishments;
- Partnered with the university's Office of Research, Innovation & Economic Development to create networking opportunities with researchers at other colleges whose research and grant applications could benefit from a legal perspective.

Director of Legal Writing, 2011 – 2019

- Recruited and supervised approximately 12-15 adjuncts per year;
- Developed course materials and policies for first-year legal writing program.

Appointments Chair, 2015 – 21: I chaired the following searches:

- Fall 2015, entry-level/junior lateral search for 1) health and 2) business;
- Fall 2016, entry-level/junior lateral search for 1) business and 2) community and economic development clinic;
- Fall 2017, clinic director search (internal);
- Fall 2018, entry-level/junior lateral search for advocacy clinic;
- Spring 2021, entry-level/junior lateral search targeting outstanding alumni who would also contribute to the diversity of the faculty;
- Spring 2023, Associate Director of Academic Success Program.

Other Committees/Service, 2009 – Present

- Curriculum Reform Task Force, 2023-Present, Chair;
- Assessment Task Force, 2022-Present, Chair;
- Self-Study Task Force (committee charged with preparing for ABA Site Visit), 2022-23;
- Academic Success Task Force, 2019-20;
- Faculty Development Committee, 2018-19; Chair, 2019-22
- Dean Search Committee, 2014-15, 2019-20; 2021-22;
- By-Laws Revision Committee, 2019-20, Chair;
- Self-Study Committee, 2011-12;
- Academic Standards Committee, 2017-18;
- Clinic Advisory Committee, 2014-15;
- Library Advisory Committee, 2009-14; 2014-15, Chair;
- Faculty Advisor to the Tennessee Law Review, 2011-19;
- Prince Evidence Moot Court Team Coach, 2009-15;
- Governance Committee, 2015-16; 2018-19; ex officio, 2019-Present;
- Faculty Advisor to Lambda Legal, 2009-Present.

University Leadership and Service:

- SEC Academic Development Leadership Program, 2023-2024;
- Faculty Fellow, Provost's Office of Faculty Affairs, January 2023 to June 2023;
- Program Co-Leader: Leadership Enhancement and Peer Support Leadership Development Program, 2022-present;
- Member, Program Development and Delivery Team: Faculty Mentoring Certificate Program, 2022-present;
- Member, COACHE Steering Committee, 2021-22;
- Co-Chair, Faculty Review and Promotion Taskforce, 2020-22;
- Strategic Visioning, Executive Committee, 2020-21;

- STRIDE at UT (<https://stride.utk.edu/>), 2018-2022;
- Commission for LGBT People at UTK, 2009-10; 2015-16;
- Clarence Brown Theatre Advisory Board, 2016-2019; 2023-Present;
- Participant, UTK Leadership Program, 2016-17.

National Leadership and Service:

American Association of Law Schools

- Section on Associate Deans for Academic Affairs and Research: Chair, 2021-22; Chair-elect, 2020-21;
- Section on Children and the Law, Secretary, 2021-present;
- Section on Sexual Orientation and Gender Identity Issues, Chair, 2023-24; Chair-elect, 2022-23; Chair, 2023-24; Secretary, 2021-22; Executive Committee, 2018-Present;
- Section on Family and Juvenile Law, Executive Committee, 2018-Present;
- Planning Committee for AALS Workshop New Law School Professors, 2018-19.

Legal Writing Institute Board of Directors, 2006-2014

- Treasurer, managed biennial budget of approximately \$100,000.

ABA Site-Teams:

- New York Law School, 2021;
- University of Arkansas-Fayetteville, 2023;
- University of Maine, 2024.

The American Law Institute (invited member, 2023-Present)

SELETED SCHOLARSHIP

Books:

WILLS, TRUSTS, AND ESTATES: AN INTEGRATED APPROACH (Foundation Press 2d.ed., 2021)
(with Danaya C. Wright & Bridget J. Crawford)

Book Chapters:

The Editing Process, in THE SCRIBES MANUAL FOR LAW REVIEW EDITORS, (Darby Dickerson & Brooke Bowman, eds. 2022).

Articles:

Common Law Divorce, 74 ALABAMA LAW REVIEW 365 (2022)

LGBTQ Youth and the Promise of the Kennedy Quartet, 43 CARDOZO LAW REVIEW 2385 (2022)

If You Grant It, They Will Come: The History and Enduring Legal Legacy of Migratory Divorce, 2022 UTAH LAW REVIEW 2095

(IN)Formal Marriage Equality, 89 FORDHAM LAW REVIEW 1351 (2021)

Parents Patriae and the Disinherited Child, 95 WASHINGTON LAW REVIEW 619 (2020), reviewed by David Horton, A Novel Limit on the Power to Disinherit Children, JOTWELL, at <https://trustest.jotwell.com/a-novel-limit-on-the-power-to-disinherit-children/> (Aug. 2019)

While They Waited: Pre-Obergefell Lives and the Law of Nonmarriage, 129 YALE LAW JOURNAL FORUM 1 (2019)

The Quasi-Parent Conundrum, 90 UNIVERSITY OF COLORADO LAW REVIEW 941 (2019)

Biological Citizenship and the Children of Same-Sex Marriage, 87 GEORGE WASHINGTON LAW REVIEW 124 (2019)

Constitutional Parenthood, 103 IOWA LAW REVIEW 1483 (2018)

Polygamous Marriage, Monogamous Divorce, 67 DUKE LAW JOURNAL 79 (2017)

State Misdemeanant, Federal Felon: Adolescent Sexual Offenders and the INA, 2017 UNIVERSITY OF ILLINOIS LAW REVIEW 963 (reprinted in 38 IMMIGRATION AND NATIONALITY LAW REVIEW 575 (2017))

Marginalized Fathers and Demonized Mothers: A Feminist Look at the Reproductive Freedom of Unmarried Men, 66 ALABAMA LAW REVIEW 507 (2015)

Fatherhood by Conscription: Nonconsensual Insemination and the Duty of Child Support, 46 GEORGIA LAW REVIEW 407 (2012)

To Lynch a Child: Bullying and Gender Non-Conformity in our Nation's Schools, 86 INDIANA LAW JOURNAL 827 (2011)

Something Judicious This Way Comes . . . The Use of Foreshadowing as a Persuasive Device in Judicial Opinions, 44 UNIVERSITY OF RICHMOND LAW REVIEW 1213 (2010)

Oral Argument and Impression Management: Harnessing the Power of Nonverbal Persuasion for a Judicial Audience, 57 UNIVERSITY OF KANSAS LAW REVIEW 631 (2009)

Queer Teens and Legislative Bullies: The Invidious and Cruel Discrimination behind Heterosexist Statutory Rape Laws, 42 U.C. DAVIS LAW REVIEW 195 (2008)

When Informal Adoption Meets Intestate Succession: The Cultural Myopia of the Equitable Adoption Doctrine, 43 WAKE FOREST LAW REVIEW 223 (2008)

HONORS AND AWARDS

Harold C. Warner Outstanding Teaching Award (Professor of the Year), 2023, University of Tennessee College of Law

Marilyn V. Yarbrough Faculty Award for Writing Excellence for “*Common Law Divorce*,” 2023, University of Tennessee College of Law

Marilyn V. Yarbrough Faculty Award for Writing Excellence for “*Polygamous Marriage, Monogamous Divorce*,” 2017, University of Tennessee College of Law

Carden Award for Superior Achievement in Scholarship, 2017, University of Tennessee College of Law

Harold C. Warner Outstanding Teaching Award (Professor of the Year), 2017, University of Tennessee College of Law

Carden Award for Outstanding Service to the Institution, 2012, University of Tennessee College of Law

W. Allen Separk Faculty Scholarship Award for “*To Lynch a Child: Bullying and Gender Non-Conformity in our Nation’s Schools*,” 2010, University of Tennessee College of Law

Voted 2006 Professor of the Year by the Student Body at the UNLV William S. Boyd School of Law

PROFESSIONAL EXPERIENCE

SCHRECK BRIGNONE (now Brownstein Hyatt Farber Schreck)
Las Vegas, Nevada
Associate Attorney, 2002 to 2004

CHAMBERS OF THE HONORABLE PROCTER HUG, JR.
United States Court of Appeals for the Ninth Circuit
Judicial Law Clerk, 2001 to 2002

EDUCATION

WILLIAM S. BOYD SCHOOL OF LAW
Las Vegas, Nevada
J.D., May 2001, Summa Cum Laude

- Valedictorian
- Nevada Law Journal, Editor-in-Chief
- Recipient of the James E. Rogers Award for Outstanding Academic Achievement

UNIVERSITY OF NEVADA, LAS VEGAS
Las Vegas, Nevada
M.A., May 1997, Communication Studies

ERSKINE COLLEGE
Due West, South Carolina
B.A., May 1995, English

SELECTED SPEAKING ENGAGEMENTS/PRESENTATIONS

Moderator, “Legislative Attacks on LGBTQ Equality,” AALS Annual Conference, Washington D.C., January 2024.

Panelist, “Aspiring Law Teachers Workshop: What’s In a Job Talk,” SEALS Annual Conference, Boca Raton, Florida, July 2023.

Panelist, “Aspiring Law Teachers Workshop: Is There a Place for Me in the Legal Academy?,” SEALS Annual Conference, Boca Raton, Florida, July 2023.

Speaker, “Editing 101,” National Conference for Law Review Editors, virtual, March 2023.

Panelist, “Prospective Law Teachers Workshop: Navigating the Hiring Process,” SEALS Annual Conference, Destin, Florida, July 2022.

Panelist, “Aspiring Law Teachers Workshop: Beating the Odds,” SEALS Annual Conference, Destin, Florida, July 2022.

Moderator, “Developing Law Students and Faculty Who Can Lead Diversity, Inclusion and Equity Efforts,” AALS Annual Conference (virtual), January 2022.

Panelist, “AALS' Appointments Committee Workshop,” virtual workshop organized by AALS for the benefit of hiring chairs, August 2021.

Panelist, “Breaking Down *Fulton v. City of Philadelphia*,” CLE organized by the New York State Judicial Institute, June 2021.

Commentor, “Fulton, Faith, Families and Foster Care,” UVA Family Law Center, University of Virginia School of Law, January 2021.

Presenter, “(In)Formal Marriage Equality,” University of Oregon School of Law, September 2020.

Moderator, “Two Centuries of the Equal Rights Amendment,” University of Florida, September 2020.

Panelist, “Faculty Development Workshop: The Basics of the FAR Form,” Webinar co-sponsored by SALT/LatCrit, August 2020.

Panelist, “Navigating the Hiring Process,” 2020 SEALS Annual Conference (Virtual), August 2020.

Panelist, “*Obergefell* and the Law of Nonmarriage,” Yale Law Journal Event, Yale Law School, March 2020.

Panelist, “Estate Planning in the Modern Age,” AALS Annual Conference, Washington, D.C., January 2020.

Presenter, “*Parens Patriae* and the Disinherited Child,” Family Law Scholars and Teachers Conference, Washington D.C., May 2019.

Presenter, “While They Waited: How the Pre-*Obergefell* Lives of Same-Sex Couples Inform the Law of Nonmarriage,” Roundtable on Nonmarriage and the Law, Arizona State University Sandra Day O'Connor College of Law, March 2019.

Panelist, “Parents’ and Childrens’ Rights in a Post-*Obergefell* World,” AALS Annual Conference, New Orleans, Louisiana (January 2019).

Panelist, AALS Annual Conference, “LGBTQ Rights Halfway Through Trump’s (First?) Term: Advancement, Retrenchment, Potential,” New Orleans, Louisiana (January 2019).

Panelist, “Your Voice Matters: A Panel on Free Speech,” University of Tennessee, February 2018.

Presenter, “Supreme Court Roundup: *Esquivel-Quintana v. Sessions* and *Pavan v. Smith*,” Faculty Forum, August 2017.

Panelist, “Title IX Panel,” UTK Sex Week, April 2017.

Moderator, “Transgender and Intersex Students and Title IX: Emerging Issues,” Title IX: History, Legacy, and Controversy Symposium, University of Tennessee, Knoxville, March 2017.

Panelist, “After ‘I Do’: Beyond Marriage Equality,” University of Sex Week, April 2016.

Panelist, “Revisiting Langdell: Legal Education Reform and the Lawyer’s Craft,” Wake Forest University School of Law Symposium, October 2015.

Presenter, “Supreme Court Roundup: *Obergefell v. Hodges*,” Faculty Forum, University of Tennessee College of Law, August 2015.

Panelist, “Workshop On Legal Writing, Reasoning, And Research—Scholarship and Skills: The Fusion of Legal Theory, Doctrine, and Practice,” 2015 SEALS Annual Conference, Boca Raton, Florida.

Presenter, “A Place at the Table: Using Principles of LRW Pedagogy to Successfully Craft and Market Legal Scholarship,” Association of Legal Writing Directors 2015 Biennial Conference, Memphis, Tennessee.

Panelist, “Legal Writing Scholarship/Finding Your Voice in the Legal Academy,” 2013 Workshop for Beginning Legal Writing Law School Teachers, Washington D.C. (Plenary Session).

Panelist, “The Impact of Cognitive Bias on Persuasion and Writing Strategies: Implications for Persuasion,” Brooklyn Law School Symposium, March 2013.

Presenter, “Getting in ‘the Game’: Using Principles of Persuasion When Writing and Marketing Legal Scholarship,” The 15th Biennial Conference of the Legal Writing Institute, June 2012, Palm Desert, California.

Co-Presenter (with Derek Kiernan-Jonson and Brian J. Foley), “Refining Our Vocabulary: ‘Narrative’ and ‘Story(telling),’” 2011 Applied Legal Storytelling Conference, July 2011, University of Denver, Sturm College of Law (Plenary Presentation).

Co-Presenter (with Rebecca Scharf), “Enhancing Your Classroom Persona: Everything I need to Know About Being a Dynamic Teacher I Learned from Harry Potter,” The 14th Biennial Conference of the Legal Writing Institute, July 2010, Marco Island, Florida.

COURT ADMISSIONS

State Bar of Nevada, Admitted, 2001; State Bar of California, Admitted, 2003