

Zachary Price
Eucalyptus Foundation Endowed Chair, UC Law SF
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Academic Appointments

UNIVERSITY OF CALIFORNIA COLLEGE OF THE LAW, SAN FRANCISCO (formerly U.C. HASTINGS) Eucalyptus Foundation Endowed Chair (2022 -) Harry & Lillian Hastings Research Chair (2020-2022) Professor (with tenure) (2019 -) Associate Professor (2015-2019) Visiting Assistant Professor (2013-2015)	2013 -
HARVARD LAW SCHOOL Bruce Bromley Visiting Professor of Law	Fall 2023
STANFORD CONSTITUTIONAL LAW CENTER Fellow	2012 - 2013

Professional Experience

OFFICE OF LEGAL COUNSEL, U.S. DEPT. OF JUSTICE Attorney Adviser	2009 - 2012
JONES DAY Associate, Issues and Appeals Group	2007 - 2009

Clerkships

ASSOCIATE JUSTICE ANTHONY M. KENNEDY United States Supreme Court	2005 - 2006
HONORABLE DAVID S. TATEL United States Court of Appeals for the District of Columbia Circuit	2004 - 2005
HONORABLE CATHERINE C. BLAKE United States District Court for the District of Maryland	2003 - 2004

Education

HARVARD LAW SCHOOL, J.D., *magna cum laude*, June 2003

- First-Year Lawyering Instructor, Board of Student Advisers
- Articles Editor, *Harvard Journal on Legislation*

FULBRIGHT SCHOLARSHIP, Copenhagen University, 1998-1999

STANFORD UNIVERSITY, A.B., with Honors and Distinction, June 1998
Major: Modern Thought & Literature / Minor: Slavic Languages & Literatures

ZACHARY PRICE
Curriculum Vitae (cont'd)

Representative Scholarly Publications

CONSTITUTIONAL SYMMETRY: JUDGING IN A DIVIDED REPUBLIC (forthcoming in July 2024 with Cambridge University Press)

Faithful Execution in the Fifty States, 57 GEORGIA L. REV. 651 (2023)

Congress's Power Over Military Offices, 99 TEX. L. REV. 491 (2021)

Reliance on Executive Constitutional Interpretation, 100 B.U. L. REV. 197 (2020)

Funding Restrictions and Separation of Powers, 71 VAND. L. REV. 357 (2018)

- Finalist paper in 2018 AALS Junior Scholars Paper Competition
- Selected for presentation at the 2017 American Constitution Society Junior Scholars Public Law Workshop

Reliance on Nonenforcement, 58 WILLIAM & MARY L. REV. 937 (2017)

- Selected for Harvard-Yale-Stanford Junior Faculty Forum (June 2016) (winning paper in the criminal justice category)
- Selected for Vanderbilt Law School Branstetter New Voices in Civil Justice Workshop (May 2016)

Law Enforcement as Political Question, 91 NOTRE DAME L. REV. 1571 (2016)

Enforcement Discretion and Executive Duty, 67 VAND. L. REV. 671 (2014)

- Downloaded over 2,000 times from SSRN
- Cited in *United States v. Texas*, No. 22-58, 2023 WL 4139000, at *31 n.11 (U.S. June 23, 2023) (Alito, J., dissenting)
- Discussed in *Laufer v. Arpan LLC*, 29 F.4th 1268, 1292-93 (11th Cir. 2022) (Newsom, J., concurring)
- Cited in *Arpaio v. Obama*, 797 F.3d 11, 30 (D.C. Cir. 2015) (Brown, J., concurring), *United States v. Rodriguez*, 137 F. Supp. 3d 1278 (D.N.M. 2015), *Texas v. United States*, 328 F.Supp.3d 662 (S.D. Tex. 2018), and *Texas v. United States*, 555 F. Supp. 3d 351, 406 (S.D. Tex. 2021), *appeal dismissed*, No. 21-40618, 2022 WL 517281 (5th Cir. Feb. 11, 2022)

NAMUDNO's Non-Existent Principle of State Equality, 88 N.Y.U. L. REV. ONLINE 24 (2013)

- Featured in Scotusblog symposium on *Shelby County v. Holder*

The Rule of Lenity as a Rule of Structure, 72 FORDHAM L. REV. 885 (2004)

- Discussed in *State v. Hearn*, 797 N.W.2d 577 (Iowa 2011), *State v. Thonesavanh*, 904 N.W.2d 432, 445 (Minn. 2017) (Anderson, J., concurring), and *State v. Wolvelaere*, 461 P.3d 1173, 1179 n.12 (2020)
- Excerpt included in PAUL ROBINSON ET AL., CRIMINAL LAW: CASE STUDIES & CONTROVERSIES (4th ed. 2016)

Other Scholarly Papers, Publications, & Works in Progress

American Federalism: State Borders, Migration, and Asylum, in **FEDERALISM IN A TURBULENT ERA** (Nicholas Aroney & Renato Costa, eds., Edward Elgar Press, forthcoming 2024) (invited book chapter)

[*The Demise and Rebirth of Fiscal Heroism*](#) (working paper)

[*What If Criminal Lawmaking Becomes Trustworthy?*](#), 113 **J. CRIM. L. & CRIMINOLOGY** 719 (2024) (invited symposium contribution)

[*Federal Nonenforcement at a Crossroads*](#), 78 **NYU ANNUAL SURVEY OF AMERICAN LAW** 205 (2023) (invited contribution based on essay prepared for the Stanford University Hoover Institution's Program on Regulation and the Rule of Law)

Federal Marijuana Nonenforcement: A Dubious Precedent, in **MARIJUANA FEDERALISM: UNCLE SAM & MARY JANE** (Jonathan Adler, ed., Brookings Institution Press, 2020) (invited book chapter)

[*Symmetric Constitutionalism: An Essay on Masterpiece Cakeshop and the Post-Kennedy Supreme Court*](#), 70 **HASTINGS L.J.** 1273 (2019)

[*Polarization or Symmetry?: The Court's Current Choice*](#) (reviewing NEAL DEVINS & LAWRENCE BAUM, **THE COMPANY THEY KEEP: HOW PARTISAN DIVISIONS CAME TO THE SUPREME COURT** (2019)) (unpublished draft)

[*Precedent in a Polarized Era*](#), 94 **NOTRE DAME L. REV.** 433 (2018) (reviewing RANDY J. KOZEL, **SETTLED VERSUS RIGHT: A THEORY OF PRECEDENT** (2017)) (invited book review based on presentation at book-release event)

[*Our Imperiled Absolutist First Amendment*](#), 20 **U. PA. J. CONST. L.** 817 (2018) (invited symposium contribution)

[*Seeking Baselines for Negative Authority: Constitutional and Rule-of-Law Arguments Over Nonenforcement and Waiver*](#), 8 **J. LEGAL ANALYSIS** 235 (2016) (peer reviewed journal) (invited paper for March 2015 symposium at Stanford University's Hoover Institution on "The Role of Executive Power and Discretion under the Rule of Law")

[*Politics of Nonenforcement*](#), 65 **CASE W. RESERVE L. REV.** 1119 (2015) (invited paper for symposium at Case Western Reserve Law School on "Executive Discretion and the Administrative State")

[*Dividing Sovereignty in Tribal and Territorial Criminal Jurisdiction*](#), 113 **COLUM. L. REV.** 657 (2013)

- Discussed in *Lac du Flambeau Band of Lake Superior Chippewa Indians v. Coughlin*, 143 S. Ct. 1689, 1707-08 (2023) (Gorcush, J., dissenting)
- Cited as "[l]eading scholarship" in comments to the **RESTATEMENT OF THE LAW—THE LAW OF AMERICAN INDIANS** § 13
- Referenced by majority and dissent in *Pueblo v. Sanchez Valle*, 192 D.P.R. 594 (Puerto Rico S.Ct. 2015), *rev'd*, *Puerto Rico v. Sanchez Valle*, 579 U.S. __ (2016)

ZACHARY PRICE
Curriculum Vitae (cont'd)

Recent Developments, *The Bankruptcy Abuse Prevention and Consumer Protection Act*, 39 HARV. J. LEG. 237 (2002)

Blog Posts, Columns, and Op-Eds

Representative Publications:

[*The New Constitutional Doctrine That Would Depolarize the Supreme Court*](#), THE UNPOPULIST (Sept. 20, 2023)

[*Expertise and Polarization*](#), NOTICE & COMMENT (Mar. 27, 2023) (invited contribution for symposium on WILLIAM ARAIZA, REBUILDING EXPERTISE: CREATING EFFECTIVE AND TRUSTWORTHY REGULATION IN AN AGE OF DOUBT (2023))

[*Enforcement Policy is a Political Question in United States v. Texas*](#), NOTICE & COMMENT (Nov. 21, 2022)

[*Excluding the CFPB From Annual Appropriations Is Bad But Constitutional*](#), NOTICE & COMMENT BLOG, YALE JOURNAL ON REGULATION (Oct. 23, 2022)

[*Can Prosecutors Refuse to Enforce the Law?*](#), WALL STREET JOURNAL (Apr. 28, 2022)

[*Blanket Nonenforcement Policies are Unconstitutional in California*](#), SCOCA BLOG (SUPREME COURT OF CALIFORNIA BLOG) (Feb. 1, 2022)

[*The Fifty States' Varied Laws on Prosecutorial Nonenforcement*](#), SLOG BLOG (STATE AND LOCAL GOVERNMENT LAW BLOG) (Jan. 27, 2022)

[*Paying the Piper in the Remain-in-Mexico Case*](#), NOTICE & COMMENT BLOG, YALE JOURNAL ON REGULATION (Sept. 1, 2021)

[*An Alarmist Take on the Supreme Court's Agenda*](#), SCOTUSBLOG (May 20, 2021) (invited review of IAN MILLHISER, THE AGENDA: HOW A REPUBLICAN SUPREME COURT IS RESHAPING AMERICA (2021))

[*A Brilliant but Unsettling Vision of Separation of Powers*](#), NOTICE & COMMENT BLOG, YALE JOURNAL ON REGULATION (Mar. 26, 2021) (invited book review for symposium on ADAM B. COX & CRISTINA M. RODRÍGUEZ, THE PRESIDENT AND IMMIGRATION LAW (2020))

Constitutional Law: Symmetric Constitutionalism, UC HASTINGS JUDGES' BOOK: SCHOLARSHIP FOR THE BENCH (Sept. 2020)

[*Congress Has Broad Power to Structure the Military—and It Should Use It*](#), LAWFARE (Sept. 2, 2020)

[*Trump Thinks the Law Doesn't Restrain Him. The Supreme Court Just Agreed.*](#), WASHINGTON POST (Aug. 11, 2020) (invited op-ed)

[*DACA and the Need for Symmetrical Principles*](#), SCOTUSBLOG (June 19, 2020) (invited post)

ZACHARY PRICE
Curriculum Vitae (cont'd)

[Can Trump Defund the WHO?](#), ACS BLOG (June 1, 2020) (invited post)

[Why Congress Would Keep Working During a Government Shutdown](#), THE CONVERSATION (Dec. 13, 2019) (invited submission)

[The DACA Trap](#), NOTICE & COMMENT BLOG, YALE JOURNAL ON REGULATION (Nov. 2019)

Constitutional Law: Funding Restrictions and Separation of Powers, UC HASTINGS JUDGES' BOOK: SCHOLARSHIP FOR THE BENCH (Sept. 2019)

[Symmetric Constitutionalism: A Judicial Ethos for Polarized Times](#), LAW & LIBERTY (May 9, 2019) (invited submission with honorarium)

Constitutional Law: Reliance on Nonenforcement, UC HASTINGS JUDGES' BOOK: SCHOLARSHIP FOR THE BENCH (Sept. 2018)

[Against Cutting the President's Purse Strings](#), NOTICE & COMMENT BLOG, YALE JOURNAL ON REGULATION (Jan. 2018)

Federal Law Enforcement: Law Enforcement as Political Question, UC HASTINGS JUDGES' BOOK: SCHOLARSHIP FOR THE BENCH (Sept. 2017)

[Congress's Bet Against Equal Sovereignty](#), SCOTUSBLOG (Aug. 2017) (invited post for on-line symposium on *Christie v. National Collegiate Athletic Association*)

Enforcement Discretion Amid the Political Maelstrom, ADMINISTRATIVE & REGULATORY NEWS (Spring 2017) (invited article in quarterly publication of ABA's Section of Administrative Law & Regulatory Practice)

[Could the Trump Administration Entrap Dreamers?](#), WASHINGTON POST (Nov. 24, 2016) (unsolicited op-ed selected for publication)

Federal Policy and Due Process, DAILY JOURNAL (September 12, 2016) (invited guest column)

[The Court After Scalia: The Rule of Lenity](#), SCOTUSBLOG (September 2016) (invited post for on-line symposium on the Supreme Court after Justice Scalia)

[The Immigration Punt](#), SCOTUSBLOG (June 2016) (invited post for on-line symposium on *United States v. Texas*)

[Dividing Sovereignty: Commonwealth of Puerto Rico v. Sanchez Valle](#), BALKINIZATION (Jan. 2016) (discussing then-pending Supreme Court case *Puerto Rico v. Sanchez Valle*)

Assessing the Roberts Court, CALIFORNIA LAWYER (Dec. 2014) (reviewing LAURENCE TRIBE & JOSHUA MATZ, UNCERTAIN JUSTICE: THE ROBERTS COURT AND THE CONSTITUTION)

[Two Cheers for OLC's Opinion](#), BALKINIZATION (Nov. 2014) (invited post for on-line symposium on Administrative Reform of Immigration Law)

ZACHARY PRICE
Curriculum Vitae (cont'd)

[Enforcement Discretion and Executive Duty](#), VOLOKH CONSPIRACY (Dec. 2013)

[Shelby County v. Holder: The Voting Rights Act Doesn't Need to Treat States Equally](#), Online Symposium on *Shelby County v. Holder*, SCOTUSBLOG (Feb. 2013)

Regular Contributor, TAKE CARE, 2016-2020 (legal blog addressing administration-related issues):

- [The Real Problem with Seila](#) (Aug. 24, 2020)
- [Taking Pandemic and Military Powers Away from the President](#) (Mar. 9, 2020)
- [The DACA Trap](#) (Nov. 6, 2019)
- [Impeachment and Congress's Power of the Purse](#) (Oct. 29, 2019)
- [Overriding Trump on Troop Withdrawals](#) (Oct. 10, 2019)
- [Special Prosecutors and the Structure of Office-Holding](#) (Jan. 18, 2019) (for an on-line symposium on ANDREW COAN, PROSECUTING THE PRESIDENT: HOW SPECIAL PROSECUTORS HOLD PRESIDENTS ACCOUNTABLE AND PROTECT THE RULE OF LAW (2019))
- [The Constitutional Law of Shutdowns](#) (Jan. 8, 2019)
- [Thoughts on Roberts and Trump](#) (Nov. 26, 2018)
- [Finding a Floor for Inter-Branch Conflict](#) (Nov. 2, 2018)
- [Symmetric Constitutionalism for a Polarized Era](#) (Oct. 30, 2018)
- [Polarization, Deregulation, and Situational Legalism](#) (Jan. 16, 2018)
- [Why Enjoining DACA's Cancellation Is Wrong](#) (Jan. 12, 2018) (cited in *Batalla Vidal v. Nielsen*, 279 F. Supp. 3d 401, 421 n.9 (E.D.N.Y. 2018))
- [Against Cutting the President's Purse Strings](#) (Jan. 6, 2018) (cross posted on NOTICE & COMMENT BLOG)
- [Our Imperiled Absolutist First Amendment](#) (Oct. 3, 2017)
- [DACA's Cancellation: What Happens Next?](#) (Sept. 7, 2017)
- [Law, Politics, and Interbranch Conflict](#) (Aug. 24, 2017) (for on-line symposium on JOSH CHAFETZ, CONGRESS'S CONSTITUTION (2017))
- [Attacking North Korea Would Be Illegal](#) (Aug. 10, 2017)
- [An Airtight Opinion on Fugitive Emissions](#) (July 12, 2017)
- [The Fire Alarm Function of Office-Holding](#) (June 19, 2017)
- [How Might Congress Reinforce NATO](#) (May 30, 2017)
- [Trump's Mistaken Signing Statement on Marijuana Enforcement](#) (May 16, 2017)
- [Real Reasons To Worry About Filibuster Repeal](#) (April 10, 2017)
- [Congress's Vital Power of the Purse](#) (April 5, 2017)
- [When Due Process Reliance Defenses May Bar Enforcement](#) (March 24, 2017)
- [Reliance Defenses in the Trump Era and Beyond](#) (March 23, 2017)
- [Republican \(and Democratic\) Hypocrisy on Faithful Execution](#) (March 17, 2017)

Podcasts:

[Subordination and Separation of Powers](#), LAW & GOVERNANCE PODCAST (Feb. 2, 2022) (commenter on podcast discussing article by Matthew Lawrence)

[Congress May Want To Play a Bigger Role in Military Operations](#), FEDERAL DRIVE WITH TOM TEMIN, FEDERAL NEWS NETWORK (Sept. 25, 2020) (radio interview)

[Congress's Control Over the Military](#), LAWFARE PODCAST (Sept. 17, 2020)

ZACHARY PRICE
Curriculum Vitae (cont'd)

[OT2018 #17: “The Most Distinguished Recording Location”](#), FIRST MONDAYS PODCAST (Jan. 31, 2019)

[DACA and the Limits of Reliance](#), DAILY JOURNAL PODCAST (Feb. 12, 2018)

First Amendment Pressure Points?, DAILY JOURNAL PODCAST (Oct. 20, 2017)

[“We’re All Hypocrites” + Zachary Price](#), VERSUS TRUMP PODCAST (May 4, 2017) (podcast associated with TAKE CARE BLOG)

[Dollar General Corporation v. Mississippi Band of Choctaw Indians](#)—*Post-Decision SCOTUScast*, FEDERALIST SOCIETY PODCAST SERIES (August 2016) (discussing Supreme Court decision)

[Dollar General Corporation v. Mississippi Band of Choctaw Indians](#)—*Post-Argument SCOTUScast*, FEDERALIST SOCIETY PODCAST SERIES (Dec. 2015) (discussing pending Supreme Court case)

Non-Legal Publications:

Lukács, Dostoevsky, and the Politics of Art: Utopia in The Theory of the Novel and The Brothers Karamazov, 45 SLAVIC & EAST EUROPEAN JOURNAL 343 (2001)

[On Young Lukács on Kierkegaard](#), 25 PHILOSOPHY & SOCIAL CRITICISM 67 (1999)

Book Review, 20 KIERKEGAARDIANA 316 (1999) (reviewing HABIB C. MALIK, RECEIVING SØREN KIERKEGAARD (1997))

Select Talks & Conference Presentations

Scholarly Talks & Presentations:

ABA Administrative Law and Regulatory Practice Spring Conference, Academic Workshop: Commenter on Panel Presentations (May 2024)

UNC School of Law Prosecutors and Politics Project, *Prosecuting Cannabis: Approaches from States Without Legalization* (May 2023) (online panel discussion)

University of Virginia Law School, Virginia-Chicago Foreign Relations Law Roundtable: *Fiscal Illegality, Then and Now* (April 2023) (invited paper contribution)

Northwestern University Law School, Journal of Criminal Law and Criminology Symposium on “The Future of American Criminal Law”: *Is the Political Process in Criminal Law Becoming More Trustworthy?* (Mar. 2023) (invited panel presentation)

UC Berkeley Law, Public Law Workshop: *Constitutional Symmetry* (Feb. 2023) (invited paper presentation)

ZACHARY PRICE
Curriculum Vitae (cont'd)

Ohio State Law Journal Symposium, Legal Implications of the Ukraine War: *Separation of Powers Questions and U.S. Support for Ukraine* (Feb. 2023) (invited panel presentation)

New York Law School, Markelloquium! (Criminal Law Theory Colloquium): *Faithful Execution in the Fifty States* (May 2022) (invited paper presentation)

University of Wisconsin Law School, State Democracy Research Initiative, Panel on “Prosecutorial Nonenforcement: Legal and Policy Dimensions” (Apr. 2022) (invited presentation based on *Faithful Execution in the Fifty States*)

University of Georgia Law School, Georgia Law Review Symposium on “Immigrants and the First Amendment” (Mar. 2022) (invited panel presentation on *Trump v. Hawaii*)

Ohio State Law School Faculty Colloquium: *Faithful Execution in the Fifty States* (Mar. 2022) (invited presentation)

Stanford Law School, Constitutional Law Center, “Democracy & Distrust at 40: The Past and Future of Dean Ely’s Pathbreaking Work” (Feb. 2022) (invited panel presentation based on *Symmetric Constitutionalism*)

Presidential Administration in a Polarized Era, George Mason University C. Boyden Gray Center for Study of the Administrative State: *Faithful Execution in the Federal Government and the Fifty States* (June 2021 & Oct. 2021) (paper selected for presentation with honorarium)

Columbia Law School, Public Law Workshop: *The Demise and Rebirth of Fiscal Heroism* (Apr. 2021) (invited presentation)

Marquette Law School, Faculty Workshop: *The Demise and Rebirth of Fiscal Heroism* (Mar. 2021) (invited colloquium presentation)

Appropriations Scholarship Roundtable, George Mason University C. Boyden Gray Center for Study of the Administrative State: *The Demise and Rebirth of Fiscal Heroism* (Feb. 2021) (paper selected for presentation with honorarium)

Commenter, University College Dublin Constitutional Works in Progress Workshop (Dec. 2020) (invited to provide comments on “The President as Commander in Chief in a Comparative Constitutional Perspective” by Dr. Marie-Luce Paris)

Panel Discussion on Prosecutorial Discretion in Enforcement Agencies, American Bar Association, Administrative Law Section Annual Conference (Nov. 2020) (moderated and commented on presentations)

Eleventh Annual Loyola Constitutional Law Colloquium, Loyola University Chicago: *Towards an Antifactual Jurisprudence* (Nov. 2020) (abstract selected for presentation)

ZACHARY PRICE
Curriculum Vitae (cont'd)

Stanford University Hoover Institution, Working Group on Regulation and the Rule of Law: [*The Enforcement Mess: Federal Nonenforcement After UC Regents*](#) (July 20, 2020) (invited presentation with honorarium)

Twelfth Annual Transatlantic Forum, Bucerius Law School, Hamburg, Germany (scheduled for May 2020—postponed due to pandemic) (invited panel presentation)

American Constitution Society, Georgetown Law Center: *Unilateralist Presidencies and Submissive Legislatures: Rebalancing Our Separation of Powers* (Feb. 2020) (invited presentation on panel about “Imagining a Resurgent Congress”)

SEALS Annual Conference, New Scholars Workshop: *Congressional Authority Over Military Offices* (July 2019)

Fourth Annual Administrative Law New Scholarship Roundtable: *Congressional Authority over Military Offices* (June 2019) (paper selected for presentation)

UC Hastings Conference on “The Power of the Purse in a Polarized Era”: *Funding Restrictions and Separation of Powers* (Mar. 2019)

National Conference of Constitutional Law Scholars: *Symmetric Constitutionalism* (Mar. 2019) (paper selected for presentation)

Hastings Law Journal Symposium on “The Jurisprudence of Justice Anthony Kennedy”: *Symmetric Constitutionalism* (Jan. 2019) (invited symposium presentation)

Pepperdine Law School, Faculty Colloquium: *Symmetric Constitutionalism* (Jan. 2019) (invited workshop presentation)

Loyola Chicago Annual Constitutional Law Colloquium: *Symmetric Constitutionalism* (Nov. 2018)

University of Portland, Constitution Day Lecture: *Constitutional Law in a Polarized Era* (Oct. 2018) (invited lecture with honorarium)

UC Hastings, Faculty Colloquium: *Reliance on Executive Constitutional Interpretation* (Oct. 2018)

SEALS Annual Conference, Discussion Group on Public Law at the Mid-Term of the Trump Era (Aug. 2018)

SEALS Annual Conference, The Kennedy Retirement: A Retrospective and a Gaze at the Future (Aug. 2018) (moderated panel discussion)

ZACHARY PRICE
Curriculum Vitae (cont'd)

- SEALS Annual Conference, New Scholars Workshop: *Reliance on Executive Constitutional Interpretation*** (Aug. 2018)
- Third Annual Administrative Law New Scholarship Roundtable: *Reliance on Executive Constitutional Interpretation*** (June 2018) (paper selected for presentation)
- Annual Symposium, Indiana International and Comparative Law Review, Indiana University Robert H. McKinney School of Law: *Can Congress Control Diplomacy (and Other Executive Powers) Through Appropriations?*** (Mar. 2018) (invited symposium presentation)
- National Conference of Constitutional Law Scholars, Roundtable Discussion: *Reliance on Executive Constitutional Interpretation*** (Mar. 2018) (paper selected for presentation)
- Notre Dame Law School, Book Celebration for Professor Randy Kozel: *Precedent in a Polarized Era*** (invited presentation at event celebrating RANDY J. KOZEL: SETTLED VERSUS RIGHT: A THEORY OF PRECEDENT (2018))
- Loyola Chicago Law School, Center for Compliance Studies, Conference on Regulatory Nonenforcement: *Reviewability and Reliance Limitations on Nonenforcement—and Why They Matter*** (Feb. 2018) (invited standalone conference presentation)
- AALS Annual Meeting, Criminal Law Section, Works in Progress Panel: *Reliance on the Office of Legal Counsel*** (Jan. 2018)
- George Mason University Antonin Scalia Law School, Center for the Study of the Administrative State: *Beyond Deference: Emerging Issues in Judicial Review of Agency Action*** (Dec. 2017) (invited panel presentation with honorarium)
- UC Hastings Conference on “Deregulatory Frontiers”: *Deregulation Past, Present, and Future*** (Nov. 2017) (introductory address)
- Loyola Chicago Annual Constitutional law Colloquium: *Funding Restrictions & Separation of Powers*** (Nov. 2017)
- SEALS Annual Conference, Discussion Group on Intersection of Administrative Law and Criminal Justice** (Aug. 2017)
- SEALS Annual Conference, New Scholars Workshop: *Funding Restrictions & Separation of Powers*** (Aug. 2017)
- University of Pennsylvania Law School, Journal of Constitutional Law Symposium: *Responding to Hate Crimes Through Free Speech*** (Feb. 2017) (invited symposium presentation)
- American Constitution Society, Junior Scholars Public Law Workshop: *Funding Restrictions and Separation of Powers*** (Jan. 2017) (paper selected through peer review)
- AALS, New Voices in Legislation Workshop: *Funding Restrictions and Separation of Powers*** (Jan. 2017) (paper selected through peer review)

ZACHARY PRICE
Curriculum Vitae (cont'd)

Yale Law School, Harvard-Yale-Stanford Junior Faculty Forum: *Reliance on Nonenforcement*
(June 2016) (paper selected through blind peer review in criminal justice category)

Vanderbilt Law School, Branstetter Workshop for New Voices in Civil Justice: *Reliance on Nonenforcement* (May 2016) (paper selected through blind peer review)

Stanford Law School, Federalist Society Conference on Intellectual Diversity (April 1, 2016)
(moderated panel discussion)

Harvard Law School, Conference on Presidential Power and Contentious Politics (April 1, 2016)
(invited panel presentation)

Bay Area Administrative Law Forum, Workshop Presentation: *Reliance on Nonenforcement*
(March 22, 2016)

George Mason University Law School, Faculty Colloquium: *Law Enforcement as Political Question* (Sept. 22, 2015) (invited presentation)

Stanford Law School, Conference on the Constitution and the Administrative State: Past, Present, and Future: *Justiciability of Law Enforcement Questions* (April 17-18, 2015) (invited presentation)

Stanford University, Hoover Institution, Program on Regulation and the Rule of Law: *Waiving Rules of Law* (March 5-6, 2015) (invited presentation)

Case Western Reserve University Law School, Law Review Symposium on Executive Discretion and the Administrative State: *Politics of Non-Enforcement* (November 14, 2014) (invited symposium presentation)

University of San Francisco Law School, Faculty Workshop: *Enforcement Discretion and Executive Duty* (Jan. 2014) (invited presentation)

Stanford Law School, Constitutional Conversation: *Recent Controversies Over Executive Non-Enforcement of Statutes* (Nov. 20, 2013) (invited public presentation)

UC Hastings College of the Law, Faculty Colloquium: *Dividing Sovereignty in Tribal and Territorial Criminal Jurisdiction* (Jan. 22, 2013) (invited presentation)

Other Talks & Presentations:

New Hampshire Humanities Council, Humanities@Home, *Congress's Power of the Purse and Why It Matters* (Feb. 2024) (invited online presentation with honorarium)

Ohio State University Law School, Student Federalist Society Chapter, *Federal Nonenforcement*
(March 2022) (invited presentation with honorarium)

UC Hastings Law, *Post-Election Consequences on the Domestic Front* (Nov. 2020) (panel discussion regarding election results)

ZACHARY PRICE
Curriculum Vitae (cont'd)

- Brookings Institute, *Congress's Power Over the Military*** (Sept. 2020) (confidential briefing for congressional staff)
- Appellate Judicial Attorney Institute, Judicial Council of California, *Justice Kennedy's Legacy*** (Apr. 2019) (invited presentation for panel on Supreme Court)
- Federal Bar Council, 2019 Winter Bench and Bar Conference, *Separation of Powers in a Polarized Era*** (Feb. 2019) (invited presentation to Second Circuit bar association)
- San Ramon Democratic Club, *Constitutional Law in a Polarized Era*** (Oct. 2018) (invited presentation on current constitutional issues)
- Bar Association of San Francisco, *Justice Kennedy's Legacy*** (July 2018) (moderated discussion of Justice Kennedy's legacy and the Supreme Court's future)
- American Constitution Society Bay Area, *Bureaucracy Privatization in the Trump Era*** (Jan. 2018) (moderated discussion with Professor Jon Michaels regarding his book CONSTITUTIONAL COUP: PRIVATIZATION'S THREAT TO THE AMERICAN REPUBLIC (2017))
- UC Hastings Annual Supreme Court Review and Preview** (Oct. 2017) (public panel discussion of recent and pending Supreme Court cases)
- San Francisco Bank Attorneys' Association, *Supreme Court Term in Review: Still the Kennedy Court*** (Sept. 2017) (invited presentation on recent decisions at the Supreme Court)
- California Bankers Association, Annual Bank Counsel Seminar, *Review of Supreme Court Term*** (June 2017) (invited presentation on Supreme Court term)
- Bar Association of San Francisco, *Balancing Power: Challenging Presidential Executive Orders in the Courts*** (May 2017) (invited presentation on panel for CLE event)
- San Francisco Bay Area Federal Executive Board, *Constitutional and Administrative Law Overview*** (March 2017) (invited presentation to attorneys from multiple federal agencies in the Bay Area)
- UC Hastings Alumni Association, *The New President, Congress, and the Supreme Court*** (Feb. 2017) (with Professor Rory Little) (UC Hastings alumni event)
- San Francisco Bank Attorneys' Association, *Supreme Court Term in Review: End of the Kennedy Court?*** (Sept. 2016) (invited presentation regarding recent Supreme Court term)
- National Association of Attorneys General, State Solicitors General & Appellate Chiefs Conference: *When, if Ever, Should Attorneys General Decline to Defend State Law*** (June 18, 2015) (invited presentation on panel with three state attorneys general)
- UC Hastings Annual Supreme Court Review and Preview** (Oct. 2014) (public panel discussion of recent and pending Supreme Court cases)

ZACHARY PRICE
Curriculum Vitae (cont'd)

Select Media References

- Bob Egelko, [*Are Protesters, Police and Universities Acting Lawfully Amid Campus Clashes? Here's What Experts Say*](#), SF CHRONICLE (May 1, 2024)
- [*What a Government Shutdown Actually Means*](#), NBC NEWS (Feb. 28, 2024)
- Andrew Restuccia & Andrew Duchren, [*How Painful Could a Shutdown Be? That's Up to Biden*](#), WALL STREET JOURNAL (Sept. 28, 2023)
- Jeff Neal, [*Power of the Purse*](#), HARVARD LAW TODAY (Sept. 25, 2023) (reported interview regarding Congress's appropriations power and government shutdowns)
- Laura Kusisto & Mariah Timms, *Liberal Prosecutors Tussle With State Officials Over Abortion, Drug Crimes*, WALL STREET JOURNAL (May 2, 2023)
- Joe Eskenazi, *Alison Collins' Strange and Terrible \$87M Lawsuit*, MISSION LOCAL (Apr. 2, 2021)
- Robert Barnes, *Legal Scholars Dispute Trump's Claim to Power 'Nobody Thought the President Had'*, WASHINGTON POST (Aug. 5, 2020)
- Robert Verbruggen, *A Worrying Day for Gun Rights—But Promising Signs on Ending DACA*, NATIONAL REVIEW (Nov. 12, 2019)
- Jess Bravin, *Court to Weigh Conservative Goals*, WALL STREET JOURNAL, at A4 (Oct. 2, 2017) (quoting from interview on new Supreme Court term)
- Rose Cuison Villazor, *What Do Dreamers Do Now?*, Op-Ed, NEW YORK TIMES (Sept. 4, 2017) (referring to argument in *Reliance on Nonenforcement*)
- Bob Egelko, *What Trump Can Learn from Nixon*, SAN FRANCISCO CHRONICLE (May 17, 2017) (quoting from interview on impeachment requirements)
- Marcia Coyle, *Taking Care of the Take Care Clause*, NATIONAL LAW JOURNAL, SUPREME COURT BRIEF (Mar. 16, 2016) (transcript of interview)
- Fred Barbash, *President or King? Translated, That's What the Supreme Court Is Asking About Obama*, WASH. POST (Jan. 25, 2016) (quoting from interview)
- Tierney Sneed, *Is The Supreme Court Poised To Redefine Obama's Executive Power?*, TALKING POINTS MEMO (Jan. 21, 2016) (quoting from interview)
- Joe Palazzolo, *In Immigration Case, Supreme Court Takes an Interest in 'Take Care' Clause*, WALL STREET JOURNAL LAW BLOG (Jan. 19, 2016) (quoting from interview)
- LAURENCE TRIBE AND JOSHUA MATZ, UNCERTAIN JUSTICE: THE ROBERTS COURT AND THE CONSTITUTION (2014) (quoting *Enforcement Discretion and Executive Duty* in text)
- Danny Vinik, *Obama's Executive Power Isn't What He Thinks It Is*, NEW REPUBLIC (Aug. 14, 2014) (discussing *Enforcement Discretion and Executive Duty*)

ZACHARY PRICE
Curriculum Vitae (cont'd)

Reihan Salam, *Deferred Action for Almost Everyone?*, NATIONAL REVIEW ONLINE (Aug. 5, 2014) (quoting *Enforcement Discretion and Executive Duty*)

Eric Posner, *Boehner's Lawsuit is a Loser*, SLATE (July 11, 2014) (referring to *Enforcement Discretion and Executive Duty*)

Nicholas Bagley, *The Legality of Delaying Key Elements of the ACA*, NEW ENGLAND JOURNAL OF MEDICINE (May 22, 2014) (citing *Enforcement Discretion and Executive Duty*)

Jacob Gershman, *The Latest Obamacare Delay: A Lawless Rewrite or Proper Exercise of Authority?*, WALL STREET JOURNAL LEGAL BLOG (Feb. 12, 2014) (quoting from interview on justiciability of Affordable Care Act delays)

George Will, *Obama's Extreme Use of Executive Discretion*, WASHINGTON POST (Dec. 18, 2013) (discussing *Enforcement Discretion and Executive Duty*)

Teaching Experience

HARVARD LAW SCHOOL (Visiting Fall 2023)

- Civil Procedure
- Congress's Power of the Purse (reading group)

U.C. LAW, SAN FRANCISCO

- Constitutional Law I (Spring 2024, Spring 2022, Fall 2021, Spring 2021, Spring 2018, Spring 2016, Spring 2015)
- Constitutional Law II (Spring 2023, Spring 2020, Spring 2019, Spring 2018, Spring 2017, Spring 2016, Spring 2014)
- Civil Procedure (Fall 2022, Fall 2020, Fall 2019, Fall 2018, Fall 2017, Fall 2016, Fall 2014, Fall 2013)
- Seminar on "Politics and the Constitution" (Spring 2024, Spring 2023, Spring 2021)
- Seminar on Election Law (Spring 2014)

UNIVERSITY OF BALTIMORE SCHOOL OF LAW

- Recent Supreme Court Decisions (Adjunct Professor, Fall 2009)

HARVARD LAW SCHOOL

- First-Year Lawyering Instructor, Board of Student Advisers (2002-2003, 2001-2002)

Professional Service

U.C. HASTINGS COLLEGE OF THE LAW

- Appointments Committee (2021-2022, 2020-2021, 2018-2019, 2017-2018)
 - Chair during four-position search in 2021-2022
- Rank & Tenure Committee (Spring 2024)
- Faculty Executive Committee (2022-2023, 2019-2020)
- Career Placement and Judicial Clerkships Committee (2016-2017, 2015-2016, 2014-2015)
- Disqualified Students Committee (2016-2017; Chair, Spring 2017)
- Faculty Adviser, *Hastings Law Journal* (2015-present)

ZACHARY PRICE
Curriculum Vitae (cont'd)

- Helped organize symposium on “Justice Kennedy’s Legacy” featuring participation by Justice Kennedy (Feb. 2019)
- Faculty Adviser, *Hastings Constitutional Law Quarterly* (2019-present)
- Organized conference on “Congress’s Power of the Purse in a Polarized Era” (March 2019)

OTHER SERVICE

- Faculty Mentor, American Bar Association Administrative Law Fellowship
- Peer review for journals including the *Yale Law Journal*, *Stanford Law Review*, and *California Law Review*

Select Awards

Harvard Law School, Bruce Bromley Visiting Professorship (Fall 2023)

UC Hastings, Eucalyptus Foundation Endowed Chair (2022 -)

UC Hastings, Harry & Lillian Hastings Research Chair (2020-2022)

UC Hastings, Robert W. Harrison Professorship Fund Summer Stipend Award (June 2019)
(supplemental award stipend for scholarly research)

UC Hastings, Geoffrey Hazard Junior Faculty Research Award (Dec. 2017) (award stipend for excellence in scholarship)

Hastings Foundation Faculty Award (March 2017) (honorarium award for excellence in early-career scholarship)

Harvard-Yale-Stanford Junior Faculty Forum (June 2016) (*Reliance on Nonenforcement* selected through blind peer review as winning paper in criminal justice category)

Branstetter Workshop for New Voices in Civil Justice, Vanderbilt Law School (May 2016)
(*Reliance on Nonenforcement* selected for presentation through blind peer review)

Attorney General’s Award for Exceptional Service in Indian Country, U.S. Justice Department (2013) (award for work on public safety issues affecting Native American communities)

Bar Membership

Maryland; District of Columbia