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Southern Illinois University School of Law
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EDUCATION

Yale Law School **LL.M. 1994**

**Dedman School of Law,
Southern Methodist University** **J.D. Magna Cum Laude 1992**

Honors and Activities:

Valedictorian

Order of the Coif

Editor-in-Chief, Southwestern Law Journal/SMU Law Review

Williams College **B.A. Cum Laude 1989 (Economics)**

TEACHING EXPERIENCE

Southern Illinois University School of Law

Professor of Law, July 2006 to Present

Constitutional Law, First Amendment, Fourteenth Amendment

Seminar, Law and Economics, National Security Law

Texas A&M University, Mays Executive MBA Program

Instructor, August 1999 to Present

Business Ethics, Corporate Social Responsibility, and

Corporate Compliance and Ethics

George Mason University School of Law

Visiting Associate Professor, Spring 2002

Antitrust and Civil Procedure

Dedman School of Law, Southern Methodist University

Visiting Assistant Professor, Spring 1996

Instructor and Lecturer in Law, 1994-1995

Constitutional Law

South Texas College of Law

Director, Corporate Compliance Center, May 2004 to 2006

Harry and Helen Hutchens Research Professor, January 2003 to 2006

Professor, August 2002 to 2006

Associate Professor, August 1999 to August 2002

Assistant Professor, May 1996 to August 1999

Antitrust, Constitutional Law, Constitutional Law Seminar,
Corporate Legal Compliance, Legislation, Law & Economics,
Professional Responsibility, and Property

PUBLICATIONS

Law Review Articles

Social Capital in Constitutional Law: The Case of Religious Norm Enforcement Through Prayer at Public Occasions, ARIZ. ST. L.J. (forthcoming 2008).

In Defense of Complete Preemption, 156 U. PENN. L. REV. PENNUMBRA 147 (2007), available at <http://www.pennumbra.com/issues/articles/155-3/McGreal.pdf>.

Counteracting Ambition: Applying Corporate Compliance and Ethics to the Separation of Powers Threat of Domestic Surveillance, 60 SMU LAW REV. 1571 (2007).

Corporate Compliance Survey, 62 BUS. LAW. 195 (2007).

Corporate Compliance Survey, 61 BUS. LAW. 1645 (2006).

Best Practices in Corporate Compliance: Survey Results and Analysis, 25 CORP. COUNS. REV. 31 (2006).

A Constitutional Defense of Legislative History, 13 WM. & MARY BILL OF RTS. J. 1241 (2005).

Corporate Compliance Survey, 60 BUS. LAW. 1759 (2005) (Survey Reporter with Jean K. FitzSimon).

Legal Risk Assessment After the Amended Sentencing Guidelines: The Challenge for Small Organizations, 23 CORP. COUNS. REV. 153 (2004).

Slighting Context: The Illogic of Ordinary Speech in Statutory Interpretation, 52 KAN. L. REV. 325 (2004).

Saving Article I from Seminole Tribe: A View from The Federalist Papers, 55 SMU L. REV. 393 (2002).

Why Repeal of the Death Tax Means the Second Demise of Substantive Due Process, 39 SAN DIEGO L. REV. 551 (2002).

Applying Coase to Qui Tam Actions Against the States, 77 NOTRE DAME L. REV. 87 (2001) (with DeeDee Baba).

There Is No Such Thing as Textualism: A Case Study in Constitutional Method, 69 FORDHAM L. REV. 2393 (2001).

Unconstitutional Politics, 76 NOTRE DAME L. REV. 519 (2001).

Impeachment as a Remedy for Ethics Violations, 41 S. TEX. L. REV. 1369 (2000).

Ambition's Playground, 68 FORDHAM L. REV. 1107 (2000).

The Role of Suspicion in Federal Equal Protection, 8 WM. & MARY BILL OF RTS. J. 183 (1999).

Annual Survey of Texas Law—Conflict of Laws, 47 SMU L. REV. 835 (1999) (with Jeffrey Kyle).

The Flawed Economics of the Dormant Commerce Clause, 39 WM. & MARY L. REV. 1191 (1998).

Alaska Equal Protection: Constitutional Law or Common Law?, 15 ALASKA L. REV. 209 (1998).

Constitutional Illiteracy, 30 IND. L. REV. 693 (1997).

Equal Protection and Intersectionality — A Reply to Professor Yarbrough, 38 S. TEX. L. REV. 1167 (1997).

Some Rice with Your Chevron? Presumption and Deference in Regulatory Pre-emption, 45 CASE W. RES. L. REV. 823 (1995).

Annual Survey of Texas Law—Conflict of Laws, 47 SMU L. REV. 865 (1994).

Annual Survey of Texas Law—Conflict of Laws, 46 SMU L. REV. 1123 (1993).

A Tale of Two Courts: The Alaska Supreme Court, the United States Supreme Court, and Retroactivity, 9 ALASKA L. REV. 305 (1992).

Back to the Future: The Supreme Court's Retroactivity Jurisprudence, 15 HARV. J.L. & PUB. POL'Y 595 (1992).

Books and Chapters

Questions & Answers: Constitutional Law (2d ed. LexisNexis Group 2007) (with Linda Eads).

Questions & Answers: Constitutional Law (LexisNexis Group 2003; 2004-2006 Cumulative Supplements) (with Linda Eads).

The Pine Tar Incident, in *Courting the Yankees: Legal Essays About the Bronx Bombers* (Carolina Academic Press 2003).

Other Writing

Best Practices in Corporate Compliance: Survey results and Analysis — Part II, FED. ETHICS REP., July 2007, at 1.

Best Practices in Corporate Compliance: Survey results and Analysis — Part I, FED. ETHICS REP., June 2007, at 1.

The Amended Organizational Sentencing Guidelines: Top Ten Things Corporate Counsel Should Know, HOUS. LAW., Mar.-Apr. 2005, at 10.

NFL and Antitrust Laws Won Big in Draft Ruling, HOUS. CHRON., Apr. 21, 2004.

Court, Like the Rest of Us, Has Forgotten the 12th, HOUS. CHRON., Dec. 2003.

Supreme Court Undercuts Political Parties' Clout, DALLAS MORNING NEWS, Dec. 27, 2003.

You Can Focus Your Tele-Rage on the Lawyers, HOUS. CHRON., Oct. 3, 2003.

Why Don't We Have a Winner-Take-All Congressional Election, DALLAS MORNING NEWS, Aug. 12, 2003.

Up the Ante: Why Not Winner Take All Instead of Redistricting?, HOUS. CHRON., Aug. 10, 2003.

Staying Out of Jail: Proposed Sentencing Guidelines Changes Impact Execs, EXEC. LEG. ADV. (2004).

Are We to Be a Profession?, 56 TEX. B.J. 38 (January 1993).

WORKS IN PROGRESS

Compensating Constitutional Interpretation: The Case for Reverse Preemption

Constitutional Interpretation Outside Article III: The Committee on Elections

Defining Judicial Impartiality, Or Who's Afraid of the Big Bad Pledge?

PRESENTATIONS

Ethics Compliance: The Role of Supervisory Lawyers, Southern Illinois University School of Law CLE (Springfield), December 11, 2007.

Ethics Compliance: The Role of Supervisory Lawyers, Southern Illinois University School of Law CLE (Carbondale), October 6, 2007.

Compliance Update, PLI 2007 Advanced Corporate Compliance Workshop (San Francisco), September 27, 2007.

Recent Developments and Hot Topics in Corporate Compliance, PLI Corporate Compliance and Ethics Institute 2007 (Chicago), May 17, 2007.

Stupidity, Privacy, and the First Amendment: What Every Frat Boy Should Know After Borat, ACLU, Southern Illinois Chapter, April 4, 2007.

Recent Developments and Hot Topics in Corporate Compliance, PLI Corporate Compliance and Ethics Institute 2007 (Atlanta), March 29, 2007.

Current Best Practices in Corporate Compliance: Survey Results and Useful Tools, International Corporate Compliance, Center for American and International Law (Chicago), February 22, 2007.

Counteracting Ambition: Domestic Surveillance and the Separation of Powers, Guarding the Guardians, Cary M. Maguire Center for Ethics and Professional Responsibility, Southern Methodist University (Dallas), October 20, 2006.

The President's War Power in the Separation of Powers, ACLU, Southern Illinois Chapter, October 19, 2006.

Compliance Update, PLI 2006 Advanced Corporate Compliance Workshop (San Francisco), September 28, 2006.

Cutting-Edge Developments in Compliance, PLI 2006 Corporate Compliance Institute (Atlanta, Chicago, & New York), March 30, 2006, May 18, 2006, and June 15, 2006.

SOX: What are Attorneys, Law Firms, and Law Departments Doing?, Advanced Civil Trial Law Conference, South Texas College of Law, (Houston), February 10, 2006.

Corporate Compliance and Ethics Survey Results, Greater Houston Business Ethics Roundtable, February 6, 2006

Compliance Best Practices, International Corporate Compliance, Center for American and International Law (Plano, TX), January 19, 2006.

Defining the Role of the Corporate Attorney: Does It Depend Upon Whom You Ask?, State Bar of Texas Annual Meeting (Dallas), June 24, 2005.

Risk Assessments, PLI 2005 Corporate Compliance Institute (Houston), May 19, 2005.

Are Post-Enron Attempts to Police Corporate America Sensible: Has the Pendulum Swung Too Far?, Panel Moderator, Houston Bar Association Joint Faculty Meeting, April 21, 2005.

Cutting-Edge Developments in Compliance, PLI 2005 Corporate Compliance Institute (Atlanta, Chicago, & Houston), March 31, 2005, April 28, 2005, and May 19, 2005.

Social Capital in Constitutional Law: The Santa Fe Case, Faculty Forum, Dedman School of Law, Southern Methodist University, February 12, 2004.

Judicial Campaign Speech, Debate, South Texas College of Law Federalist Society, November 4, 2003.

Constitutional Limits on the Regulation of Judicial Campaign Speech, Panelist, Joint Law School Forum, September 19, 2002.

Regulation of Virtual Child Pornography—The Constitutional Aftermath of Ashcroft v. Free Speech Coalition, Panelist, SEAALS Annual Conference, July 30, 2002.

Texas' Initiation into the Union: A Constitutional Inquiry, Constitutional Studies Colloquium, University of Texas School of Law, March 20, 2001.

Impeachment as a Remedy for Ethical Violations, South Texas College of Law Annual Ethics Symposium, October 14, 1999.

Can Congress Require House Districts?, Young Scholars Program, SEAALS Annual Conference, July 23, 1999.

The Supreme Court and Race, President's Initiative on Race: Campus Week of Dialogue, March 31, 1998.

The Constitutional Definition of Race, The Legal Classification of Race: Who Defines Us—We, They, or the Law?, Houston, Texas, March 3, 1998.

The Constitutional Politics of Impeachment, Congressional Forum on Impeachment, Houston, Texas, November 6, 1998.

Ethics Issues in Pro Bono Representation, CLE Presentation to the Dallas Bar Association Pro Bono Project, January 25, 1995.

OTHER LEGAL EXPERIENCE

Hon. Warren W. Matthews, Alaska Supreme Court (Anchorage)

Law Clerk, 1992-1993

Baker & Botts, L.L.P. (Dallas)

Associate, 1994-1995

General civil litigation experience on cases involving products liability, deceptive trade practices, business torts, and antitrust issues.