

STANLEY E. COX (Stan Cox)
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LAW SCHOOL EMPLOYMENT

Associate Professor of Law, Southern Illinois University School of Law, Carbondale, IL; January 2019 – present; Director of Academic Success from 2019-2021 (with halftime doctrinal teaching responsibilities); returned to fulltime doctrinal teaching thereafter.

Visiting Professor of Law, Creighton Univ. School of Law, Omaha, NE; 2016-2018.

Professor Emeritus, New England School of Law (New England Law | Boston); full time professor from June 1992-2014; Tenured Professor of Law from Spring 1997-June 2014; also coached Environmental moot court team 1992-2014.

Visiting Professor of Law, Boston University School of Law, August 1999 - May 2000.

Fulbright Scholar, Charles University, Prague, Czech Republic, February - June 2008.

Subjects taught during career (alphabetical order): Academic Success, Administrative Law, Advanced Constitutional Law, Advanced Legal Analysis & Strategies; Civil Procedure, Climate Change, Conflict of Laws, Constitutional Law, Criminal Procedure, Domestic & International Regulation of Trade, Environmental Law, Externship Seminars for Administrative Law and Environmental Law, First Amendment, International Environmental Law, Human Rights Litigation in US Courts, Land Use, Legal Writing, Legislative & Administrative Process, Property, Terrorism & Individual Rights.

Summer abroad teacher (2003-2014) for programs in Santiago, Chile; Prague, Czech Republic; Galway, Ireland; and Valletta, Malta; on-site director twice of Galway program.

EDUCATION

University of Kentucky College of Law, J.D. (1984-87), valedictorian.

University of Kentucky, course work towards joint Ph.D. program, Higher Education & Social & Philosophical Studies in Education (1979-83).

Trinity College, University of Dublin, Ireland; Higher Diploma in Anglo-Irish Literature (1977-78); studied as recipient of Rotary Graduate Fellowship.

Duke University, M.A.T. (1974-75) (Education/English).

Harvard College, A.B., Social Anthropology (1970-74); won Hollis prize for combining academic achievement with Christian commitment.

LAW-RELATED WORK EXPERIENCE

September 1990 - August 1992. Commonwealth of Kentucky, Office of the Attorney General, Special Prosecutions Division, Environmental Prosecutions Unit. Criminal prosecutor, specializing in environmental crimes; responsible for facilitating work of interagency environmental crimes workgroup. Consultant to State Attorney General and legislature on waste legislation and civil environmental matters. Coordinated Kentucky Attorney General involvement in national environmental efforts, including authoring U.S. Supreme Court amicus briefs and organizing environmental prosecutions training.

January 1989 - August 1990. Reeves & Graddy, Lexington, Kentucky office. Associate. Plaintiff litigator with emphasis on environmental litigation, including personal injury, citizen group representation, appellate brief writing, and legislative and agency lobbying.

January 1987 - January 1989. Stites & Harbison, Lexington, Kentucky office. Associate. Worked in the litigation section of this multi-office, 100+ attorney firm on a wide variety of matters, including defense litigation, commercial litigation, planning and zoning hearings and appeals, motion practice, appellate brief writing, and family law.

OTHER FULL-TIME TEACHING EXPERIENCE

Fall 1978 - Summer 1985. Lafayette High School, Lexington, Kentucky. English teacher; speech and debate coach. Developed and grew Junior year Advanced Placement program into four section per year program; also created and taught elective courses for all ability level students. Brought into existence a policy debate program that competed on the national circuit and achieved state honors.

Fall 1976 - Summer 1977. Sea Pines Abroad School, Faistenau bei Salzburg, Austria. Was head English teacher for this small boarding school; developed curriculum and accompanied students on outings, including trips outside Austria.

Summer 1974 - Summer 1976. Central Davidson Highschool, Lexington, North Carolina. Developed new English Department courses that explored non-traditional subjects such as mass media, photography, and children's literature; also developed new courses that focused on more traditional subjects such as expository writing, satire, American and British literature, great world novels, world drama, and classic short stories or poetry. Sponsored photography club and supervised photographers who shot for yearbook.

RESEARCH IN PROGRESS

These Are Not Your Father's Religion Clauses (analyzing Roberts Court decisions and lower court disputes, such as the ministerial exception, that show a dramatic shift in approach to both religion clauses that has not yet fully worked its way to completion, and questioning whether a majority of the Justices will be willing to aggressively follow through fully on efforts so far taken to undo separation of church and state)

Dormant Commerce Clause Analysis Under the Roberts Court (analyzing the recent National Pork Producers case as an example of continued disagreement on the Roberts Court about how dormant commerce clause analysis should operate, while offering some suggestions for lower courts as to how to navigate the confusion and offering my own 2 cents as to what approaches should be adopted at the SCOTUS level going forward)

The Precarious Right to Same Sex Marriage (arguing that *Obergefell* was incorrectly decided on substantive due process grounds made especially vulnerable by *Dobbs* but that the constitutional right to same sex marriage can still survive if argued under equal protection as it should have been from the beginning)

Affirmative Action Redux (using the recent SFFA cases to re-explore debates about affirmative action from Bakke forward, critiquing the current majority approach as bad policy and incorrect reading of what the Constitution should have allowed, but explaining how the current rulings are arguably consistent with post-Bakke caselaw; since we are stuck with them regardless, advising why higher education institutions, especially law schools, should be careful not to claim the law is different from what it is)

Burnhaming SCOTUS Personal Jurisdiction Credibility – Here We Go Again? (arguing that *Mallory v Norfolk Southern* should have been an incredibly easy case as a matter of invalid consent, but that sane jurisdictional analysis seems currently threatened by some conservative Justices' attraction to dubious Due Process arguments, some liberal Justices' suspicion about personal jurisdiction limits for big corporations, and the entire Court's unwillingness to re-examine and question *Burnham*)

Close Enough for What? – “Related” Contacts and Limits on Personal Jurisdiction (critiquing the sloppiness of the *Ford Motor* Court's personal jurisdiction analysis and arguing that contacts supporting ability to apply forum law should be coextensive with the “related” minimum contacts required to support personal jurisdiction)

Reasonable Fourth Amendment Searches (exploring the Roberts Court's discomfort with both Katz and categorical approaches to modern surveillance techniques, analyzing inconsistencies in the way the Court has used reasonableness arguments throughout 4th Amendment caselaw, and suggesting that reasonableness arguments might require, more than the Court has so far been willing to consider, taking motivation into account and the reality that it is the government instead of private entities doing the searching)

[We will see which of the above projects moves first to the front of the queue and/or if some other/alternative constitutional law projects jump the queue in favor of some of the above.]

PUBLICATIONS

Treatise: *Jurisdiction in Civil Actions* (with Professors William Richman and Robert Casad; two volume treatise; annual supplements since 2011; co-author of fourth edition 2014-2015; anticipated fifth edition will involve significant re-writes)

“Personal Jurisdiction for Alleged Intentional or Negligent Effects, Matched to Forum Regulatory Interest,” 19 *Lewis & Clark Law Review* 725 (2015) (symposium issue on recent personal jurisdiction cases)

“The Missing ‘Why’ of General Jurisdiction,” 76 *University of Pittsburgh Law Review* 153 (2014)

“Putting *Hanna* to Rest in *Shady Grove*,” 44 *Creighton Law Review* 43 (2011)

“Nine Questions About Same Sex Marriage Conflicts,” 40 *New England Law Review* 361 (2006)

“Red States, Blue States, Marriage Debates,” 3 *Ave Maria Law Review* 635 (2005)

“Substantive, Multilateral, and Unilateral Choice-of-Law Approaches,” 37 *Willamette Law Review* 171 (2001) (AALS symposium collection)

“Applying the Best Law,” 52 *Arkansas Law Review* 11 (1999) (symposium honoring Robert A. Lefflar)

“DOMA and Conflicts Law: Congressional Rules and Domestic Relations Conflicts Law,” 32 *Creighton Law Review* 1063 (1999)

“Why Properly Construed Due Process Limits on Personal Jurisdiction Must Always Trump Contrary Treaty Provisions,” 61 *Alb. L. Rev.* 1177 (1998) (AALS symposium collection)

“Garbage In, Garbage Out: Court Confusion about the Dormant Commerce Clause,” 50 *Oklahoma Law Review* 155 (1997)

“The Interested Forum,” 48 *Mercer Law Review* 727 (1997) (symposium issue honoring Brainerd Currie)

“Teaching Conflicts: An Essay about Conflicts in Teaching, with Application to the Teaching of Conflicts,” 27 *Toledo University Law Review* 593 (1996) (AALS symposium collection)

"*Halper's* Continuing Double Jeopardy Implications: A Thorn By Any Other Name Would Prick as Deep;" 39 St. Louis University Law Journal 1235 (1995)

"Back to Conflicts Basics" (Book Review of Friedrich Juenger's Choice of Law and Multistate Justice), 44 Catholic University Law Review 525 (1995)

"What May States Do About Out-of-State Waste in Light of Recent Supreme Court Decisions Applying the Dormant Commerce Clause? Kentucky As Case Study in the Waste Wars," 83 Kentucky Law Journal 551 (1995)

Two Introductions and Three Opinions in "Conference on Jurisdiction, Justice and Choice of Law for the Twenty-First Century," 29 New England Law Review, 517, 593, 642, 684 & 703 (1995)

"Razing Conflicts Facades to Build Better Jurisdiction Theory: The Foundation -- There Is No Law But Forum Law," 28 Valparaiso University Law Review 1 (1993)

"Would that *Burnham* Had Not Come to Be Done Insane! A Critique of Recent Supreme Court Personal Jurisdiction Reasoning, an Explanation of Why Transient Presence Jurisdiction Is Unconstitutional, and Some Thoughts about Divorce Jurisdiction in a 'Minimum Contacts' World," 58 Tennessee Law Review 497 (1991)

"Burying Misconceptions about Trash and Commerce: Why It Is Time to Dump *Philadelphia v. New Jersey*," 20 Capital University Law Review 813-61 (1991)

"Jurisdiction, Venue, and Aggregation of Contacts: The Real Minimum Contacts and Federalism Questions Raised by *Omni Capital, International v. Rudolf Wolff & Co.*," 42 Arkansas Law Review 211 (1989)

"Government as Arbiter, Not Custodian: Relational Privacy as Foundation for a Right to Refuse Treatment for Incompetents," 18 New Mexico Law Review 131 (1988)

"The Interrelationship of Personal Jurisdiction and Choice of Law: Forging New Theory through *Asahi Metal*," 49 University of Pittsburgh Law Review 189 (1987-88)

"Giving the Boot to the Long-Arm: Analysis of *Post-International Shoe* Supreme Court Personal Jurisdiction Decisions, Emphasizing Unrealized Implications of the 'Minimum Contacts' Test, [Student Comment], 75 Kentucky Law Journal 885 (1987)

PERSONAL/MISCELLANEOUS

My wife Susan and I have been happily married since 1983, have two grown sons, and love to travel. I attempt creative writing, periodically garden, regularly race-walk, ski when I can, and am a certified scuba diver. I enjoy practicing spiritual meditation, listening to many styles of music, reading good literature, and watching college football and basketball.