

Anthony Michael Kreis

Georgia State University College of Law
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APPOINTMENTS

Georgia State University College of Law

Assistant Professor of Law and Political Science (by courtesy) (2020-)

Illinois Institute of Technology, Chicago-Kent College of Law

Visiting Assistant Professor of Law (2016-2020)

Emory University School of Law

Visiting Scholar-in-Residence

Vulnerability and the Human Condition Initiative (2013)

EDUCATION

University of Georgia

School of Public and International Affairs

Doctor of Philosophy, Political Science and Public Administration (2016)

Washington and Lee University

Juris Doctor (2011)

University of Virginia

Graduate Studies in American Politics (2011)

University of North Carolina at Chapel Hill

Bachelor of Arts, With Distinction, Political Science (2008)

BOOKS

ROT AND REVIVAL:

THE HISTORY OF CONSTITUTIONAL LAW IN AMERICAN POLITICAL DEVELOPMENT

(forthcoming University of California Press 2024)

MAJOR ARTICLES

Unlawful Genders

85 LAW & CONTEMP. PROBS. 103 (2022) (invited) (faculty-edited)

The New Redeemers

55 GA. L. REV. 1483 (2021) (invited symposium)

Defensive Glass Ceilings

88 GEO. WASH. L. REV. 147 (2020)

Dead Hand Vogue

54 U. RICH. L. REV. 705 (2020) (invited symposium)

Policing the Painted and Powdered

41 CARDOZO L. REV. 399 (2019)

Stages of Constitutional Grief:

Democratic Constitutionalism and the Marriage Revolution

20 U. PA. J. CONST. L. 871 (2018)

Against Gay Potemkin Villages:

Title VII and Sexual Orientation Discrimination

96 TEX. L. REV. ONLINE 1 (2017)

Amputating Rights-Making

69 HASTINGS L.J. 95 (2017)

Marriage Demosprudence

2016 ILL. L. REV. 1679

Marriage Equality in State and Nation

22 WM. & MARY BILL RTS. J. 747 (2014)

Lawrence Meets Libel:

Squaring Constitutional Norms with Sexual-Orientation Defamation

122 YALE L.J. ONLINE 125 (2012)

BOOK CHAPTERS

Hobby Lobby v. Burwell in FEMINIST JUDGMENTS: REWRITTEN REPRODUCTIVE JUSTICE (Kimberly Mutcherson, ed.) (Cambridge University Press 2020)

Family Law and Civil Rights Movements: Examining the Influence of Courts and Legislatures on

Racial and Sexual Orientation Equality in THE CONTESTED PLACE OF RELIGION IN FAMILY LIFE

(Robin Fretwell Wilson, ed.) (Cambridge University Press 2018)

Comparative Judicial Efficiency: Examining Case Disposition in Five Countries' Courts of Last

Resort in RESEARCH HANDBOOK ON LAW AND COMPARATIVE ECONOMICS (with Robert K.

Christensen and John Szmer) (Theodore Eisenberg and Giovanni B. Ramello, eds.) (Edward Elgar 2016)

Courts and Policy in the United States in ENCYCLOPEDIA OF PUBLIC ADMINISTRATION AND PUBLIC

POLICY 3rd Edition (with Robert K. Christensen) (Domonic Bearfield and Melvin Dubnick, eds.)

(Taylor & Francis 2015)

OTHER PUBLICATIONS

Clause Essentialism and the Third Reconstruction (invited book review)
CONST. COMMENT. (forthcoming 2023)

Prison Gates at the State Line
HARV. L. REV. BLOG (2022)

Contagion and the Right to Travel
HARV. L. REV. BLOG (2020) (invited)

Under Ten Eyes
76 WASH. & LEE L. REV. ONLINE 107 (2020) (invited)

Delete Your Account
55 IDAHO L. REV. 199 (2019) (symposium)

Picking Spinach
50 LOY. U. CHI. L.J. 399 (2018) (symposium)

*A Fresh Look at Title VII:
Hively v. Ivy Tech and Sexual Orientation Discrimination as Sex Discrimination*
35 ILL. PUB. EMP. REL. REP. 4 (2018) (invited)

*Unhinging Same-Sex Marriage from the Constitutional Canon:
The Search for a Principled Doctrinal Framework*
63 EMORY L.J. ONLINE 2001 (2014)

*Embracing Compromise:
Marriage Equality and Religious Liberty in the Political Process*
15 GEO. J. GENDER & L. 485 (2014) (with Robin Wilson) (symposium)

Law and Policy
41 POLICY STUD. J. S38 (2013) (peer reviewed) (with Robert K. Christensen)

*The Overlooked Benefit of Minimalism:
Perry v. Brown and the Future of Marriage Equality*
37 N.Y.U. REV. L. & SOC. CHANGE 35 (2013) (with Robin Wilson) (symposium)

*Gay Gentrification:
Whitewashed Fictions of LGBT Privilege and the New Interest-Convergence Dilemma*
31 LAW & INEQ. 117 (2013)

Educational Media Company at Virginia Tech v. Swecker
62 S.C. L. REV. 533 (2011) (solicited case comment)

POPULAR MEDIA

Georgia Constitution Establishes a Right to Privacy and Abortion

SAVANNAH MORNING NEWS, July 21, 2022

Heed Georgia Constitution on Abortion

ATLANTA JOURNAL CONSTITUTION, June 30, 2022

New Signs in Georgia Expose Our Ongoing Democratic Decay

ALTERNET, Mar. 21, 2021

#JustAsk: Stop Treating Unconscious Female Patients Like Cadavers

CHICAGO TRIBUNE, Nov. 30, 2018 (with Robin Fretwell Wilson)

The Hawaii Supreme Court Must Affirm the Equality of Same-Sex Parents

SLATE, Dec. 14, 2017

Vermont Supreme Court Protects the Rights of Same-Sex Parents and Their Children

SLATE, Dec. 4, 2017

Judge: Calling Someone Trans Isn't Defamatory

Because There's Nothing Wrong With Being Trans

SLATE, Sept. 15, 2017

Schools biased against LGBT people should be banned from scholarships

CHICAGO SUN-TIMES, Sept. 1, 2017

Unsolicited Opinion:

Department of Justice Files Brief Urging Court to Block Rights for LGBT Employees

VERDICT, Aug. 1, 2017 (with Joanna Grossman)

HB2 'repeal bill' does no such thing

RALEIGH NEWS & OBSERVER, July 28, 2017

HB 2899 diminishes rights of LGBT community, local control

AUSTIN AMERICAN-STATESMAN, Apr. 22, 2017

End "Panic Defense" for Attacks on Gays in Illinois

CHICAGO SUN-TIMES, Mar. 15, 2017

Why the Arkansas Supreme Court's Anti-Gay Birth Certificate Decision Is So Outrageous

SLATE, Dec. 9, 2016

A Huge Victory for Same-Sex Parents in New York Shows the Ripple Effect of Obergefell
SLATE, Aug. 30, 2016

*Courts Must Protect the Parental Rights of Same-Sex Partners
Who Couldn't Marry or Adopt Pre-Obergefell*
SLATE, Aug. 5, 2016

Athens' anti-discrimination effort doesn't go far enough
ATHENS BANNER-HERALD, July 29, 2016

Religious Freedom Law Could Hurt Georgia's Economy
ATLANTA JOURNAL CONSTITUTION, Sept. 13, 2015

Julian Bond: A Remembrance from Anthony Michael Kreis
ELECTION LAW BLOG, Aug. 16, 2015

Religious Rights, Yes; Bias Against LGBT People, No
ATLANTA JOURNAL CONSTITUTION, July 31, 2015

Protect All Georgians
ATLANTA JOURNAL CONSTITUTION, Apr. 16, 2015

Expand Freedoms for All
ATLANTA J-CONST, April 4, 2014 (with Robin Fretwell Wilson)

*N.J. Supreme Court May Have Chance to
Correct Flawed Decision on Gay Marriage*
THE TIMES (Trenton, N.J.), Oct. 6, 2013

Protect Religious Liberty in Gay Marriage Legislation
STATE JOURNAL REGISTER (Springfield, Ill.), Jan. 29, 2013
(with Robin Fretwell Wilson)

The Overlooked Benefit of Leaving Perry in Place
SCOTUSBLOG, Sept. 18, 2012 (with Robin Fretwell Wilson)

Is Marriage Equality Inevitable?
HUFFINGTON POST, Sept. 13, 2012

AWARDS

University of Illinois, Harry Krause Emerging Family Law Scholar (2019)
University of Georgia Recognition for Contributions to the Class of 2017
University of Georgia Recognition for Contributions to the Class of 2016
University of Illinois, Harry Krause Emerging Family Law Scholar (2016)

University of Georgia Graduate School, Outstanding Teaching Award (2015)
 University of Georgia NAACP, W.E.B. Du Bois Educator Award (2015)
 University of Georgia Recognition for Contributions to the Class of 2015
 University of Georgia Political Science Award for Teaching Excellence (2014)
 Human Rights Campaign, Exceptional Achievement on a State Initiative (2014)
 Georgia Equality, Allen Thornell Political Advancement Award (2013)
 Washington and Lee University, Law-Related Service Commendation (2011)
 Washington and Lee University, Frederic Kirgis Fellow (2010-2011)
 Local Government Attorneys of Virginia Scholar (2011)
 University of North Carolina at Chapel Hill, Nat'l Society of Collegiate Scholars (2008)
 University of North Carolina at Chapel Hill, Pi Sigma Alpha (2008)

LAW REFORM WORK

Consultation and drafting recommendations to the Michigan House of Representatives Speaker Pro Tempore concerning legislation to ban gay and trans panic defenses in homicide trials (2022)

Testimony to Connecticut, Maryland, New Hampshire, New York, Oklahoma, Utah, and Washington legislators supporting bills to ban unauthorized, medically unnecessary pelvic exams on anesthetized patients (2019)

Testimony to the Texas Senate, SB15, preempting local government power to regulate material employee benefits and civil rights (2019)

Author of Act of Jan. 1, 2018, Pub. L. No. 100-0460 (Ill. 2017) (banning gay and trans panic defenses in homicide trials)

Testimony, South Dakota House Affairs Committee, SB149, allowing adoption agency child placement denials on religious grounds (2017)

Testimony, Utah Senate Education Committee, SB196, to repeal state law banning “advocacy of homosexuality” in schools (2017)

Contributor and principal researcher, Lambda Legal report on LGBT rights and state courts, Justice Out of Balance, authored by Eric Lesh, (2016)

Comment, Food and Drug Administration, Docket No. FDA-2016-N-1502, Blood Donor Deferral Policy for Reducing HIV Risk (2016)

Testimony with ACLU-VA to the Va. Senate opposing HB 773, sanctioning objections to LGBT rights, extramarital relationships, 2016

Testimony to the Georgia House Judiciary Committee, HB 757, amending the domestic relations code re: marriage solemnization (2016)

Consultant, Georgia House Judiciary Committee, HB849, in support of civil rights protections in public accommodations (2016)

Athens-Clarke County, Georgia, County Commission, primary drafter, proposed anti-discrimination ordinance (2015)

Consultant, Georgia House of Representatives Study Committee on Grandparents Raising Grandchildren (2015)

Testimony to the Georgia General Assembly opposing SB 129, "Georgia Religious Freedom Restoration Act" (2015)

Human Rights Campaign, Atlanta Steering Committee, Political Committee, Co-Chair. Advocated on: Federal Employment Nondiscrimination Act H.R. 1755 (2013) / S. 815 (2013); Student Nondiscrimination Act H.R. 1652, S. 1088 (2013); Safe Schools Improvement Act H.R. 1199 / S. 403 (2013); 2013 Federal judicial nominees to the Northern District of Georgia and 11th Circuit Court of Appeals; Fair Employment Practices Act, H.B. 427 (Ga. 2013), 2012-2014

Testimony to the Georgia House Judiciary Committee in opposition of HB 1023,"Preservation of Religious Freedom Act" (2014)

Special advising on marriage equality legislation in Illinois, Delaware, Rhode Island, Minnesota, and Hawaii (2012-2013)

Testimony to Hawaii State Legislature on informed consent legislation related to unauthorized pelvic examinations on anesthetized female patients by medical school students (with Robin Fretwell Wilson) (2012)

LITIGATION WORK

Bostock v. Clayton County, No. 17-1623 (U.S. Oct. 2019 Term); R.G. & G.R. Harris Funeral Homes Inc. v. Equal Employment Opportunity Commission No. 18-107 (U.S. Oct. 2019 Term) (co-drafter of Amicus Brief for Employment Discrimination Scholars in Support of Employees) (with Sachin Pandya and Marcia McCormick)

Comcast Corp. v. Nat'l Assoc. of African American Owned Media, No. 18-1171 (U.S. Oct. 2019 Term) (co-drafter of Amicus Brief for Employment Discrimination Scholars in Support of Respondents) (with Sandra Sperino, Katie Eyer, Sachin Pandya, and Deborah Widiss)

Zarda v. Altitude Express (2d Cir.) (en banc) (Title VII sexual orientation discrimination claim). Consultation provided to Appellant's attorneys (2017)

Christiansen v. Omnicom Corp. (2d Cir.) (petition for en banc review of Title VII sexual orientation discrimination claim), Consultation provided to Appellant's attorneys (2017)

Luttrell v. Cucco (Va. Supreme Ct.) (appealing an interpretation of a spousal support statute as

excluding same-sex couples), Consultation provided to Appellant's attorneys (2016)

Inniss v. Aderhold (N.D.Ga) (challenging Georgia's same-sex marriage ban), Consultation provided to Plaintiffs' attorneys (2014)

University of Virginia, Office of General Counsel, Intern (2011)

RESEARCH EXPERIENCE

Lambda Legal Defense and Education Fund

Principal Investigator Study on LGBT Rights & Judicial Selection (2015)

University of Georgia, School of Public and International Affairs

Scott Ainsworth, Susan Haire, Thomas Lauth, John Maltese, Teena Wilhelm (2011-2013)

Washington and Lee University, School of Law

J. Gordon Hylton, Rodney A. Smolla, Robin Fretwell Wilson (2009-2011)

University of Virginia, Corcoran Department of History

H. Julian Bond (2009-2010)

PRESENTATIONS

Private Violence and the Constitutional Order

University of Oxford, Pembroke College (2023)

Election Denialism and Democracy

Duke University School of Law (2023)

Rot and Revival: The History of Constitutional Law in American Political Development

University of Wisconsin School of Law (2023)

University of Oxford, Pembroke College (2022)

University of Pennsylvania Carey School of Law (2022)

University of Notre Dame School of Law (2022)

Tulane University School of Law (2022)

University of Nebraska College of Law (2022)

Loyola University Chicago School of Law (2022)

Washington & Lee University School of Law (2022)

University of Richmond School of Law (2021)

Seattle University School of Law (2021)

Wake Forest University School of Law (2021)

Southeastern Association of Law Schools Annual Meeting (2021)

Constitutional Rot and the Third Reconstruction

University of Nebraska College of Law, Law & Democracy Series Lecture (2022)

Equality on the Ballot

19th News and Teen Vogue Event (with Stacey Abrams) (2022)

Unlawful Genders

Arizona State University, Sandra Day O'Connor College of Law (2021)

Viral Menace and Civil Liberties

Federalist Society Teleforum (debate with Richard Epstein) (2020)

High Crimes Constitutionalism

Northwestern University School of Law (2020)

Dead Hand Vogue

Emory University School of Law (2021)

University of Richmond School of Law (2020)

Defensive Glass Ceilings

Association of American Law Schools, Civil Rights Section (2020)

Ohio State University, Moritz College of Law (2019)

Southeastern Association of Law Schools Conference (2019)

Sex Rights and the Liquor State

Siena College, Constitution Day Lecture (2019)

Sex Dignity and the Limitations of Tort

American Society of Law, Medicine & Ethics, Annual Health Law Professors Conference (2019)

Policing the Painted and Powdered

International Society of Family Law, North American Regional Conference (2019)

Association of American Law Schools Annual Conference (2019)

University of Notre Dame School of Law (2018)

Washington & Lee University School of Law (2018)

University of Virginia School of Law (2018)

University of Chicago School of Law (2017)

University of Illinois College of Law (2017)

Northwestern University Pritzker School of Law (2017)

University of Kentucky College of Law (2017)

Delete Your Account

University of Idaho Law Review Symposium on Social Media Law (2019)

They Can Do What Without My Consent?

University of Illinois College of Law (2019)

Can Originalism Get with the Times?

Chicago-Kent College of Law (debate with Lee Strang) (2019)

A Fresh Look at Title VII: Sexual Orientation Discrimination as Sex Discrimination

DePaul University College of Law

Helen McGillicuddy Symposium on Justice in the Workplace Keynote Lecture (2018)

Religious Freedom and Businesses

Illinois State Bar Association (2018)

Ending Toxic Masculinity's Free Pass: Banning Gay/Trans Panic Defenses

Columbia University School of Law Center for Gender & Sexuality (2018)

Picking Spinach

Loyola University Chicago School of Law Review, Loyola U. Chi. Law Journal

Symposium on Legal Scholarship's Future (2018)

Can Religious Liberty and LGBT Equality Coexist?

Chicago-Kent College of Law (debate with Ilya Shapiro) (2018)

Masterpiece Cakeshop v. Colorado Civil Rights Commission

Northwestern University Center for Legal Studies (2018)

LGBTQ Rights in the Age of Trumpism

Illinois Institute of Technology, Annual Teach-In for Social Inclusion (2017)

Hively v. Ivy Tech Community College

Federalist Society, Teleforum Debate (2017)

Reconciling Religious Freedom with Civil Rights

University of Notre Dame, Gay and Lesbian Alumni of Notre Dame and St. Mary's Coll. (2017)

Red Courts, Blue Courts: Judicial Selection and Vulnerable Litigants

DePaul University College of Law, Clifford Symposium (2017)

Democracy and the Right to Vote

Chicago-Kent College of Law (2017)

Panel Discussion on the Nomination of Judge Neil Gorsuch to the Supreme Court

Loyola University Chicago School of Law (2017)

Amputating Rights-Making

John Marshall School of Law (2017)

University of Notre Dame School of Law (2017)

Conscience Cases and Religious Liberty

Federalist Society, Teleforum Debate (2016)

The Status of Transgender Rights in Schools and Beyond

Chicago-Kent College of Law (2016)

Stages of Constitutional Grief

Loyola University Chicago School of Law, Constitutional Law Colloquium (2016)

University of Illinois, Harry Krause Emerging Family Law Scholars Workshop (2016)

Gender Identity & Title IX: A Debate

University of Illinois College of Law (2016)

The Problem of Bias and State High Courts

Pennsylvania Interbranch Commission for Gender, Racial, and Ethnic Fairness (2016)

Marriage Demosprudence

University of Illinois School of Law (2015)

University of South Carolina Department of Political Science (2015)

Southeastern Association of Law Schools, Annual Conference (2015)

Savannah Law School, Savannah Law Review Walking Dead Colloquium. (2015)

Washington and Lee University School of Law (2015)

University of Georgia, College of Veterinary Medicine (2015)

The Forms and Limits of Religious Accommodation in Civil Rights Law

Washington and Lee University School of Law (2015)

University of Georgia School of Law (debate with Nathan Chapman) (2015)

Loyola University Chicago School of Law, Constitutional Law Colloquium (2015)

Same-Sex Marriage and Social Movements

University of Mississippi School of Law (2014)

Unhinging Same-Sex Marriage from the Constitutional Canon

University of Georgia School of Law (2013)

Emory University School of Law (2014)

The Same-Sex Marriage Cases: What the Court Decided and What Might Happen Next

University of Georgia School of Law (2013)

Embracing Compromise

Georgetown University Law Center (2013)

Out of the District and Into the Towns: Local Efforts to Protect LGBTQ Rights
University of Georgia School of Law (2013)

Marriage Equality in State and Nation

University of North Carolina at Chapel Hill School of Law (2012)

University of Georgia School of Law (2012)

Emory University School of Law (2012)

Wake Forest University School of Law (2012)

Washington and Lee University School of Law (2013)

Creating “Constitutional” Space:

Marriage Equality, Religious Liberty, and the Legislative Process

University of Virginia Constitution Day Lecture (2012)

COURSES TAUGHT

Georgia State University College of Law

Constitutional Law I (federalism, separation of powers)

Constitutional Law II (civil rights)

Employment Discrimination

Chicago-Kent College of Law

Administrative Law

Employment Discrimination

Legal Writing I and II (tort law focus)

SERVICE

Georgia State University Honor Code Committee, Vice Chair, 2022-

Georgia State University Curriculum Committee 2023-

Georgia State University Speakers Committee, 2021-2022

Georgia State University Employment & Labor Society, Faculty Advisor, 2020-

Georgia State University Honor Code Investigator 2022

Georgia State University Associate Dean for Academic Affairs Advisory Committee 2022

Chicago-Kent Speakers Committee, 2019-2020

Chicago-Kent Diversity Committee, 2017-2019

Member, Equality Illinois Community Advisory Group, 2017-2019

Chicago-Kent, Rovner Moot Court Competition, Semifinals Judge, 2016

Chicago-Kent Faculty Mentor Program, 2016

Washington and Lee University School of Law, Young Alumni Council, 2015

Washington and Lee University School of Law 5-Year Reunion Committee, 2015

University of Georgia Undergraduate Moot Court, Graduate Advisor, 2014-2016

University of Georgia Co-Coordinator of Georgia LGBT history acquisitions project, 2013

REFEREE

Law & Social Inquiry

Northwestern Law Review, Peer Review Board Member

Oxford University Press

Yale Law Journal

MEDIA

I have been interviewed extensively for national and international print, radio, and television, including the ABC News, Associated Press, Atlanta Journal-Constitution, The Atlantic, Australian Broadcast Corporation, Axios, Bloomberg News, Business Insider, BuzzFeed, BBC News, BBC Radio, CBS News, Chicago Tribune, Chicago Sun-Times, Christian Science Monitor, CNBC, CNN, Dallas Morning News, Fox News, Los Angeles Times, National Public Radio, NBC News, New York Times, Politico, Time Magazine, USA Today, Wall Street Journal, Washington Post, and local television news broadcasts.

REFERENCES

Robin Fretwell Wilson
Roger and Stephany Joslin Professor of Law
University of Illinois College of Law

Martha Albertson Fineman
Robert W. Woodruff Professor of Law
Emory University School of Law

Christopher Schmidt
Associate Dean for Faculty Development
Chicago-Kent College of Law

Nancy Leong
University of Denver
Sturm School of Law

June Carbone
Robina Chair in Law, Science and Technology
University of Minnesota School of Law

Martin Malin
Chicago-Kent College of Law
Institute for Law and the Workplace

Zachary Kramer
Arizona State University
Sandra Day O'Connor College of Law

Christian Turner
University of Georgia
School of Law

Richard Vining (dissertation chair)
University of Georgia
School of Public and International Affairs