

MARK R. BROWN

Newton D. Baker/Baker & Hostetler Professor of Law
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EMPLOYMENT

Legal Education

CAPITAL UNIVERSITY, Newton D. Baker/Baker & Hostetler Chair, 2003-present

FLORIDA STATE UNIVERSITY, Visiting Professor, Summer 2007

THE OHIO STATE UNIVERSITY, Visiting Professor, Fall 1999

UNIVERSITY OF ILLINOIS, Visiting Professor, 1991-1992, 1998-
1999, Spring 2003

STETSON UNIVERSITY, Professor, 1986-2003

Legal

SUPREME COURT OF THE UNITED STATES, Judicial Fellow, 1993-1994

UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT, Clerk to the
Honorable Harry W. Wellford, 1984-1985

EDUCATION

UNIVERSITY OF ILLINOIS COLLEGE OF LAW, LL.M. (1988)

UNIVERSITY OF LOUISVILLE SCHOOL OF LAW, J.D. (1984)
Valedictorian; Law Review Editorial Board

UNIVERSITY OF DAYTON, B.S. (Mathematics) (1981)

PUBLICATIONS

Books and Book Chapters

M. BROWN & K. KINPORTS, CONSTITUTIONAL LITIGATION UNDER § 1983 (2d ed. 2008) (Lexis) (with Teacher's Manual).

Brown, Individual Immunity Under Section 1983: Absolute is Constant but Qualified is Divisive, in 14 CIVIL RIGHTS LITIGATION AND ATTORNEY FEES ANNUAL HANDBOOK 4-1 (Saltzman, ed., 1999).

Brown, The Changing Fourth Amendment: An Unfortunate Devolution, in CONTROVERSIAL ISSUES IN POLICING 13 (Sewell, ed., 1999).

Law Journals

Brown, The Fall and Rise of Qualified Immunity: From Hope to Harris, 9 NEV. L. J. 185 (2008).

Brown, Policing Ballot Access: Lessons From Nader's 2004 Run for President, 35 CAP. U. L. REV. 165 (2006).

Brown, Ballot Fees as Impermissible Qualifications for Federal Office, 54 AM. U. L. REV. 1283 (2005).

Brown, Closing the Crusade: A Brief Response to Professor Woodhouse, 34 CAP. U. L. REV. 331 (2005).

Brown, A Primer on Attorney's Fees Under § 1988, 37 URBAN LAWYER 663 (2005), reprinted in 22 CIVIL RIGHTS LITIGATION AND ATTORNEY FEES ANNUAL HANDBOOK 16-1 (Saltzman, ed., 2006)

Brown, Rescuing Children from Abusive Parents: The Constitutional Value of Pre-Deprivation Process, 65 OHIO ST. L.J. 913 (2004).

Brown, Affirmative Inaction: Stories from a Small Southern School, 75 TEMPLE L. REV. 201 (2002).

Brown, Deterring Bully Government: A Sovereign Dilemma, 76 TULANE L. REV. 149 (2001).

Brown, Weathering Constitutional Change, 2000 U. ILL. L.REV. 1091.

Brown, The Failure of Fault Under § 1983: Municipal Liability for State Law Enforcement, 84 CORNELL L. REV. 1503 (1999).

Brown, Popularizing Ballot Access: The Front Door to Election Reform, 58 OHIO ST. L.J. 1281 (1997).

Brown, Gender Discrimination in the Supreme Court's Clerkship Selection Process, 75 OREGON L. REV. 59 (1996).

Brown, A Case for Pregnancy-Based Unemployment Insurance, 29 U. MICH. J. L. REF. 41 (1995-1996) (symposium).

Brown, The Demise of Constitutional Prospectivity: New Life for Owen?, 79 IOWA L. REV. 273 (1994).

Brown & Greenberg, On Formally Undecidable Propositions of Law: Legal Indeterminacy and the Implications of Meta-Mathematics, 43 HAST. L.J. 1439 (1992).

Brown, Accountability in Government and Section 1983, 25 U. MICH. J.L. REF. 53 (1991).

Brown, Correlating Municipal Liability and Official Immunity Under Section 1983, 1989 U. ILL. L. REV. 625.

Brown, De-Federalizing Common Law Torts: Empathy for Parratt, Hudson and Daniels, 28 B.C. L. REV. 813 (1987).

Brown, Criminal Law, 11 NOVA L. REV. 1217 (1987).

Brown, The Psychedelic Perspective: The Freedom of Religion Defense, 11 AM. IND. L. REV. 125 (1983).

Note, Whose Life (Insurance) Is It Anyway? Life Insurance and Divorce In America, 22 J. FAM. L. 95 (1983-1984).

Newspaper Editorials and E-Columns

Brown, "Why Americans Should Support Third Parties," COLUMBUS DISPATCH, February 12, 2008, at 10A.

Beattie and Brown, "Ohio Supreme Court Ruling Puts Governor's Veto Power at Risk," CLEVELAND PLAIN DEALER, August 10, 2007.

Brown, "Ganging Up on Ralph Nader," PITTSBURGH TRIBUNE-REVIEW, August 1, 2007.

Brown, "Why the Fifth Circuit Was Wrong About Tom DeLay," JURIST, August 21, 2006 www.jurist.law.pitt.edu.

Brown, "Politics in Pennsylvania: Stifling Ralph Nader and Open Ballots," JURIST, August 25, 2006, www.jurist.law.pitt.edu.

Brown, "Democrats behind Nader campaign 'fraud'," REPUBLICAN-AMERICAN (Waterbury, Conn.), Sept. 4, 2006, at 1A.

Brown, "In Defense of Manual Recounts," JURIST, November 18, 2002 www.jurist.law.pitt.edu.

Brown, "A legislative solution will not be immune to challenge," TALLAHASSEE DEMOCRAT, Dec. 8, 2000, 14 A.

Brown, "Legislature has opportunity to be fair to voters and candidates," ST. PETERSBURG TIMES, Dec. 3, 2000, at 7D.

Brown, "High Court May Be Guilty of Hiring Bias," NAT. L. J., Nov. 30, 1998, at A21.

PROFESSIONAL

Chair, 2002, AALS Section on Civil Rights.

Chair, 2001-2003, ABA Section on Litigation Subcommittee on § 1983 Litigation.

Board of Directors, ACLU Foundation of Florida, Inc., 1992-1993.

Board of Directors, ACLU of Ohio Foundation, Inc., 2003-2004.

Member: Ohio and Kentucky Bars; Bar of the Supreme Court of the United States; Bars of the United States Courts of Appeals for the Fifth, Sixth, Seventh and Eleventh Circuits; Bars of the United States District Courts for the Western District of Kentucky, Central District of Illinois, and the Southern District of Ohio.

