

MICHAEL J. HIGDON

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ACADEMIC APPOINTMENTS

UNIVERSITY OF TENNESSEE COLLEGE OF LAW

Knoxville, Tennessee

Associate Dean for Faculty Development, July 2019 to Present

Professor of Law, August 2017 to Present; Associate Professor, August 2009 to 2017 (Tenure Awarded, 2012);

Courses: Constitutional Law; Family Law; Immigration Law; Legal Process; Sexuality, Gender, & the Law.

WILLIAM S. BOYD SCHOOL OF LAW

Las Vegas, Nevada

Lawyering Process Professor, July 2004 to July 2009

Courses: Family Law; Lawyering Process; Wills, Trusts and Estates.

SEATTLE UNIVERSITY

Seattle, Washington

Visiting Professor, Spring Semester 2007

SELECTED PUBLICATIONS

[Parens Patriae and the Disinherited Child](#), Washington Law Review (2020, forthcoming), reviewed by David Horton, A Novel Limit on the Power to Disinherit Children, JOTWELL, at <https://trustest.jotwell.com/a-novel-limit-on-the-power-to-disinherit-children/> (Aug. 2019)

[While They Waited: Pre-Obergefell Lives and the Law of Nonmarriage](#), 129 THE YALE LAW JOURNAL FORUM 1 (2019).

[The Quasi-Parent Conundrum](#), 90 UNIVERSITY OF COLORADO LAW REVIEW 941 (2019).

[Biological Citizenship and the Children of Same-Sex Marriage](#), 87 GEORGE WASHINGTON LAW REVIEW 124 (2019).

[Constitutional Parenthood](#), 103 IOWA LAW REVIEW 1483 (2018).

[Polygamous Marriage, Monogamous Divorce](#), 67 DUKE LAW JOURNAL 79 (2017).

[State Misdemeanant, Federal Felon: Adolescent Sexual Offenders and the INA](#), 2017 UNIVERSITY OF ILLINOIS LAW REVIEW 963.

[Beyond the Metatheoretical: Implicit Bias in Law Review Article Selection](#), 51 WAKE FOREST LAW REVIEW 339 (2016) (Part of symposium: *Revisiting Langdell: Legal Education Reform and the Lawyer's Craft*).

[Oral Advocacy and Vocal Fry: The Unseemly, Sexist Side of Nonverbal Persuasion](#), 13 LEGAL COMM. & RHETORIC: JALWD 209 (2016) (invited contribution).

Marginalized Fathers and Demonized Mothers: A Feminist Look at the Reproductive Freedom of Unmarried Men, 66 ALABAMA LAW REVIEW 507 (2015).

The Legal Reader: An Exposé, 43 NEW MEXICO LAW REVIEW 77 (2013)

A Place in the Academy: Law Faculty Hiring and Socioeconomic Bias, 87 ST. JOHN'S LAW REVIEW 171 (2013).

Fatherhood by Conscriptio: Nonconsensual Insemination and the Duty of Child Support, 46 GEORGIA LAW REVIEW 407 (2012).

To Lynch a Child: Bullying and Gender Non-Conformity in our Nation's Schools, 86 INDIANA LAW JOURNAL 827 (2011).

Something Judicious This Way Comes . . . The Use of Foreshadowing as a Persuasive Device in Judicial Opinions, 44 UNIVERSITY OF RICHMOND LAW REVIEW 1213 (2010).

Oral Argument and Impression Management: Harnessing the Power of Nonverbal Persuasion for a Judicial Audience, 57 UNIVERSITY OF KANSAS LAW REVIEW 631 (2009).

Queer Teens and Legislative Bullies: The Invidious and Cruel Discrimination behind Heterosexist Statutory Rape Laws, 42 U.C. DAVIS LAW REVIEW 195 (2008).

When Informal Adoption Meets Intestate Succession: The Cultural Myopia of the Equitable Adoption Doctrine, 43 WAKE FOREST LAW REVIEW 223 (2008).

HONORS AND AWARDS

Marilyn V. Yarbrough Faculty Award for Writing Excellence for “*Polygamous Marriage, Monogamous Divorce*,” 2017, University of Tennessee College of Law.

Carden Award for Superior Achievement in Scholarship, 2017, University of Tennessee College of Law

Harold C. Warner Outstanding Teaching Award, 2017, University of Tennessee College of Law

Carden Award for Outstanding Service to the Institution, 2012, University of Tennessee College of Law.

W. Allen Separk Faculty Scholarship Award for “*To Lynch a Child: Bullying and Gender Non-Conformity in our Nation's Schools*,” 2010, University of Tennessee College of Law.

Voted 2006 Professor of the Year by the Student Body at the UNLV William S. Boyd School of Law.

FACULTY SERVICE

University of Tennessee College of Law: Faculty Appointments (2012-13; 2015-16, 2018-19, Co-Chair; 2016-17, Chair), Assessment Task Force (Chair, 2019-20); Academic Success Task Force (2019-20); Faculty Development Committee (2018-19; Chair, 2019-20); Dean Search

Committee (2014); Clinic Director Search Committee (2017-18, Chair) Self-Study Committee (2011-12); Academic Standards Committee (2017-18); Clinic Advisory Committee (2014-15); Director, Legal Writing Program (2011-2019); Library Advisory Committee (2009-14; 2014-15, Chair); Advisor to the Tennessee Law Review (2011 to 2019); Prince Evidence Moot Court Team Coach (2009-15); Governance Committee (2015-16; 2018-19; ex officio, 2019-20).

University of Tennessee: Commission for LGBT People (2009-10; 2015-16); Clarence Brown Theatre Advisory Board (2016-present); Participant, UTK Leadership Program for 2016-17; STRIDE at UT, 2018-Present.

National: Planning Committee for 2019 AALS Workshop New Law School Professors; Association for Legal Writing Directors, member; Legal Writing Institute, Board of Directors (2006-2014); Executive Committee, AALS Section on Family and Juvenile Law; Executive Committee, AALS Section on Sexual Orientation and Gender Identity

PROFESSIONAL EXPERIENCE

SCHRECK BRIGNONE (now Brownstein Hyatt Farber Schreck)
Las Vegas, Nevada
Associate Attorney, September 2002 to April 2004

CHAMBERS OF THE HONORABLE PROCTER HUG, JR.
United States Court of Appeals for the Ninth Circuit
Judicial Law Clerk, August 2001 to September 2002

EDUCATION

WILLIAM S. BOYD SCHOOL OF LAW
Las Vegas, Nevada
J.D., May 2001, Summa Cum Laude

- Valedictorian
- Nevada Law Journal, Editor-in-Chief
- Recipient of the James E. Rogers Award for Outstanding Academic Achievement

UNIVERSITY OF NEVADA, LAS VEGAS
Las Vegas, Nevada
M.A., Communication Studies, May 1997

ERSKINE COLLEGE
Due West, South Carolina
B.A., English, May 1995

SELECTED SPEAKING ENGAGEMENTS/PRESENTATIONS

Presenter, "Parens Patriae and the Disinherited Child," Family Law Scholars and Teachers Conference, Washington D.C., May 2019.

Presenter, "While They Waited: How the Pre-*Obergefell* Lives of Same-Sex Couples Inform the Law of Nonmarriage," Roundtable on Nonmarriage and the Law, Arizona State University Sandra Day O'Connor College of Law, March 2019

- Panelist, “Parents’ and Childrens’ Rights in a Post-Obergefell World,” AALS Annual Conference, New Orleans, Louisiana (January 2019)
- Panelist, AALS Annual Conference, “LGBTQ Rights Halfway Through Trump’s (First?) Term: Advancement, Retrenchment, Potential,” New Orleans, Louisiana (January 2019)
- Panelist, “Your Voice Matters: A Panel on Free Speech,” University of Tennessee, February 2018.
- Presenter, “Supreme Court Roundup: *Esquivel-Quintana v. Sessions* and *Pavan v. Smith*,” Faculty Forum, August 2017
- Panelist, “Title IX Panel,” UTK Sex Week, April 2017
- Moderator, “Transgender and Intersex Students and Title IX: Emerging Issues,” Title IX: History, Legacy, and Controversy Symposium, University of Tennessee, Knoxville, March 2017
- Panelist, “After ‘I Do’: Beyond Marriage Equality,” University of Sex Week, April 2016.
- Panelist, “Revisiting Langdell: Legal Education Reform and the Lawyer’s Craft,” Wake Forest University School of Law Symposium, October 2015.
- Presenter, “Supreme Court Roundup: *Obergefell v. Hodges*,” Faculty Forum, August 2015
- Panelist, “Workshop On Legal Writing, Reasoning, And Research—Scholarship and Skills: The Fusion of Legal Theory, Doctrine, and Practice,” 2015 SEALS Annual Conference, Boca Raton, Florida.
- Presenter, “A Place at the Table: Using Principles of LRW Pedagogy to Successfully Craft and Market Legal Scholarship,” Association of Legal Writing Directors 2015 Biennial Conference, Memphis, Tennessee.
- Panelist, “Legal Writing Scholarship/Finding Your Voice in the Legal Academy,” 2013 Workshop for Beginning Legal Writing Law School Teachers, Washington D.C. (Plenary Session).
- Panelist, “The Impact of Cognitive Bias on Persuasion and Writing Strategies: Implications for Persuasion,” Brooklyn Law School Symposium, March 2013.
- Presenter, “Getting in ‘the Game’: Using Principles of Persuasion When Writing and Marketing Legal Scholarship,” The 15th Biennial Conference of the Legal Writing Institute, June 2012, Palm Desert, California.
- Co-Presenter (with Derek Kiernan-Jonson and Brian J. Foley), “Refining Our Vocabulary: ‘Narrative’ and ‘Story(telling),” 2011 Applied Legal Storytelling Conference, July 2011, University of Denver, Sturm College of Law (Plenary Presentation).
- Co-Presenter (with Rebecca Scharf), “Enhancing Your Classroom Persona: Everything I need to Know About Being a Dynamic Teacher I Learned from Harry Potter,” The 14th Biennial Conference of the Legal Writing Institute, July 2010, Marco Island, Florida.

COURT ADMISSIONS

State Bar of Nevada, Admitted, 2001
State Bar of California, Admitted, 2003