# SONJA R. WEST

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#### ACADEMIC APPOINTMENTS

The University of Georgia School of Law	Athens, Georgia
Brumby Distinguished Professor of First Amendment Law	2017 to present
Professor of Law	2016 to present
Courtesy appointment with Grady College of Journalism and Mass Communication	2016 to present
Associate Professor of Law	2010 to 2016
Assistant Professor of Law	2006 to 2010

Courses: Constitutional Law I, Constitutional Law II, Media Law, The U.S. Supreme Court: Current Term, The Press & the Constitution, Law of Mass Communications (undergraduate journalism course)

The University of Alabama School of Law	Tuscaloosa, Alabama	
Hugo Black Faculty Fellow	2005 to 2006	
Teaching fellowship for former U.S. Supreme Court law clerks		
Courses: Constitutional Law and Media Law		

### HONORS AND AWARDS

University of Georgia Regents' Professorship Nominee (2018, 2019)

Association for Education in Journalism and Mass Communication's 2017 Harry W. Stonecipher Award for Distinguished Research on Media Law and Policy for *The "Press," Then & Now*, 77 OHIO ST. L.J. 49 (2016)

National Communication Association's 2016 Franklyn S. Haiman Award for Distinguished Scholarship in Freedom of Expression for *Press Exceptionalism*, 127 HARV. L. REV. 2434 (2014)

## JUDICIAL CLERKSHIPS

- Law Clerk The Honorable John Paul Stevens, Supreme Court of the United States, Washington, D.C. 1999-2000
- Law Clerk The Honorable Dorothy W. Nelson, United States Court of Appeals, Ninth Circuit; Pasadena, Cal. 1998-1999

## **PROFESSIONAL EXPERIENCE**

- Associate Attorney Davis Wright Tremaine LLP, Los Angeles, Cal. Represented media clients on a variety of First Amendment and intellectual property issues. 2003-2004
- Associate Attorney Gibson, Dunn & Crutcher LLP, Los Angeles, Cal. Represented clients on appellate and media law cases. 2000 – 2002
- **Reporter and Columnist The Moline Dispatch Publishing Co.**, Moline, Ill. Reported on political races in Illinois and Iowa. 1993-1995

## **EDUCATION**

- University of Chicago Law School; J.D. with High Honors. 1998 Honors: Order of the Coif; Executive Editor, *The University of Chicago Law Review*; John M. Olin Fellowship in Law and Economics; Tony Patiño Fellow
- University of Iowa; B.A. with Honors and Distinction. 1993 Double Major: Journalism and Communication Studies Honors: Honors Collegiate Scholar; Honors Collegiate Scholar Student Speaker; Phi Beta Kappa, Omicron Delta Kappa and Mortar Board Honor Societies; inaugural recipient of *The Daily Iowan* journalism scholarship

## ARTICLES AND ESSAYS

Presidential Attacks on the Press, 83 MO. L. REV. 915 (2018) (invited symposium)

Suing the President for First Amendment Violations, 71 OKLA. L. REV. 321 (2018) (invited symposium)

Favoring the Press, 106 CALIF. L. REV. 91 (2018)

Justice Stevens, The Writer, 94 WASH. U. L. REV. 1417 (2017) (invited contribution to special issue)

*The Fragility of the Free American Press*, 112 Nw. U. L. REV. 567 (2017) (with R. Jones)

*The Supreme Court's Limited Public Forum*, 73 WASH. & LEE L. REV. ONLINE 572 (2017)

*The Problem with Free Press Absolutism*, 50 NEW ENG. L. REV. 191 (2016) (invited symposium)

*The Media Exemption Puzzle of Campaign Finance Laws*, 164 U. PA. L. REV. ONLINE 253 (2016) (invited contribution to special issue)

The "Press," Then & Now, 77 Оню St. L.J. 49 (2016)

Student Press Exceptionalism, 2 EDUC. L. & POL'Y REV. 130 (2015) (peer invited and reviewed symposium.)

Press Exceptionalism, 127 HARV. L. REV. 2434 (2014) (invited symposium)

The Stealth Press Clause, 48 GA. L. REV. 730 (2014) (invited symposium)

First Amendment Neighbors, 66 ALA. L. REV 357 (2014) (invited symposium)

Monster in the Courtroom, 2012 BYU L. REV. 1953 (2012) (invited symposium)

Awakening the Press Clause, 58 UCLA L. REV. 1025 (2011)

*The Story of Us: Resolving the Face-off Between Autobiographical Speech and Privacy,* 67 WASH. & LEE L. REV. 589 (2010)

*No Civilized System of Justice*, 11 GREEN BAG 521 (2008) (invited book review of *The Day Freedom Died*, Charles Lane)

Sanctionable Conduct: How the Supreme Court Stealthily Opened the Schoolhouse Gate, 12 LEWIS & CLARK L. REV. 27 (2008) (invited symposium)

*The Story of Me: The Underprotection of Autobiographical Speech*, 84 WASH. U. L. REV. 905 (2006)

*Concurring in Part & Concurring in the Confusion*, 104 MICH. L. REV. 1951 (2006)

*"Possessing with Intent to Distribute" Under the Schoolyard Statute,* 64 U. CHI. L. REV. 1399 (1997)

# **OTHER PUBLICATIONS**

*President Trump and the Press Clause: A Cautionary Tale*, First Amendment News, Sept. 20, 2018, <u>https://concurringopinions.com/archives/2018/09/fan-200-</u><u>first-amendment-news-sonja-r-west-president-trump-and-the-press-clause-a-</u><u>cautionary-tale.html</u>

Propaganda Machinery: How the NRA Pioneered the Right-wing Art of Demonizing the Media, SLATE, Feb. 28, 2018, <u>https://slate.com/news-and-</u> politics/2018/02/how-the-nra-pioneered-the-right-wing-art-of-demonizing-themedia.html (with P.J. Charles) *Freedom to Avoid War Zones*, SLATE, Feb. 26, 2018, <u>https://slate.com/news-and-politics/2018/02/trumps-plan-to-arm-teachers-shows-how-the-supreme-court-got-the-second-amendment-so-wrong.html</u> (with D. Lithwick)

When the President Stopped the Presses, CNN, Nov. 21, 2017, http://www.cnn.com/2017/11/21/opinions/information-leak-cases-opinionwest/index.html

*The Bully and the Press*, TAKE CARE, Oct. 5, 2017, https://takecareblog.com/blog/the-bully-and-the-press

Postpone Trump's Supreme Court Pick, SLATE, March 2, 2017, http://www.slate.com/articles/news\_and\_politics/jurisprudence/2017/03/neil\_gors uch\_s\_supreme\_court\_confirmation\_hearings\_must\_be\_postponed.html (with D. Lithwick)

*Op-Ed: Don't Expect the First Amendment to Protect the Media*, NEW YORK TIMES, Jan. 25, 2017, at A25 <u>https://www.nytimes.com/2017/01/25/opinion/dont-expect-the-first-amendment-to-protect-the-media.html?\_r=0</u> (with R. Jones)

*The Real Danger of Guns in Schools*, SLATE, March 22, 2016, <u>http://www.slate.com/articles/news\_and\_politics/jurisprudence/2016/03/georgia\_s</u> <u>campus\_carry\_bill\_is\_terrible.html</u>

*The Absurd Logic Behind Florida's Docs v. Glocks Law*, SLATE, Jan. 8, 2016, <u>http://www.slate.com/articles/news\_and\_politics/jurisprudence/2016/01/florida\_s\_docs\_vs\_glocks\_bans\_doctors\_from\_discussing\_guns.html</u> (with D. Lithwick)

*The Supreme Court of the United States* in PRIVACY RIGHTS IN THE DIGITAL AGE (2016)

*The Second Amendment is Not Absolute*, SLATE, Dec. 7, 2015, <u>http://www.slate.com/articles/news\_and\_politics/jurisprudence/2015/12/second\_a</u> <u>mendment\_allows\_for\_gun\_control.html</u>

*Guerilla Warfare and the Constitution*, WASHINGTON MONTHLY, July 1, 2015, http://www.washingtonmonthly.com/ten-milessquare/2015/07/guerrilla warfare and the cons056373.php

A Constitutional Challenge to NYC's Ban on Dancing, HUFFINGTON POST, April 30, 2015, <u>http://www.huffingtonpost.com/sonja-west/a-constitutional-challeng\_b\_7181186.html</u>

Shadow Trial, SLATE, Nov. 26, 2014,

http://www.slate.com/articles/news\_and\_politics/jurisprudence/2014/11/ferguson\_ grand\_jury\_investigation\_a\_shadow\_trial\_violates\_the\_public\_s\_right.html (with D. Lithwick)

 court\_gay\_marriage\_chaos\_which\_states\_allow\_same\_sex\_marriage.html (with
D. Lithwick)

Advice for Ferguson from the Supreme Court, SLATE, Aug. 19, 2014, http://www.slate.com/articles/news\_and\_politics/jurisprudence/2014/08/ferguson\_ protesters\_rebrand\_yourselves\_as\_sidewalk\_counselors.html (with D. Lithwick)

Quick Change Justice, SLATE, July 4, 2014,

http://www.slate.com/articles/news\_and\_politics/jurisprudence/2014/07/wheaton\_ college\_injunction\_the\_supreme\_court\_just\_sneakily\_reversed\_itself.html (with D. Lithwick)

Censorship 101, SLATE, Dec. 6, 2013,

http://www.slate.com/articles/news\_and\_politics/jurisprudence/2013/12/when\_you\_censor\_student\_speech\_you\_re\_mostly\_teaching\_kids\_to\_live\_with.html

Texas Hold 'Em, SLATE, Sept. 11, 2013,

http://www.slate.com/articles/news\_and\_politics/jurisprudence/2013/09/texas\_and gay\_marriage\_will\_texas\_refusal\_to\_grant\_divorces\_to\_same\_sex.html (with D. Lithwick)

What is Anthony Kennedy Thinking?, SLATE, June 12, 2013, http://www.slate.com/articles/news\_and\_politics/jurisprudence/2013/06/anthony\_ kennedy\_s\_gay\_marriage\_views\_the\_supreme\_court\_justice\_may\_see\_banning.ht ml

Rare Supreme Court Photos Offer Brief Connection to the Constitution in Action, GEORGIA LAW ADVOCATE MAGAZINE 47:1 at 8-10 (2013)

Smile for the Camera: The Long Lost Photos of the Supreme Court at Work—and What They Reveal, SLATE, Oct. 1, 2012,

http://www.slate.com/articles/news\_and\_politics/jurisprudence/2012/10/the\_supre me\_court\_forbids\_cameras\_in\_the\_courtroom\_but\_twice\_rogue\_photographers\_h ave\_snapped\_a\_picture\_of\_the\_justices\_at\_work\_.html

Judge Not: Why Won't Progressives Fight for Federal Judges?, SLATE, Oct. 24, 2011, http://www.slate.com/articles/news\_and\_politics/jurisprudence/2011/10/why\_won\_t\_progressives\_fight\_for\_federal\_judges\_.html

Unplugged: When do Supreme Court Justices Need to Just Sit Down and Be Quiet?, SLATE, Dec. 14, 2010, <u>http://www.slate.com/id/2277915/</u> (with D. Lithwick)

*The Law of Student Journalism in the Information Age*, Education Law Association, Nov. 11, 2010 (with F. LoMonte, et al)

*Constitutional Interpretation: There's No App for That,* SLATE, June 23, 2010, <u>http://www.slate.com/id/2257941/</u>

*The Least Popular Dissent*, SCOTUSblog, May 4, 2010, http://www.scotusblog.com/2010/05/the-least-popular-dissent/

*The Unsung Empathy of Justice Stevens,* SLATE, April 9, 2010, <u>http://www.slate.com/id/2250370/</u> (with D. Lithwick)

Some Hot-Button Issues, 29 NAT'L L.J. 8 (2008)

A Conservative Shift, 29 NAT'L L.J. 32 (2007)

## **PRESENTATIONS AND PANELS**

*Physicians and Free Speech: How Doctors Ended Up in the Crosshairs of Political Court Battles*, Featured Speaker, Science: Unsilenced, Gainesville, FL (April 17, 2019)

*Presidents and the Press*, Panelist, The Center for Constitutional Studies, Utah Valley University, Provo, UT (April 11, 2019)

President Trump and Freedom of the Press: Two Years In, Panelist, American Association of Law Schools Annual Conference, New Orleans, LA (Jan. 4, 2019)

*Protecting the First Amendment in an Anti-Press Age*, Keynote Address, Iowa State Bar Association's Federal Practice Seminar, Des Moines, IA (Dec. 14, 2018)

*Privacy, News, and the Future of the Freedom of the Press*, Panelist, Tulane Law School, New Orleans, LA (Sept. 28, 2018)

#MeToo and the Legal Academy, Moderator, Women's Leadership in Academia Conference, Athens, GA (July 19, 2018)

*Defending Democracy? Professional Journalism in an Age of Distrust*, Speaker, Masterman Lecture Series, Boston, MA (April 12, 2018)

*Truth, Trust and the First Amendment in the Digital Age*, Panelist, Missouri-Hurley and Price-Sloan Symposium, Washington, D.C. (April 6, 2018)

New Conceptions of the First Amendment: What's in the Oven at the U.S. Supreme Court, panelist, Georgia Bar Media & Judiciary Conference, Atlanta, GA (Feb. 23, 2018)

Suing the President for First Amendment Violations, Presenter, Oklahoma Law Review Symposium, Norman, OK (Feb. 9, 2018)

Arbiters of Truth: Journalists, Social Media, and the Role of Technology, Panelist, First Amendment Law Review Symposium, Chapel Hill, NC (Oct. 27, 2017)

*Privacy and Ethics*, Keynote Speaker, Georgia Drone Summit, Athens, GA (Oct. 21, 2017)

*The Fourth Branch of Government? The Role and Future of Media in America,* Mainstage Panelist, Defense Research Institute's Annual Meeting, Chicago, IL (Oct. 5, 2017)

*Building a Better Watchdog*, Panelist, Indiana University's Center for International Media Law and Policy Studies at the National Press Club, Washington, D.C. (June 21, 2017)

Social Media, Mobilization, and "Fake News," Panelist, American Constitution Society's Annual Meeting, Washington, D.C. (June 9, 2017)

*Press Freedom's House of Cards*, Presenter, Freedom of Expression Scholars Conference, Yale Law School, New Haven, CT (April 29, 2017)

Modern First Amendment Issues: An Expert Discussion of Presidential Tweeting, Safe Spaces, Fake News & More!, Panelist, Association of Business Trial Lawyers, Los Angeles, CA (Jan. 26, 2017)

*President Trump and Freedom of the Press*, Panelist, American Association of Law Schools Annual Conference, San Francisco, CA (Jan. 4, 2017)

*Trumping the Second Amendment: What Now from the Supreme Court?*, Presenter, Georgia and the Second Amendment Conference: A State Primer on Guns and Their Regulation, Atlanta, GA (Dec. 14, 2016)

*Improving Press Coverage of the Courts through Communication*, Presenter, Annual European Conference on Courts and Communication, Budapest, Hungary (Oct. 13, 2016)

*The Press Clause and Speaker Discrimination*, Presenter, Southeastern Association of Law Schools Annual Conference, Amelia Island, FL (Aug. 7, 2016)

*The Press Clause and Speaker Discrimination*, Presenter, UGA-Emory Faculty Workshop, Atlanta, GA (July 18, 2016)

*What's Wrong with the Press Clause*, Presenter, Law & Society Annual Meeting, New Orleans, LA (June 3, 2016)

What is Newsworthy and of Public Interest: A World View, Presenter, Law & Society Annual Meeting, New Orleans, LA (June 2, 2016)

*The Media Law Exemption to Campaign Finance Law*, Presenter, Money in Politics Legal Convening, University of Pennsylvania Law School, Philadelphia, PA (May 25, 2016)

*The Press Clause and Speaker Discrimination*, Presenter, Freedom of Expression Scholars Conference, Yale Law School, New Haven, CT (April 30, 2016)

*The Problem with Free Press Absolutism*, Presenter New England Law Review Symposium on *The First Amendment Bubble*, by Amy Gajda, New England Law School (via video) (Feb. 11, 2016)

*Transparency in the Court*, Moderator, Georgia State University Law Review Symposium, Atlanta, GA (Feb. 11, 2016)

*First Amendment Issues in Public Spaces*, Panelist, National Press Photographers Association University of Georgia's Grady College Symposium, Athens, GA (Jan. 22, 2016)

*Neither the Purse Nor the Sword: Writing about the Court for the Public*, Organizer and Moderator, American Association of Law Schools Annual Conference, New York, NY (Jan. 9, 2016)

Supreme Court Transparency (Or Lack Thereof), Panelist, Southeastern Association of Law Schools Annual Conference, Boca Raton, FL (July 29, 2015)

Supreme Court Update: Individual Rights, Panelist, Southeastern Association of Law Schools Annual Conference, Boca Raton, FL (July 28, 2015)

*Media Law in the Wake of Ferguson*, Panelist, Law & Society Annual Meeting, Seattle, WA (May 29, 2015)

*Non-Media Speech: Is it Free?*, Debate with Prof. Eugene Volokh, Federalist Society Teleforum (May 15, 2015)

*The 'Press,' Then & Now*, Presenter, Freedom of Expression Scholars Conference, Yale Law School, New Haven, CT (May 2, 2015)

Important Cases of the United States Supreme Court's 2014 Term, Panelist, Georgia Political Review, Athens, GA (March 30, 2015)

*The "Press," Then & Now,* Presenter, Tulane Law School, New Orleans, LA (Sept. 29, 2014)

*The Press, the Supreme Court and the Constitution*, Panelist, Chicago-Kent Law School, Chicago, IL (Sept. 9, 2014)

Love of Learning is the Guide to Life, Keynote speaker, Phi Beta Kappa Georgia chapter initiation, Athens, GA (April 29, 2014)

Supreme Sunshine: Shining a Light on the High Court, Panelist, NYU-Washington, Washington, DC (March 21, 2014) (broadcast on C-SPAN)

*First Amendment Neighbors*, Presenter, Alabama Law Review Symposium on the 50<sup>th</sup> Anniversary of *New York Times v. Sullivan*, Tuscaloosa, AL (March 1, 2014)

*Press Exceptionalism*, Presenter, Harvard Law Review Symposium on Press Freedom, Cambridge, MA (Feb. 15, 2014)

*Press Exceptionalism*, Presenter, University of Georgia Law School, Athens, GA (Nov. 20, 2013)

*The Stealth Press Clause*, Georgia Law Review Symposium on the 50<sup>th</sup> Anniversary of *New York Times v. Sullivan*, Athens, GA (Nov. 6, 2013) (broadcast on C-SPAN)

Introductory Speaker and Moderator, Justice John Paul Stevens' Key Note Address, Georgia Law Review Symposium on the 50<sup>th</sup> Anniversary of *New York Times v. Sullivan*, Athens, GA (Nov. 6, 2013)

*Supreme Court Cases and Issues*, Moderator, SCOTUSblog conference, University of Georgia, Athens, GA (Sept. 9, 2013) (broadcast on C-SPAN)

*The Stealth Press Clause*, Presenter, the Southeastern Association of Law Schools Annual Conference, Palm Beach, FL (Aug. 9, 2013)

*Press Exceptionalism*, Presenter, Freedom of Expression Scholars Conference, Yale Law School, New Haven, CT (May 4, 2013)

*Press Exceptionalism*, Presenter, Association of American Law Schools Annual Conference, New Orleans, LA (Jan. 5, 2013) (winner of the Sections on Internet & Computer Law and Mass Communications Call for Papers)

The Uneasy Relationship between United States Supreme Court Justices and Cameras, Presenter, Israeli Law and Society Association Annual Conference, Tel Aviv, Israel (Dec. 19, 2012)

*The Obama Administration and Federal District Court Judgeships*, Presenter, Southeastern Association of Law Schools Annual Conference, Amelia Island, FL (July 31, 2012)

*Press Exceptionalism*, Presenter, Emory Law School and the University of Georgia School of Law Works-in-Progress Conference (June 27, 2012)

*Monster in the Courtroom*, Presenter, University of Georgia Honors Lunchbox Lecture, Athens, GA (Feb. 16, 2012)

*Monster in the Courtroom*, Presenter, Brigham Young University Law Review symposium titled "The Press, the Public, and the U.S. Supreme Court," Provo, UT (Jan. 24, 2012)

*In Support of a Narrow Interpretation of "Press,"* Presenter, Southeastern Association of Law Schools Conference, Hilton Head, SC (July 24, 2011)

*Game Over: Violent Video Games and Juvenile Crimes*, Panelist, Working in the Public Interest Conference, Athens, GA (April 2, 2011)

Hasta La Vista, Bloodshed: First Amendment Concerns with Schwarzenegger's Ban on Violent Games, Presenter, American Constitution Society and the Entertainment Law Society, Athens, GA (Feb. 16, 2011) Mortal Kombat: How Video Game Violence Could Shape the 21<sup>st</sup> Century First Amendment, Panelist, Vance Forum, Atlanta, GA (Feb. 7, 2011)

*The Law of Student Journalism in the Information Age*, Panelist, Education Law Association Annual Conference, Vancouver, BC (Nov. 11, 2010)

*The Empathy of Justice Stevens*, Presenter, Southeastern Association of Law Schools Conference, Palm Beach, FL (Aug. 1, 2010)

Awakening the Press Clause, Presenter, Emory Law School and the University of Georgia School of Law Works-in-Progress Conference, Atlanta, GA (July 13, 2010)

Awakening the Press Clause, Presenter, Georgia State Law School, Atlanta, GA (April 2010)

"Media and the Public Interest, Panelist, UGA Law School Working in the Public Interest Conference, Athens, GA (Feb. 27, 2010)

*Fringe Protection Absolutism*, Presenter, PrawfsFest!, Southwestern Law School, Los Angeles, CA (Dec. 4, 2009)

*Issues in Reproductive Law*, Presenter, UGA Law Students for Reproductive Justice (Nov. 11, 2009).

*The Story of Us: The Face-Off Between Autobiographical Speech and Privacy*, Presenter, Southeastern Association of Law Schools Conference, Palm Beach, FL (July 28, 2008)

Speaker, Federalist Society's Event with Alan Gura, Athens, GA (Feb. 24, 2009)

Law and Media, Presenter, Emory Public Interest Conference, Atlanta, GA (Oct. 13, 2007)

Race & Education: A Discussion on Diversity, Desegregation, and American Education Policy, Panelist, Athens, GA (Feb. 22, 2007)

Scalia and Textualism, Presenter, UGA Federalist Society program, Athens, GA (Sept. 1, 2006)

## **PROFESSIONAL AFFILIATIONS AND ACTIVITIES**

American Association of Law Schools Section on Mass Communication Law (2013-2019) (Chair, Chair-Elect and Treasurer) *Education Law & Policy Review* Executive Advisory Board Lead pro bono counsel for the Student Press Law Center, et al., as amicus curiae in the Ninth Circuit Court of Appeals and the Supreme Court of the United States in the case of *Morse v. Frederick* (2007) Bar of the Supreme Court of the United States (2007 – present) State of California Bar (2001 – present)

#### **UNIVERSITY AND LAW SCHOOL SERVICE AND COMMITTEES**

University of Georgia Libraries Committee (2015-present) Law Library Committee (2014-present) Justice John Paul Stevens Fellowships Committee (2016-present) Third-Year Review Committees (2013-2017) Promotions and Tenure Ad-Hoc Committee (2014-2016) OUTLaws (2008-2016) (Faculty Advisor) University of Georgia Women's Leadership Initiative Subcommittee on Faculty Retention (2015-2016) Faculty Recruitment Committee (2012-2013, 2015-2016) University Program Review and Assessment Committee (2011-2013) Student Affairs Committee (2008-2012) Peabody Awards (2007, 2011, 2012) (Faculty Judge) Russell Undergraduate Teaching Awards Committee (2010-2012) Law School Judicial Clerkship Program (2010-2011) (Faculty advisor) Law Library Director Search Committee (Spring, 2010) Brumby Chair Search Committee (2007)

### MEDIA

Commented on legal issues for, or had work discussed by, various news media outlets including *The New York Times*, *The Wall Street Journal*, *The Washington Post*, *The Economist*, *Reuters*, *USA Today*, *Newsweek*, *The New Yorker*, *The National Law Journal*, CNN, MSNBC, *Slate*, *Bloomberg News*, *The University of Chicago Magazine*, *Huffington Post*, *The Guardian*, *The Columbia Journalism Review*, *the Atlanta Journal-Constitution*, *The Boston Globe*, *The San Francisco Chronicle*, National Public Radio, and Public Radio International