

NATHAN S. CHAPMAN

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CURRENT POSITION

University of Georgia School of Law

Pope F. Brock Associate Professor of Professional Responsibility, 2020—present

Associate Professor (with tenure), 2018—present

Assistant Professor, 2013—2018

Courses:

- Constitutional Law I
- Constitutional Law II
- Law and Religion
- Christian Perspectives on Law
- Federal Courts
- The Law and Ethics of Lawyering
- Constitutional Theory
- Comparative Constitutional Law
- The Constitution and the “War on Terrorism”
- Georgia Practice & Procedure
- History of the Common Law
- Federal Civil Practice
- Religious Liberty and the U.S. Constitution (Freshman Odyssey Seminar)

PUBLICATIONS

Books

AGREEING TO DISAGREE: HOW THE ESTABLISHMENT CLAUSE PROMOTES RELIGIOUS PLURALISM AND PROTECTS FREEDOM OF CONSCIENCE (Oxford University Press, forthcoming April 2023) (with Michael W. McConnell)

Articles, Essays, Book Chapters, and Book Reviews

Judicial Modesty and Religious Accommodations: The Case for the Current Regime, 108 IOWA L. REV. ____ (forthcoming 2023) (invited symposium piece)

The Arc of the Moral Universe: Christian Eschatology and U.S. Constitutionalism, 98 NOTRE DAME L. REV. ____ (forthcoming 2023) (invited symposium piece)

Symposium: Christianity and Liberal Constitutionalism, 98 NOTRE DAME L. REV. ____ (forthcoming 2023) (guest editor with Kathleen Brady)

Fairness, the Rule of Law, and Reforming Qualified Immunity, 74 FLA. L. REV. ____ (forthcoming 2023)

Constitutional Rules and the Political Economy of Character Formation: Conditions on Government Aid to Religious Schools as a Case Study, in THE IMPACT OF POLITICAL ECONOMY OF CHARACTER FORMATION (Welker et al. eds., forthcoming 2023)

American Religious Liberty Without (Much) Theory, 37 J. L. & REL. ____ (forthcoming 2022) (solicited book review essay)

Christianity and Law in North America Today, in OXFORD HANDBOOK ON CHRISTIANITY AND LAW (Witte & Domingo eds., forthcoming 2022)

Las Medidas de “Acomodación” de la Religión en el Derecho Estadounidense, 49 TEORIA Y REALIDAD CONSTITUCIONAL 121 (2022) (with Michael W. McConnell) (in Spanish)

Review of The Cambridge Companion to the First Amendment and Religious Liberty (Breidenbach & Anderson eds., 2020), in CHURCH HIST. REV. (2021)

Forgotten Federal-Missionary Partnerships: New Light on the Establishment Clause, 96 NOTRE DAME L. REV. 677 (2020)

The Practice of Law as Christian Discipleship, 47 PEPPERDINE L. REV. 331 (2020) (invited festschrift for Robert Cochran)

Christianity and Crimes against the State, in CHRISTIANITY AND CRIMINAL LAW (London: Routledge, John Witte, Jr., Mark Hill, QC, Norman Doe, & Richard Helmholz eds., 2020)

The Weight of Judgment, in CHRISTIANITY AND CRIMINAL LAW (London: Routledge, John Witte, Jr., Mark Hill, QC, Norman Doe, & Richard Helmholz eds., 2020)

Constructing the Original Scope of Constitutional Rights, 88 FORD. L. REV. ONLINE 46 (2019) (solicited)

Due Process of War, 94 NOTRE DAME L. REV. 639 (2019)

Liberty of Conscience, Free Exercise of Religion, and the U.S. Constitution, in CHRISTIANITY AND THE LAWS OF CONSCIENCE (Helen Alvare & Jeff Hammonds eds., Cambridge University Press, 2019)

A Reformed Liberalism: Michael McConnell's Contribution to Christian Jurisprudence, book chapter in GREAT CHRISTIAN JURISTS IN AMERICAN HISTORY (Daniel Dreisbach & Mark David Hall eds., Cambridge University Press, 2019)

Due Process Abroad, 112 NW. U. L. REV. 377 (2017)

Adjudicating Religious Sincerity, 92 WASH. L. REV. 1185 (2017)

The Jury's Constitutional Judgment, 67 ALA. L. REV. 189 (2015)

The Establishment Clause, State Action, and Town of Greece, 24 WM. & MARY BILL RTS. J. 405 (2015)

Disentangling Conscience and Religion, 2013 U. ILL. L. REV. 1457

Due Process as Separation of Powers, 121 YALE L.J. 1672 (2012) (with Michael W. McConnell)

Law Asks for Trust, 85 ST. JOHN'S L. REV. 521 (2011) (invited symposium essay)

Note, *Punishment by the People: Rethinking the Jury's Political Role in Assigning Punitive Damages*, 56 DUKE L.J. 1119 (2007)

Other Publications

An Evaluation of Religious Exemptions from COVID-19 Vaccine Requirements, MERE ORTHODOXY, December 6, 2021 (with Samuel Bray)

Tech Pluralism, FIRST THINGS, November 2021

Religious Liberty and The Culture War, THE CHRISTIAN LAWYER (2021) (invited symposium on religious liberty)

Is There a Rawlsian Solution to Conflicts over Religious Liberty? (Reviewing NELSON TEBBE, RELIGIOUS FREEDOM IN AN EGALITARIAN AGE (Harvard University Press, 2017), LAW AND LIBERTY, October 16, 2017 (online only) (invited)

Trust the Process: A Law Professor Explains Why Americans Can Count on Federal Judges to Stand Up to Trump, QUARTZ, February 17, 2017 (online only)

A Step Backward for Freedom of Conscience, ADVANCING A FREE SOCIETY, Hoover Institution, March 1, 2011 (with Michael W. McConnell) (online only)

What Judge Robinson O. Everett Taught Me About Being a Lawyer, N.C. STATE BAR J., Winter 2009, at 28

ACADEMIC AND TEACHING HONORS

Brendan Mann Adjunct Professor

Pepperdine University Caruso School of Law, Fall 2021

Faculty Marshal, Commencement Ceremony (selected by graduating class)

University of Georgia School of Law, May 2021

Nootbaar Fellowship in Law and Religion

Pepperdine Nootbaar Institute for Law, Religion, and Ethics, 2020—2022

McDonald Distinguished Fellowship in Law and Religion

Emory Law School Center for Law and Religion, 2019 – present

C. Ronald Ellington Award for Excellence in Teaching

University of Georgia School of Law, 2018

Harold Berman Prize for Excellence in Law and Religion Scholarship

Law and Religion Section, Association of American Law Schools, 2015

Knight Favorite Professor

John S. Knight Journalism Fellows

Stanford University, 2012

PAST EXPERIENCE

Stanford Law School, Stanford, CA

Executive Director, Constitutional Law Center, 2011-13

- Wrote legal scholarship
- Developed academic programs for the Constitutional Law Center with faculty director Michael McConnell
- Taught *Comparative Freedom of the Press in U.S. and Latin America*
 - Knight Favorite Professor, selected by John S. Knight Journalism Fellows 2012
- Co-directed Stanford Fellows' Workshop (2011-12)

Stanford Law School, Stanford, CA

- Olin-Searle Fellow in Law, 2010-11

Wilmer Cutler Pickering Hale & Dorr LLP, Washington, DC
Litigation Associate, 2008-10, and Summer Associate, Summer 2006

U.S. Court of Appeals, Eleventh Circuit, Jacksonville, FL
Law Clerk to Judge Gerald B. Tjoflat, 2007-08

Duke University School of Law, Durham, NC
Research Assistant to Doriane L. Coleman, Summer 2005

Everett & Everett Attorneys at Law, Durham, NC
Summer Associate to Robinson O. Everett, Summer 2004

Bureau of Citizenship and Immigration Services, Lee's Summit, MO
Applications Adjudicator, 2001-03

SCHOLARLY PRESENTATIONS

Rethinking the Smith Regime
Symposium on the Future of Religious Liberty
October 14, 2022
University of Iowa School of Law

Constitutional Rules and the Political Economy of Character Formation: Conditions on Government Aid to Religious Schools as a Case Study
Colloquium on Law and Religion
October 3, 2022
St. John's University (New York) School of Law

Conditions on Aid to Religious Schools
Roundtable on THE IMPACT OF POLITICAL ECONOMY ON MORAL FORMATION
May 2, 2022
University of Heidelberg

The Fair Notice Rationale for Qualified Immunity
Programme for the Foundations of Law and Constitutional Government
Seminar, April 29, 2022
Oxford University Faculty of Law

Three Rival Models of Judicial Review (unpublished draft on file)
Programme for the Foundations of Law and Constitutional Government
Seminar, April 28, 2022
Oxford University Faculty of Law

Judicial Review as a Moral Tradition

John Hart Ely's Democracy and Distrust at 40, February 2022
Stanford Law School

The Fair Notice Rationale for Qualified Immunity

Annual Conference of Constitutional Law Scholars, February 19, 2022
University of Arizona School of Law

A Unified Theory of the Establishment Clause

Emory Center for Law and Religion, November 2021
Emory Law School

Establishment and Disestablishment in the Early Republic

Excerpt of AGREEING TO DISAGREE (with Michael W. McConnell)
American Founders Group, November 2021
University of Georgia

Accommodation of Religion

Excerpt of AGREEING TO DISAGREE (with Michael W. McConnell)
Annual Law and Religion Roundtable, June 2021
Co-hosted by Alabama, Notre Dame, and Cornell

Qualified Immunity and Fair Notice

Federalist Society, May 2021
University of Chicago School of Law

Qualified Immunity as Judicial Modesty

Stanford Constitutional Law Center, January 2020
Stanford Law School

Forgotten Federal-Missionary Partnerships: New Light on the Establishment Clause

McDonald Fellows Workshop, October 2019
Emory Center for the Study of Law and Religion
Emory Law School

Our Tradition of Pluralist Constitutional Interpretation

Emory-UGA Workshop, June 2019
Emory Law School

The Practice of Law as Christian Discipleship

Pepperdine Law School, February 2019
Malibu, CA

Indians, Missionaries, and Federal Funds

Stanford Constitutional Law Center, January 2019
Stanford Law School

The Weight of Judgment

Christianity and Criminal Law Book Conference, October 2018
Inner Temple, London, UK

Christianity and Crimes against the State

Christianity and Criminal Law Book Conference, October 2018
Inner Temple, London, UK

Indians, Missionaries, and Federal Funds

Notre Dame Law School, October 2018
Notre Dame, Indiana

Indians, Missionaries, and Federal Funds

Annual Georgia-Emory Law Workshop, August 2018
Georgia Law School, Athens, Ga

Indians, Missionaries, and Federal Funds

Annual Law and Religion Roundtable, June 2018
University of Pennsylvania Law School

Due Process of War

Programme for the Foundations of Law
& Constitutional Government, May 2018
Oxford University, Oxford, UK

Due Process of War

Stanford Constitutional Law Center, January 2018
Stanford Law School, Palo Alto, CA

Due Process Abroad

Northwestern University “Law Review Live,” November 2017
Northwestern University Law School

Due Process of War

Faculty Workshop, October 2017
University of Kentucky

Adjudicating Religious Sincerity

Annual Law and Religion Roundtable, June 2017
Notre Dame Law School

Due Process Abroad

International Law in Domestic Courts Workshop, December 2016
Fordham Law School

Due Process Abroad

Southeastern Area Law Schools Junior-Faculty Workshop, October 2016
University of North Carolina Law School

The Moral Dynamics of Religious Accommodations

Law and Religion: Doing Justice without Doing Harm, March 2016
Pepperdine Law School

Due Process Abroad

UGA American Founders Group Workshop, February 2016

Should Christians Sue One Another?

Christian Legal Theory Conference, March 2015
Emory Law School

Lawsuits and the Wisdom of the Cross

Religious Legal Theory Conference, February 2015
Pepperdine Law School

Debate on Burwell v. Hobby Lobby with Professor Patricia Broussard

Florida A&M School of Law, October 2014

Free Exercise is Not an Establishment

Fifth Annual Law and Religion Roundtable, July 2014
Washington University Law School

Debate on Due Process with Ryan Williams and Jack Balkin

Yale Law School, April 2012

The Constitution and the Kingdom of God

Religious Legal Theory Conference, February 2012
Pepperdine Law School

Academic Due Process

Workshop on Academic Freedom and Free Speech, June 2011
Institute for Constitutional History & Stanford Constitutional Law Center

Reflections on Lord Kame's Copy of Jonathan Edwards' Freedom of the Will

Law and Letters at the American Founding: American Enlightenment Exhibit,
February 2011

Stanford University Library

Speech, Creation, and Law

Religious Legal Theory Conference, November 2010

St. John's Law School

PROFESSIONAL MEMBERSHIPS

Admitted to practice law in North Carolina (2007) and formerly in the District of Columbia (2009-2021)

Admitted to the bar of the Supreme Court of the United States

Founding Chairman, Society of Christian Legal Scholars, Inc., 2020 to present

PROFESSIONAL SERVICE

Solicited manuscript review for University of Chicago Press

Peer-review referee, Routledge (for edited volume on Church and State) (2020)

Outside Review, Stanford Law Journal (2020)

Outside Reviewer, Yale Law Journal (2019, 2011)

Peer-review referee, Journal of Church and State (Oxford University Press) (2019)

Chair, American Association of Law Schools Section on Law and Religion (2018)

Chair, Program Committee, American Association of Law Schools Section on Law and Religion (2017)

Georgia Supreme Court Chief Justice's Committee on Professionalism (2015-present)

AALS Committee, Law and Religion (2011, 2015)

Moderator, Panel Discussion on Fourteenth Amendment, Conference on the Constitution and History, Stanford Law School (Mar 2014)

Peer-review referee, Journal of Law and Religion (2014)

RECENT MEDIA QUOTES AND CITATIONS

Tamar Hallerman, *GOP Senator Targeted in Trump Probe Seeks to Disqualify DA*, Atlanta Journal-Constitution, July 21, 2022.

Robert Iafolla, *Workplace Vaccine Mandate Exemption Lawsuits Falter in Court*, Bloomberg Law, May 19, 2022.

Linda Greenhouse, *Should Courts Assess the Sincerity of Religious Beliefs?*, The Atlantic, May 5, 2022.

Abraham Kenmore, *Local Radio Host Austin Rhodes Sued for Defamation by Evans Resident*, Augusta Chronicle, Dec. 20, 2021.

Eli Hager, *How Has Utah Saved \$75 Million on Welfare? By Providing Next to None and Taking the Credit for LDS Welfare Instead*, Salt Lake Tribune, Dec. 2, 2021.

Robert Iafolla, *Religious Covid Vaccine Objections Can Come From ‘Church of One’*, Bloomberg Law, Nov. 30, 2021.

Paige Smith & Robert Iafolla, *Texas Ruling Opens Route for Religious Carveouts to LGBT Rights*, Bloomberg Law, Nov. 3, 2021.

Robert Iafolla, *Religious Suits Over Covid Shots Reveal Edge for Private Sector*, Bloomberg Law, Sept. 21, 2021.

Robert Iafolla, *Religious Vaccine Objections to Clash with Employer Defense*, Bloomberg Law, Dec. 28, 2020.

EDUCATION

Duke University School of Law, Durham, NC
J.D., *cum laude*, 2007

- *Duke Law Journal*, Articles Editor
- *Duke Journal of Constitutional Law and Public Policy*, Editor
- Justin Miller Award for Intellectual Curiosity
- Faculty Award for Excellence in Legal Theory
- Philip C. Jessup International Moot Court Team
- Teaching Assistant for Prof. Tom Metzloff, *Distinctive Aspects of American Law*

Duke Divinity School, Durham, NC
Master of Theological Studies, *summa cum laude*, 2007

- Thesis, *Trust and American Judgment*
- Readers, H. Jefferson Powell and Stanley Hauerwas

Belmont University, Nashville, TN
Honors Program, B.A., *magna cum laude*, 2001