

# NANCY LEVIT

**Curators' and Edward D. Ellison Professor of Law**

**University of Missouri – Kansas City  
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## **Employment**

University of Missouri Curators' Professorship, 2005-present  
Edward D. Ellison Professorship, UMKC, 2001-present  
Visiting Professor, University of Colorado School of Law, summer 2000  
Professor, Women's and Gender Studies faculty, UMKC, 1998-present  
Professor, School of Law, UMKC, 1997-present  
Associate Professor, School of Law, UMKC, 1993-97  
Assistant Professor, School of Law, UMKC, 1989-93  
Visiting Assistant Professor, School of Law, UMKC, 1988-89

Associate, Stinson Mag & Fizzell, Kansas City, Missouri, 1987-88

Law Clerk, Hon. Frank G. Theis, United States District Court,  
District of Kansas, 1984-87

## **Courses Taught**

Constitutional Law I (1989-93)  
Criminal Law (1989-1993)  
Defamation, Privacy, Relational and Emotional Injuries (every spring since 2000)  
Employment Discrimination (every fall since 2003)  
Gender and Justice (every spring since 1999)  
Jurisprudence (1990-2003)  
Law Review (every fall and spring since 1990)  
Law Review Board (every fall and spring since 1990)  
Torts I (every fall since 1989)  
Torts II (1989-1999)

## **Honors**

University of Missouri Curators' Professorship, 2005  
Missouri Governor's Award for Teaching, 2004  
Professor of the Year Award, 2004, UMKC Law School Student Bar Association  
UMKC campus' Nominee for University of Missouri System's Presidential Teaching Award  
2004  
Edward D. Ellison Professorship 2001  
UKC Trustees Faculty Fellowship 2000  
N.T. Veatch Award for Distinguished Research and Creative Activity 2000  
Daniel L. Brenner Scholar 1998  
Elmer P. Pierson Faculty Teaching Award, UMKC School of Law 1991, 1996  
Daniel Brenner Faculty Publishing Award, UMKC School of Law 1990, 1996, 1998  
Professor of the Year Award 1989, UMKC Law School Student Bar Association

Order of the Coif, 1984  
Phi Kappa Phi, 1984  
West Corpus Juris Secundum Award, Most Significant Contribution to Scholarship, 1984  
Several American Jurisprudence Awards, 1981-84  
Phi Beta Kappa, 1980

## **Education**

J.D., Order of the Coif, May, 1984, University of Kansas  
Note and Comment Editor, University of Kansas Law Review  
B.A., Sociology & Political Science, Highest Honors, May, 1980, Bates College

## **Bar Admission**

Kansas 1984

## **Publications and Works in Progress**

### **Books**

HAPPY LAWYERS (work in progress) (with Douglas O. Linder).

FEMINIST LEGAL THEORY: A PRIMER (New York University Press 2006) (with Robert R.M. Verchick).

JURISPRUDENCE—CLASSICAL TO CONTEMPORARY: FROM NATURAL LAW TO POSTMODERNISM (West Publishing Co. 1994; second edition West Group 2002)(with Robert L. Hayman, Jr. and Richard Delgado).

TEACHER'S MANUAL FOR JURISPRUDENCE—CLASSICAL TO CONTEMPORARY: FROM NATURAL LAW TO POSTMODERNISM (West Group 2002)(with Robert L. Hayman, Jr. and Richard Delgado).

THE GENDER LINE: MEN, WOMEN, AND THE LAW (New York University Press 1998; 2000).

1985 KANSAS CRIMINAL DEFENSE MANUAL. Editor and Contributing Author.

### **Book Chapters**

*The Stories of American Law*, in ON PHILOSOPHY AND LAW (Francis J. Mootz, III, ed. Cambridge University Press forthcoming 2008) (with Robert L. Hayman, Jr.), available in draft at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1023670](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1023670).

*Race and Sex Segregation in Schools Fifty Years After Brown*, in DESEGREGATION AND RESEGREGATION IN AMERICA'S SCHOOLS: ESSAYS AND VOICES (Robert L. Hayman, Jr. & Leland Ware, eds. forthcoming 2007).

*Un-Natural Things: Constructions of Race, Gender, and Disability*, chapter in CROSSROADS, DIRECTIONS, AND A NEW CRITICAL RACE THEORY (Francisco Valdes et al. eds. 2002)(with Robert L. Hayman, Jr.).

*Male Prisoners: Privacy, Suffering, and the Legal Construction of Masculinity*, in MEN IN PRISON (Don Sabo & Terry Kupers eds. Temple Univ. Press 2001).

### **Articles**

*Expository Writing Across the Curriculum—Legal Storytelling: The Theory and the Practice*,

*Happy Law Students, Happy Lawyers*, 58 SYRACUSE L. REV. \_\_\_\_ (2008) (with Douglas O. Linder) (symposium on Happiness), available in draft at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1095271](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1095271).

*Mega-Cases, Diversity, and the Elusive Goal of Workplace Reform*, 49 B.C. L. REV. \_\_\_\_ (forthcoming 2008), available in draft at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1017539](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1017539).

*Calling for Stories*, 75 UMKC L. REV. 1127 (2007) (with Allen Rostron ), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1095275](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1095275).

*Scholarship Advice for New Law Professors in the Electronic Age*, 16 WIDENER L.J. 947 (2007), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=939007](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=939007).

*Confronting Conventional Thinking: The Problems Heuristics Pose for Feminist Legal Theory*,

28 CARDOZO L. REV. 391 (2006), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=905877](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=905877).

*Embracing Segregation: The End of Racial Desegregation and the Beginning of Government-Sponsored Sex Segregation in Schools*, 2005 U. ILL. L. REV. 455, available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=927976](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=927976).

Coordination of Symposium, *Dismantling Hierarchies in Legal Education*, 73 UMKC L. REV. 231 (2004).

*Theorizing Connections Among Systems of Subordination*, 71 UMKC L. REV. 227 (2002), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=945656](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=945656).

Coordination of Symposium, *Theorizing Connections Among Systems of Subordination*, 71 UMKC L. REV. 227 (2002).

*Keeping Feminism in Its Place: Sex Segregation and the Domestication of Female Academics*, 49 U. KAN. L. REV. 775 (2001)(Feminist Theory symposium), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=929712](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=929712).

*The Kindness of Strangers: Interdisciplinary Foundations of a Duty to Act*, 40 WASHBURN L. REV. 463 (2001) (lead article Torts symposium), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1095269](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1095269).

*A Different Kind of Sameness: Beyond Formal Equality and Antisubordination Principles in Gay Legal Theory and Constitutional Doctrine*, 61 OHIO ST. L.J. 867 (2000), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=929123](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=929123).

*Thinking Critically About Equality: Government Can Make Us Equal*, 4 HARV. LATINO L. REV. 67 (2000) (with Robert L. Hayman, Jr.), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1095252](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1095252).

*Separating Equals: Educational Research and the Long Term Consequences of Sex Segregation*, 67 GEO. WASH. U. L. REV. 451 (1999), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=933653](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=933653).

*Masculinity and Egalitarian Moral Responsibility*, 4 MEN & MASCULINITIES 403 (1999).

*Critical of Race Theory: Race, Reason, Merit & Civility*, 87 GEORGETOWN L.J. 795 (1999).

*The Myths of Merit and Equality Under Law* (a review of *THE SMART CULTURE*, by Robert L. Hayman), 8 LAW & POLITICS BOOK REV. 298 (1998).

*If It Can't Be Lake Woebegone . . . A Nationwide Survey of Law School Grading*

*and Grade Normalization Practices*, 66 UMKC L. REV. 819 (1997)(with Robert C. Downs), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=969765](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=969765).

*Defining Cutting Edge Scholarship: Feminism and Criteria of Rationality*, 71 CHI.-KENT L. REV. 947 (1996).

*The Tales of White Folk: Doctrine, Narrative, and the Reconstruction of Racial Reality*, 83 CALIF. L. REV. 377 (1996)(with Robert L. Hayman, Jr.), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1099452](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1099452).

*Feminism for Men: Legal Ideology and the Construction of Maleness*, 43 UCLA L. REV. 1037 (1996).

Excerpt reprinted in KATHARINE BARTLETT & ANGELA P. HARRIS, *GENDER AND LAW: THEORY, DOCTRINE, COMMENTARY* (Aspen Pub. 1997).

*The Constitutional Ghetto*, 1993 WIS. L. REV. 627 (with Robert L. Hayman, Jr.).

*Ethereal Torts*, 61 GEO. WASH. L. REV. 136 (1992).

*Practically Unreasonable: A Review of Richard Posner's The Problems of Jurisprudence and a Critique of Practical Reason*, 85 NW. U. L. REV. 501 (1991).

*Expediting Death: Repressive Tolerance and Post-Conviction Due Process Jurisprudence in Capital Cases*, 59 UMKC L. REV. 55 (1990).

*Listening to Tribal Legends: An Essay on Law and the Scientific Method*, 58 FORDHAM L. REV. 263 (1989).

*The Caseload Conundrum, Constitutional Restraint and the Manipulation of Jurisdiction*, 64 NOTRE DAME L. REV. 321 (1989).

Excerpt reprinted in *BEYOND THE CASEBOOK* (Stanford Law School 1991).

*Preemption of Section 1983 by Title VII: An Unwarranted Deprivation of Remedies*, 15 HOFSTRA L. REV. 265 (1987).

*Creationism, Evolution and the First Amendment: The Limits of Constitutionally Permissible Scientific Inquiry*, 14 J. LAW & EDUC. 211 (1985).

*The Future of Comparable Worth Theory*, 56 U. COLO. L. REV. 99 (1984) (with Joan Mahoney).

### **Bibliographies, Newspaper Articles, and Electronic Publications**

*Family Law in the Twenty-first Century*, 22 J. AM. ACAD. MATRIM. LAW. \_\_\_\_ (forthcoming 2008).

*Federalization of Matrimonial Law: A Supplemental Annotated Bibliography, 2001-2006*, 20 J. AM. ACAD. MATRIM. LAW. 351 (2007).

*Unique Property: Supplemental Annotated Bibliography*, 20 J. AM. ACAD. MATRIM. LAW. 183 (2006)

*Recent Faculty Scholarship*,  
<http://www1.law.umkc.edu/faculty/facultywritings/CumulativeScholarship.pdf> (with Colin Picker).

*Segregation by Sex Reverses Progress in the Classroom*, KANSAS CITY STAR, Dec. 12, 2004, at B9.

*Matrimonial Torts and Crimes: An Annotated Bibliography*, 18 J. AM. ACAD. MATRIM. LAW. 117 (2004).

*Unique Property Annotated Bibliography*, 18 J. AM. ACAD. MATRIM. LAW. 589 (2004) (with Robert R.M. Verchick),

*High Income/High Asset Divorce: An Annotated Bibliography*, 17 J. AM. ACAD. MATRIM. LAW. 183 (2001) (with Mary K. Kisthardt).

*Family Privacy Bibliography*, 17 J. AM. ACAD. MATRIM. LAW. 183 (2001).

*Of Ballots and Butterfly Wings*, KANSAS CITY STAR, Nov. 15, 2000, at B11 (with Doug Linder).

*Federalization of Matrimonial Law Annotated Bibliography*, 16 J. AM. ACAD. MATRIM. LAW. 299 (2000).

*The Relocation of Children Annotated Bibliography*, 15 J. AM. ACAD. MATRIM. LAW. 245 (1998) (with Mary K. Kisthardt).

*Valuation of Marital Assets Annotated Bibliography*, 15 J. AM. ACAD. MATRIM. LAW. 535 (1998).

*A Balancing Act: Stand or Fall? Experts Mull Over Scenarios*, KANSAS CITY STAR, Aug. 2, 1998 (by Scott Canon) (responding to hypothetical scenarios regarding the impeachment of President Clinton).

*International Family Law Annotated Bibliography*, 13 J. AM. ACAD. MATRIM. LAW. 313 (1996).

*Both Boys and Girls Should Be Taken To Work*, KANSAS CITY STAR, Apr. 23, 1996.

*Annotated Bibliography on Representing Children*, 13 J. AM. ACAD. MATRIM. LAW. 137 (1995).

*Annotated Torts Bibliography*, 12 J. AM. ACAD. MATRIM. LAW. 415 (1994).

*Eldercare Annotated Bibliography*, 12 J. AM. ACAD. MATRIM. LAW. 124 (1994).

### **Editorships**

Associate Editor, Journal of the American Academy of Matrimonial Lawyers, 1990-present

Associate Editor, Journal of the International Academy of Matrimonial Lawyers, 2004-2006

External Reviewer, Duke University Press, Michigan University Press, New York University Press, Oxford University Press, Temple University Press, University of Kansas Press, and Yale University Press, 1997-present

### **Assistant Special Master Appointment**

Assistant Special Master, United States District Court for the Western District of Missouri, Alexander v. NFO (a 20 year old antitrust case), 1990-91.

### **Grants & Fund-Raising**

Fundraising for UMKC Law School Honors Program Scholarships (goal of 5 honors scholarships with a corpus of \$180,000 for each scholarship), 2005-present.

Criminal Justice Act grant (\$400,000.00) to establish Capital Punishment Resource Center. Co-authored with Ellen Suni and Robert Popper. The Resource Center received an annual budget of approximately \$540,000.00 in federal and \$120,000.00 in state funds and in kind services for operations at the law school from 1992-95.

### **Selected Recent Presentations**

Expository Writing Across the Curriculum—Legal Storytelling: The Theory and the Practice, AALS, Jan. 4, 2008, New York.

Mission Happiness or Mission Impossible? Can Law Schools Create Happy Law Students? Should They?, Humanizing Legal Education Conference, Washburn Law School, Oct. 20, 2007, Topeka, Kansas.

Lessons for Structural Reform of the Workplace, Second Annual Labor and Employment Scholars Colloquium, Sept. 29, 2007, Boulder, Colorado.

Mega-Cases, Diversity, and the Elusive Goal of Workplace Reform, Southeastern Association of Law Schools, July 30, 2007, Amelia Island, Florida.

Attorneys for the Damned: Representing Vilified and Unpopular Clients, Panel Discussion (Introduction and Moderator), April 12, 2007.

Judicial Clerkship Initiative, Panel, April 9, 2007, UMKC School of Law

“The Boy Crisis” in Education and Single Sex Schools and Classes, American Men’s Studies Association Annual Meeting, March 31, 2007, Kansas City, Missouri

Poverty and Reproductive Rights, UMKC Women’s Center. March 7, 2007, Kansas City, Missouri

LGBT Lives and the Law: Workplace Policies, Nov. 15, 2006, UMKC Law School, Moderator.

New Scholar’s Workshop, Mentor to Leigh Goodmark on her paper: When Is a Battered Woman Not a Battered Woman: When She Fights Back, Southeastern Association of Law Schools Conference, July 19, 2006, Palm Beach, Florida.

Promoting Scholarship Within a Faculty, Panel Presenter, Southeastern Association of Law Schools Conference, July 18, 2006, Palm Beach, Florida.

Effectiveness of Employment Discrimination Class Action Suits in Reforming Workplace Cultures, Symposium on Class Actions and Due Process: the 25th Anniversary of *Phillips Petroleum v. Shutts*, Apr. 7, 2006, UMKC School of Law, Kansas City, Missouri.

Happy Lawyers—Following Your Dreams, Mar. 28, 2006, UMKC School of Law, Kansas City, Missouri.

Abortion: Rights, Rhetoric, and Rationing, Greater KC Women’s Politics Caucus Jan. 23, 2006, Community Christian Church, Kansas City, Missouri.

Empirical Foundations of Tort Reform, February 16, 2005, Jefferson City, Missouri.

Race, Gender & Schooling, Redding Symposium on the Fiftieth Anniversary of *Brown v. Board of Education*, University of Delaware, Apr. 23, 2004.

The Rationing of Abortion Rights Through Inconvenience, Intimidation, and Invasions of Privacy, Benchmark, Leawood, Kansas, Jan. 21, 2004.

Occupational Segregation in the Legal Academy, Association of American Law Schools Annual Meeting, Atlanta, Georgia, Jan. 4, 2004.

Women in the Academy, Keynote Address, Midwest Conference of Women in Legal Education, University of Missouri-Columbia, Columbia, Missouri, Apr. 4, 2003.

The Status of Female Attorneys, Shook Hardy & Bacon, Kansas City, Missouri, Feb. 26, 2003.

UMKC Diversity Forum, UMKC School of Law, Kansas City, Missouri, Nov. 7, 2002, Panelist.

Gender in Society, Academia, and Law, UMKC Women's Center, Kansas City, Missouri, Oct. 18, 2002.

Arthur Miller Unravels Ethical Dilemmas for Today's Lawyer, UMKC School of Law, Kansas City, Missouri, May 7, 2002, Panelist.

Single Sex Schools, Association of American Law Schools, New Orleans, Louisiana, Jan. 6, 2002.

Sex Segregation in Society and Education, Tulane Law School, New Orleans, Louisiana, Nov. 2, 2001.

Guest on *The Walt Bodine Show*, KCUR Radio (NPR), Kansas City, Topic: The Role of Law in American Culture, May 2, 2001.

Separating Equals—Sex Segregation in Society, Education and the Academy, N.T. Veatch Lecture, University of Missouri-Kansas City, Kansas City, Missouri, Apr. 5, 2001.

Keeping Feminism in Its Place: Sex Segregation and the Domestication of Female Academics, University of Kansas School of Law, Feminist Theory Conference: Women in the Legal Profession, Lawrence, Kansas, Mar. 29, 2001.

The Kindness of Strangers: Interdisciplinary Foundations of the Duty to Act, Washburn School of Law, Topeka, Kansas, Oct. 23, 2000.

Hot Topics in Sexual Harassment Law, at Lindsborg Women's Conference, Lindsborg, Kansas, July 28, 2000.

The Violence Against Women Act and *United States v. Morrison*, University of Colorado School of Law, June 29, 2000.

### **Recent Significant Law School & University Service**

University N.T. Veatch Award for Distinguished Research and Creative Activity Selection Committee, 2002-present

University, Graduate Studies Dissertation Award Committee, 2002-present

Chancellor's Advisory Committee to the UMKC Women's Center, 2004-2007

Law School Faculty Development Committee, Chair, 2007-2008

Smith Chair Search Committee, 2005-06

Faculty Advisor to the UMKC Law Review, 1991-present

Law School Executive Committee, 2000-2005 (Chair, 2001-2003)

Law School Dean Search Committee, 2003-2004

Honors Program Co-Developer (with Robert Verchick), 2003-present

Faculty Writers' & Teachers' Workshop, Coordinator, 2001-present

Women's & Gender Studies Faculty, 1998-present

### **Community**

UMKC Women's Council, 1998-present

Lindsborg Women's Conference Planning Committee, 2000

Public Interest Litigation Clinic Member of Board of Directors, 1995-2000

ACLU Legal Panel, 1990-2001

University of Kansas Women in Law Professional Contact, 1993-present

Missouri Association of Women Lawyers, 1991-present

### **National Service**

AALS, Women and Legal Education Advisory Committee, 2007-present

AALS, Section on Employment Discrimination Law, Newsletter Committee, 2007-present

Southeastern Association of Law Schools, Critical Theory Workshop Coordinator, 2007-present

Southeastern Association of Law Schools, Mentor Committee, 2006-present