

TERRI L. PERETTI

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Professor of Political Science
Santa Clara University
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EDUCATION

- 1990 Ph.D., Political Science, University of California, Berkeley
Dissertation: “The Responsible Exercise of Judicial Power: In Defense of a Political Court” (Nelson Polsby (Chair), Robert Kagan, Martin Shapiro)
- 1981 M.A., Political Science, University of California, Berkeley
- 1979 B.G.S., Political Science, University of Kansas; Graduation with Highest Distinction

ACADEMIC APPOINTMENTS

- 2019/2020 Interim Dean, College of Arts and Sciences, Santa Clara University
- 2011-present Professor, Political Science Department, Santa Clara University
- 2014/2015 Acting Dean, College of Arts and Sciences, Santa Clara University
- 2009-2012 Associate Dean, College of Arts and Sciences, Santa Clara University
- 2002-2006 Chair, Department of Political Science, Santa Clara University
- 1995-2011 Associate Professor, Political Science Department, Santa Clara University
- 1990-1995 Assistant Professor, Political Science Department, Santa Clara University
- 1988-1990 Acting Assistant Professor, Political Science Department, Santa Clara University
- 1982-1988 Graduate Student Instructor and Teaching Assistant, Political Science Department, University of California, Berkeley

PUBLICATIONS

Books

Partisan Supremacy: How the GOP Enlisted Courts to Rig America’s Election Rules (University Press of Kansas, 2020)

In Defense of a Political Court (Princeton University Press, 1999)

Articles and Book Chapters

Peretti, Terri. "Judicial Partisanship in Voter Identification Litigation," *Election Law Journal: Rules, Politics, and Policy* 15 (2016): 214-231.

Peretti, Terri. "What if the NCAA was a State Actor? Here, There, and Beyond." *Roger Williams Law Review* 20 (2015): 292-334.

Peretti, Terri. "Democracy-Assisting Judicial Review and the Challenge of Partisan Polarization." *Utah Law Review* 2014 (2014): 843-866.

Cottrill, James B., and Terri J. Peretti. "Gerrymandering from the Bench? The Electoral Consequences of Judicial Redistricting." *Election Law Journal: Rules, Politics, and Policy* 12 (2013): 261-276.

Cottrill, James B., Terri J. Peretti, and Alan Rozzi. "The Partisan Dynamics of Supreme Court Confirmation Voting." *Justice System Journal* 34 (2013): 15-37.

Peretti, Terri, and Alan Rozzi. "Modern Departures from the Supreme Court: Party, Pensions, or Power?" *Quinnipiac Law Review* 30 (2011): 131-161.

Peretti, Terri. "Constructing the State Action Doctrine, 1940-1990." *Law & Social Inquiry* 35 (2010): 273-310.

Peretti, Terri. "The Political Construction of Human Rights in the United States." *Comparative Constitutional Review* 73 (2009): 103-25.

Peretti, Terri. "Designing and Reforming Courts: Lessons from the Regime Politics View of American Courts." In Takao Tanase, ed., *Gendai Shiho no Kokuminteki Kiban (A Democratic Foundation of Modern Judiciary)* (Nihon Hyoron Sha, 2009).

Peretti, Terri. "Where Have All the Politicians Gone? Recruiting for the Modern Supreme Court." *Judicature* 91 (2007): 112-22.

Peretti, Terri. "Promoting Equity in the Distribution of Supreme Court Appointments." In Roger Cramton and Paul Carrington, eds., *Reforming the Supreme Court* (Carolina Academic Press, 2006): 435-53.

Peretti, Terri. "An Empirical Analysis of Alexander Bickel's *The Least Dangerous Branch*." In Kenneth D. Ward and Cecillia R. Castillo, eds., *The Judiciary and American Democracy: Alexander Bickel, The Countermajoritarian Difficulty, and Contemporary Constitutional Theory* (State University of New York Press, 2005): 123-45.

Peretti, Terri. "A Normative Appraisal of Social Scientific Knowledge Regarding Judicial

Independence.” *The Ohio State Law Journal* 64 (2003): 323-39.

Peretti, Terri. “Does Judicial Independence Exist? The Lessons of Social Science Research.” In Stephen B. Burbank and Barry Friedman, eds., *Judicial Independence at the Crossroads: An Interdisciplinary Approach* (Sage Publications, 2002): 103-133.

Peretti, Terri. "The Virtues of 'Value Clarity' in Constitutional Decisionmaking." *Ohio State Law Journal* 55 (1994): 1079-1103.

Peretti, Terri. "Restoring the Balance of Power: The Struggle for Control of the Supreme Court." *Hastings Constitutional Law Quarterly* 20 (1992): 69-103.

Book Reviews

Review of *In the Balance: Law and Politics in the Roberts Court*, by Mark Tushnet. *The Law and Politics Book Review* 24:1 (2014).

Review of *Queen’s Court: Judicial Power in the Rehnquist Era*, by Nancy Maveety. *The Law and Politics Book Review* 19 (January 2009): 73-77.

Review of *Constitutional Politics: Essays on Constitution Making, Maintenance, and Change*, by Sotirios A. Barber & Robert P. George, eds., *The Law and Politics Book Review* 12 (June 2002): 260-4.

CONFERENCE PAPERS & PRESENTATIONS

“Between Friends: The Supreme Court and the GOP Project to End Campaign Finance Limits.” Paper prepared for delivery at the Annual Meeting of the Midwest Political Science Association in Chicago, Illinois, April 4-7, 2019.

“Understanding Judicial Partisanship.” Paper prepared for delivery at the Annual Meeting of the Midwest Political Science Association in Chicago, Illinois, April 5-8, 2018.

“*Shelby County*, The Supreme Court, and the Problem of Partisan Capture,” Paper prepared for delivery at the Annual Meeting of the American Political Science Association, Philadelphia, Pennsylvania, September 1-4, 2016.

“Judicial Partisanship in Voter Identification Litigation.” Paper prepared for delivery at the Annual Meeting of the Southern Political Science Association, New Orleans, Louisiana, January 15-17, 2015.

“What if the NCAA was a State Actor? Here, There, and Beyond.” Paper prepared for delivery at a Symposium on “Should there be some form of judicial, or other independent, review of NCAA enforcement actions? At Roger Williams University School of Law, Bristol, Rhode Island, March 21, 2014.

- “Democracy-Assisting Judicial Review and the Challenge of Partisan Polarization.” Paper prepared for delivery at the “Governing the U.S. in 2020” conference at University of Utah Law School, November 8, 2013.
- “Gerrymandering from the Bench? The Electoral Consequences of Judicial Redistricting” (with James B. Cottrill). Paper prepared for delivery at the Annual Meeting of the American Political Science Association, New Orleans, LA, August 30-September 2, 2012.
- “Understanding the Reapportionment Cases: Second-Best Constitutionalism or Regime Politics?” Paper prepared for delivery at the University of Wisconsin Discussion Group on Constitutionalism (“The Con Law Schmooze”). University of Wisconsin Law School, November 4-5, 2011.
- “Distal Vacancies, Partisan Regimes, and Supreme Court Ideology.” Paper prepared for delivery at the Annual Meeting of the Western Political Science Association, San Antonio, TX, April 21-23, 2011.
- “The Partisan Dynamics of Supreme Court Confirmation Voting” (with James Cottrill and Alan Rozzi). Paper prepared for delivery at the Annual Meeting of the American Political Science Association, Washington, D.C., September 2-5, 2010.
- “The Political Construction of Human Rights in the United States.” Paper prepared for delivery at the 17th Annual Conference on “The Individual versus the State,” at Central European University (CEU), Budapest, Hungary, June 12-13, 2009.
- “So Few Have So Quickly Changed So Much”: Testing Breyer’s Lament in *Parents Involved*.” Paper prepared for delivery at the Annual Meeting of the Western Political Science Association meeting, Vancouver, BC, Canada, March 19-21, 2009.
- “Polarized Politics and Constitutional Change.” Paper prepared for Constitutional Theory discussion group (the annual “constitutional law schmooze”) at University of Oregon Law School, September 12-13, 2008.
- “Modern Departures from the Supreme Court: Party, Pensions, or Power” (co-authored with Alan Rozzi). Paper prepared for delivery at the Annual Meeting of the American Political Science Association, Boston, MA, August 28-31, 2008.
- “Constructing Courts in Polarized Times.” Paper prepared for delivery at the “Going to Extremes: The Fate of the Political Center in America” Conference at the Rockefeller Center, Dartmouth College, June 19-21, 2008.
- “The Rise and Fall of the State Action Doctrine 1940-2000.” Paper prepared for delivery at the Annual Meeting of the American Political Science Association, Chicago, IL, August 30-September 2, 2007.

“Designing and Reforming Courts: Lessons from the Regime Politics View of American Courts.” Paper prepared for delivery at the International Symposium on Reforming the Japanese Legal System, Kyoto University Graduate School of Law, March 17-18, 2007.

“Where Have All the Politicians Gone? Recruiting for the Modern Supreme Court.” Paper prepared for delivery at the Annual Meeting of the Western Political Science Association, Las Vegas, Nevada, March 8-10, 2007.

“In Defense of *In Defense of a Political Court*: A Response to Professor Herzog.” Paper prepared for delivery at the OAC School of Law’s Conference on Legal Positivism, Democracy and Constitutional Interpretation, Columbia Law School, New York, May 16-17, 2006.

“Secrets, Lies, and Constitutional Politics.” Paper prepared for delivery at the Annual Meeting of the Midwest Political Science Association, Chicago, IL, April 2006.

“Regulating Turnover on the Supreme Court.” Paper prepared for delivery at the Midwest Political Science Association Annual Meeting, Chicago, IL, April 2005.

“Strategic Retirement: *Bush v. Gore* in Perspective.” Paper prepared for delivery at the Annual Meeting of the Western Political Science Association, Portland, OR, March 2004.

“The Virtues of Limited Judicial Independence.” Paper prepared for delivery at the “Perspectives on Judicial Independence” Conference, Ohio State University, March 31-April 1, 2002.

“Does Judicial Independence Exist? The Lessons of Social Science Research.” Paper prepared for delivery at “Judicial Independence at the Crossroads: Developing an Interdisciplinary Research Agenda,” University of Pennsylvania, March 31-April 1, 2001.

CONFERENCE/WORKSHOP PARTICIPATION

Discussant, Panel on “Judicial Interpretation of Fundamental Rights,” Annual Meeting of the Midwest Political Science Association, Chicago, Illinois, April 4-7, 2019.

Discussant, Law & Courts Poster Session, Annual Meeting of the American Political Science Association, San Francisco, CA, August 31-September 2, 2017.

Panelist, Critics Meet Authors Roundtable (Paul Collins and Lori Ringhand, *Supreme Court Confirmation Hearing and Constitutional Change* and Dion Farganis and Justin Wedeking, *Supreme Court Confirmation Hearings in the U.S. Senate*). Annual Meeting of the American Political Science Association in Washington, D.C., August 28-31, 2014

Panelist, Roundtable on the U.S. Supreme Court. Annual Meeting of the Pacific Northwest Political Science Association in Vancouver, British Columbia, Canada, October 17-19,

2013.

Panelist, “Author Meets Critics” Roundtable (Kevin J. McMahon, *Nixon’s Court*), Annual Meeting of the Midwest Political Science Association, Chicago, IL, April 12-15, 2012.

Chair and Discussant, “Regime Politics and Judicial Review,” Annual Meeting of the American Political Science Association, Seattle, WA, September 1-4, 2011.

Discussant, “Constitutional Theory, Constitutional Politics” panel, Annual Meeting of the Midwest Political Science Association, Chicago, IL, April 22-25, 2010.

Chair and Moderator for panel on Adversarial Legalism at “The Virtues and Vices of Legalism: A Conference to Honor the work of Robert A. Kagan,” University of California, Berkeley, September 19, 2008.

Attended “The Presidency and the Supreme Court” conference, Franklin D. Roosevelt Presidential Library and Museum, November 11-12, 2007.

Participant, Empirical Legal Scholarship Workshop, Washington University, February 9-11, 2007.

Invited Participant, Roundtable Discussion: “The Second Generation of Historical Institutionalism: Still the Future of Public Law?” Annual Meeting of the American Political Science Association, Washington, D.C., September 1-3, 2005.

Discussant and Chair of panel on Judicial Politics at the Western Political Science Association Annual Meeting, San Francisco, CA, March 2005.

Discussant (panel on Litigation and Social Policy Change) and Chair (Regime Politics & Judicial Review) at the American Political Science Association Annual Meeting, Seattle, WA, August 31-September 3, 2011.

LECTURES & PRESENTATIONS

“Serendipity in Supreme Court Appointments.” Presentation at Film Screening of *Unexpected Justice: The Rise of John Paul Stevens*, Santa Clara University School of Law, November 18, 2015

“The U.S. Supreme Court: Champion of Rights or Partisan Pawn?” A Back to the Classroom Lecture presented at Parents Weekend, Santa Clara University, February 19, 2010

“Judge Alito and the Senate Confirmation Process,” Santa Clara University Law School, November 16, 2005, sponsored by the American Constitution Society

“The Ethics of Advice and Consent,” annual Ethics Outlook, Markkula Center for Applied

Ethics, Santa Clara University, September 10, 2005

“Social Science Evidence and Judicial Independence,” Presentation at the Annual Meeting of the American Association of Political and Social Science, Washington, D.C., April 15, 2002

“Political Accountability versus Judicial Independence: Evaluating the Recent Assault on the Courts,” Center for the Study of Law & Society, University of California, Berkeley, April 17, 2000

HONORS

Dr. David E. Logothetti Teaching Award, College of Arts and Sciences, Santa Clara University, 2005-06

“Best Course” 2003 and “Best Upper-Division Course” 2005, 2006, 2007, and 2018 for “The Constitution and Equality,” from Santa Clara University Political Science Students

“Best Advisor” 2004 and 2005 from Santa Clara University Political Science Students

Alpha Sigma Nu Book Award in the Social Sciences, National Jesuit Honor Society, 2000-2001

Excellence in Teaching Award, Santa Clara University, Summer Session 1999

Edward S. Corwin Award for best doctoral dissertation in the field of public law, American Political Science Association, 1991

Chancellor's Dissertation Fellowship, University of California, Berkeley, 1987-1988

National Science Foundation Graduate Fellowship, 1981-1983

Graduation with Highest Distinction, University of Kansas, 1979 (3.96 GPA)

Phi Sigma Phi, national scholastic honor society, 1979

Pi Sigma Alpha, national political honor society, 1979

SERVICE (Professional)

Member, Service Award Committee, Law & Courts Section of the American Political Science Association, 2018

Member, Service Award Committee, Law & Courts Section of the American Political Science Association, 2013

Law and Jurisprudence Section Head, Annual Meeting of the Midwest Political Science

Association, April 22-25, 2010

Member, Wadsworth Publishing Award Committee, American Political Science Association, 2005/06 (award for book or journal article, 10 years or older, that has made a lasting impression on the field of law and courts)

Member, Edward D. Corwin Award Committee, American Political Science Association, 2004/05 (award for best dissertation in Public Law)

Referee for publishers (University of Chicago Press, Routledge) and journals (*American Political Science Review*, *Journal of Law & Courts*, *Law & Society Review*, *Political Research Quarterly*, *Judicature*, *Polity*, *American Politics Research*, *Justice System Journal*, *Studies in Law, Politics & Society*, *American Political Thought*, *Journal of Political Geography Quarterly*)

Professional Memberships: American Political Science Association, Midwest Political Science Association, Western Political Science Association, Pacific Northwest Political Science Association

SERVICE (Santa Clara University)

Coordinator for Eric Hanson Speaker Series, Political Science Department (2018/2019)

Member, Tenure-Track Search Committee, Political Science Department (Fall 2018)

Coordinator, Program Review, Political Science Department (2015/16 & 2016/17)

Member, Pathways Faculty Core Committee, 2017-present

Member, Pre-Law Advisory Council, 2012-present

Moderator, *Santa Clara University Law Review's* Symposium on "Bearing Arms: Policy, Policing, and Incorporation after *Heller*," January 22, 2010.

Moderator, *Santa Clara University Law Review's* Symposium on "Big Business and the Roberts Court," January 23, 2009.

Member, University Planning Action Council, 2008/09

Faculty Sponsor for Pi Sigma Alpha, national political science honor society, 2007-2009

Student Awards Coordinator, Shallo Prize and Kronick Research and Writing Awards, 2005-2009

Faculty Senate Council representative, Political Science Department, Winter & Spring 2008

Faculty Evaluation Committee, Political Science Department 2006/07, 2001/02

Chair, Political Science Department, 2002-2006

Director, Political Science Department Honors Program, 1998-2004

Director of Pre-Law Advising, 1993-1995 and 1998-2003

Pre-law & Pre-Law Emphasis Advisor, Political Science Department, 1988-present

Summer Orientation Advisor (1997, 1998) and taught Parent Preview classes (1999)

Eastside Project Associate, 1991-1996

Director, Bernard L. Kronick Undergraduate Research Conference, 1988-1995, 1999-2001