

Jenny Breen

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CURRENT POSITION

Syracuse University College of Law

2019-present

Associate Professor

Courses taught: Constitutional Law, Administrative Law, Labor Law, Emerging Issues in Labor and Employment Law, Property
2022-23 Laura J. and L. Douglas Meredith Teaching Recognition Award for Early Performance

EDUCATION

J.D., *summa cum laude*

2015

Cornell Law School

Ph.D. in Political Science

2011

University of Pennsylvania

M.A. in Political Science

2007

University of Pennsylvania

B.A. in Political Science (minor: English), Highest Honors and Highest Distinction

2002

University of North Carolina at Chapel Hill

JUDICIAL CLERKSHIP

Hon. Rosemary S. Pooler

2017-18

United States Court of Appeals for the Second Circuit

WORKS IN PROGRESS

“Democracy, Republicanism, and the Roberts Court”

“The Disparate Responses of Labor Unions to COVID Workplace Protections” (with Gretchen Purser)

Funded by a competitive \$5,000 seed grant from the CUSE grant program at Syracuse University

PUBLICATIONS

“Democratic Erosion and the United States Supreme Court,” *Utah Law Review* (forthcoming Spring 2024). *Currently available on [SSRN](#).*

“Caring Work, Women’s Work, Essential Work: Reconsidering Comparable Worth as an Approach to Pay Equity for Care Workers,” *Berkeley Journal of Employment and Labor Law*, 2022 (Vol. 43, Issue 2).

“Labor, Law Enforcement, and ‘Normal Times’: The Origins of Immigration’s Home within the Department of Justice and the Evolution of Attorney General Control over Immigration Adjudications,” *University of Hawai‘i Law Review*, Winter 2019.

*Reprinted in *Immigration Briefings* (August and September 2020).

“Left Alone and Left Behind: Policy Responses to the ‘Displaced Homemaker’ in the 1970s,” *Journal of Policy History*, Autumn 2017.

“Mandating Discretion: Juvenile Sentencing Schemes after *Miller v. Alabama*” (with John R. Mills), *American Criminal Law Review*, March 2015.

“Reinstatement of Removal: New Developments in a Growing Form of Removal” (with Stephen Yale-Loehr), *Bender’s Immigration Bulletin*, April 15, 2014.

INVITED COMMENTARY

“Open for Business: The Supreme Court Curbs Federal Regulatory Power,” *New Labor Forum*, Spring 2023. Available at <https://newlaborforum.cuny.edu/2023/05/24/open-for-business-the-supreme-court-curbs-federal-regulatory-power/>

“Delegitimizing the Administrative State,” *nonsite.org*, July 2, 2022. Available at <https://nonsite.org/delegitimizing-the-administrative-state/#>

BOOK REVIEWS

Review of *Banned: Immigration Enforcement in the Time of Trump*, by Shoba Sivaprasad Wadhia, in *International Migration Review*, June 2020.

Review of *Coming Apart: The State of White America, 1960-2010*, by Charles Murray, in *Journal of Children and Poverty*, 2012

Working through the 1970s: Culture, Class, and Capital in the Era of Deindustrialization, review essay, *New Political Science*, December 2010

Review of *Out of Reach: Place, Poverty, and the New American Welfare State*, by Scott W. Allard, in *The Journal of Politics*, April 2010

CONFERENCE PAPERS, PRESENTATIONS, AND OTHER PARTICIPATION

Speaker, “Democratic Erosion and the United States Supreme Court,” Syracuse University College of Law Faculty Colloquium (January 19, 2023)

Speaker, “Democratic Erosion and the United States Supreme Court,” William & Mary College of Law Faculty Colloquium (November 3, 2022)

Moderator, “Labor’s Revival: Unions and the Struggle for Racial and Economic Justice,” The Lender Center for Social Justice, Syracuse University (October 24, 2022)

Speaker, “The Supreme Court and the Shaping of American Society,” Strathmore Speaker Series (September 8, 2022 via Zoom)

“Caring Work, Women’s Work, Essential Work: Reconsidering Comparable Worth as an Approach to Pay Equity for Care Workers,” New Scholars Workshop: Environmental, Economic, and Racial Justice, Southeastern Association of Law Schools Annual Meeting (July 29, 2021)

Participant, New Scholars Workshop: Discussion Group: Your Next Article, Southeastern Association of Law Schools Annual Meeting (July 29, 2021)

Participant, 2021 AALS Workshop for New Law School Teachers (June 3-4, 2021 via Zoom)

“Caring Work, Women’s Work, Essential Work: Reconsidering Comparable Worth as an Approach to Pay Equity,” Seton Hall Law School Faculty Colloquium (April 7, 2021 via Zoom)

Moderator, Panel: Labor and Employment Law: Alt-Labor, Southeastern Association of Law Schools Annual Meeting (August 4, 2020 via Zoom)

Moderator, Panel: Property, Power, and (In)Equality in Context, Association for Law, Property, and Society Annual Meeting, Syracuse, NY (May 18, 2019)

“Going Rogue: Administrative Agencies, the Rule of Law, and ICE,” Association of American Law Schools Annual Meeting, New Voices in Immigration Law, New Orleans, LA (January 5, 2019)

Invited Speaker, 2018 Cooper-Walsh Colloquium, Remodeling Sanctuary: Urban Immigration in a New Era, Fordham University School of Law, New York, NY (November 9, 2018).

“Women’s Work: Labor, Identity, and the Campaign for Comparable Worth,” Annual Meeting of the Midwest Political Science Association, Chicago, IL (March 31-April 3, 2011).

Panel Co-Organizer, “Producing Americans: Work in American Political Thought,” Northeast Political Science Association, Boston, MA (November 11-13, 2010).

“The Capital ‘in His Person’: Human Capital Theory and the Mid-Century Redefinition of Labor,” Northeastern Political Science Association, Boston, MA (November 11- 13, 2010).

“Work and Democratic Citizenship: The Case of Women,” University of Connecticut Democracy and Democratization Conference, Storrs, CT (February 27, 2009).

“Returning Home: The Causes and Consequences of Ownership-Based Assistance in Post-Katrina New Orleans,” Southern Political Science Association Annual Meeting, New Orleans, LA (January 10, 2008).

“Rebuilding the Citizen: The Construction of Civic Membership in Post-Katrina New Orleans,” Research Design Presentation, Institute for Qualitative Research Methods, Tempe, AZ (January 2007).

Discussant, “Dependence, Autonomy, and the Welfare State,” Delivered by Marion Smiley, Philadelphia Political Theory Workshop, Philadelphia, PA (December 16, 2005).

Invited Lecture, “Starting, Managing, and Growing a Campus Publication” Independent Media Training Conference, University of North Carolina at Chapel Hill (October 29, 2005).

SELECTED MEDIA

“Why the Supreme Court Matters to Working People,” *Class Matters Podcast* (guest panelist) (posted July 15, 2022). Available at <https://classmatterspodcast.org/podcast-episode/episode-6-why-the-supreme-court-matters-to-working-people/>

“Right-Wing Supreme Court Imperils Democratic Self Governance,” *Common Dreams* (July 1, 2022). Available at <https://www.commondreams.org/views/2022/07/01/right-wing-supreme-court-imperils-democratic-self-governance>

“The ‘Raw Judicial Power’ of Samuel Alito is an Attack on Dignity, Autonomy, and Progress,” *Common Dreams* (May 5, 2022). Available at <https://www.commondreams.org/views/2022/05/05/raw-judicial-power-samuel-alito-attack-dignity-autonomy-and-progress>

Quoted in Scott Willis, “CNY Voters to Weigh in on Voting, Election Proposals this November,” WAER (October 15, 2021). Available at <https://www.waer.org/2021-10-15/cny-voters-to-weigh-in-on-voting-election-proposals-this-november>

“The US Supreme Court’s Latest Anti-Labor Ruling Goes Far Beyond Farm Workers,” *Common Dreams* (June 24, 2021). Available at <https://www.commondreams.org/views/2021/06/24/us-supreme-courts-latest-anti-labor-ruling-goes-far-beyond-farm-workers>

Quoted in Kenny Stancil, “Right-Wing SCOTUS Majority Rules Union Organizing on Farms Violates Landowners’ Rights,” *Common Dreams* (June 23, 2021). Available at <https://www.commondreams.org/news/2021/06/23/right-wing-scotus-majority-rules-union-organizing-farms-violates-landowners-rights>

Quoted in Bob Egelko, “Will Trump’s Legal Challenge Succeed at the Supreme Court? Here’s What the Experts say,” *San Francisco Chronicle* (November 4, 2020). Available at <https://www.sfchronicle.com/politics/article/Trump-campaign-legal-challenges-to-voting-results-15702856.php>

Quoted in Scott Willis, “SU Law Professors Ponder What Legal Action Might Arise from Presidential Election Results,” WAER (November 4, 2020). Available at <https://www.waer.org/politics-government/2020-11-04/su-law-professors-ponder-what-legal-action-might-arise-from-presidential-election-results>

Interviewed, “SU Professor of Law on Line Between Free Speech and Sedition,” *Capital Tonight with Susan Arbetter* (December 15, 2020). Video available at <https://spectrumlocalnews.com/nys/central-ny/capital-tonight/2020/12/15/su-professor-of-law-on-line-between-free-speech-and-sedition>

AWARDS AND HONORS

Laura J. and L. Douglas Meredith Teaching Recognition Award for Early Performance (2023)
CUSE Grant (with Gretchen Purser) (2022)
Ida Cornell Kerr and William Ogden Kerr Memorial Prize (awarded annually to a third-year student who demonstrates general academic excellence) (2015)
Marc E. and Lori A. Kasowitz Prize for Excellence in Legal Writing and Oral Advocacy (2013)
Andrew W. Mellon Fellowship in Humanistic Studies (2004)
Phi Beta Kappa (2002)
Order of the Golden Fleece (2002)

LAW SCHOOL AND UNIVERSITY SERVICE

Secretary, Syracuse University chapter of American Association of University Professors (AAUP) (2020-2022)
Mentor, Faculty Mentorship Program for 1L Students (2020-2022)
Member, Judicial Clerkship Committee (2019-present)
Member, Academic Standards Committee (2019-present)

OTHER TEACHING EXPERIENCE

Faculty Fellow, Syracuse University College of Law (2018-19)
Lecturer, Ithaca College, Department of Politics, “Introduction to U.S. Politics” and “Politics of Work” (2010-12)

PROFESSIONAL AND SERVICE AFFILIATIONS

New York State Bar (Admitted 2016)
American Political Science Association