

KEVIN MAILLARD

SYRACUSE UNIVERSITY COLLEGE OF LAW
SYRACUSE, NY 13244
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EMPLOYMENT

Syracuse University College of Law

Professor, 2012-Present; Assoc. Professor, 2010-2012; Asst. Professor, 2005-2010
Committees: Promotions and Tenure 2016-2018; Admissions 2010-Present; Faculty
Appointments 2005-2006

Visiting Professorships

Columbia Law School, Spring 2018
New York University (adjunct) Spring 2018
Hofstra Law School, 2009-2010
New York Law School, Spring 2009
Fordham Law School, Fall 2008

Hughes Hubbard & Reed, LLP, New York, NY

Summer Associate, 2004-2005

EDUCATION

University of Michigan, M.A., Ph.D. Political Theory, (2004)

Ford Foundation Dissertation Fellowship, 2003-2004
Rackham Merit Fellowship, 1996-2002

University of Pennsylvania Law School, J.D, 2002

Symposium Editor, Journal of Constitutional Law, 2001-2002
Seminole Nation of Oklahoma Higher Education Award, 1999-2000
Equal Justice Foundation Award, Penn Law, 2002, 2001

Duke University, B.A., Public Policy, 1994

Seminole Nation of Oklahoma College Award, 1993
Jack Neely Scholarship, 1991

PROFESSIONAL ACTIVITIES

The New York Times, Contributing Editor, Opinion, Arts, Food, 2014-present
Groundswell NYC, Board Member 2024-present
SCBWI Impact and Legacy Fund, Steering Committee, 2023-present
The Atlantic, Contributor, 2013-2016
Amer. Assoc. of Law Schools (AALS) Minority Section Executive Board, 2017-2019
Kaplan/PMBR Bar Lecturer, 2008-2020
Indigenous Nations and Peoples Law, SSRN, Co-editor, 2006-2014
Alternatives to Marriage Project, Board Member 2009-2012
Association for Law, Culture, and Humanities, Board Member 2007-2009
Cooney Colloquium for Law and Humanities, Director 2006-2008

COURSES

Family Law; Wills & Trusts; Children & the Law; Adoption; Marriage; Law & Pop Culture

PUBLICATIONS

Books and Book Chapters

- Commentary on Reber v. Reiss, *FEMINIST JUDGMENTS: REWRITTEN REPRODUCTIVE JUSTICE*, Kimberly Murcherson, ed. (Cambridge Univ. Press, 2020)
- LOVING IN A "POST-RACIAL" WORLD: RETHINKING RACE, SEX AND MARRIAGE*, Kevin Noble Maillard and Rose Cuizon Villazor, eds. (Cambridge Univ. Press, 2012)
- Redwashing History: Tribal Anachronisms in the Seminole Nation Cases*, in *THE INDIAN CIVIL RIGHTS ACT AT FORTY* (UCLA Press, 2011)
- A View of a Will: Miscegenation, Inheritance, and Family in Civil War-Era Charleston*, in *FAMILY VALUES IN THE OLD SOUTH* (Univ. of Florida Press, 2010)
- The Taint of Taint: Memory and the Denial of Mixed Race in the U.S.*, (Ph.D dissertation, University of Michigan, 2004)

Law Journals

- Hollywood Loving*, 86 *FORDHAM L. REV.* 2647 (2018)
- Outlaw Parents*, 85 *FORDHAM L. REV.* 2629 (2017)
- Serial Paternity*, 2013 *MICHIGAN ST. L. REV.* 1369 (2014)
- Rethinking Children as Property: The Transitive Family*, 32 *CARDOZO L. REV.* 225 (2010)
- The Color of Testamentary Freedom*, 62 *SMU L. REV.* 101 (2009)
- The Multiracial Epiphany*, 76 *FORDHAM L. REV.* 2709 (2008)
- The Anatomy of Grey* (w/ Janis McDonald), 26 *LAW & INEQUALITY* 305 (2008)
- Redwashing History*, 1 *FREEDOM CTR. J.* 96 (2008)
- The Pocahontas Exception*, 12 *MICH. J. RACE & L.* 107 (2007)
- Parental Ratification*, 28 *AMERICAN INDIAN L. REV.* 107 (2003)

Reviews

- Review, Bernie Jones, *Fathers of Conscience: Mixed Race Inheritance in the Antebellum South*, *LAW AND HISTORY REVIEW* (2012)
- Review, Robert A. Williams, Jr., *Like a Loaded Weapon: The Rehnquist Court, Indian Rights, and the Legal Theory of Racism in America*, *LAW AND HISTORY REVIEW* (2007)
- "*Foreword: Native Americans and the Constitution*," 5 *JOURNAL OF CONSTITUTIONAL LAW* 219 (2003)

SELECTED PRESENTATIONS

- The Frontiers of Intimacy: Socio-Legal Approaches*
Columbia Law School Center for Gender and Sexuality (4/18)
- Updating the Indian Child Welfare Act*
Columbia Law School (4/18)
- Fifty Years of Loving v Virginia*
Fordham Law School (10/17)
- Moore Kinship Symposium*
Fordham Law School (10/16)
- Average Fathers*
Columbia Law School Law and Culture Workshop (2/16)

Multiracial Identity Roundtable

UCLA Critical Race Theory Conference

Interracial Relationships in the 21st Century

Colgate University Roundtable (3/14)

Super Paternity

In Search of Equality in Family Law Symposium

MSU Law School (4/13)

Interracial Marriage in a Post Racial World

Black Law Students' Association

Stanford Law School (2/13)

The New Family Values

Faculty Workshop

Loyola Los Angeles Law School (9/12)

Editorial Lunch

NYT Editorial Board

NY, NY (6/12)

The Cherokee Freedmen Controversy

Indigenous Students' Association

University of Wisconsin Law School (3/12)

Rethinking Tribal Sovereignty and Race

Race and Sovereignty Conference

UCLA School of Law (3/11)

The Ideology of Sovereignty

Indigenous Law Conference

Michigan State Law School (10/10)

Children as Property

Association for the Study of Law, Culture, and the Humanities

Brown University (3/10)

The Politics of Skin Color

2010 Civil Rights Lecture

Hofstra University (2/10)

The Paradox of Sovereignty

Raven Lecture, Henderson Center for Social Justice

Berkeley Law School (3/09)

Questioning Sovereignty

Junior Faculty Workshop

Lewis & Clark Law School (6/08)

The Human Rights Hierarchy (commentator)

Woodrow Wilson International Center for Scholars

Washington, DC (4/08)

The Multiracial Epiphany

Multiracial Students Association

New York University Law School (2/08)

The Ethics of Sovereignty

Colloquium on Law and Citizenship

Southern Methodist University School of Law (1/08)

"There Are No Black Indians": Native American Nations and the Crisis of Identity

Reconstructions: Historical Consciousness and Critical Transformation

University of Cincinnati (10/07)
The Freedmen Cases: Tribal Sovereignty at the Tipping Point
Federal Bar Association Indian Law Conference
Albuquerque, NM (4/2007)
Junior Faculty Roundtable
The New Realism: The Next Generation of Scholarship in Federal Indian Law
Berkeley Law School (10/2006)
Tribal Citizenship Determinations: Past, Present, and Future
Tribal Law and Government Conference
University of Kansas School of Law (10/2006)
The Interracial Cathexis: Cultural Fixations on Miscegenation in a Post-Loving Era
Too Pure an Air: Law and the Quest for Freedom, Justice, and Equality
University of Gloucestershire, U.K. (7/2006)
Black Indian Blood: Competing Memories in the Seminole Nation of Oklahoma
Center for the Study of Ethnicity and Race
Columbia University (2004)

SELECTED PERIODICALS

August 21, 2024: "5 Tips for Making a School Lunch Your Kid Will Actually Eat: NYT Food
May 15, 2024: "How Wild Rice Forecasts Climate Change" NYT Food
Jan 26, 2024: "The Most Foolproof Way to Cook Fish? The Microwave" NYT Food
August 23, 2022: "Native American Movement Grows" NYT Food
April 21, 2022: "A Beloved Indigenous Dessert Evolves With Each Generation" NYT Food
March 2020: "Parenting by FaceTime" NYT Voices
July 2019: "Beyond Mother and Wife" NYT Arts
July 2018: "When Being a Good Dad Gets You Promoted to 'Mommy'" NYT Ties
February 2017: "Children and Black Panther" NYT Arts
August 2017: "Who Counts as a Native American Actor?" NYT Arts
March 2017: "Where are the Interracial Couples?" NYT Arts
August 28, 2016: "A Cough is No Longer Just a Cough" NYT Opinion
August 4, 2016: "A Father's Struggle to Stop His Daughter's Adoption, Continued" The Atlantic
July 7, 2015: "A Father's Struggle to Stop His Daughter's Adoption" The Atlantic
June 16, 2015: "Why We Should Embrace the Racial Chaos" NYT Opinion
June 13, 2014: "Fatherhood is One Area Where Men are Unequal" NYT Opinion
April 21, 2014: "Sex and the Single Man" The Atlantic
Feb 2, 2014: "In Adoption, Does Race Matter?" NYT Opinion
Dec 3, 2013: "Not Cutting Ties, But Adding Them" NYT Opinion
November 6, 2013: "Biracial Cool: Bill de Blasio's Fresh Electoral Asset" The Atlantic
July 23, 2013: "Racially Profiled in Palm Beach" The Atlantic
June 27, 2013: "Incorporate and Change" NYT Opinion
June 14, 2013: "The Myth of Rarity" NYT Opinion
May 17, 2013: "The right to police indifference" The Week Magazine
January 24, 2013: "Split the Baby with an Open Adoption" NYT Opinion
October 17, 2012: "Of Human Binders" NYT Op-Ed
October 10, 2012: "Not Married, Not Single" Essence Magazine, Nov '12

August 28, 2012: “Modern Parenting: Scary! Read This Now!” NYT Opinion
July 21, 2012: “Playing the Interracial Card,” NYT Op-Ed
June 15, 2012: “Where is the Dad in Parenting?” NYT Opinion
May 29, 2012: “The Mysterious Age of Consent,” NYT Opinion
May 4, 2012: “Elizabeth Warren’s Birther Moment,” NYT Op-Ed
April 24, 2012: “The Myth of the Traditional Family,” NYT Opinion
Feb 14, 2012: “Beyond Blood Marriage Adoption,” NYT Opinion
October 14, 2011: Letter to the Editor, “We Are Family,” NYT
Sept 16, 2011: “Define Real Indians,” NYT Opinion
July 25, 2011: “It’s Not a Trade School,” NYT Opinion
June 29, 2011: “Rejecting the Real Family,” NYT Opinion
May 17, 2007: “Black and Red,” Indian Country Today

MEDIA APPEARANCES

August 23, 2023: profiled, “For Many Native Americans, Fry Bread is Tasty, Nostalgic, and Complicated” Conde Nast Traveler
Sept 9, 2019: quoted, "Law student among plaintiffs challenging state law requiring couples getting married to identify race" ABA Journal
Sept 6, 2019: quoted, "Couples challenge racial labels to get married in Virginia" Washington Post
April 2018: quoted, "The Many Colors of Matrimony" National Geographic
March 3, 2017: commentator, “This 3-year old is at the center of a custody battle,” ABC Nightline
Nov 2, 2015: commentator, “Criminal Justice Reform” MSNBC Live
June 29, 2015: commentator, “Fight for same sex marriage far from over” MSNBC Live
Jun 6, 2015: commentator, “Breaking News: Same Sex Marriage Legal Nationwide” MSNBC Live
Jun 3, 2015: commentator, “NC’s religious freedom bill targets marriage equality,” MSNBC Live
August 4, 2014: commentator, “Marriage and Income Equality” NPR On Point
April 27, 2014: commentator, “Schuette and the Future of Higher Education” Al Jazeera America
April 14, 2014: commentator, “Sebilus legacy” and “Obama Catalyst” MSNBC Disrupt
March 2, 2014: commentator, “Vet to Utah court: ‘Right this wrong’” CNN
Jan 9, 2014: commentator, "Interracial Relationships in 2014” Katie Couric Show
Jan 2, 2013: commentator, “Utah and the Supreme Court” Al Jazeera America
Dec 19, 2013: commentator, “Drug sentencing disparities” Al Jazeera America
November 30, 2013: commentator, “The modern American family” MSNBC Disrupt with Karen Finney
November 16, 2013: commentator, “The New Cool” MSNBC Disrupt with Karen Finney
June 25, 2013: commentator, “The Voting Rights Act” MSNBC Live
March 29, 2013: commentator, “How views on marriage have changed over time” MSNBC Live
May 22, 2012: guest, Radio Boston, NPR-Boston, “Does the Warren Heritage Story Tell Us More about the Senator or the Media”
May 7, 2012: guest, The Daily Circuit, NPR-Minnesota, “Does America Need to Rethink

Family Values?”
Feb 14, 2012: guest, Radio Times, NPR-Philadelphia, “Loving v. Virginia and the Right to Marry”