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**John M. Bickers**  
**Professor, Salmon P. Chase College of Law**  
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**Publications**

- “Asculum Defeats: Prosecution Losses in the Military Commissions and How They Help the United States” 4 National Security Law Journal (forthcoming, 2016).
- “Two Figures in the Picture: How an Old Legal Practice Might Solve the Puzzle of Lost Punitive Damages in Legal Malpractice” 35 Northern Illinois University Law Review 35 (2014).
- “Standing on Holy Ground: How Rethinking Justiciability Might Bring Peace to the Establishment Clause” 60 Cleveland State Law Review 415 (2012).
- “Military Commissions: No Longer a Useful Strategy” Jurist (2011).
- “Too Little, Too Late? Why President Obama’s Well-Intentioned Reforms of the Military Commissions May Not Be Enough to Save Them” 31 Whittier Law Review 381 (2010).
- “Of Non-Horses, Quantum Mechanics, and the Establishment Clause,” 57 Kansas Law Review 371 (2009).
- “The Power to Do What Manifestly Must Be Done: Congress, The Freedmen’s Bureau, and Constitutional Imagination,” 12 Roger Williams University Law Review 70 (2006).
- “Terrorism Trials in the Light: A Way Ahead?” Jurist (2006).
- “Maybe Death Isn’t So Different After All” Jurist (2004).
- “Military Commissions are Constitutionally Sound: A Response to Professors Katyal and Tribe,” 34 Texas Tech Law Review 899 (2003) *cited with approval in* Hamdan v. Rumsfeld, 126 S.Ct. 2749, 2776 (2006), and Hamdan v. Rumsfeld, 415 F.3d 33, 38 (D.C. Cir. 2005).
- With Bakken, T. and Goldstein, R. Guide to Criminal Procedure in New York (Wadsworth) (2004).

**Select Presentations**

- “Asculum Defeats: U.S. Losses in Military Commissions and Victory,” Central States Law Schools Association, Toledo, OH (October 2015).
- “Foreign Policy,” *Kentucky Tonight*, KET (December 2014).
- “Using a Wok: How Non-Bar Tested Electives Can Teach Lawyering,” LegalED Conference, American University, Washington, D.C. (April 2014).
- “Counterterrorism Policy,” *Kentucky Tonight*, KET (June 2013).
- With Lt. Gov. Abramson and former County Commissioner Hayden, “Testimony on HB 190,” Kentucky House Judiciary Committee, Frankfort, KY (March 2013).
- “Forever Free: The Constitutionality of the Emancipation Proclamation” NKU – Scripps Howard Six@Six Series, Cincinnati Mercantile Library (September 2012).
- With Meyers, D., and Tenkotte, P., “The Constitution’s Greatest Challenge: The Civil War,” Scripps Howard Center for Civic Engagement, Northern Kentucky University (September 2011).

With Wilcher, L., Van Stockum, R., Schworer, P., and Carroll, S., "Ethics, the Environment, and the Law," Kentucky Bar Association Convention (July 2010).

With Warren, V., Casey, L., Bravin, J., and Brig. Gen. Hartmann, "U.S seeks death penalty for six men held at Guantanamo," *The Diane Rehm Show* (February 2008).

With Silliman, S., Hutson, J., and Isikoff, M., "Guantanamo Six" on Trial, *On Point with Tom Ashbrook* (February 2008).

With Heymann, P., Turner, R., and Rona, G. "The Constitution and the War Against Terrorism," Federalist Society, Boston, Massachusetts (2006).

"The Constitution and Military Detainees," Law and Terrorism Conference, U. S. Military Academy (2005).

"Applicability of the Constitution Overseas," Constitutional Law Conference, Hamilton College (2004).

"*Posse Comitatus* Act: Problems on the Horizon," Association of the Bar of the City of New York, (2004).

With Sayles, A. "The Supreme Court and the University of Michigan," Diversity Symposium, U. S. Military Academy (2003).

With Vagts, D., Welton, M., and Stock, M. "The History and Constitutionality of Military Commissions," New York State Appellate Judges' Annual Conference, U. S. Military Academy (2003).

With Drinan, R., Eisenberg, H., and Baldwin, G. "Current Issues in the War on Terrorism," Wisconsin Law Foundation Symposium, Marquette University (2002).

### **Education**

Georgetown University Law Center, LL.M. with Distinction, Washington, D.C. (2003)  
The Judge Advocate General's School, Army, LL.M., Charlottesville, Virginia (1999)  
University of Michigan Law School, J.D., Magna Cum Laude, Ann Arbor, Michigan (1991)  
Cornell University, A.B., History, Ithaca, New York (1985)

### **Former Employment**

**United States Army, Judge Advocate General's Corps.** I had a range of assignments and locations, including teaching Constitutional Law at the United States Military Academy, West Point; working in the Pentagon on the original draft set of procedures and substantive criminal law and defenses for the military commissions for the war against al Qaeda; supervising a multi-purpose legal center with American and German attorneys; managing an administrative law office responsible for labor, environmental, and contracts; prosecuting soldiers in courts-martial, including a series of pre-trial hearings conducted in Mogadishu, Somalia; and defending soldiers accused of wrongdoing in courts-martial and other settings, including a full trial in Port-au-Prince, Haiti.

**United States Army, Armor Branch.** I led soldiers in tanks in Texas, California, and Germany. I also served as an adjutant, supervising all administrative matters for a battalion of six hundred soldiers.

### **Honors and Memberships**

Northern Kentucky University Faculty Excellence Award, Sustained Excellence in Teaching, 2013  
Robert O. Lukowsky Award of Excellence, Chase College of Law Teacher of the Year, 2010, 2016  
Order of the Coif (Michigan Chapter)  
Legion of Merit, Meritorious Service Medal, Army Commendation Medal, Armed Forces Expeditionary Medal, Humanitarian Service Medal  
Virginia State Bar