

Jennifer M. Kinsley

Professor of Law
Director of Experiential Learning
Director, Field Placement Program
Northern Kentucky University Chase College of Law
Nunn Hall Room 507
Highland Heights, Kentucky 41099
(859) 572-7998 land
Kinsleyj1@nku.edu

521 Termar Court
Walton, Kentucky 41094
(513) 708-2595 cell

CURRICULUM VITAE

EDUCATION

Duke University School of Law, J.D., May 1999
Criminal Law Society (founder and chair), Prisoners Rights Project (president), Death Penalty and Criminal Law Clinics, Mock Trial Team, Public Interest Law Foundation

University of Florida, B.A. with highest honors, May 1996
Phi Beta Kappa, Volunteer Tutor, Floridance Company (president)

SCHOLARSHIP

Therapeutic Expression, ___ Emory L. Rev. ___ (forthcoming 2018) (invited submission as part of Randolph W. Thrower Symposium at Emory Law School)

Rethinking Bail Reform, ___ Rich. L. Rev. ___ (forthcoming 2017)

Secondary Legislation (forthcoming 2018) (accepted for presentation at the International Privacy and Government Accountability Forum, Universite de Paris Pantheon-Sorbonne, June 2018)

Chill, 48 Loy. U. Chi. L.J. 253 (Fall 2016)

The Myth of Obsolete Obscenity, 33 Cardozo Arts & Ent. L. J. 607 (2015)

First Amendment Sexual Privacy:
Adult Sexting and Federal Age-Verification Legislation, 45 N.Mex. L. Rev. 1 (2014)

Sexual Privacy in the Internet Age:
How Substantive Due Process Protects Online Obscenity, 16 Vand. J. Ent. & Tech. L. 103 (2013)

Strategic Litigation: A Free Speech and Free Assembly Case Study,
Chapter in “Strategic Litigation of Public Interest Cases: US and Russian Best Practices”
Google Press

Moscow 2017 (176 pages)

Originally Published in Russian as КАК ПОЛОЖИТЬ ЧИНОВНИКА НА ЛОПАТКИ, или Стратегические тяжбы: опыт работы американских и российских сутяжников по общественно значимым делам» / Под ред. Тодда Брауэра, Антона Буркова

Essay, *Presidential Attacks on Free Speech*,
Best Lawyers Women in the Law Spring 2017 Edition

Amicus curiae brief to the United States Supreme Court
On behalf of the National Association of Public Defense
Aksu v. California, No. 16-1009 (April 14, 2017)

Amicus curiae brief to the United States Supreme Court
On behalf of the First Amendment Lawyers Association
Keefe v. Adams, No. 16-1035 (March 26, 2017)

Amicus curiae brief to the New York Court of Appeals
On behalf of the First Amendment Lawyers Association
For the People Theaters v. City of New York, No. APL-2015-273 (March 18, 2017)

Amicus curiae brief to the United States Court of Appeals
For the Ninth Circuit on behalf of the First Amendment Lawyers Association and
Woodhull Freedom Foundation
Erotic Service Provider Legal, Education & Research Project v. Gascon, No. 16-15927 (Oct. 16, 2016)

Amicus curiae brief to the United States Court of Appeals
for the Sixth Circuit on behalf of the Center for Democracy & Technology,
the First Amendment Lawyers Association, and David G. Post,
Doe v. Snyder, Nos. 15-2346, 2486 (Jan. 11, 2016)

Amicus curiae brief to the United States Supreme Court
On behalf of the National Association for Public Defense,
the Center for Constitutional Rights, the Kentucky Association of
Criminal Defense Lawyers, and the Ohio Association of Criminal
Defense Lawyers, *Bright v. Gallia County*, No. 14-877 (Feb. 20, 2015)

Amicus curiae brief to the United States Supreme Court
On behalf of the First Amendment Lawyers Association
Susan B. Anthony List v. Driehaus, No. 13-193 (March 3, 2014)

Amicus curiae brief to the United States Supreme Court
On behalf of the First Amendment Lawyers Association
United States v. Jones, 132 S.Ct. 945 (Jan. 23, 2012)

Amicus curiae brief to the United States Supreme Court
On behalf of the First Amendment Lawyers Association
City of Littleton v. Z.J. Gifts D-4, LLC, 541 U.S. 774 (2004)

“When Vanishing Photos Become Vanishing Evidence:
Legal Questions Raised by the Snapchat Smartphone App,”
Lex Loci, June 2013

Essay, “She Was Juror Number 9”
Cincinnati Bar Magazine (Summer 2008)

TEACHING

NKU Chase College of Law
Professor of Law
Director of Experiential Learning
Director, Field Placement Program
August 2012 to present

- Courses Taught:
 - 1) Civil Procedure – Fall 2014
 - 2) Trial Advocacy – Fall 2013
 - 3) Field Placement Clinic – Fall 2012 to present (including summers)
 - 4) Advanced Field Placement Clinic – Fall 2012 to present (including summers)
 - 5) Semester in Practice – Spring 2013 to present (including summers)
 - 6) Field Placement Seminar (online course) – Fall 2013 to present (including summers)
 - 7) Advanced Field Placement Seminar (online course) – Fall 2017 to present (including summers)
 - 8) Supervised Independent Research – Summer 2014, Fall 2014, Spring 2015, Summer 2017, Fall 2017, Spring 2018
 - 9) Legal Analysis and Problem Solving – Fall 2015, Fall 2016, Fall 2017
 - 10) Negotiation Competition – Spring 2016, Spring 2018
 - 11) Client Centered Practice (Team Taught) – Summer 2016, Summer 2017
- Developed original professionalism curriculum for online field placement seminars
- Guest lectured for Remedies, Art Law, Sociology of Crime, Women and Crime, and Sociology of Surveillance
- Received consistently above average student evaluations and favorable peer reviews

University of Cincinnati Law School
Adjunct Professor of Law
Affiliate Professor, Women's Studies Department
August 2002 – April 2012

- Courses Taught:
 - 1) Habeas Corpus and Post-Conviction Remedies – Fall 2002, Fall 2003, Fall 2004, Fall 2005, Fall 2007, Fall 2008, Fall 2009, Fall 2010, Fall 2011
 - 2) Juvenile Law – Spring 2012
 - 3) Indigent Defense Clinic Lecturer and Supervisor – Fall 2007 through Fall 2011
- Joint JD/Master in Womens Studies Review Committee

LECTURES AND PRESENTATIONS

Therapeutic Expression

Panel Presentation

Emory Law School Throter Symposium (invited participant)

February 7, 2018

Rethinking Bail Reform

Northern Kentucky University Salmon P. Chase College of Law

October 7, 2017

Secondary Legislation

Selected for Presentation in International Privacy and Governmental Transparency Forum

University of Paris Pantheon-Sorbonne

June 2018

Fake News and the First Amendment

Northern Kentucky University Salmon P. Chase College of Law

August 29, 2017

Is Campus Free Speech Really Free?

University of Cincinnati Law School

April 11, 2017

Secondary Legislation

NKU Chase College of Law Faculty Workshop

February 15, 2017

Alternative First Amendment Decisions

First Amendment Lawyers Association Winter 2017 Meeting

San Diego, CA

February 11, 2017

Developments in Commercial Speech Law
First Amendment Lawyers Association Winter 2017 Meeting
San Diego, CA
February 10, 2017

Larry Flynt: Smut Peddler or Constitutional Hero?
Northern Kentucky University Six @ Six Lecture Series
Carnegie Library, Covington, KY
October 6, 2016

The Right of Free Speech on College Campuses
Indian Hill Church, Cincinnati, OH
September 11, 2016

Chill
NKU Chase College of Law Faculty Workshop
September 2016

Introduction to Criminal Law
High School Law Interest Day
NKU Chase College of Law
June 2016

Free Speech Strategic Litigation
Urals Human Rights School
Yekaterinburg, Russia
February 2016

The History of the American First Amendment
Yekaterinburg Law School
Yekaterinburg, Russia
February 2016

Chill
First Amendment International Roundtable
University of Louisville Brandeis College of Law
December 2015

18 USC 2257: An Update
First Amendment Lawyers Association Summer 2015 Meeting
Nashville, Tennessee
July 24, 2015

*When The Judiciary Turns Hostile:
Representing Unpopular Clients with Professionalism and Civility*
First Amendment Lawyers Association Summer 2015 Meeting
Nashville, Tennessee
July 25, 2015

*The Nuances and Aggravations of 'Our Judicial Federalism':
A Civil Procedure Review*
First Amendment Lawyers Association Winter 2015 Meeting
Las Vegas, Nevada
February 5, 2015

The History of Modern Obscenity Law
Lindenwood University
St. Louis, Missouri
January 13, 2015

Supreme Court Update
Hamilton County, Ohio Public Defender Training Seminar
November 11, 2014

The Private First Amendment
Developing Ideas Conference
University of Kentucky Law School
Lexington, Kentucky
May 21, 2014

Transgender Issues in the Law
Panel Presentation
University of Cincinnati Law School
Cincinnati, Ohio
March 5, 2014

Challenges and Benefits of Distance Learning in Experiential Placements
Panel Presentation
Externships 7 Conference
University of Denver Law School
Denver, Colorado
February 28, 2014

2257 and Personal Privacy
First Amendment Lawyers Association Winter Meeting
Honolulu, Hawaii
February 14, 2014

United States Supreme Court and Ohio Supreme Court Case Law Update
Ohio Association of Criminal Defense Lawyers Annual Seminar
University of Cincinnati Law School
Cincinnati, Ohio
January 2005, 2006, 2007, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016

Supreme Court Case Law Update
Lawyers Club of Cincinnati
Cincinnati, Ohio
January 16, 2014
December 17, 2015
January 19, 2017
January 17, 2018

*Private Communication or Federal Crime?:
Adult Sexting and Federal Age-Verification Legislation,*
NKU Chase College of Law Faculty Workshop
September 13, 2013

*Civil Liberties & National Security:
Is It Possible To Have Both?*
Democracy Square Live! Presentation
NKU Scripps Howard Center for Civic Engagement
April 4, 2013

American Protection of Online Expression
Justice Academy of Turkey
Ankara, Turkey
March 12, 2013

*The Occupy Wall Street Movement and its
Implications on Free Speech in America*
Ankara University Law Faculty
Ankara, Turkey
March 13, 2013

Hate Crimes, Social Media & Justice
Panel Presentation
NKU College of Informatics/Chase Law + Informatics Institute
November 28, 2012

Expert Witness, First Amendment Attorney Fees
White River Amusement Pub v. Town of Hartford, D. Vt. No. 1:02cv320 (May 2008)

The First Amendment and Popular Culture
The University of Cincinnati Institute for Learning In Retirement
Cincinnati, Ohio
November 2007, 2008, 2010, 2011

What's Wrong with the Public Defender System? Symposium
University of Cincinnati School of Law
April 2004

Governmental Regulation of Adult Businesses
Northern Kentucky University Sociology Department
Summer 2008, 2009, 2010, Fall 2012

Juvenile Sex Offender Registration Law and Practice
Children's Law Center Juvenile Defender Summit
Juvenile Defender Trial Practice Symposium, Instructor
Dayton, OH
February 2011

Federal Habeas Corpus
International Innocence Network Conference
April 2011

First Amendment Lawyers Association
Presentation, "Grand Jury Investigations, Search Warrants, and Subpoenas"
Presentation, "Blakely and the Federal Sentencing Guidelines"
Presentation, "Update on 18 USC 2257 and Related Litigation"
Presentation, "Obscenity Law Update"
Presentation, "The Adam Walsh Act and Efforts to Block Its Enforcement"
Presentation, "Amendments to the Federal Rules of Civil Procedure"
Presentation, "Know Your Enemies: An Update on Pro-Family Opposition"
Presentation, "Sex Offender Registration Laws Update"
2004-2013

Internext Conference
Presentation, "Legal Issues with Adult Internet Websites"
February 2008

Southeastern Sports and Entertainment Lawyers Conference
Presentation, "Representing Adult Entertainment Clients"
November 2006

AWARDS AND HONORS

NKU Faculty Awards

Excellent Performance by a Faculty Member for Excellence in Public Engagement

Chase College of Law Nominee

Spring 2014

Super Lawyers Rising Star, First Amendment (2007, 2011, 2012, 2013, 2014)

Best Lawyers in America, First Amendment (2013, 2014, 2015, 2016, 2017)

Children's Law Center Child Advocacy Partnership Award (2007)

City Beat Best Pro Bono Work Award (2004, 2008)

ACADEMIC SERVICE

NKU Faculty Senate

2014-2016 Term, 2016-2018 Term

NKU Faculty Benefits Committee

2014 to present

NKU Faculty Scholarship Subcommittee

Spring 2014

NKU Faculty Survey Report Committee

Fall 2016

Chase College of Law Curriculum Committee

2014 to present

Chase College of Law Experiential Learning Committee, Chair

2017 to present

Chase College of Law Bar Pass Committee

Fall 2017 to present

Chase Academic Standing Committee Hearing Officer

Summer 2017

Clinical Legal Education Association

New Clinical Professor Mentor

August 2016 to present

Chase College of Law Heart Mini Marathon Team Captain
Spring 2015, Spring 2016, Spring 2017

Federal Bar Association Student Chapter Faculty Advisor
Fall 2015 to present

Pro Se Handbook Revision Project, Chair
Spring-Summer 2016

Federal Bar Association Pro Se Handbook Revision Project
Chair, Spring 2016 to Fall 2016

Chase Advocacy Society
Faculty Advisor
Fall 2014 to present

Chase Public Interest Group
Faculty Advisor
Spring 2013 to present

LawMeets Negotiation Team Faculty Advisor
Spring 2018

Sports Law Negotiation Team Faculty Advisor
Spring 2016

Faculty International Travel Award Review Committee
2014-2015

Chase Faculty Recruitment Committee, Chair
2013-2014

Strategic Planning Key Results Area: Skills
2012-2014

Summer Public Interest Fellowships Application Review Panel
Spring 2013 to Spring 2015

PROFESSIONAL EXPERIENCE

Silver & Silver LLP, New Britain, CT, November 2008 to Present
Of Counsel

Engaged in part-time representation of First Amendment clients, including pending challenges to New Jersey's alcoholic beverage advertising restrictions and City of New York's sexually oriented business zoning laws.

Sirkin Kinsley, Co. LPA, Cincinnati, OH November 2009 to August 2012

Managing Partner

Founded and managed law firm with national practice focusing on First Amendment litigation, civil rights impact litigation, and criminal defense including death penalty habeas and juvenile. Developed extensive pro bono practice dedicated to reforming the criminal justice system. Handled numerous trials and appellate arguments in state and federal courts. Supervised attorneys and support staff. Managed firm finances and accounting. Of counsel to Silver & Silver LLP in New Britain, CT and The Walters Law Group in Altamonte Springs, FL.

Sirkin Pinales & Schwartz LLP, Cincinnati, OH, April 2000 to October 2009

Partner

Developed and maintained nation-wide practice focusing on First Amendment litigation, criminal defense, civil rights impact litigation. Frequently addressed community groups and trade associations on criminal defense and social justice issues. Supervised law clerk program.

Hamilton County Public Defender, Cincinnati, OH, May 1999 to April 2000

Staff Attorney and Intern, Juvenile Division

Represented juveniles in all aspects of delinquency cases and families in custody cases.

PRACTICE EXPERIENCE

Federal and State obscenity trials: 10

Federal and state jury trials: 20

Bench trials: over 100

Federal and state appeals: over 50

Death Penalty/Federal Habeas cases: over 10

PROFESSIONAL ASSOCIATIONS

American Association of Law Schools

Externships Committee

Subcommittee on Distance Learning

April 2013 to present

National Association for Public Defense

Amicus Committee

Chair, July 2016 to August 2017

Member, Fall 2014 to present

Hamilton County Clerk of Courts Self-Help Center Committee

January 2017 to present

First Amendment Lawyers Association

President (2011), Board of Directors (2012 to present), Amicus Brief Committee (2015 to present)

Federal Bar Association
Board of Directors (2011-2012), John Peck Cincinnati/Northern Kentucky Division

Ohio Supreme Court New Lawyer Mentoring Program
2012-2015

Greater Cincinnati Legal Aid Volunteer Lawyers Project
Volunteer Attorney (1999-2012)

Greater Cincinnati Criminal Defense Lawyers Association
CLE Coordinator (2003-2006)

Ohio Bar Association

Cincinnati Bar Association

Florida Association of Criminal Defense Lawyers
Member

COMMUNITY INVOLVEMENT

Contemporary Dance Theater
President (2003-2006), Board of Directors (2001-2003, 2013 to present), Advisory Board (2012-2013), Forty/40 Gala Committee (2012-2013)

Greater Cincinnati Coalition for the Homeless
Board of Directors (2012-2015), Development Committee Chair (2012-2015)

Children's Law Center
Dancing with the CLC Stars Fundraiser, Volunteer Dancer (Talent Champion), Raised over \$10,000
Spring 2016
Dancing with the CLC Stars Fundraiser, Talent Judge
Spring 2017

Ryle High School
Senior Exit Interview Review Committee
Spring 2016
Spring 2017

Junior Achievement Volunteer Instructor
Fairview Clifton German Language School
First Grade, Mrs. Clausen
Spring 2013
Second Grade, Mrs. Thomas
Spring 2014
Third Grade, Ms. Williams
Spring 2015
Fourth Grade, Ms. Reisenberg
Spring 2015
Fourth Grade, Ms. Kreimer
Spring 2015

Adopt-A-Class Coordinator
Glenn O. Swing Elementary School
Fifth Grade, Mrs. Gear
Spring 2013

Cincinnati Youth Collaborative
Volunteer Mentor (2000-2006)
Ronald McDonald House
Volunteer (2010 to present)

Florence United Methodist Church
Youth Group Counselor (2015-2016)
Grace Mission Meal Coordinator (2015 to present)

PRACTICE JURISDICTIONS

Supreme Courts of Ohio (1999) and Florida (2009); United States Supreme Court; United States Courts of Appeals for the Second, Third, Fifth, Sixth, Tenth, and Eleventh Circuits; United States District Courts for the Southern and Northern Districts of Ohio, District of Colorado, and District of Connecticut