

WALTER F. PRATT, JR.

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EDUCATION: J. D. (Yale Law School, 1977)
D. Phil. (Politics) (Oxford University, 1974)
B. A. (History) (Vanderbilt University, 1968)

ACADEMIC HONORS: Rhodes Scholarship
Phi Beta Kappa
Magna Cum Laude (with Honors in History)

EMPLOYMENT School of Law, University of South Carolina 2012 -
2016 - Present James P. Mozingo III Professor of Legal Research
Emeritus
2012 - 2016 James P. Mozingo III Professor of Legal Research
2011 - 2012 Professor of Law
2006 - 2011 Dean and Educational Foundation Distinguished
Professor of Law

The Law School, University of Notre Dame

2006 - Present Professor of Law Emeritus
1998 - 2006 Professor of Law
1999 - 2005 Executive Associate Dean
1991 - 1998 Associate Dean for Academic Affairs
1988 - 1989 Co-Director, Notre Dame London Law Centre
1986 - 1998 Associate Professor of Law

School of Law, Duke University

1982 - 1986 Associate Professor of Law
1979 - 1982 Assistant Professor of Law

OTHER POSITIONS

1998 - 1999 Visiting Scholar
Law Department
National University of Ireland, Galway

- 1984 - 1985 Visiting Associate Professor of Law
J. Reuben Clark Law School
Brigham Young University
- 1978 - 1979 Law Clerk to Chief Justice Warren E. Burger
Supreme Court of the United States
- 1977 - 1978 Law Clerk to Judge Charles Clark
U.S. Court of Appeals, Fifth Circuit

SELECTED LEGAL-EDUCATION RELATED
ACTIVITIES

- 2007 - 2010 Member, Committee on Sections and Annual Meeting,
Association of American Law Schools
- 2001 - 2008 Member, Law School Administration Committee, ABA
Section of Legal Education and Admissions to the Bar (co-
chair 2002-2003, chair 2003-2006)
- 2000 - 2005 Secretary/Treasurer, American Society for Legal History
- 1996 - 1998 Member, Student Services Committee, ABA Section of Legal
Education and Admissions to the Bar
- 1991 - 1992 Chair, Legal History Section, Association of American Law
Schools
- 1983 - 1984 Chair, Committee on Grievance Procedures/Ombudsman,
Duke University

PUBLICATIONS

BOOKS

- THE SUPREME COURT UNDER EDWARD DOUGLASS WHITE, 1910-1921
(University of South Carolina Press 1999)
- PRIVACY IN BRITAIN (Bucknell University Press 1979)

PARTS OF BOOKS

“Legal Education and Formation for the Profession of Law,” in *A LIFE IN THE LAW: ADVICE FOR YOUNG LAWYERS* 93-97 (Chicago: American Bar Association 2009)

“American Constitutional History: A Dialogue Between Oral and Written Cultures,” in *50 YEARS OF AMERICAN STUDIES IN INNSBRUCK: PAST AND FUTURE* 165-195 (Innsbruck, Austria: Innsbruck University Press 2009)

Contributor (four entries), *OXFORD COMPANION TO AMERICAN LAW* (Oxford University Press 2002)

Contributor (“The Insular Cases”), *OXFORD COMPANION TO UNITED STATES HISTORY* (Oxford University Press 2001)

“A New Vocabulary for a New Constitutional Law: *United States v. Carolene Products* (1938),” in *LEADING CASES OF THE TWENTIETH CENTURY* 124-148 (Dublin, Ireland: Round Hall 2000)

Contributor (six entries), *AMERICAN NATIONAL BIOGRAPHY* (Oxford University Press 2000)

Contributor (seven entries), *RELIGION AND AMERICAN LAW: AN ENCYCLOPEDIA* (Garland Publishing 2000)

Contributor (nine entries), *OXFORD COMPANION TO THE SUPREME COURT OF THE UNITED STATES* (Oxford University Press 1992; 2005)

“North Carolina and the Constitution, 1787-1791,” in *THE SOUTH’S ROLE IN THE CREATION OF THE BILL OF RIGHTS* 77-99 (University Press of Mississippi 1991)

ARTICLES

“Foreword: Whither Civic Virtue?,” 4 *Notre Dame Journal of Law, Ethics, & Public Policy* 1-6 (1989)

“American Contract Law at the Turn of the Century,” 39 *South Carolina Law Review* 415-464 (1988) (reprinted in Peter Linzer, ed., *A Contracts Anthology* 111-120 (1989))

- “Law and the Experience of Politics in Late Eighteenth-Century North Carolina: North Carolina Considers the Constitution,” 22 *Wake Forest Law Review* 577-605 (1987)
- “The Struggle for Judicial Independence in Antebellum North Carolina: The Story of Two Judges,” 4 *Law and History Review* 129-159 (1986)
- “Afterword: Contracts and Uncertainty,” 46 *Law & Contemporary Problems* 169-180 (1983)
- “Rhetorical Styles on the Fuller Court,” 24 *The American Journal of Legal History* 189-220 (1980)
- “Judicial Disability and the Good Behavior Clause,” 85 *Yale Law Journal* 706-720 (1976)
- “The Warren and Brandeis Argument for a Right to Privacy,” *Public Law* 161-179 (Summer 1975)

BOOK REVIEWS

- Book Review, 123 *American Historical Review* 264 (2018) (review of Laura Kalman, *The Long Reach of the Sixties: LBJ, Nixon, and the Making of the Contemporary Supreme Court* (New York: Oxford University Press, 2017))
- Book Review, 30 *Law and History Review* 645 (2012) (review of Kevin Costello, *The Court of Admiralty of Ireland, 1575–1893* (Dublin: Four Courts Press, 2011))
- Book Review, 99 *Journal of American History* 571 (2012) (review of Scott Douglas Gerber, *A Distinct Judicial Power: The Origins of an Independent Judiciary, 1606–1787* (New York: Oxford University Press, 2011))
- Book Review, 97 *Journal of American History* 226 (2010)(review of Polly J. Price, *Judge Richard S. Arnold: A Legacy of Justice on the Federal Bench* (Amherst, N.Y.: Prometheus Books, 2009))
- Book Review, “Brown Revisited: The Argonauts Return,” 2 *The Georgia Journal of Southern Legal History* 339-45 (1993)(review of Peter Charles Hoffer, *The Law’s Conscience: Equitable Constitutionalism in America* (Chapel Hill, North Carolina: The University of North Carolina Press, 1990))

Book Review, 41 *Vanderbilt Law Review* 667-675 (1988)(review of *Legal Papers of Andrew Jackson* (James W. Ely, Jr. & Theodore Brown, Jr. eds. 1987))

“A Role for Political Trials?” 82 *South Atlantic Quarterly* 321-324 (1983) (review essay of Michal Belknap’s *American Political Trials*)

OTHER

“American Constitutional History: A Dialogue Between Oral and Written Cultures,” invited lecture, “50 Years of American Studies in Innsbruck: Past and Future,” June 23, 2007, Innsbruck, Austria

“Development of the American Tradition of Appellate Judging,” opening address to conference sponsored by Federal Judicial Center on “The Craft of Judging,” October 4, 1999, Notre Dame, Indiana

“Constitutional Change in the 1930s,” invited lecture to Law Department, Trinity College, April 26, 1999, Dublin, Ireland

“*United States v. Carolene Products* (1938) – A New Vocabulary for a New Constitutional Law,” paper presented to plenary session of annual meeting of Irish Association of Law Teachers, April 11, 1999, Killarney, Ireland

“The Emergence of the Doctrine of ‘Good Faith’ in American Contract Law,” invited lecture to law department at University College, Cork, in Cork, Ireland, March 3, 1999

“The Tragedy of Race in American Constitutional Law,” invited lecture on to the faculty of University College, Cork, in Cork, Ireland, March 3, 1999

Organized a day-long seminar (February 25, 1999), “Vignettes of Irish Legal History,” for the faculty of National University of Ireland, Galway, and the members of the Irish Legal History Association. Presented a paper, “Where is IRISH Law in the Early Twentieth Century?”

“The Historical Context of *Marbury v. Madison*,” invited lecture to Law Department, National University of Ireland, Galway; November 11, 1998; Galway, Ireland

“Notre Dame: A Catholic Law School in America,” paper presented as part of Conference Celebrating 125th Anniversary of Notre Dame Law School, September 15-17, 1994

“The Constitution and the People Who Made It,” series of ten lectures recorded for University of Notre Dame Alumni Association’s “Great Teachers Series” (1992)

“North Carolina and the Constitution, 1787-1791,” presented October 1987 to the Chancellor’s Symposium on Southern History, University of Mississippi

Moderator and Speaker, “The Drafting of the Constitution,” series of lectures sponsored by the South Bend Bicentennial Committee and the Notre Dame Law School, May - July 1987

Paper, “Law and the Experience of Politics in Late Eighteenth-Century North Carolina,” presented October 1985 to symposium on the Bicentennial of the Constitution, at Duke University (sponsored by the National Endowment for the Humanities)

Paper, “American Contract Law at the Turn of the Century,” presented to annual meeting of American Society for Legal History, October 1983

Paper, “Judge Thomas Ruffin,” presented to annual meeting of American Society for Legal History, October 1982

Member, Project Advisory Committee, “Church, State, and the First Amendment: A North Carolina Dialogue,” University of North Carolina at Chapel Hill (1983-1986)

Member, South Bend Bicentennial Commission (1986-1987)

Member, Session of Sunnyside Presbyterian Church (1990-1993, 1995-1998)
(Chair, Social Ministries Committee; Chair, Evangelism Committee;
Chair, Personnel Committee)

Chair & Secretary, Indiana Division, United States Fencing Association (1994-1998); Vice-Chair; Secretary/Treasurer, Great Lakes Section, United States Fencing Association (1995-1998)

**MILITARY
SERVICE**

1968-1971 United States Army (highest rank first lieutenant)