

**L. Darnell Weeden**  
**Professor of Law**



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Joined the faculty in 1990.

**Education:**

J.D., University of Mississippi, Oxford, MS, 1975  
B.A., Journalism & Political Science, University of Mississippi, Oxford, MS, 1972

**Courses Taught**

- Constitutional Law I
- Constitutional Law II
- Torts I
- Torts II

**Biographical Information**

- Professor of Law, Texas Southern University, Thurgood Marshall School of Law, Houston, TX (Since 1990)
- Associate Dean, for Faculty Development & Research from Texas Southern University, Thurgood Marshall School of Law, Houston, TX (2018-2020)
- Associate Dean, for Faculty Development & Research from Texas Southern University, Thurgood Marshall School of Law, Houston, TX (2005-2012)
- Interim Dean, Texas Southern University, Thurgood Marshall School of Law, Houston, TX (1998-1999)
- Director of Clinical Programs, Texas Southern University, Thurgood Marshall School of Law, Houston, TX (1990-1993)

- Visiting Professor & Director of Clinical Programs Texas Southern University, Thurgood Marshall School of Law, Houston, TX (1989-1990)
- Associate Professor of Law, Southern University Law Center, Baton Rouge, LA (1986-1990)
- Assistant Professor of Law, Southern University Law Center, Baton Rouge, LA (1984-1986)
- Assistant Professor of Law North Carolina Central University School of Law, Durham, NC (1979-1984)
- Clinical Fellow, Antioch School of Law Washington, DC (1977-1979)
- Director of Coahoma Legal Aid Clarksdale, MS (1976-1977)
- Private Practice, Self Employed Clarksdale, MS (1975-1976)

## Publications

- L. Darnell Weeden |December 19, 2022, The Arkansas Journal of Social Change And Public Service, [AJSCPS Vol. 12, Issue 1, 2022 \(View as PDF\)](#), [Affirmative Action: A Mismatch for Correcting a Tradition of Racial Wealth Gap Discrimination](#)
- L. Darnell Weeden, Babies Have A Basic Right to Live Inside Their Mother’s Bodies, Journal of Liberal Arts and Humanities (JLAH)  
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- Exploring Protest Rights, Unreasonable Police Conduct, And Qualified Immunity, 45 T. Marshall L. Rev. 167 (2021)
- The U.S. Constitution: Reimagining “We The People” As An Inclusive Construct, Panel III Discussion (Bullock, Fain, Weeden, & SpearIt) The Bridge: Interdisciplinary Perspectives on Legal & Social Policy, Volume 6, Article 5, pp. 1-10 (2021)
- "We the People" Should Extend Constitutional Protections to Undocumented Resident Immigrants Killed Unreasonably by the Police, 44 T. MARSHALL L. REV. 187, 189 (2020)
- Mississippi Allows Peremptory Challenges for Fake, Race-Neutral Reasons in Violation of Batson's Equal Rights Rationale, 53 SUFFOLK U. L. REV. 159 (2020).
- Freedom of Association, Extreme Partisan Gerrymandering, Justiciability and the Unmistakable Political Question Controversy, 34 BYU J. Pub. L. 75, 81 (2020).
- The Equal Protection Clause Prohibits A Public School From Stigmatizing A Student With A Diluted Fake Education That Fails To Teach Literacy, 43 T. MARSHALL L. REV. 647 (2019).

- Using Rational Basis Review in an Establishment Clause Challenge to an Alleged Muslim Travel Ban Undermines Religious Liberty, 38 Conn. Pub. Int. L.J. 167 (2019).
- Equal Voting Rights Require Removing Race And Partisan Discrimination From Elections And Legislative Gerrymandering, 79 LA. L. REV. 781 (2019).
- A Functional Free Exercise Clause Analysis Requires A State To Prove A Compelling Interest Before Interfering With An Individual's Faith-Based Same-Sex Marriage Participation Objections, 18 APPALACHIAN J.L. 113 (2019).
- Unreasonably Restrictive Voter Photo Identification Requirements Are Unequal Economic Barriers To Equal Access To The Right To Vote, 27 S. Cal. Rev. L. & Soc. Just. 73 (2018).
- A Growing Consensus: State Sponsorship of Confederate Symbols is an Injury-in-Fact as a Result of Dylann Roof's Killing Blacks in Church at a Bible Study, 32 BYU J. Pub. L. 117 (2017).
- Marriage Equality Laws Are A Threat To Religious Liberty, 41 S. Ill. U. L.J. 211 (2017).
- Transgender Bathroom Rights And President Obama's Unauthorized Scheme To Transform Title IX, 44 W. ST. L. Rev. 1 (2016).
- In Fisher v. University of Texas Derrick Bell's Interest Convergence Theory is on a Collision Course with the Viewpoint Diversity Rationale in Higher Education, UTAH L. REV. ONLAW 101 (2016).
- The Problematic Right to Abortion Under a Natural Law Perspective, 2 Indonesian J. Int'l & Comp. L. 803 (2015).
- Good Public Policy Occurs Under Plyler When In-State College Tuition Rates Are Awarded to Undocumented Bona Fide Resident Immigrants, 25 Geo. Mason U. Civ. Rts. L.J. 191 (2015).
- Leadership Matters: Saving Judge Scheindlin's NYPD Racial Profiling Remedy in Floyd v. City of New York, 36 Whittier L. Rev. 95 (2014) (Lead Article).
- May Traditional Deference to State Sovereignty Serve as a Rational Basis to Deny Marriage Equality to Same-Sex Wedding Vows? 16 Loy. J. Pub. Int. L. 201 (2014).
- The Supreme Court's Rejection of the Rational Basis Standard in Shelby County v. Holder Invites Voter Suppression, 33 MISS. C. L. Rev. 219 (2014).

- Medicaid Expansion, the Patient Protection and Affordable Care Act, and the Supreme Court's Flawed Spending Clause Coercion Reasoning in *National Federation of Independent Business v. Sebelius*, 61 CLEV. ST. L. REV. 1051 (2013).
- The Commerce Clause Implications of the Individual Mandate Under the Patient Protection and Affordable Care Act, 26 J.L. & HEALTH 29 (2013).
- The Supreme Court's Treatment of the Patient Protection and Affordable Care Act, 12 Appalachian J.L. 49 (2012).
- The Supremacy Clause Preemption Rationale Reasonably Restrains an Individual State Pursuing Its Own Separate But Unequal Immigration Policy, 14 Scholar 679 (2012).
- Introduction: Race & Immigration Symposium, 44 ARIZ. ST. L.J. 1 (2012).
- Fifty Plus Years After The Start of The Civil Rights Movement A Contextual Analysis of the Freedom of Association for the National Association for the Advancement of Colored People's Pursuit of Reforming the Law, 12 Fla. Coastal L. Rev. 337 (2011).
- In Response to the Call for Social Justice Historically Black Law Schools Represent the New Mission of Educational Diversity in the Legal Profession, 14 J. Gender Race & Just. 747 (2011).
- Commentary on Professor Richard Sander's Class in American Legal Education, 88 DENV. U. L. REV. 851 (2011).
- Criminal Procedure and the Racial Profiling Issue for Professor Gates and Sergeant Crowley, 17 Wash. & Lee J. Civ. Rts. & Soc. Just. 305 (2011).
- Income Integration As A Race-Neutral Pursuit Of Equality And Diversity In Education After The Parents Involved In Community Schools Decision, 21 U. FLA. J.L. & PUB. POL'Y 365 (2010).
- It Is Discriminatory For Arizona Or Society To Engage In The Anti-Immigration Practice Of Profiling Hispanics For Speaking Spanish, 12 LOY. J. PUB. INT. L 109 (2010).
- A First Amendment Establishment Clause Analysis Of Permanent Displays On Public Property As Government Speech, 35 T. MARSHALL L. REV. 217 (2010).
- Historically Black Colleges Advance Reverse Academic Diversity, 13 N.Y. CITY L. REV. 1 (2009).
- Standing And Speaking Constitutional Truth To Local Power Regarding Undocumented Immigrant Residents Dwelling With We The People Of The United States, 34 S. ILL. U. L. J. 55 (2009).

- English Only Rules In Public Schools Should Be Presumed Illegal, 34 T. MARSHALL L. REV. 379 (2009).
- Race-Conscious Equality Confronts America, President Obama, Justice Sotomayor, Professor Gates, And Sergeant Crowley, 35 T. MARSHALL L. REV. 113 (2009).
- Racial Profiling And The Implications Of Jena Six In Undermining The Civil Rights Of Blacks In America, 36 S. U. L. REV. 239 (2009).
- Foreword: Immigration Law & Policy Symposium, 34 T. MARSHALL L. REV. 283 (2009).
- Local Laws Restricting The Freedom Of Undocumented Immigrants As Violations Of Equal Protection And Principles Of Federal Preemption, 52 ST. LOUIS U. L. J. 479 (2008).
- TMSL Law Review 2008 Education Symposium Opening Commentary, 34 T. MARSHALL L. REV. 1 (2008).
- Implication Of The No Child Left Behind Act For Educational Equity And Segregation, 4 FIU L. REV. 101 (2008).
- The Black Eye Of Hurricane Katrina's Post Jim Crow Syndrome Is A Basic Human Dignity Challenge For America, 37 CAP. U. L. REV. 93 (2008).
- Justice Thurgood Marshall And School Integration: Green And Keyes From A Unitary Standard To A Double Standard To A Uniform National De Facto Standard, 27 MISS. C. L. REV. 393 (2008).
- Response To Professor Amar: Some Thoughts On The Electoral College's Past, Present, And Future, 34 OHIO N. U. L. REV. 393 (2008).
- Johnnie Cochran Challenged America's New Age Officially Unintentional Black Code; A Constitutionally Permissible Racial Profiling Policy, 33 T. MARSHALL L. REV. 135 (2007).
- The Less Than Fair Employment Practice of an English-Only Rule in the Workplace, 7 NEV. L.J. 947 (2007).
- Justice Alito and the Issue of Racial Discrimination: From Racial Segregation to Racial Diversity, 33 S.U.L. REV. 469 (2006).
- Hurricane Katrina and the Toxic Torts Implications of Environmental Injustice in New Orleans, 40 J. MARSHALL L. REV. 1 (2006).
- Essay: Does the No Child Left Behind Law (NCLBA) Burden the States As an Unfunded Mandate Under Federal Law?, 31 T. MARSHALL L. REV. 239 (2006).

- Raising the Bar in the Affirmative Action Debate: A Pragmatic Comment on Professor Richard H. Sander's Systemic Analysis of Affirmative Action in American Law Schools Article, 15 S. CAL. REV. L. & Soc. Just. 195 (2006).
- Hurricane Katrina: First Amendment Censorship and the News Media, 31 T. MARSHALL L. REV. 479 (2006).
- ERISA's Preemption Ruling Prevents A Patient from Suing an HMO Under State Malpractice Law: After Aetna Health, Inc. v. Davila Who Will Grant the Working Middle Class A Meaningful Right to Be Heard?, 7 U. Pa. J. Lab. & Emp. L. 715 (2005).
- Employing Race-Neutral Affirmative Action to Create Educational Diversity While Attacking Socio-Economic Status Discrimination, 19 St. John's J. Leg. Comment. 297 (2005).
- Essay: Can Brown v. Board of Education Meet the Challenge of Race-Neutral Discrimination in the 21st Century?, 29 Thurgood Marshall L. REV. 399 (2004).
- After Grutter v. Bollinger Higher Education Must Keep Its Eyes on the Tainted Diversity Prize Legacy, 19 BYU J. Pub. L. 161 (2004).
- Tactical Self-Funded ERISA Employers Unnecessarily Threaten Employees' Right to an Independent Review of an HMO's Medical Necessity Determination with Preemption, 77 St. JOHN'S L. REV. 867 (2003).
- The Rise and Fall of Enron: A White House Nondisclosure Entangles Separation of Powers and Contempt of Congress, 34 McGeorge L. Rev. 65 (2002).
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- Creating Race-Neutral Diversity in Federal Procurement in A Post-Adarand World, 23 WHITTIER L. REV. 951 (2002).
- An HMO Does Not Owe an ERISA Fiduciary Duty to Its Employee Beneficiaries: After Pegram v. Herdrich, Who Will Speak for the Working Class?, 23 W. NEW ENG. L. REV. 381 (2002).
- Essay: The Clinton Impeachment Indicates A Presidential Impeachable Offense Is Only Limited by Constitutional Process and Congress' Political Compass Directive, 27 WM. MITCHELL L. REV. 2499 (2001).

- A Post-Impeachment Indictment of the Independent Counsel Statute, 28 N. KY. L. REV. 536 (2001).
- How to Establish Flying the Confederate Flag with the State As Sponsor Violates the Equal Protection Clause, 34 AKRON L. REV. 521 (2001).
- United States v. Morrison: The Supreme Court's Old School Federalism Places Federal Civil Rights for Women and Minorities at Risk, 26 T. MARSHALL L. REV. 1 (2000).
- It Is Not Right Under the Constitution to Stop and Frisk Minority People Because They Don't Look Right, 21 UALR L. Rev. 829 (1999).
- Protecting the President's Limited Expectation of Privacy During an Investigation May Justify the Protective Function Privilege for the Secret Service, 60 MONT. L. REV. 109 (1999).
- The President and Mrs. Jones Were in Federal Court: The Litigation Established No Constitutional Immunity for President Clinton, 7 GEO. MASON L. REV. 361 (1999).
- Affirmative Action California Style-Proposition 209: The Right Message While Avoiding A Fatal Constitutional Attraction Because of Race and Sex, 21 SEATTLE U.L. REV. 281 (1997).
- Danye Holley & L. Darnell Weeden, United States v. Fordice: The Mississippi Aftermath, 31 NEW ENG. L. REV. 769 (1997).
- Yo, Hopwood, Saying No to Race-Based Affirmative Action Is the Right Thing to Do from an Afrocentric Perspective, 27 CUMB. L. REV. 533 (1997).
- Statutory and Equal Protection Remedies to Save Historically Black Colleges from the Effects of Invidious Desegregation, 18 T. MARSHALL L. REV. 41 (1992).
- Black Law Schools and the Affirmative Action Rationale, 12 T. MARSHALL L. REV. 395 (1987).
- Affirmative Action Update and How to Develop and Sell an Affirmative Action Plan, 13 S.U.L. REV. 35 (1986).

### **Selected Examples of Weeden's Texas Southern University, Thurgood Marshall School of Law and Local Community Service**

- Summer of 2023 Weeden served as a lecture at the Summer Legal Academy (SLA) in Houston sponsored by the Office of the Harris County Attorney Christian D. Menefee. Menefee started this program in 2022 because he did not know any lawyers when he

was growing up, and he wanted kids in Harris County to interact with the legal profession early and hopefully one day pursue a legal career. The SLA is a two-week training and educational program that exposes a group of high school students to law 's lawyers. Weeden gave a constitutional law lecture on Thursday, July 20, from 10:45 a.m. to 12:00 p.m. to the high school students.

- Fall 2023 Weeden and gave a pre-production video lecture about federalism and the implications of states' rights in response to an invitation to the Thurgood Marshall Law school from the Houston Area Urban League Center for Social Justice. The Center for Social Justice envisioned a series of 30-minute videos on topics related to politics and democracy.
- Fall 2023 Constitutional Law Day panelist Presenter, Constitutional Law Day, Thurgood Marshall School of Law MCLE, Houston, Texas (September 2023).
- Faculty Scholarship and Development Committee, Thurgood Marshall School of Law, Houston, Tx (2023-2024).
- Gender Equity Committee, Thurgood Marshall School of Law, Houston, Tx (2023-2024).
- Fall 2022 Constitutional Law Day panelist Presenter, Constitutional Law Day, Thurgood Marshall School of Law MCLE, Houston, Texas (September 2023).
- Spring 2022 Professor L. Darnell Weeden of the Thurgood Marshall School Law served as a member of the Texas Southern University Research and Innovation Week 2022 (RIW 2022) Task Force committee. Weeden worked primarily with the Ad Hoc Task Force Speaker Committee during the spring semester. The Annual RIW 2022 Program, sponsored by the Division of Research and Innovation took place on the Texas Southern University March 28-April 1, 2022, with a focus on the topic "COVID-19 and the Pandemic Response." As a member of the RIW 2022 ad hoc speaker committee Weeden accepted the task of securing speakers for both the opening and closing sessions. It was Weeden's job to contact a proposed speaker and see if that person was interested in serving as a speaker. If the person was interested in serving as a speaker the potential speaker was then asked to submit an abstract of the topic along with a resume to indicate that the speaker was qualified to speak about the subject. After a review of both the abstract and the resume Weeden would make recommendation to the RIW 2022 Task Force that a speaker be selected. After considering Weeden speaker recommendations the RIW 2022 Task Force Committee selected Weeden's colleagues Professors McKen Carrington and Maurice Hew of the Thurgood Marshall School Law as speakers. national and local awareness of the exciting research and outreach activities on the campus of TSU. Because of the opportunities provided by RIW 2022 Weeden said he was honored to serve on the TSU Research Week Task Force Committee with his colleagues throughout the university community."



- Spring 2022 Professor L. Darnell Weeden, Roberson King Professor of Law at Thurgood Marshall School of Law served as a panelist at the Houston Young Lawyers Association Day Of Service CLE: entitled The Legal Legacy Of Dr. Martin Luther King, Jr. on Thursday, January 13, 2022, from 12:00 – 1:00 P.M. Christian D. Menefee, Harris County Attorney was the moderator for the panel. Weeden said he was honored to serve on a panel with outstanding achievers in the legal profession. Joining Weeden as panelists were: Hon. Vanessa D. Gilmore (U.S. District Court for the Southern District of Texas), Hon. J. Elaine Marshall (Houston Municipal Court) and Hon. Ann Claire Williams (Jones Day).
- Fall 2022 Constitutional Law Day panelist Presenter, Constitutional Law Day, Thurgood Marshall School of Law MCLE, Houston, Texas (September 2022).
- Student Faculty Relations Committee Thurgood Marshall School of Law, Houston, Tx (2022-2023).
- Faculty Scholarship and Development Committee, Thurgood Marshall School of Law, Houston, Tx (2022-2023).
- Student Faculty Relations Committee Thurgood Marshall School of Law, Houston, Tx (2021-2022).
- Fall 2021 Constitutional Law Day panelist Presenter, Constitutional Law Day, Thurgood Marshall School of Law MCLE, Houston, Texas (September 17, 2021).
- On February 4, 2021, Thurgood Marshall School of Law Continuing Legal Education panelist discussing Police Misconduct: The U.S. Construction Reimagining We the People
- Faculty Scholarship and Development Committee, Thurgood Marshall School of Law, Houston, Tx (2021-2022).
- Student Faculty Relations Committee Thurgood Marshall School of Law, Houston, Tx (2020-2021).
- Faculty Scholarship and Development Committee, Thurgood Marshall School of Law, Houston, Tx (2020-2021).
- On September 17, 2020, Constitution Day Panelist discussing Police Violence and the Unreasonable Shooting of Black and Brown People
- “Freedom of Association, Extreme Partisan Gerrymandering, Justiciability and the Unmistakable Political Question Controversy,” Presenter, South Texas College of Law Houston, Houston, TX (March 6, 2020).

- “We the People” Should Extend Constitutional Protections’ To Undocumented Resident Immigrants Killed Unreasonably By The Police,” Presenter, Thurgood Marshall Law Review Spring 2020 Immigration Symposium, Thurgood Marshall School of Law, Houston, TX (February 14, 2020).
- On February 23, 2020, joined members from his Sunday School Class to become involved in a community outreach project sponsored by the Kingsland Baptist Church in Katy called the “Caring for Katy Laundry Outreach Activity”. One goal of the outreach activity is to offer free money to use the washers and dryers to anyone in the Washeteria.
- Scholarly Immigration Rights Symposium, Faculty Advisor, Thurgood Marshall Law Review, Thurgood Marshall School of Law, Houston, TX (Spring 2020).
- On December 6, 2019, delivered a welcome speech at the mitigation training session cohosted by Advancing Real Change, Inc. (ARC) of Baltimore, Maryland and the Thurgood Marshall School of Law’s Earl Carl Institute (ECI) on the campus of Texas Southern University.
- On October 5, 2019, delivered a speech at the Thurgood Marshall School of Law Second Year Pinning Ceremony for the TMSL Class of 2021 on the Texas Southern University Campus.
- “Discriminatory Use of Race in the Jury Selection Process Violates the Constitution’s Equal Protection Clause.” Discussing the United States Supreme Court’s Holding in *Flowers v. Mississippi*, 139 S.Ct. 2228 (2019)., Presenter, Constitution Law Day CLE, Thurgood Marshall School of Law, Houston, TX (September 17, 2019).
- “Never Forget the Digital Media Has a Special Obligation to Provide Fair and Balanced Coverage on Issues Involving the Civil Rights of Underrepresented Racial Minorities, Undocumented Immigrants, and the Treatment of the Poor During a Massive Natural Disaster, Presenter, Meek School of Journalism and New Media, The University of Mississippi, Oxford, MS (Summer 2019).
- On February 8, 2019, Delivered The Welcome And Opening Remarks At TMLR Renewed Civil Rights Symposium
- “The Renewed Civil Rights Movement Symposium,” Presenter, The Equal Protection Clause Prohibits a Public School from Stigmatizing a Student with a Diluted Fake Education That Fails to Teach Literacy, Thurgood Marshall School of Law, Houston, TX (February 8, 2019).
- “Standing and Speaking Constitutional Truth to Local Power Regarding Undocumented Immigrant Residents Dwelling with We the People of the United States” Presenter, 2019 Faculty Lecture Series, Thurgood Marshall School of Law, Houston, TX (March 20, 2019).

- Thurgood Marshall Law Review, Faculty Advisor, Thurgood Marshall School of Law, Houston, Texas (2019-2020).
- Thurgood Faculty Spotlight, Founder and Editor, (2018-2020).
- On September 17, 2019 Weeden received a Certificate of Appreciation from Texas Southern University Thurgood Marshall School of Law for outstanding service and dedication to the “Constitution Law Day CLE” at Thurgood Marshall School of Law.
- Scholarly Civil Rights Symposium, Chair, Thurgood Marshall Law Review, Thurgood Marshall School of Law, Houston, TX (2019).
- February 24, 2019 Weeden engaged in community service in Katy, Texas, by participating in the “Caring for Katy Laundry Outreach Activity” sponsored by the Kingsland Baptist Church in Katy
- Faculty Scholarship and Development Committee, Ex Facto Member, Thurgood Marshall School of Law, Houston, Tx (2018-2019).
- Rank and Tenure Committee, Ex Facto Member, Thurgood Marshall School of Law, Houston, Tx (2018-2019).
- Student Faculty Relations Committee, Thurgood Marshall School of Law, Houston, TX (2013-2018).
- Faculty Scholarship and Development Committee, Thurgood Marshall School of Law, Houston, Tx (2017-2018).
- Library Review Committee, Thurgood Marshall School of Law, Houston, Tx (2017-2018).
- Faculty Scholarship and Development, Chairperson, Thurgood Marshall School of Law, Houston, Tx (2016-2017).
- “Civil Rights CLE: Voting Rights,” Panelist, Thurgood Marshall School of Law, Houston, TX (February 2016).
- Budget and Priorities Committee, Thurgood Marshall School of Law, Houston, Tx (2015-2016).
- Faculty Scholarship and Development Committee, Thurgood Marshall School of Law, Houston, Tx (2014-2015).
- Library Review Committee, Thurgood Marshall School of Law, Houston, Tx (2013-2014).

- Research Advisory Council, Texas Southern University, Houston, TX (2011-2012).
- Texas Southern University Research Committee, Texas Southern University, Houston, TX (2010-2012).
- Texas Southern University Distinguished Professorship Ad Hoc Committee, Chair (2011).
- Law School Research Week Coordinator for the University's Research Week Programs, Thurgood Marshall School of Law, Houston, TX (2011).
- Thurgood Marshall Senior Faculty Lecture Series, Founder and Manager, Thurgood Marshall School of Law, Houston, TX (Fall 2011).
- Established the Faculty Exchange Lecture Series between Thurgood Marshall School of Law and South Texas College of Law, Houston, TX (2011).
- 1989-90 coauthored (with Ken Williams) a funded \$250,000 plus federal grant to establish a TMSL legal clinic to assist homeless people in Houston.
- NAACP Houston Branch Life Member

### **Examples of Weeden's National and Regional Service and Presentations Promoting Scholarship**

- Fall 2022 Weeden received and accepted an invitation to speak as an expert panelist at the 19<sup>th</sup> Annual Wiley A. Branton/Howard Law Journal Symposium discussing the topic of "*Immigration Equality*" on Thursday, October 6, 2022, in Washington, D.C.. Weeden was invited because of his published legal scholarship regarding constitutional law and the civil rights of immigrants,
- Fall of 2022 Weeden served as a presenter at the national ClassCrits XIII conference that addressed the topic of *Unlocking Race & Class For Just Transitions*. The four panel member Weeden was on discussed *The Future of Affirmative Action and the Need for a Modern Civil Rights Movement*. Jonathan Feingold, Associate Professor, Boston University School of Law, talked about *Colorblind Capture* while Thomas Kleven, Professor, Thurgood Marshall School of Law, *Separate and Unequal: The Institutional Racism of the Supreme Court*. Martha R. Mahoney, Professor, University of Miami School of Law, *Antiracist organizing and class: where does change come from, where are we now, and what should we be doing?* L. Darnell Weeden, Professor, Thurgood Marshall School of Law, engaged in a conversation regarding *Affirmative Action's Future a Mismatch for Fixing a Tradition of Racial Discrimination*.

- Managed and expanded the Thurgood Marshall Weekly Lecture Series fall of 2018-spring of 2020 as a user-friendly forum for scholarly presentations for law professors and other presenters affiliated with law schools in Texas, Arkansas, and Tennessee.
- Member, Executive Planning Committee for the Southeast/Southwest People of Color Legal Scholarship (2011-2019).
- Chair of the Southeast/Southwest People of Color Legal Scholarship Conference, Southern University Law Center, Baton Rouge, LA (2017).
- Chair of Southeast/Southwest People of Color Legal Scholarship Conference, Florida A&M University School of Law, Orlando, FL (2016).
- Vice-Chair of the Southeast/Southwest People of Color Legal Scholarship Conference, Texas Southern University Thurgood Marshall School of Law, Houston, TX (2014).
- Vice-Chair of the Southeast/Southwest People of Color Legal Scholarship Conference, University of Arkansas Little Rock, Little Rock, AR (2013).
- Executive Planning Committee for the Southeast/Southwest People of Color Legal Scholarship Conference (2012).
- Vice-Chair of the Third National People of Color Legal Scholarship Conference held at Seton Hall, Newark, NJ (2010).
- Vice-Chair of the Southeast/Southwest People of Color Legal Scholarship Conference held at the University of South Carolina (2010).

### **Examples of Citations to or References to Weeden’s Published Legal Scholarship**

- In 2023 Weeden’s article *Using Rational Basis Review in an Establishment Clause Challenge to an Alleged Muslim Travel Ban Undermines Religious Liberty*, 18 CONN. PUB. INT. L.J. 165, 165 (2018) (noting “widespread public perception that President Trump's first travel ban, which he issued on January 27, 2017, was targeted at Muslims because of their religion and not about promoting national security”) was cited by Carrie Rosenbaum. Professor Carrie Rosenbaum’s article is entitled *Arbitrary and Arbitrariness Review*, 100 DENV. L. REV. 773, 804 (2023).
- In 2023 Weeden’s article *Raising the Bar in the Affirmative Action Debate: A Pragmatic Comment on Professor Richard H. Sander’s Systemic Analysis of Affirmative Action in American Law Schools Article*, 15 S. CAL. REV. L. & SOC. JUST. 195, 221 (2006) (noting that “many law schools are involved in an LSAT and GPA rankings

race”) was cited by Benjamin H. Barton, Professor Barton’s article is entitled Why Are These Justices Using The Shadow Docket More Than Past Justices? 23 Nev. L.J. 845, 855 (2023).

- Roberson King Professor L. Darnell Weeden's article entitled, A Growing Consensus: State Sponsorship of Confederate Symbols Is an Injury-in-Fact as a Result of Dylann Roof's Killing Blacks in Church at a Bible Study, 32 B.Y.U. J. PUB. L. 113, 121-22 (2017) was recently cited by Richard C. Schraggera, Professor Schraggera is Perre Bowen Professor of Law, Martha Lubin Karsh & Bruce A. Karsh Bicentennial Professor of Law, University of Virginia School of Law. Professor Schraggera’s article entitled Of Crosses And Confederate Monuments: A Theory Of Unconstitutional Government Speech, was published in the Arizona Law Review, 63 ARIZ. L. REV. 45, 95 (2021). Professor Weeden argues that federal courts should recognize that some plaintiffs who have suffered an injury when the government sponsors confederate symbols should not categorically be denied standing.
- Professor L . Darnell Weeden’s article entitled, Mississippi Allows Peremptory Challenges for Fake, Race-Neutral Reasons in Violation of Batson's Equal Rights Rationale, 53 SUFFOLK U. L. REV. 159, 174 (2020) was cited by Darby Gibbins, Six Trials & Twenty-Three Years Later: Curtis Flowers And The Need For A More Expansive Batson Remedy, 59 HOUSTON LAW REVIEW 713, 724 (2022). Although prohibited by the Supreme Court in Batson v. Kentucky, racial discrimination throughout the jury selection process by some prosecutors remains a serious type of racial bias denying defendants their constitutional rights. The Baston Remedy should be expanded, according to Gibbins in order to help protect the rights of defendants. One recommendation for Batson reform offered by Weeden in his Suffolk article and cited by Gibbins was a strict scrutiny analysis.
- Professor L . Darnell Weeden’s article entitled, *Mississippi Allows Peremptory Challenges For Fake, Race-Neutral Reasons In Violation Of Batson's Equal Rights Rationale*, 53 Suffolk U. L. Rev. 159, 173 (2020) was quoted by Timothy J. Conklin, The End Of Purposeful Discrimination: The Shift To An Objective Batson Standard, 63 Boston College Law Review 1037, 1045 n.52 (2022) In his Suffolk article Weeden said, “Because Batson has not been very useful in combatting discrimination on the basis of race, I join the many commentators who support the abolition of peremptory challenges altogether.”
- Professor L. Darnell Weeden was given thanks by Professor David A. Grenardo as a race and law expert for providing invaluable feedback and insight on an earlier draft. Professor Grenardo’s article acknowledging Professor Weeden’s expertise entitled It’s Worth a Shot: Can Sports Combat Racism In The United States, was published in 2021 in 12 Harvard Journal of Sports & Entertainment Law 237 (2021). Professor Grenardo has moved from St. Mary Law School in San Antonio to St. Thomas Law School in Minneapolis.

- On July 24, 2017, BYU International Center for Law and Religious Studies included Weeden's article, Marriage Equality Laws Are A Threat To Religious Liberty, 41 S. Ill. U. L.J. 211 (2017) on its list of articles of interest.
- "Establishing Standing to Challenge a State's Sponsorship of Confederate Symbols Including the Rebel Flag," Presenter, Southeast South West People of Color Legal Scholarship Conference (SE-SWPOCLSC), Southern University Law Center, Baton Rouge, LA (2017).
- "Works in Progress Session," Discussant, for Professor Christopher Ogolla, 2016 SE-SWPOCLSC 24, hosted by Florida Agricultural & Mechanical University (FAMU) College of Law, Orlando, FL.
- "African Americans and Contemporary Birth Right Citizenship and the Immigration Debate: Constitutional and Extra Constitutional Protections for All Immigrants Including Undocumented Immigrants and Their Citizen Children," Presenter, 2013 Southeast/Southwest People of Color Scholarship Conference, University of Arkansas at Little Rock, William H. Bowen School of Law, Little Rock, AR (April 2013).
- Presenter 2013, Northeast People of Color Legal Scholarship Conference, the University of Puerto Rico Law School San Juan, Puerto Rico
- "The Role of Black Lawyers and HBCU Law Schools in a 'Post-Racial' Era," Presenter, 2012 International Conference on Law and Society, Honolulu, HI (June 8, 2012)
- "Supreme Court Preview and Review," Panelist, 28th Annual NAACP National Continuing Legal Education, (CLE) Seminar, Houston, TX (July 2012).
- Workshop on Health Law: "Discussing the 2010 Patient Protection and Affordable Care Act (ACA) and the Commerce Clause Implications of its Individual Mandate Provision", Presenter, Southeastern Association of Law Schools (SEALS), Amelia Island, FL (2012).
- "Reviving the Call for Social Justice, Contemplating the Letters from the Birmingham Jail and the Legacies of Professor Derrick Bell and Reverend Fred Shuttlesworth" Panelist, Cumberland University School of Law at the 2012 Southeast/Southwest Conference, Birmingham, AL (March 2012).
- "Within and Beyond Our Borders: The Current State of Immigration Law and Policy," Panelist, Cumberland University School of Law at the 2012 Southeast/Southwest Conference, Birmingham, AL (March 2012).
- "Work in Progress Session," Commentator for Professor Jalila Jefferson-Bullock's of Phoenix School of Law paper entitled "Equal Access To the Ballot Box? The Politics of Disaster in Post-Katrina New Orleans". Cumberland University School of Law at the 2012 Southeast/Southwest Conference, Birmingham, AL (March 2012).

- Immigration & Ethnicity, Panelist, Joint 2011 Southeast/Southwest and Mid-West People of Color Legal Scholarship Conference, Nova Southeastern University School of Law, Ft. Lauderdale, FL (April 2011).
- Essay Review for Great Plains Quarterly, Presenter, Race and the University: A Memoir by George Henderson and Before Brown: Herman Marion Sweatt, Thurgood Marshall, and the Long Road to Justice by Gary M. Lavergne, Great Plains universities (Spring 2011).
- "Socioeconomics, Diversity, and Legal Education," Commentator, Denver University Law Review, Sturm College of Law, Denver, CO (Fall 2010).
- Social Justice Legal Scholarship, Presenter, New York City Law, City University of New York, NY (Fall 2010).
- "The American Criminal Justice System is Not Having a Post-Racial Experience", Discussing It Is Discriminatory For Arizona Or Society To Engage In The Anti-Immigration Practice Of Profiling Hispanics For Speaking Spanish, Panelist, Third National People of Color Legal Scholarship Conference, Seton Hall University School of Law Newark, NJ (September 2010).
- "Mississippi College Law Review Symposium," Presenter, C-SPAN Network, Mississippi College of Law, Jackson, MS (2008).
- Twelfth Annual LatCrit XII Symposium, College of Law, Florida International University, Miami, Florida, October 4-6, 2007, presenter, Implications of the No Child Left Behind Act for Educational Equity and Segregation
- Panelist, Scholar's forum "Judge Samuel A. Alito, Jr.: An African-American Perspective," Washington, D.C. (2006) <https://www.c-span.org/video/?190574-1/alito-supreme-court-nomination>
- Presenter 2002, Northeast People of Color Legal Scholarship Conference — Barbados, West Indies.