

SCOTT BARCLAY

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Nationality: US and Australia
Reside: Philadelphia, PA 19103

ACADEMIC POSITIONS:

Professor and Head, 2011– present
Department of History and Politics
Drexel University

Program Director, 2009 – 2011
Law and Social Sciences Program
Division of Social and Economic Sciences
Directorate of Social, Behavioral and Economic Sciences
National Science Foundation

Associate Professor, 1999 – 2011
Assistant Professor, 1993 - 1999
Department of Political Science
University at Albany, SUNY
Associated Appointments in:
Department of Public Administration and Policy
Department of Women’s Studies

Visiting Associate Professor, 2003 – 2004
Legal Studies Program,
Department of Politics
University of California, Santa Cruz

Visiting Associate Professor, 2000 - 2001
Department of Political Science
University of Washington

Research Assistant, 1990 – 1993
Chicago Jury Project
American Bar Foundation

EDUCATION:

Doctor of Philosophy 1993
Department of Political Science,
Northwestern University
Dissertation: “An Appealing Act: Why People Appeal in Civil Cases”

Bachelor of Laws (Years 1 and 2 only) 1987
Department of Law,
University of Queensland

Bachelor of Arts Honours - First Class 1988
Department of Government,
University of Queensland

PUBLICATIONS AND WRITING:

Books:

Scott Barclay, Anna-Maria Marshall, and Mary Bernstein, eds. 2009. *Queer Mobilizations: LGBT Activists Confront the Law*. New York: NYU Press

Scott Barclay. 1999. *An Appealing Act: Why People Appeal in Civil Cases*. Northwestern University Press

Peer-Reviewed Articles and Book Chapters:

Daniel Chomsky and Scott Barclay. "The Editor, the Publisher and his Mother: The Representation of Lesbians and Gays in the *New York Times*, 1960-1995." *Journal of Homosexuality* (forthcoming)

Jon Gould and Scott Barclay. "Mind the Gap: The Place of Gap Studies in Sociolegal Scholarship." *Annual Review of Law and Social Science* (forthcoming)

Scott Barclay, Lynn C. Jones, and Anna-Maria Marshall. 2011. "Two Spinning Wheels: Studying Law and Social Movements." In Scott Barclay, Lynn C. Jones, and Anna-Maria Marshall, Guest Eds. "*Social Movements/Legal Possibilities*" Special Issue of *Studies in Law, Politics and Society* 54: 1-16

Daniel Chomsky and Scott Barclay. 2010. "The Mass Media, Public Opinion, and Lesbian and Gay Rights." *Annual Review of Law and Social Science* 6: 387-403.

Scott Barclay. 2010. "In Search of Judicial Activism in the Same Sex Marriage Cases: Sorting the Evidence from Courts, Legislatures, Initiatives and Amendments." *Perspectives on Politics* 8(1): 111-126.

Julie Novkov and Scott Barclay. 2010. "Lesbians, Gays, Bisexuals, and the Transgendered in Political Science: Report on a Discipline-Wide Survey." *PS: Political Science and Politics* 43(1): 95-106.

Anna-Maria Marshall, Mary Bernstein and Scott Barclay. 2009. "Introduction," in Scott Barclay, Anna-Maria Marshall, and Mary Bernstein (eds), *Queer Mobilizations: LGBT Activists Confront the Law*. New York: NYU Press. pp. 1-17.

Patricia Woods and Scott Barclay. 2008. "Cause Lawyers as Legal Innovators With and Against the State: Symbioses or Opposition." *Studies in Law, Politics & Society* 45: 203-231

Scott Barclay and Shauna F. Fisher. 2008. "Said and Unsaid: State Legislative Signaling to State Courts over Same Sex Marriage 1990-2004." *Law & Policy* 30(2): 254-275

Scott Barclay and Susan Silbey. 2008. "Regime change, public opinion, legitimacy, and legal consciousness," in Keith E. Whittington, R. Daniel Kelemen, and Gregory A. Caldeira (eds), *Oxford Handbook of Law and Politics*. Oxford: Oxford University Press. pp. 663-678

Scott Barclay and Shauna F. Fisher. 2006. "Cause Lawyers and Social Movements, Failure and Success: Comparing the Two Waves of Same Sex Marriage Litigation," in Austin Sarat and Stuart Scheingold (eds), *Cause Lawyers and Social Movements*. Palo Alto: Stanford University Press. pp. 84-100

Scott Barclay and Anna-Maria Marshall. 2005. "Supporting a Cause, Developing a Movement, and Consolidating a Practice: Cause Lawyers and Sexual Orientation Litigation in Vermont," in Austin Sarat and Stuart Scheingold (eds), *The Worlds Cause Lawyers Make*. Palo Alto: Stanford University Press. pp. 171-202

Scott Barclay. 2004. "A New Aspect of Lawyer - Client Interactions: Lawyers Teaching Process-Focused Clients to Think About Outcomes." *Clinical Law Review* 11(1): 1-13

Anna-Maria Marshall and Scott Barclay. 2003. "In Their Own Words: How Ordinary People Construct the Legal World." *Law & Social Inquiry* 28: 617-628

Scott Barclay and Shauna F. Fisher. 2003. "The States and Differing Impetus for Divergent Paths on Gay Rights, 1990-2001." *Policy Studies Journal* 31: 331-352 (Finalist for the 2003 Bailey Prize, APSA)

Scott Barclay. 1999. "Appealing (but not Necessarily Winning) to Improve your Social Status." *Law & Policy* 21: 427-443

Scott Barclay and Thomas Birkland. 1998. "Law, Policy Making, and the Policy Process: Closing the Gaps." *Policy Studies Journal* 26, No. 2: 227-243

Scott Barclay. 1998. "Keeping their Distance: Appellate Courts and Local Communities." *Judicature* 82(1): 35-38

Scott Barclay. 1997. "Posner's Economic Model and the Decision to Appeal." *Justice System Journal* 19: 77-100

Scott Barclay. 1996. "The Decision to Self-Represent." *Social Science Quarterly* 77: 912-923

Other Publications:

Scott Barclay. 2007. "Conflicts (Disputing) Pyramid," Entry in David S. Clark (ed). *Encyclopedia of Law and Society*. Sage Publications.

Scott Barclay and Shauna F. Fisher. 2005. "Abandonment, Emulation, and Cultural Claiming: Litigation and Social Movements in the First Wave of Same Sex Marriage Cases." *AMICI – The Newsletter of the Sociology of Law Section of the American Sociological Association* 13 (1): 19-23

Miriam Gani and Scott Barclay. 2002. "The Legal System of Australia," Entry in Herbert Kritzer (ed.), *Legal Systems of the World: A Political, Social and Cultural Encyclopedia*. ABC-Clio. Volume 1, pp. 82-89

Scott Barclay. 2002. "*Belotti v. Baird I*," Entry in Judith Baer (ed.) *Historical and Multicultural Encyclopedia of Women's Reproductive Rights in the United States*. Greenwood Press. pp. 32-33

Scott Barclay. 1992. "The Act of Appealing: Challenging a Cost/Benefit Analysis" *American Bar Foundation Working Paper Series #9207*

Guest Editor of Journal:

Scott Barclay, Lynn C. Jones, and Anna-Maria Marshall, Eds. 2011. "Social Movements/Legal Possibilities" Special Issue of *Studies in Law, Politics and Society* 54

REVISE AND RE-SUBMIT:

Scott Barclay and Daniel Chomsky. "Reading the Writing on the Wall: The Prompt to Litigation by Cause Lawyers," *Law & Society Review*

BOOKS IN PROGRESS:

Scott Barclay, *Activist Judges and Same Sex Marriage: Dispelling the Myth*

-- Using the extensive data that I have collected on the same sex marriage movement, this book highlights the many ways that law is invoked, utilized, and reconstituted in the dynamic interaction of courts with social movements and state institutions. Along the way, it theoretically and empirically rejects the possibility of activist judges and challenges existing notions of the role of courts in the political system.

Daniel Chomsky and Scott Barclay, *Mass Media, Public Opinion, and State Policy over Same Sex Marriage*

-- The role of the print media in shaping public opinion, influencing the decision making of social movements and cause lawyers, and prompting state judicial and legislative action. Using the example of same-sex marriage, we consider the major local newspapers in 15 states over the last 16 years to challenge the dominant ideas about the impact of media coverage on state courts and state legislatures.

RADIO, TV AND BLOG ACTIVITY:

Life of the Law, Advisory Board, WBEZ Radio Chicago & Open Society Institute Initiative 2012
“Has The Tide Turned on LGBT Politics” *Mobilizing Ideas* Blog, March 2012
On The Media, National Public Radio (April 10, 2009)

KEYNOTE SPEAKER:

Plenary Speaker, Law and Society Association, 2010 Annual Meeting, Chicago Illinois

SELECTED INVITED TALKS:

UC Santa Cruz	Cornell University	Ohio University
American University	UCLA – Williams Institute	George Mason University
University at Buffalo	NYU	University of Washington

REVIEWER:

National Science Foundation	<i>Political Research Quarterly</i>	<i>American Sociological Review</i>
<i>Law & Society Review</i>	<i>State Politics and Policy Quarterly</i>	<i>Mobilization</i>
<i>American Political Science Review</i>	<i>Journal of Homosexuality</i>	<i>Social Movement Studies</i>

PROFESSIONAL SERVICE:

National Science Foundation:

Program Director, Law and Social Sciences Program (2009-2011)
NSF Lead Representative, Interagency Working Group on Oceans and Social Science, JSOST
Participant, United Nations Environment Programme, Global Environment Outlook 5, North America

Law & Society Association:

Board of Trustees (2011-2014)
Chair, NSF Sub-Committee of Academic Infrastructure Review Committee
Book Review Editor, *Law & Society Review* (2007-2009)
Co-Chair, CRN on Law and Social Movements

State University of New York Press:

Editorial Board, State University of New York Press (2006-2009)

American Political Science Association:

Committee on the Status of Lesbians, Gays, Bisexuals and the Transgendered in the Profession
Committee for the Lifetime Achievement Award – Law & Courts Section

Mid-Atlantic Law and Society Association:

Chair, Organizing Committee for Inaugural Conference

Western Political Science Association:

Program Committee, Politics and Sexuality Section

UNIVERSITY SERVICE:

Drexel University:

Strategic Planning Committee, College of Arts and Sciences

University at Albany:

Undergraduate Academic Council
Committee on Academic Standing (Chair, 2004-2005)
LGBTQ Advisory Committee
Rockefeller College Diversity Committee
Director of Public Policy Program

GRANTS AND AWARDS:

2005-2006 Faculty Research Award Program, State University of New York
1998-2000 Faculty Research Award Program, State University of New York
1994-1996 Faculty Research Award Program, State University of New York
1993 David Minar Award for Best Graduate Student, Northwestern University Dept of Political Science
1993-1994 National Science Foundation Doctoral Dissertation Research Improvement Grant
1992-1993 Northwestern University Dissertation Year Award, Northwestern University

REFERENCES:

Prof. Jon Gould,
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Washington Institute for Public Affairs Research
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Prof. Susan Silbey
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University of California, Santa Barbara
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Prof. Peter May,
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