

TRISTIN K. GREEN

CURRICULUM VITAE

Professor of Law
Dean's Circle Scholar
Co-Director of the USF Work Law & Justice Program
University of San Francisco School of Law
LMU Loyola Law School Los Angeles, Visiting Professor of Law 2022-23
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ACADEMIC POSITIONS

University of San Francisco School of Law

Associate Dean for Academic Affairs, 2019-2020
Associate Dean for Faculty Scholarship, 2016-2019
Professor of Law and Dean's Circle Scholar, 2012-present
Professor of Law, 2010-present
Visiting Professor of Law, 2009-2010

Loyola Law School, Los Angeles

Visiting Professor of Law, 2022-2023

UC Berkeley School of Law

Visiting Professor of Law, 2008-2009

Seton Hall Law School

Professor of Law and Dean's Scholar, 2006-2010
Associate Professor of Law, 2003-2006
Assistant Professor of Law, 2000-2003

UC Berkeley School of Law

Visiting Scholar, 2006-2007

EDUCATION

University of California, Berkeley School of Law, Berkeley, CA (J.D., 1998)

Medill School of Journalism, Northwestern University, Evanston, IL (M.S., Journalism, 1993)

University of California, Los Angeles, CA (B.S., Sociology, 1991)

JUDICIAL CLERKSHIPS

The Honorable Dolores K. Sloviter (1999-2000)
United States Court of Appeals, Third Circuit, Philadelphia, PA

The Honorable Garland E. Burrell, Jr. (1998-1999)
United States District Court, Eastern District of California, Sacramento, CA

PUBLICATIONS

Books

RACIAL EMOTION AT WORK (in progress, under contract with University of California Press)

DISCRIMINATION LAUNDERING: THE RISE OF ORGANIZATIONAL INNOCENCE AND THE CRISIS OF EQUAL OPPORTUNITY LAW (Cambridge University Press 2017)

SEX-BASED DISCRIMINATION: TEXT, CASES AND MATERIALS, 7th Edition (Thomson West 2011),
with Herma Hill Kay

Articles and Book Chapters

Love Match or Compatible in Theory? Charting the Relationship Between Critical Race Theory and Queer Theory in Legal Scholarship, in OXFORD HANDBOOK OF RACE AND THE LAW (KHIARA BRIDGES, DEVON CARBADO, EMILY HOUH, EDS.) (Oxford University Press, forthcoming 2022),
with Camille Gear Rich (law and sociology)

The Significance of #MeToo as a Feminist Movement: The Power of the Collective, in OXFORD HANDBOOK OF FEMINISM AND THE LAW IN THE UNITED STATES (DEBORAH L. BRAKE, MARTHA CHAMALLAS, & VERA L. WILLIAMS EDS.) (Oxford University Press, forthcoming 2022)

I'll See You at Work: Spatial Features and Discrimination
55 UC DAVIS LAW REVIEW 141 (2021)

Wal-Mart v. Dukes Rewritten, in FEMINIST JUDGMENTS: EMPLOYMENT DISCRIMINATION OPINIONS REWRITTEN (ANN C. MCGINLEY & NICOLE B. PORTER, EDS.) (Cambridge University Press 2021)

Rethinking Racial Entitlements: From Epithet to Theory
93 SOUTHERN CALIFORNIA LAW REVIEW 217 (2020)

The Juxtaposition Turn: Watson v. Fort Worth Bank & Trust
50 SETON HALL LAW REVIEW 1445 (2020)
(symposium honoring the work of Charles Sullivan)

Was Sexual Harassment Law a Mistake? The Stories We Tell
128 YALE LAW JOURNAL FORUM 152 (2018)

Social Closure Discrimination
39 BERKELEY JOURNAL OF EMPLOYMENT AND LABOR LAW 1 (2018),
with Catherine Albiston (law and sociology)

America is from Venus, France is from Mars: Pinups, Policing, and Gender Equality
20 EMPLOYEE RIGHTS AND EMPLOYMENT POLICY JOURNAL (2016)

On Employment Discrimination and Police Misconduct: Title VII and the Mirage of the “Monell Analogue,”

95 BOSTON UNIVERSITY LAW REVIEW 1077 (2015)

Civil Rights Lemonade: Title VII, Gender and Working Options for Working Families

10 STANFORD JOURNAL OF CIVIL RIGHTS & CIVIL LIBERTIES (2014)

Racial Emotion in the Workplace

86 SOUTHERN CALIFORNIA LAW REVIEW 959 (2013)

“It’s Not You; It’s Me”: Assessing an Emerging Relationship Between Law and Social Science

46 CONNECTICUT LAW REVIEW 287 (2013)

The Future of Systemic Disparate Treatment Law

32 BERKELEY JOURNAL OF EMPLOYMENT AND LABOR LAW 397 (2011)

(symposium, lead article)

Race and Sex in Organizing Work: “Diversity,” Discrimination, and Integration

59 EMORY LAW JOURNAL 585 (2010)

Discrimination-Reducing Measures at the Relational Level

59 HASTINGS LAW JOURNAL 1435 (2008),

with Alexandra Kalev (sociology)

Insular Individualism: Employment Discrimination Law After Ledbetter v. Goodyear

43 HARVARD CIVIL RIGHTS – CIVIL LIBERTIES LAW REVIEW 353 (2008)

Discomfort at Work: Workplace Assimilation Demands and the Contact Hypothesis

86 NORTH CAROLINA LAW REVIEW 379 (2008)

A Structural Approach as Antidiscrimination Mandate: Locating Employer Wrong

60 VANDERBILT LAW REVIEW 849 (2007)

Work Culture and Discrimination

93 CALIFORNIA LAW REVIEW 623 (2005)

Targeting Workplace Context: Title VII as a Tool for Institutional Reform

72 FORDHAM LAW REVIEW 659 (2003)

Discrimination in Workplace Dynamics: Toward a Structural Account of Disparate Treatment Theory

38 HARVARD CIVIL RIGHTS – CIVIL LIBERTIES LAW REVIEW 91 (2003)

Other

It’s About Discrimination and Equality, Not Just Diversity and Bad Actors (2018)

Invited Blog Post for the Center for Research, Artistic, and Scholarly Excellence at the University of San Francisco

Book Review, *Critical Race Realism: Intersections of Psychology, Race, and Law* (G. Parks et al. eds, 2008)

44:1 LAW AND SOCIETY REVIEW 187 (2010)

On Macaws and Employer Liability: A Response to Professor Zatz

109 COLUMBIA LAW REVIEW SIDEBAR 107 (2009)

Comment, *Making Sense of the McDonnell Douglas Framework: Circumstantial Evidence and Proof of Disparate Treatment under Title VII*

87 CALIFORNIA LAW REVIEW 983 (1999)

Comment, *Complete Preemption: Removing the Mystery from Removal*

86 CALIFORNIA LAW REVIEW 363 (1998)

TEACHING & UNIVERSITY SERVICE

Civil Procedure

Employment Discrimination Law

Property

Wills & Trusts

Gender and the Law

Work, Gender and the Law

Disability Law

USF Law School Service (in addition to regular committee work):

Associate Dean for Academic Affairs, 2019-2020

Associate Dean for Faculty Scholarship, 2016-2019

Status Committee, including Chair 2021-22

Appointments Committee, including Chair 2014-2015

Dean Search Committee 2013-2014

Governance Task Force 2014-2015

Strategic Planning Task Force 2012-2014

PROFESSIONAL ORGANIZING & SERVICE

Reconsidering the RBG & HHK *Sex-Based Discrimination* Casebook: A Conversation Event 2022

Co-organized with Melissa Murray (NYU) and Patricia Cain (Santa Clara) a conversation event (held virtually) to honor the game-changing work of Herma Hill Kay and Ruth Bader Ginsburg with their casebook, *Sex-Based Discrimination*, and to consider where we have come over the almost fifty years since then—and where we should be headed. The event convened an intimate group of thirty-five scholars across disciplines and tenure, bringing new and more established voices and views together for vibrant conversation and strategizing.

UNLEASH Equality, Founding Member 2018

Co-founded a group aimed at providing evidence-based and policy solutions for sexual harassment and other forms of sex-based discrimination. Symposium papers published jointly with *Stanford Law Review On-line* and *Yale Law Journal Forum*.

<https://www.unleashequality.com/>

Equality Law Scholars' Forum, November 2017 (UC Berkeley Law), November 2018 (UC Davis Law), November 2021 (BU Law), November 2022 (forthcoming, Loyola Law)

Co-organize with Angela Onwuachi-Willig (BU) and Leticia Saucedo (UC Davis) an annual workshop conference bringing together junior and more senior scholars to mentor and engage with scholarship in the field of Equality Law.

Workplace Law Scholars' Writing Collaborative, 2014-2021

Co-organize with Michelle Travis (USF) and Rachel Arnow-Richman (UF) a three-day academic event to foster scholarly community within the workplace law field.

Affiliated Faculty, PRYSM: The USC Initiative for the Study of Race, Gender, Sexuality and the Law, USC Law, <https://prysm.usc.edu/> .

Michael Zimmer Symposium, October 2017

Co-organized with Charlie Sullivan (Seton Hall) and Tim Glynn (Seton Hall) a symposium to honor the life and work of Michael Zimmer.

Working Group on the Future of Systemic Disparate Treatment Law, Spring 2011

Co-organized with Noah Zatz (UCLA) an academic working group with the goal of bringing together scholars thinking creatively about the future of discrimination law to influence debate as the Supreme Court considered *Wal-Mart v. Dukes*. Papers associated with the group were published together in the *Berkeley Journal of Employment and Labor Law*.

Association of American Law Schools (AALS) Employment Discrimination Section, 2008-2010

Served as secretary (2008), chair-elect (2009), and chair (2010). As chair, co-organized an interdisciplinary panel of sociologists and law professors, titled "Does Race Consciousness Advance Diversity?"

Pemberton Academic Conversation on Workplace Justice, March 2010

Co-organized conference bringing together advocates and legal academics, titled "Present and Future Directions of Lawyering for Equality."

Law & Society Annual Conference, May 2009

Co-organized an interdisciplinary panel of sociologists and law professors, titled "Bringing the Relational into Antidiscrimination Research and Theory."

Caregiver Bias Working Group, November 2006-May 2007

Participated in a collaborative, multidisciplinary working group organized by Joan Williams, Hastings College of Law, UC.

Seton Hall Employment and Labor Law Scholars' Forum, 2006-2016

Annually co-organized a workshop conference involving senior and junior scholars and focused on scholarship of junior scholars working in the fields of employment and labor law.

PROFESSIONAL MEMBERSHIPS / AWARDS

Dean's Circle Scholar, USF School of Law

Dean's Scholar, Seton Hall Law School

Past President of Employment Discrimination Section, AALS

Member, Law & Society Association

Member, Order of the Coif

Bar Admission, United States District Court, Eastern District of California

Bar Admission, United States Court of Appeals, Third Circuit, Philadelphia, PA