

Terri R. Day
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Little Rock, AR 72205
(407) 733-2252

CURRICULUM VITAE

LAW TEACHING EMPLOYMENT:

UALR William H. Bowen School of Law, Little Rock, AR
Visiting Professor of Law, August 2024 – present
Civil Procedure I and II, First Amendment, Professional Responsibility

Barry University School of Law (f/k/a University of Orlando)
Professor of Law Emerita, retired August 2024
Associate Dean of Student Affairs, August 2021 – July 2024
Professor of Law, August 2009 to August 2024
Associate Professor of Law, September 1997 to August 2009
Assistant Professor of Law, August 1995 to August 1997
Faculty Director, CHILD AND FAMILY LAW JOURNAL, 2022 – July 2024
Faculty Director, Moot Court Program, 2007 – 2022
Faculty Director, BARRY LAW REVIEW, 1999 - 2002
Constitutional Law, First Amendment, Torts, Professional Responsibility, Law & Psychiatry, Supreme Court in Review, Conflict of Laws

Peking University School of Transnational Law (STL), Shenzhen, China
Visiting Professor of Law, May – June 2025, Professional Responsibility, Family Law
Visiting Professor of Law, October 2022 – January 2023, Professional Responsibility (co-taught, virtual)

University of Arkansas, School of Law, Fayetteville, Arkansas
Visiting Professor of Law, July 2016, Professional Responsibility
Visiting Professor of Law, July 2015, PLUS Program, Constitutional Law

St. Thomas University School of Law Summer Program, El Escorial, Spain
Professor of Law, May – June 2011, Comparative Freedom of Expression

Vytautas Magnus University, Kaunas, Lithuania
Visiting Professor, October – November 2004, Torts
Visiting Professor, August – September 2010, Torts

Northern Illinois University College of Law
Visiting Professor, August 2005 – May 2006
Torts, Professional Responsibility, First Amendment

University of Sarajevo

Fulbright Lecturer, January - August 2002, Restorative Justice

Fulbright Lecturer, October 2000 - June 2001, Restorative Justice

Lecturer, June 2006, Restorative Justice

Lecturer, October 2010, Restorative Justice

EDUCATION:

Yale Law School, New Haven, Connecticut

Master of Laws, May 1995

University of Florida College of Law, Gainesville, Florida

Juris Doctor with High Honors, December 1991

Class Rank: 2nd

Florida Law Review

Editor-in-Chief, 1991

Honors: Order of the Coif; Dean's List (all semesters)

Darrey A. Davis Memorial Academic and Service Scholarship

Florida Blue Key Honor & Leadership Society

Honors in Appellate Advocacy and Legal Research & Writing

Highest Grade: Antitrust, Conflict of Laws, Jurisprudence

Case Western Reserve University, Cleveland, Ohio

Master of Science in Social Administration, May 1976

G.P.A. 3.77/4.00

University of Wisconsin, Madison, Wisconsin

Bachelor of Arts with Distinction (Double Major: Psychology & Social Work), May '74

PUBLICATIONS:

Staging Crime: Performance, Imitation, and the Constitutional Limitations of Regulation, _____ NEVADA LAW JOURNAL _____ (2026) (co-authored with Danielle Weatherby and Ryan C.W. Hall, MD).

Formulating Performance Crimes, THE JOURNAL OF THE AMERICAN ACADEMY OF PSYCHIATRY AND THE LAW, 52:280-85 (2024) (co-authored with Ryan C. W. Hall, MD)
DOI:10.29158/JAAPL.240052-24

The Dobbs Effect: Abortion Rights in the Rearview Mirror and the Civil Rights Crisis that Lies Ahead, 64 WILLIAM & MARY LAW REVIEW ONLINE 1 (2022) (co-authored with Danielle Weatherby)

The Defendant Psychiatrist as Witness, MALPRACTICE AND LIABILITY IN PSYCHIATRY, Springer Publisher, Chapter 10 (2021) (co-authored with Ryan Hall, M.D.)

Revisiting Masterpiece Cakeshop – Free Speech and the First Amendment: Can Political Correctness be Compelled? 48 HOFSTRA LAW REVIEW 47 (2020)

Shackled Speech: How President Trump’s Treatment of the Press and the Citizen-Critic Undermines the Central Meaning of the First Amendment, 23 LEWIS & CLARK LAW REVIEW 303 (2019) (co-authored with Danielle Weatherby)

Speech Narcissism, 70 FLORIDA LAW REVIEW 839 (2018) (co-authored with Danielle Weatherby).

Contemplating Masterpiece Cakeshop, 74 WASH. & LEE L. REV. ONLINE 86 (2017) (co-authored with Danielle Weatherby).

LGBT Rights and the Mini-RFRA: A Return to Separate but Equal, 65 DEPAUL LAW REVIEW 501 (2016) (co-authored with Danielle Weatherby)

The Case for LGBT Equality: Reviving the Political Process Doctrine and Repurposing the Dormant Commerce Clause, 81 BROOKLYN LAW REVIEW 1015 (2016) (co-authored with Danielle Weatherby)

How Walmart could get Congress to reform America's gun control laws, Fortune Magazine (June 25, 2015) (co-authored with Danielle Weatherby), available at: <http://fortune.com/2015/06/25/how-walmart-could-get-congress-to-reform-americas-gun-control-laws/>

Immigration Policy and the Rhetoric of Reform: “Deport Felons Not Families”: Moncrieffe v. Holder, *Children at the Border and Idle Promises*, 29 GEORGETOWN IMMIGRATION JOURNAL 181 (2015) (co-authored with Leticia M. Diaz)

A Primer on Hobby Lobby: For-Profit Corporate Entities' Challenge to the HHS Mandate, Free Exercise Rights, RFRA's Scope, and the Nondelegation Doctrine, 42 PEPPERDINE LAW REVIEW 55 (2014) (co-authored with Leticia M. Diaz and Danielle Weatherby).

PTSD and Tort Law in THE COMPREHENSIVE GUIDE TO POST-TRAUMATIC STRESS DISORDERS, (Colin Martin et al. eds., Springer Press, London) (in press) (co-authored with Ryan C.W. Hall, M.D.).

The Affordable Care Act and Religious Freedom: The Next Battleground, 11 GEORGETOWN JOURNAL OF LAW & PUBLIC POLICY 63 (2013) (co-authored with Leticia M. Diaz).

The Butts Stops Here: The Tobacco Control Act's Anti-Smoking Regulations Run Afoul of the First Amendment, 76 ALBANY LAW REVIEW 121 (2013) (co-authored with Danielle Weatherby).

Bleeeep! The Regulation of Indecency, Isolated Nudity and Fleeting Expletives in Broadcast Media – An Uncertain Future for “Pacifica v. FCC,” 3 CHARLOTTE LAW REVIEW 469 (2012) (co-authored with Danielle Weatherby).

Civility in Government Meetings: Balancing First Amendment, Reputational Interests, and Efficiency, 10 FIRST AMENDMENT LAW REVIEW 57 (2011) (co-authored with Erin Bradford).

A Plea for Caution: Violent Video Games, the Supreme Court, and the Role of Science, MAYO CLINIC PROCEEDINGS, 2011 Apr; 86(4): 315-21 (co-authored with Ryan Hall, M.D. and H. Richard Hall, M.D.).

Déjà vu: From Comic Books to Video Games: Legislative Reliance on “Soft Science” to Protect against Uncertain Societal Harm Linked to Violence v. the First Amendment, 89 OREGON LAW REVIEW 415 (2010) (co-authored with Ryan Hall, M.D.) (judged one of the best law review articles published in the fields of entertainment, publishing and the arts and selected for inclusion in the 2011 edition of the ENTERTAINMENT, PUBLISHING AND THE ARTS HANDBOOK, published annually by Thomson Reuters (West)).

The New Digital Dating Behavior – Sexting: Teens’ Explicit Love Letters: Criminal Justice or Civil Liability, 33 HASTINGS COMMUNICATIONS & ENTERTAINMENT LAW JOURNAL 69 (2010), reprinted in PRAVNA MISAO: ČASOPIS ZA PRAVNU TEORIJU I PRASKU, broj 1-2 (2011) (cited in *U.S. v. Taylor*, 640 F.3d 255 (7th Cir. 2010)).

Buying Justice: Caperton v. A.T. Massey: Campaign Dollars, Mandatory Recusal and Due Process, 28 MISSISSIPPI LAW REVIEW 359 (2009) (cited in *State v. Allen*, 778 N.W.2d 863 (WI 2010)).

Nasty as They Wanna Be Politics: Clean Campaigning and the First Amendment, 35 OHIO NORTHERN UNIVERSITY LAW REVIEW 647 (2009) (cited in *281 Care Committee v. Arneson*, 638 F.3d 621 (8th Cir. 2011)).

Bumfights Videos and Copycat Crimes . . . Connecting the Dots: Negligent Publication or Protected Speech? 37 STETSON LAW REVIEW 825 (2008).

Speak No Evil: Legal Ethics v. First Amendment, 32 JOURNAL OF THE LEGAL PROFESSION 161 (2008) (cited in *Fieger v. Michigan Supreme Court*, 553 F.3d 955 (6th Cir. 2009)).

Teaching and Implementing Restorative Justice and Its Relevance to Criminal Justice in Bosnia Herzegovina in the 21st Century, 2 RESTORATIVE DIRECTIVES JOURNAL 64 (May 2006) (also published in Bosnian language in a journal for lawyers and judges in Bosnia).

U.S. Juvenile Court System - Rehabilitation v. Punishment: Does Restorative Justice Provide a Third Model of Juvenile Justice? LEGAL THOUGHT, BULLETIN FOR LEGAL THEORY AND PRACTICE, No. 1-2, 2003 (published in Bosnian language in a journal for lawyers and judges in Bosnia).

Book Review of *Dictionary of Criminology and Criminal Justice (OSCE - Democratisation Department)*, 2 BARRY LAW REVIEW 1 (2001).

When Principled Representation Tests Anti-Discrimination Laws, 20 WESTERN NEW ENGLAND Law Review 23 (1998) (co-authored with Scott Rogers).

Ode to Sarajevo: Where Have all the People Gone? 12 ST. JOHN'S JOURNAL OF LEGAL COMMENTARY 411 (1997).

Publications that Incite, Solicit or Instruct: Publisher Responsibility or Caveat Emptor? 36 SANTA CLARA LAW REVIEW 73 (1995) (cited in *Sony v. American Home Insurance Co.*, 532 F.3d 1007 (9th Cir. 2008)).

Pension Funds in Bankruptcy: The Spendthrift Trust "Safe Harbor", 43 FLORIDA LAW REVIEW 67 (1991).

Tort Law: Children v. Advertisers: TV Torts - Is There a Duty? 42 FLORIDA LAW REVIEW 413 (1990).

LEGAL EXPERIENCE:

Honorable Patricia C. Fawsett, U.S. District Court, Middle District of FL, Orlando, FL
Law Clerk, March 1992 to July 1994

Expert Witness, (2004 – 2005, 2012)

Institute of Victimology, Sarajevo, *Acting Director*, July 1999 - July 2001

Virgil Hawkins Civil Clinic, University of Florida College of Law, Gainesville, Florida
Legal Intern, Fall Semester 1991, Represented indigent persons in divorce proceedings

Professor Winston P. Nagan, University of Florida College of Law, Gainesville, Florida
Research Assistant, Fall 1989 through Spring 1991

Steel Hector & Davis, Miami, Florida
Summer Associate, July to August 1991

Maguire, Voorhis and Wells, P.A., Orlando, Florida
Summer Associate, Summer 1990

N. James Turner, P.A., Orlando, Florida
Summer Associate, July to August 1989

BAR ADMISSION & PROFESSIONAL ACTIVITIES (current and past):

Admitted to practice in Florida, 1992 – retired status (2025)

Admitted to the United States Supreme Court Bar, 2014

Member, Jewish Community Relations Committee, Jewish Federation, Orlando

Volunteer, Yale Alumni Admissions Committee

Member, Ethics and Campaign Finance Reform Task Force, Orange County

Member, Florida Bar Standing Committee on Professionalism

Chair, Ninth Judicial Circuit UPL Committee “A”

Member, Ninth Judicial Circuit Grievance Committee “E”

Peer Reviewer, Fulbright Senior Specialists Program

Member, Global Kontakt (BiH Foundation)

Member, Teen Court Advisory Board and *Volunteer*, Teen Court

Member, Florida Bar Speaker’s Bureau

Member, First Central Florida American Inns of Court #123

Member, Orange County Bar Association Committee on Professionalism

Member, World Society of Victimology

Member, Jewish Family Services Board of Directors

Volunteer, Catholic Charities, Refugee Services

Volunteer, Orange County Reading Program

Volunteer, Teen Parent Education Project (Legal Aid)

Recipient, Judge Thomas Kirk Founders Award (Teen Court)

PROFESSIONAL PRESENTATIONS:

Speaker, First Amendment Overview, Continuing Education for Experienced Police Officers, Criminal Justice Institute, March 12, 2026, Little Rock, AR

Speaker, Ethical Implications of the Use of Generative Artificial Intelligence by Officers of the Court, Arkansas Bar Association Mid-Year Meeting, CLE, February 4, 2025, Little Rock, AR

Speaker, Performance Crime & Copycat Crime: An Overview, Continuing Judicial Education, Thomas R. Kline Center for Judicial Education, Thomas R. Kline School of Law of Duquesne University, via Zoom, January 25, 2024.

Speaker, Next Steps: The *Dobbs*' Decision's Effects on the Practice of Family Law and Constitutional Rights, CFLJ Symposium, February 10, 2023, Orlando, Florida

Paper Commentator, First Annual Michael A. Olivas Writing Institute – GO LILA (Inaugural Graciela Olivárez Latinas in the Legal Academy) Workshop, June 22, 2022, Virtual

Presenter, Central Florida Paralegal Ass'n, Inc and UCF Center for Law & Policy (co-sponsor), *Intro to LGBTQ Issues & the Law*, March 30, 2019, Orlando, Florida

Panelist, Holocaust Memorial Center and Florida Bar Foundation (co-sponsor), *Media, Ethics and the Law*, October 24, 2017, Orlando, Florida

Panelist, Holocaust Memorial Center, *Free Speech v. Hate Speech*, August 22, 2017, Orlando, Florida

Lecturer, Faculty of Law, University of Sarajevo, *The Eighth Amendment and Juvenile Sentencing*, June 2016, Sarajevo, Bosnia-Herzegovina

Lecturer, Faculty of Law and Business Studies, The Union University, *First Amendment Protects Hate Speech and Lies*, May 2016, Novi Sad, Serbia

Speaker, American Academy of Psychiatry and the Law, *Landmark Cases and the Supreme Court's Decision on Healthcare (PPACA)*, Montreal, Quebec, Canada, October

26, 2012 (with Ryan CW Hall, MD)

Speaker, American Academy of Psychiatry and the Law, *Violent Video Games and the Battle of the Social Science Experts*, Montreal, Quebec, Canada, October 26, 2012 (with Ryan CW Hall MD)

Speaker, Orange County Bar Association Labor and Employment Committee, *Recent Supreme Court Decisions Related to Labor and Employment Law*, Orlando, Florida, February 29, 2012.

Speaker, The Matthew Fogg Symposia on the Vitality of *Stare Decisis* in America, "Lawyers' First Amendment Rights to Criticize the Judiciary," University of Baltimore, MD, October 21, 2011.

Speaker, Florida Psychiatric Society 2011 Spring CME Meeting, "*United States v. Comstock*: Civil Commitment by the Federal Government," Sarasota, Florida, April 9, 2011.

Speaker, Stuart County School Board Workshop, Public Comment Sessions at Government Meetings and the First Amendment, Stuart, Florida, January 27, 2010.

Speaker, Mississippi College School of Law *Law Review* Symposium, "Corporations, Courtrooms, and the Constitution: Shades of Gray in the World of Legal Ethics, Jackson, MS, February 25, 2009.

Speaker, The Orlando Chapter of the Federal Bar Association, "2008-2009 U.S. Supreme Court Review," Orlando, FL, January 15, 2009.

Speaker, Mealey's Lead Litigation Conference, CLE Ethics, Orlando, FL, April 3, 2008.

Commentator, NIU Law Review Symposium, "Medical Malpractice: Emerging Issues & the Effects of Tort Reform," DeKalb, IL, April 13, 2006.

Speaker, NIU Federalist Society, "Tort Reform in Illinois," DeKalb, IL, February 15, 2006.

Speaker, First Central Inn of Court and Orange County Bar Association Ethics and Professionalism Seminar, "Building a Culture of Professionalism: Utilizing a Nation-building Paradigm," Orlando, May 26, 2005.

Speaker, Florida Bar Workers' Comp Section, Professionalism Seminar, Orlando, April 28, 2005.

Facilitator, Florida Bar Grievance and UPL Departments, Orlando Division, "Successful Lawyering in a Diverse Society," February 17, 2005.

Speaker, International Law Section, Orange County Bar Assoc., “Reflections of a Fulbright Scholar in Bosnia,” January 21, 2003.

Speaker, Association of Criminal Law and Criminology, “History of U.S. Juvenile Courts,” Sarajevo, Bosnia Herzegovina, June 20, 2002.

Speaker, Roundtable Discussion, EYC BiH - EuroYouth Club - Evropski Pokret Mladih BiH, “Introducing Interactive and Analytical Teaching Methods to BiH Universities,” Sarajevo, Bosnia Herzegovina, April 26, 2001.

Speaker, Macedonian American Alumni Association, “Macedonia: The Conflict of Language and Its Resolution,” (co-lectured with Fulbright Professor in Macedonia), Skopje, Macedonia, April 23, 2001.

Speaker, Roundtable Discussion, “Creating a Victims’ Rights Advocacy Group,” Sarajevo, Bosnia Herzegovina, April 20, 2001.

Speaker, Symposium, “Mjesto i perspektive kriminalistickih nauka i kriminalisticke profesije u savremenium uslovima,” “Teaching Restorative Justice to Criminalistic and Law Students in BiH,” March 19, 2001.

Participant/Teacher, Victimology Workshop, World Society of Victimology, Secretary General, University of Applied Science, Monchengladbach, Germany, September 1999.

Speaker, Orlando Chapter of Hadassah Sabra Group, *Women’s Rights: Sexual Harassment and the Changing Laws*, November 17, 1998.

Speaker, Continuing Legal Education Seminar presented by the Central Florida American Corporate Counsel Association, *The Internal Investigation: An Ethical Minefield for Corporate Counsel*, November 5, 1997.

Speaker, Forum on Legal Issues in Healthcare Practice presented by the East Central Dietetic Association and The Central Florida Association of Diabetes Educators, *Trends in Tort Reform*, June 5, 1997.

Speaker, International Noel Baker - Pauling - Pecci Conference, Sarajevo, Bosnia & Herzegovina, *Sarajevo Epilogue: Civil Society and the Role of Women*, August 20 - 22, 1996, (published as part of the proceedings).

Speaker, Central Florida Association of Women Lawyers monthly meeting *Reflections on My Trip to Sarajevo*, December 1996.

SOCIAL WORK EXPERIENCE:

Child Guidance Center, Cleveland, Ohio
Psychiatric Social Worker, August 1976 to February 1980

MEDIA EXPERIENCE:

WESH-TV, Orlando, Florida

Producer, Tel-2 Consumer Program, December 1985 to December 1988

Holocaust Archive Project, Cleveland, Ohio

Co-Chair, 1983 to 1985

Co-produced award-winning documentary and contributed videotaped testimonies to the Yale Sterling Library Depository, Yad Vashem (Israel) Archives, and U.S. Holocaust Museum, Washington D.C.