

QUINN YEARGAIN

Assistant Professor of Law
Widener University Commonwealth School of Law
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ACADEMIC APPOINTMENTS

Widener University Commonwealth School of Law, Harrisburg, Pennsylvania
Assistant Professor of Law 2022 – present

Yale School of the Environment, New Haven, Connecticut
Lecturer 2022

PROFESSIONAL EXPERIENCE

Yale Center for Environmental Law and Policy, New Haven, Connecticut
Associate Director 2020 – 2022

JUDICIAL CLERKSHIP

The Honorable R. Lanier Anderson, III
United States Court of Appeals for the Eleventh Circuit 2019 – 2020

EDUCATION

Emory University School of Law, *Juris Doctor*

Honors: Order of the Coif; Robert W. Woodruff Fellowship; Myron Penn Laughlin Award for Excellence in Legal Research and Writing (best student-authored comment award); Law360 Distinguished Legal Writing Award (one of ten best student-authored comments nationwide)

University of Central Florida, *Bachelor of Arts*, Political Science

Honors: *Summa cum laude*

PRINCIPAL ARTICLES

Litigating Trans Rights in the States, 85 OHIO ST. L.J. (forthcoming 2024)

Administrative Capacity in Direct Democracy, 57 UC DAVIS L. REV. (forthcoming 2023)

Shadow Districts, 45 CARDOZO L. REV. (forthcoming 2023)

Decarbonizing Constitutions, 41 YALE L. & POL'Y REV. 1 (2023)

Recasting the Second Fiddle: The Need for a Clear Line of Lieutenant-Gubernatorial Succession, 74 S.C. L. REV. 53 (2022)

Democratizing Gubernatorial Selection, 14 NE. U. L. REV. 1 (2022)

Getting the Dream Team on the Ballot: The Legality of Bipartisan Gubernatorial Tickets, 2021 MICH. ST. L. REV. 1015 (2021)

Democratizing Gubernatorial Succession, 73 RUTGERS U. L. REV. 1145 (2021) (annual state constitutional law issue)

Bad Motivation with Good Results: The Merit of Filling Statewide Executive Vacancies with Same-Party Appointments, 69 U. KAN. L. REV. 575 (2021) (annual Kansas law issue)

One Vote, Two Winners: Team-Ticket Gubernatorial Elections and the Need for Further Reform, 75 UNIV. MIAMI L. REV. 751 (2021)

New England State Senates: Case Studies for Revisiting the Indirect Election of Legislators, 19 U.N.H. L. REV. 335 (2021)

Third Wheeling in the Two-Party System: How Same-Party Replacement Systems Impede the Replacement of Independent and Third-Party Legislators, 123 W. VA. L. REV. 393 (2020)

Same-Party Legislative Appointments and the Problem of Party Switching, 8 TEX. A&M L. REV. 163 (2020)

Prosecutorial Disassociation, 46 AM. J. CRIM. L. 85 (2020)

The Legal History of State Legislative Vacancies and Temporary Appointments, 28 J.L. & POL'Y 564 (2020)

Fake Polls, Real Consequences: The Rise of Fake Polls and the Case for Criminal Liability, 85 MO. L. REV. 129 (2020)

Discretion Versus Supersession: Calibrating the Power Balance Between Local Prosecutors and State Officials, Comment, 68 EMORY L.J. 95 (2018)

- Myron Penn Laughlin Award for Excellence in Legal Research and Writing (best student-authored comment award)
- Law360 Distinguished Legal Writing Award (one of ten best student-authored comments nationwide)

SYMPOSIUM PIECES

Partisan-Proofing the Ohio Constitution, 71 CLEV. ST. L. REV. (forthcoming 2025) (“Democracy’s Promise and the Fight for its Future” Symposium piece).

Sharing Elected Prosecutors in Rural Places, 67 S.D. L. REV. (forthcoming 2024) (“Symposium on Rural Lawyers” piece)

Democracy and State Education Governance, 11 BELMONT L. REV. (forthcoming 2024) (“Learning Together: Modern Developments in Education Law” Symposium piece)

Taking Education “Out of Politics”: The Rise of Nonpartisan State Education Governance, 33 WIDENER COMMW. L. REV. (forthcoming 2023) (“Contemporary Legal Issues in Education” Symposium piece)

State Constitutions in the Woods, 40 PACE ENV’T L. REV. (forthcoming 2023) (“Environmental Constitutionalism” Symposium piece)

WORKS IN PROGRESS

- *The New State Impeachments*
 - *State Appellate Courts and the Tradition of Court Packing*
 - *Shuffling Trust Lands into the Administrative State*
 - *Professionalizing Election Administration*
 - *Structural Freeze in Direct Democracy*
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CONFERENCES, SYMPOSIA, AND ACADEMIC PRESENTATIONS

Cleveland State Law Review, Democracy’s Promise and the Fight for its Future Symposium, October 27, 2023 (presenting “Partisan-Proofing the Ohio Constitution”).

Belmont Law Review, Learning Together: Modern Developments in Education Law Symposium, September 29, 2023 (presenting “Democracy and State Education Governance”).

South Dakota Law Review, Symposium on Rural Lawyers, September 21, 2023 (panelist, “Rural Prosecutor Panel”).

University of Oxford Quill Project and Utah Valley University Center for Constitutional Studies, Constitution Writing and State Government in the American West, July 28, 2023 (presented “Shuffling Trust Lands into the Administrative State”)

State Democracy Research Initiative, University of Wisconsin Law School, State Constitutional Law Roundtable, April 21, 2023 (presented “Legisldicial Power”)

Widener Commonwealth Law Review, Contemporary Legal Issues in Education Symposium, March 31, 2023 (panelist, “Institutions and Power Structures in Education”).

Pace University Elisabeth Haub School of Law and *Pace Environmental Law Review*, Environmental Constitutionalism Seminar, October 28, 2022 (panelist, “Environmental Rights: Development and Design”).

Center for Constitutional Design and State Democracy Research Initiative, Conference on Elections and Federalism, October 8, 2022 (panelist, “State-Level Conflicts”).

University of Minnesota Law School, 7th Annual Administrative Law New Scholarship Roundtable, June 22–23, 2022 (presented “Regulatory Feedback in Direct Democracy”).

OTHER PUBLICATIONS

Your State-by-State Guide to Every State Supreme Court, BOLTS (Aug. 22, 2023), <https://boltsmag.org/whats-on-the-ballot/state-supreme-courts/>.

Everything You Always Wanted to Know About State Supreme Courts, BOLTS (Aug. 22, 2023), <https://boltsmag.org/what-to-know-about-state-supreme-courts/> (with Daniel Nichanian).

Challenging Anti-Trans Legislation under State Constitutions, BRENNAN CTR. FOR JUSTICE: STATE CT. REP. (July 11, 2023), <https://www.brennancenter.org/our-work/analysis-opinion/challenging-anti-trans-legislation-under-state-constitutions>.

Supreme Court Refuses to Empower State Legislatures to Run Elections as They Please, BOLTS (June 27, 2023), <https://boltsmag.org/supreme-court-independent-state-legislature-theory-moore-vs-harper/>.

The Racist History of State Constitutions Taking Voting Rights Away from People Convicted of Crimes, BRENNAN CTR. FOR JUSTICE: STATE CT. REP. (May 4, 2023), <https://www.brennancenter.org/our-work/analysis-opinion/racist-history-state-constitutions-taking-voting-rights-people-convicted>.

Wisconsin Voters May Weaken Their Constitutional Right to Bail, BRENNAN CTR. FOR JUSTICE: STATE CT. REP. (Mar. 24, 2023), <https://www.brennancenter.org/our-work/analysis-opinion/wisconsin-voters-may-weaken-their-constitutional-right-bail>.

How Attacks Against Obamacare Turned into Tools to Protect Abortion Access, BOLTS (Mar. 3, 2023), <https://boltsmag.org/abortion-access-and-measures-against-obamacare-ohio-wyoming/>.

South Carolina Supreme Court Recognizes That Privacy Rights Protect Abortion Access, BOLTS (Jan. 6, 2023), <https://boltsmag.org/south-carolina-supreme-court-abortion-access/>

Who Should Manage Elections?, CONSTITUTIONAL CONVERSATIONS (Nov. 18, 2022), <https://constitutionalconversations.substack.com/p/who-should-manage-elections>.

Measures to Protect Abortion Rights Triumph on Tuesday, BOLTS (Nov. 9, 2022), <https://boltsmag.org/measures-to-protect-abortion-rights-triumph-on-tuesday/>

Four Ballot Measures Threaten to Undercut Direct Democracy in Arizona and Arkansas, BOLTS (Sept. 21, 2022), <https://boltsmag.org/ballot-measures-arizona-arkansas-direct-democracy/>

Kansas Voters Reject Constitutional Amendment to Erode Abortion Rights, BOLTS (Aug. 3, 2022), <https://boltsmag.org/kansas-voters-reject-abortion-amendment/>

The People Who Count Our Elections—or Can Grind the Process to a Halt, BOLTS (July 21, 2022), <https://boltsmag.org/the-people-who-count-our-elections/>

What All State Constitutions Say About Abortion, and Why It Matters, BOLTS (June 30, 2022), <https://boltsmag.org/state-constitutions-and-abortion/>

“A Systematic Assault”: GOP Rushes to Change Election Rules to Block Medicaid in South Dakota, BOLTS (May 30, 2022), <https://boltsmag.org/amendment-c-south-dakota-medicaid/>

Trump’s Big Lie Forces Attention on the Labyrinth of Local Election Offices, BOLTS (Feb. 8, 2022), <https://boltsmag.org/the-mosaic-of-local-election-administration/>

Filling U.S. Senate Vacancies in Vermont: Replacing Bernie Sanders Is Harder Than It Seems, VT. L. REV. BLOG (Feb. 15, 2021), <https://lawreview.vermontlaw.edu/filling-u-s-senate-vacancies-in-vermont-replacing-bernie-sanders-is-harder-than-it-seems/>

It’s Time for DA Associations to Stop Standing in the Way of Reform, Opinion, ORANGE CNTY. REG. (Feb. 23, 2021), <https://www.ocregister.com/2021/02/23/its-time-for-da-associations-to-stop-standing-in-the-way-of-reform/> (with Miriam Krinsky)

The Politics of Filling an Empty U.S. Senate Seat Doesn’t Mean It’s Bad Policy, Opinion, LEXINGTON HERALD LEADER (Apr. 9, 2021), <https://www.kentucky.com/opinion/op-ed/article250533409.html>

MEDIA APPEARANCES AND INTERVIEWS

Chris Kenning, *Can Trump Be Pardoned in a State Conviction? It’s Possible. But in Georgia, It’s Complicated*, USA TODAY (Aug. 16, 2023), <https://www.usatoday.com/story/news/politics/2023/08/16/trump-indictments-pardon-parole-georgia/70594725007/> (quoted in article).

Alex Ross, *Jennings Pleased with NM Supreme Court Ruling in Redistricting Case*, ROSWELL DAILY REC. (July 13, 2023), https://www.rdrnews.com/news/local/jennings-pleased-with-nm-supreme-court-ruling-in-redistricting-case/article_f6479844-1cf1-11ee-a5f7-fb70c9294e84.html (quoted in article).

Jonathan Lambert, *Abortion After Roe: America’s Reproductive Landscape Is More Fractured Than Ever*, MESSENGER (June 24, 2023), <https://themessenger.com/politics/abortion-after-roe-americas-reproductive-landscape-is-more-fractured-than-ever> (quoted in article).

Matt Klinedinst, *Post-Roe America: Examining the Landscape of Abortion in Pa. One Year After Dobbs Decision*, FOX 43 NEWS (June 24, 2023), https://www.rdrnews.com/news/local/jennings-pleased-with-nm-supreme-court-ruling-in-redistricting-case/article_f6479844-1cf1-11ee-a5f7-fb70c9294e84.html (interviewed for news segment and quoted in article).

Dale Denwalt, *Should the Governor Keep Power When Traveling out of the State? The Constitution Says No*, OKLAHOMAN (June 22, 2023), <https://www.oklahoman.com/story/news/politics/state/2023/06/22/oklahoma-power-outages-governor-kevin-stitt-emergency-declaration-constitution/70342965007/> (quoted in article).

The Downballot: Democrats Have a Big Pickup Chance in Arizona (June 8, 2023), <https://www.dailykos.com/stories/2023/6/8/2174057/-The-Downballot-Dems-have-big-pickup-chance-in-Arizona-transcript> (guested on *The Downballot* podcast).

Jonathan Lambert, *State Constitutions Are the New Abortion Rights Battleground*, MESSENGER (May 26, 2023), <https://themessenger.com/politics/state-constitutions-are-the-new-abortion-rights-battleground> (quoted in article).

Matt Sledge, *LaToya Cantrell Files Lawsuits Against Recall Campaign, Secretary of State Kyle Ardoin*, TIMES-PICAYUNE/NEW ORLEANS ADVOCATE (Mar. 14, 2023), https://www.nola.com/news/politics/latoya-cantrell-files-lawsuit-to-block-recall/article_d6d37abc-c1a9-11ed-be31-934c9cc99e09.html (quoted in article).

Doug Bock Clark, *Some Election Officials Refused to Certify Results. Few Were Held Accountable.*, PROPUBLICA (Mar. 9, 2023), <https://www.propublica.org/article/election-officials-refused-certify-results-few-held-accountable> (quoted in article).

Ted Nesi & Shiina LoSciuto, *RI Eyes Late-Summer Primary to Fill Cicilline Seat as More Consider Run*, WPRI NEWS (Providence, R.I.) (Feb. 22, 2023), <https://www.wpri.com/news/politics/ri-eyes-late-summer-primary-to-fill-cicilline-seat-as-more-consider-a-run/> (interviewed for news segment and quoted in article).

The Downballot: Ending Citizens United, with Tiffany Muller + Hochul's Court Debacle (Jan. 19, 2023), <https://www.dailykos.com/stories/2023/1/19/2148080/-The-Downballot-Ending-Citizens-United-with-Tiffany-Muller-Hochul-s-court-debacle-transcript> (guest on *The Downballot* podcast).

Aleeza Furman, *Court Likely to Stay out of DA Krasner's Impeachment Fight, Experts Say*, LEGAL INTELLIGENCER (Dec. 5, 2022), <https://www.law.com/thelegalintelligencer/2022/12/05/court-likely-to-stay-out-of-da-krasners-impeachment-fight-experts-say/> (quoted in article).

Aleeza Furman, *Experts Say Krasner Will Win the Impeachment Fight—the Question Is ‘How?’*, LEGAL INTELLIGENCER (Nov. 29, 2022), <https://www.law.com/thelegalintelligencer/2022/11/29/experts-say-krasner-will-win-the-impeachment-fight-the-question-is-how/> (quoted in article).

Steve Reilly, *Where the Midterms Haven't Ended Yet: How Election Denialism Took Hold in Rural America and Led to Delayed Certification*, GRID NEWS (Nov. 30, 2022), <https://www.grid.news/story/politics/2022/11/30/where-the-midterms-havent-ended-yet/> (quoted in article).

Court Decisions and Challenges Cause “Utter Chaos” in PA Election, CBS21 NEWS (Nov. 2, 2022), <https://local21news.com/news/local/court-decisions-and-challenges-cause-utter-chaos-in-pa-election> (interviewed for news segment).

Political Experts Explore Impact of Pa. Senate Debate, ABC27 NEWS (Oct. 26, 2022), <https://www.abc27.com/pennsylvania-senate-race/political-experts-explore-impact-of-pa-senate-debate/> (interviewed for news segment).

Why Are Book Bans Taking Place?, WITF: SMART TALK (Sept. 1, 2022), <https://www.witf.org/2022/09/01/why-are-book-bans-taking-place/> (guest on *Smart Talk* radio show).

Pa. Rep. Scott Perry Calls Justice Department Corrupt But Provides No Evidence, WITF (Sept. 1, 2022), <https://www.witf.org/2022/09/01/pa-rep-scott-perry-calls-justice-department-corrupt-but-provides-no-evidence/> (quoted in article).

Face the State: PA Supreme Court Upholds Act 77, CBS21 NEWS (Aug. 7, 2022), <https://local21news.com/news/face-the-state/face-the-state-pa-supreme-court-upholds-act-77> (guest on *Face the State*)

The Downballot: The Kansas Abortion Earthquake, with Quinn Yeargain, DAILYKOS ELECTIONS (Aug. 4, 2022), <https://www.dailykos.com/stories/2022/8/4/2114475/-The-Downballot-The-Kansas-abortion-earthquake-with-Quinn-Yeargain-transcript> (guest on *The Downballot* podcast)

Recent Court Decisions Are Making Some Question “Judicial Independence”, CBS21 NEWS (Aug. 3, 2022), <https://local21news.com/news/local/recent-court-decisions-are-making-some-question-judicial-independence> (interviewed for news segment).

Brian Lee, *Defense Lawyers See Benjamin Case as Strong, as Speculation Swirls over Succession, Election*, N.Y. L.J. (Apr. 13, 2022), <https://www.law.com/newyorklawjournal/2022/04/13/experts-see-uphill-climb-for-benjamin-to-fight-charges-retain-office/> (quoted in article).

What Prosecutors Say California’s Tough-on-Crime DA Lobby Gets Wrong, THE APPEAL LIVE (Mar. 2, 2021), https://www.facebook.com/watch/live/?ref=watch_permalink&v=478034513341062 (interviewed for news segment).

TEACHING EXPERIENCE

Widener University Commonwealth Law School

- LAW 515: Property I (Fall 2022, Fall 2023)
- LAW 516: Property II (Spring 2023, Spring 2024)
- LAW 505: Criminal Law (Spring 2023, Spring 2024)
- LAW 773: State Constitutional Law (Fall 2023)

Yale Law School:

- LAW 21570/ENV 778: State Constitutional Foundations for Environmental Protection (Spring 2022)
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BAR ADMISSIONS

Florida, admitted 2019 (active)