

# KYLE C. VELTE

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## EDUCATION

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**Harvard Law School**  
Cambridge, MA  
LL.M., 2001

### *ACTIVITIES*

Teaching Fellow, Prof. Lani Guinier, Professional Responsibilities of Public Lawyers

Thesis: *Toward Constitutional Recognition of the Lesbian-Headed Family*

**Washington College of Law, American University**  
Washington, D.C.  
J.D., 1999  
*Summa cum laude* (top 3%)

### *HONORS*

**1999 *Journal of Gender, Social Policy & the Law* Award.** (best student work published).

**1999 Mussey Prize.** (highest scholastic average in the last year of study).

**1998 National Association for Public Interest Law Exemplary Public Service Award.**

**1998 National Lesbian & Gay Lawyers Association Paper Contest, Runner-Up.**

### *ACTIVITIES*

***Journal of Gender, Social Policy & the Law*,** Editorial Board, 1998-99

**Professor Nancy Polikoff,** Research Assistant, Summer 1998

**Legal Methods Program,** Writing Tutor, Spring 1998

**Lambda Law Society,** Co-Chair, 1996-1999

**The American Jurist,** Political Editor, 1997-98

**Women's Law Association,** Member, 1996-99

**National Lawyers Guild,** Member, 1996-99

**Equal Justice Foundation,** Member, 1996-99

**Hamilton College**  
Clinton, NY  
B.A., 1993  
*Cum laude*  
Women's Studies

### *ACTIVITIES*

**George Watson's College,** Edinburgh, Scotland, Hamilton Fellow, 1993-94

**Hamilton College Women's Center,** Co-Coordinator, 1992-93

**Hamilton College Women's Soccer Varsity Team,** 1989-1992

## ACADEMIC APPOINTMENTS

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<b>University of Kansas School of Law</b> <i>Associate Professor</i> Beginning Fall 2018	Torts, Evidence, Employment Discrimination, and Gender, Sexuality & the Law.
<b>Texas Tech University School of Law</b> <i>Visiting Assistant Professor</i> 2015-Present	Torts, Evidence, Conflict of Laws, Professional Responsibility, and Gender, Sexuality & the Law.
<i>Acting Director of Bar Preparation Resources</i> Summer, Fall 2017	Teach two academic support/bar preparation classes: Texas Practice (seminar) and Advanced Legal Analysis (online). Provide advice and coaching to Tech Law graduates on bar exam preparation, including recording and distributing videos on study tactics and exam-taking tactics and strategies, tracking data on graduates' preparation for the bar exam, communicating with commercial bar review companies to coordinate student services, engaging in regular communications with graduates currently preparing for the bar exam, and conducting one-on-one coaching meetings with graduates.
<b>University of Denver Sturm College of Law</b> <i>Lecturer</i> 2011-2015	Civil Procedure, Conflict of Laws, Sexual Orientation & the Law.
<b>University of Denver Sturm College of Law</b> <i>Assistant Professor of the Practice, Legal Externship Program</i> 2011-2015	Oversaw and facilitated the externship experience of approximately 65 law students per semester, including developing student field placement opportunities, advising students in selecting appropriate externship opportunities, and monitoring, supervising and teaching students throughout the externship experience. Participated in redesign of classroom component of Legal Externship Program, including designed and taught new one-credit Private Practice Seminar for students externing in private law firms and a 3-credit Semester in Practice Seminar.

## PUBLICATIONS AND WORKS-IN-PROGRESS

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<b>Works in Progress</b>	<i>Co-Opting Anti-Classification Equality: Religious Exemptions, Marriage Equality, and Vulnerability</i>
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## Publications

*Why the Religious Right Can't Have Its (Straight Wedding) Cake and Eat It Too: Breaking the Preservation-Through-Transformation Dynamic in Masterpiece Cakeshop v. Colorado Civil Rights Commission*, 36 LAW & INEQUALITY: A JOURNAL OF THEORY AND PRACTICE 67 (Winter 2018).

*Indigenizing Equality*, 35 YALE L. & POL'Y REV. 101 (2017) (co-authored with Professor M. Alexander Pearl).

*Fueling the Terrorist Fires with the First Amendment: Religious Freedom, the Anti-LGBT Right, and Interest Convergence Theory*, 82 BROOKLYN L. REV. 1109 (Spring 2017).

*All Fall Down: A Comprehensive Approach to Defeating the Religious Right's Challenge to Anti-Discrimination Statutes*, 49 CONN. L. REV. 1 (Fall 2016).

*A Tale of Two Outcomes: Justice Found and Lost for Colorado's Schoolchildren*, 12 LEGAL COMM. & RHETORIC: JALWD 115 (2015).

*Obergefell's Expressive Promise*, 6 HLRe 157 (2015).

*Old Turf, New Battles: Feminism, Legislation, and the Body*, Vol. 30(1) AFFILIA: JOURNAL OF WOMEN AND SOCIAL WORK 508 (2014) (co-authored with Debora M. Ortega, Ph.D.).

*So You Want to Have a Second Child? Second Child Bias and the Justification Suppression Model of Prejudice in Family Responsibilities Discrimination*, 61 BUFF. L. REV. 909 (2013).

*Colorado Court of Appeals Holds that Contingent Fee Recovered After Dissolution of Law Firm Is an Asset of the Firm*, DENVER UNIV. L. REV. ONLINE (April 2012).

*Toward Constitutional Recognition of the Lesbian-Headed Family*, 26 N.Y.U. REV. L. & SOC. CHANGE 245 (2001).

*Paths to Protection: A Comparison of Federal Protection Based on Disability and Sexual Orientation*, 6 WM. & MARY J. WOMEN & L. 323 (2000).

*Egging On Lesbian Maternity: The Legal Implications of Tri-Gametic In Vitro Fertilization*, 7 AM. U. J. OF GENDER, SOC. POL'Y & L. 431 (1999).

## ACADEMIC CONFERENCES

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### Panelist

*Relationships Between Religious Exemptions and Principles of Equality and Inclusion*, AALS Annual Conference, San Diego, CA, Jan. 6, 2018 (invited speaker).

*The Struggle After Obergefell: Beyond Marriage and Toward Recognition*, LatCrit XII, Orlando, FL, Sept. 29, 2017 (invited speaker).

*Fueling the Terrorist Fires: How Discrimination Against LGBT Americans in the Name of Religious Liberty Threatens National Security*, Junior Scholars Forum, National LGBT Bar Association Lavender Law Conference, Washington, D.C., Aug. 4, 2016.

*Obergefell and Indian Nations*, Indian Nations and Indigenous Peoples Section, AALS Annual Conference, New York, NY, Jan. 9, 2016.

*Marriage and Family Panel*, LatCrit 2015: Twentieth Anniversary Conference, Anaheim, CA, Oct. 3, 2015.

*Caregiving and Parenthood 2014*, University of Denver Law Review Symposium: Revisiting Sex: Gender & Sex Discrimination Fifty Years After the Civil Rights Act, Denver, CO, Jan. 31, 2014 (invited speaker).

*This Case Begins with the Constitution, and Ends with Our Children: Storytelling in School Finance Litigation*, Applied Legal Storytelling Conference, London, England, July 2013.

*Theory Meets Practice: A Conversation Among Litigators Representing Lesbian and Gay Parents and Academics Who Write About Their Legal Issues*, Washington College of Law, American University, Washington, D.C., 2003 (invited speaker).

## OTHER LEGAL AND PROFESSIONAL EMPLOYMENT

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### Reilly Pozner, LLP

Denver, CO

Partner

2002-2011

Managed complex commercial litigation cases. Researched and drafted pleadings on various civil issues, including mortgage loan repurchase litigation, school finance, real estate, oil and gas, Title IX, products liability, damages, contract, arbitration, and settlement. Participated in trial activities, including written discovery, depositions, witness preparation, motions *in limine*, bench briefs, and trials. Assumed leadership roles in the firm, including leading the firm's internal diversity and inclusiveness committee and representing the firm in diversity and inclusiveness efforts with outside organizations. Associate (2002-2008); Partner (2009-2011).

<p><b>Supreme Court of Colorado</b> Denver, CO <i>Law Clerk</i> 2001-2002</p>	<p>Law clerk to Justice Alex Martinez (now retired). Researched and wrote opinions and <i>certiorari</i> memoranda on various civil and criminal issues. Served as a bailiff for oral arguments.</p>
<p><b>20th Judicial District of Colorado</b> Boulder, CO <i>Law Clerk</i> 1999-2000</p>	<p>State trial court law clerk to Chief Judge Roxanne Bailin (now retired). Researched and wrote draft opinions, including orders on motions for summary judgment and motions to dismiss. Prepared legal memoranda on civil legal issues. Assisted at hearings and trials. During jury trials, served as bailiff.</p>
<p><b>Domestic Violence Clinic</b> Washington College of Law <i>Student Attorney</i> Spring 1999</p>	<p>Served as student attorney to victims of domestic violence seeking Temporary Protection Orders and Civil Protection Orders. Conducted client interviews and represented victims at civil hearings. Responsible for all aspects of client representation.</p>
<p><b>United States Attorney's Office</b> Washington, D.C. <i>Student Attorney</i> Fall 1998</p>	<p>Participated in all aspects of prosecuting domestic violence cases, including sole trial responsibility. Conducted status hearings, detention hearings, probation reviews, and witness interviews.</p>
<p><b>Legal Methods Program</b> Washington College of Law <i>Dean's Fellow</i> 1998-1999</p>	<p>Instructor of legal research and citation in first-year Legal Methods Program. Created and evaluated weekly research and citation assignments. Taught weekly lessons on legal citation and legal research techniques, tools, and sources.</p>
<p><b>Homeless Persons Representation Project</b> Baltimore, MD <i>Law Clerk</i> Summer 1998</p>	<p>Assisted homeless clients, as well as clients in imminent danger of becoming homeless, with legal issues, including landlord-tenant, public housing, divorce, child custody, public benefits, unemployment, and public utilities. Engaged in grassroots organizing and client representation and advocated for welfare recipients at many levels of the public assistance system. Conducted client intake and legal research.</p>
<p><b>National Center for Lesbian Rights</b> San Francisco, CA <i>Law Clerk</i> Summer 1997</p>	<p>Responsible for researching and preparing legal memoranda and appellate briefs on topics such as civil rights, employment, parenting and adoption, partnership protection, and youth issues. Participated in NCLR's Advice and Counseling Program.</p>

**Whitman-Walker  
Clinic**

Washington, D.C.

*Volunteer*

Spring 1997

Completed legal research and writing assignments in areas of HIV/AIDS law, the Americans with Disabilities Act, employment discrimination, and child custody and visitation.

**National  
Organization for  
Women**

Washington, D.C.

*Field Organizer* and

*Intern/Volunteer*

*Coordinator*

1994-1996

As Intern Coordinator, selected interns and ran the internship program: Placed interns with staff, planned educational and social activities. Attended university career and internship fairs as NOW representative. As Volunteer Coordinator, recruited, trained and managed daytime and evening volunteers. As Field Organizer, traveled to university campuses in preparation for the 1995 Rally for Women's Lives and the 1996 March to Fight the Right, including organized campus visits for NOW officers, conducted field organizing workshops with community members, served as resource for student and community organizers.

## **LAW SCHOOL AND COMMUNITY SERVICE**

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**Member**

Executive Committee, AALS Section on Sexual Orientation & Gender Identity Issues, 2018-present.

Educational Effectiveness Committee, Texas Tech University School of Law, 2016-present.

Diversity, Equity & Equal Opportunity Committee, Texas Tech University School of Law, 2015-present.

Judicial Clerkships Committee, Texas Tech University School of Law, 2015-present.

Curriculum Committee, University of Denver Sturm College of Law, 2013-2015.

Loan Repayment Assistance Program, University of Denver Sturm College of Law, 2013-2015.

Chief Justice Commission on the Legal Profession, 2013-2015.

Judicial Performance Commission for the Second Judicial District (Denver), 2014-2015.

Colorado Judicial Institute Board of Directors, 2014-2015.

Board of Directors, Children's Voices LLC, 2012-2015.

Board of Directors of the Center for Legal Inclusiveness, 2010-2011

Colorado LGBT Bar Association Board of Directors, 2010-2015; President 2014.

Board of Directors, LGBT Community Center of Colorado, 2013-2015.

Board of Directors, LGBT Community Center of Colorado, 2004-2010; Co-Chair of Board (2006-2008); Chair of Legal Services Committee (2005-2006).

**Chair**

Colorado Women's Bar Association, 2008-present.

Ad Hoc Committee on Law Reviews, University of Denver Sturm College of Law, 2012-2013.

Ad Hoc Committee on Faculty Practice and Consulting, University of Denver Sturm College of Law, 2013-2015.

Colorado Pledge to Diversity Legal Group, 2009-2011.

**Faculty Advisor**

Lavender Law Student Group, Texas Tech University School of Law, 2016-present.

OUTLaws Student Group, University of Denver Sturm College of Law, 2012-2015.

**Community Presentations**

Invited Presenter, *LGBT Civil Rights in the Post-Marriage Equality Era*, Diversity Research Spotlight Series, sponsored by the Texas Tech University Division of Diversity, Equity & Inclusion, Mar. 21, 2018.

Invited Presenter, *LGBTQ Issues & Title IX*, Texas Tech University Pride Week, Lubbock, TX, Oct. 10, 2017.

Invited Co-Presenter, *Navigating Laws and Regulations Impacting LGBTQIA People and Texas Tech University System*, Texas Tech System Attorneys' Meeting, Lubbock, TX, Aug. 29, 2017.

Invited CLE panelist, *Religion as Sword or Shield? Tensions over LGBT Rights and Religious Exemption*, ABA Section of Litigation Inaugural LGBT Forum, San Francisco, CA, May 2, 2017.

Invited CLE presenter, *Supreme Court Preview: SCOTUS in the Trump Era*, South Plains Trial Lawyers' Association, Lubbock, TX, Feb. 15, 2017.

Co-Coordinator of public film series entitled *Lights, Action, Law*, Alamo Drafthouse, Lubbock Texas, Spring 2017-present.

Panel Moderator following of the documentary *Matt Shepard is a Friend of Mine*, Texas Tech University School of Law, Oct. 18, 2016.

Panel Moderator following screening of the documentary *Southwest of Salem*, Alamo Draffhouse, Lubbock, Texas, Sept. 5, 2016.

Lecture, *Ramifications of Obergefell v. Hodges*, Texas Tech University School of Law, Oct. 20, 2015.

## UNITED STATES SUPREME COURT BRIEFS

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*Masterpiece Cakeshop v. Colorado Civil Rights Commission*, Case No. 16-111, Brief of Amicus Curiae Legal Scholars in Support of Equality in Support of Petitioners, October 20, 2017.

*Obergefell v. Hodges*, Case Nos. 14-556; 14-562; 14-571; 14-574, Brief of Amicus Curiae BiLaw, in Support of Petitioners, March 3, 2015 (co-authored with Nancy Marcus, Toby Phoebe Adams, Naomi Mezey, Ann Tweedy, Diana Adams, and Jodi Argentino) (cited in *Roberts v. United Parcel Service*, 2015 WL 4509994 (E.D.N.Y. 2015)).

*United States v. Windsor*, Case No. 12-307, Brief for Amici Curiae Scholars of the Constitutional Rights of Children in Support of Respondent, March 1, 2013 (co-authored with Susannah Pollvogt, Catherine Smith, and Tanya Washington).

## MEDIA APPEARANCES

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**KPCC Radio** One of two invited guests to appear live on the Los Angeles NPR affiliate program *AirTalk with Larry Mantle* to discuss the U.S. Supreme Court opinion in *Masterpiece Cakeshop v. Colorado Civil Rights Commission*, June 4, 2018.

**Law 360** Interviewed for and quoted in article regarding the Texas Supreme Court's decision in *Pidgeon v. Turner*, June 30, 2017. Available at <https://www.law360.com/articles/941193/houston-ruling-no-invitation-to-alter-same-sex-benefits>

**Fox 34 News  
Lubbock, TX** Interview regarding the Texas Supreme Court's decision in *Pidgeon v. Turner*, June 30, 2017. Available at <http://www.fox34.com/story/35792794/texas-supreme-court-questions-right-of-benefits-for-gay-spouses>

Interview regarding LGBT equality in Lubbock in light of the mass shooting at an LGBT nightclub in Orlando, FL, June 15, 2016.

Available at <http://www.fox34.com/story/32233232/lgbt-citizens-say-lubbock-is-not-inclusive>

Interview regarding the firing of the Baylor University football coach amid allegations of Title IX violations, May 26, 2016. Available at <http://www.fox34.com/story/32078118/local-baylor-alums-say-students-not-football-should-be-top-priority>

Interview regarding the Department of Justice and Department of Education Guidance Letter on Title IX and transgender students, May 24, 2016. Available at <http://www.fox34.com/story/32045314/public-schools-could-lose-billions-in-transgender-bathroom-regulation>

Interview regarding the Department of Justice and Department of Education Guidance Letter on Title IX and transgender students, May 13, 2016. Available at <http://www.fox34.com/story/31972077/fed-government-releases-guidelines-for-accommodating-transgenders-in-schools>

**Colorado Public  
Radio**

Interview regarding *Obergefell v. Hodges*, the marriage equality opinion from the United States Supreme Court, Nov. 3, 2015. Available at <http://www.fox34.com/story/30311372/marriage-equality-leads-to-bigger-discussion>

Interview regarding the opinions in the marriage equality cases from the Tenth Circuit Court of Appeals, June 25, 2014. (Picked up by National Public Radio.)

Interview regarding the marriage equality cases in the Tenth Circuit Court of Appeals, April 21, 2014. (Picked up by National Public Radio.)

## **RECOGNITION**

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AV® Rated by Martindale Hubbell®

Barrister of the Year, GLBT Community Center of Colorado (2012)

Rising Star by Colorado Super Lawyers® Magazine (2010, 2011)

Colorado Future Star by Benchmark Litigation (2010)

Nominee, CenturyLink Diversity Trailblazer Award (2011)

## **LICENSES TO PRACTICE LAW**

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**Colorado**                      October, 1999

**New York**                      July, 2010