

KYLE C. VELTE

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EDUCATION

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

University of Kansas School of Law <i>Associate Professor</i> Fall 2018-present	Torts, Evidence, Employment Discrimination, and Sexual Orientation & the Law.
Texas Tech University School of Law <i>Visiting Assistant Professor</i> 2015-2018	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.
University of Denver Sturm College of Law <i>Lecturer</i> 2011-2015	Civil Procedure, Conflict of Laws, Sexual Orientation & the Law.
University of Denver Sturm College of Law <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

Works in Progress *Challenging Abstinence-Only Sex Ed Under Title IX*

Publications

Marketing LGBTQ

Sex Education for Judges

Recovering the Race Analogy in LGBT Religious Exemption Cases, 42 CARDOZO L. REV. ___ (forthcoming 2020).

Postponement as Precedent, 29 S. CAL. REV. L. & SOC. JUST. 1 (Winter 2019).

From the Mattachine Society to Megan Rapinoe: Tracing the Conformist/Visionary Divide in the LGBTQ-Rights Movement to Anticipate Future Gains, 54 U. RICH. L. REV. 799 (2020) (invited symposium piece).

Straightwashing the Census, 61 B.C. L. REV. 69 (2020).

Mitigating the “LGBT Disconnect”: Title IX’s Protection of Transgender Students, Birth Certificate Correction Statutes, and the Transformative Potential of Connecting the Two, 27 AM. U. J. GENDER SOC. POL’Y & L. 29 (2019).

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 & PRESENTATIONS

**Panelist
or
Speaker**

Recovering the Race Analogy in LGBT Religious Exemption Cases

- University of Oregon School of Law Faculty Colloquium, Feb. 3, 2020 (speaker).
- University of Kansas Gender Seminar, Feb. 6, 2020 (invited speaker).
- University of Kansas Red Hot Research No. 60: Queer Research, Feb. 7, 2020 (invited speaker).
- LatCrit, Atlanta, GA, Oct. 18, 2020.

New Voices in Sexual Orientation and Gender Identity Law, AALS Annual Conference, Washington, D.C., Jan. 4, 2020 (commentator on a junior scholar's paper).

Title VII Supreme Court Panel, hosted by KU OUTLaws & Allies, University of Kansas School of Law, Oct. 24, 2019 (panelist).

Straightwashing the Census, Texas Tech University School of Law, October 14, 2020 (invited speaker).

LatCrit, Inc./SALT Annual Faculty Development Workshop, Panelist: *Perspectives on the Job Market*, Atlanta, GA, Oct. 17, 2019.

From the Mattachine Society to Megan Rapinoe: Tracing the Conformist/Visionary Divide in the LGBTQ-Rights Movement to Anticipate Future Gains, University of Richmond Law Review, 2019 Symposium: *Commemorating the Fiftieth Anniversary of the Stonewall Riots: Reflecting on the Rise and Evolution of LGBTQ Activism and Rights in the Law* (invited speaker; October 2019).

Postponement as Precedent

- University of New Mexico School of Law Faculty Colloquium, Albuquerque, NM, April 10, 2019 (speaker).
- Drake University Law School Faculty Colloquium, Des Moines, IA, May 2, 2019 (speaker).

New Voices in Sexual Orientation and Gender Identity Law, AALS Annual Conference, New Orleans, LA, Jan. 5, 2019 (invited panelist).

Evidence/Objections/Responses: Training for Issue Spotting, Recognition, Reinforcement, and Tried-True-and-Tested Methods for Teaching Evidence for Jury Trials and Trial Advocacy Competition, 2018 Education Advocacy Trainers: Jury Trial Skills & Insights, EATS Regional Conference, Kansas City, MO, Dec. 8, 2018 (invited panelist).

Straightwashing the Census

- Washburn University School of Law Faculty Colloquium, Topeka, KS, Nov. 6, 2018 (speaker).
- ClassCrits XI Conference, Morgantown, WV, Nov. 2, 2018 (selected speaker).
- University of Missouri School of Law Faculty Colloquium, Columbia, MO, Oct. 11, 2018 (speaker).
- Chicagoland Junior Scholars Conference, Chicago, IL, Oct. 5, 2018 (speaker).

Postponement as Precedent, Central States Law Schools Association 2018 Scholarship Conference, Ft. Worth, TX, Oct. 13, 2018 (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

Reilly Pozner, LLP 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).
Denver, CO
Partner
2002-2011

Supreme Court of Colorado Law clerk to Justice Alex Martinez (now retired). Researched and wrote opinions and *certiorari* memoranda on various civil and criminal issues. Served as a bailiff for oral arguments.
Denver, CO
Law Clerk
2001-2002

20th Judicial District of Colorado 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.
Boulder, CO
Law Clerk
1999-2000

Domestic Violence Clinic 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.
Washington College of Law
Student Attorney
Spring 1999

- United States Attorney's Office**
Washington, D.C.
Student Attorney
Fall 1998
- Participated in all aspects of prosecuting domestic violence cases, including sole trial responsibility. Conducted status hearings, detention hearings, probation reviews, and witness interviews.
- Legal Methods Program**
Washington College of Law
Dean's Fellow
1998-1999
- 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.
- Homeless Persons Representation Project**
Baltimore, MD
Law Clerk
Summer 1998
- 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.
- National Center for Lesbian Rights**
San Francisco, CA
Law Clerk
Summer 1997
- 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.
- 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

Member

SALT/LatCrit, Inc., co-chair of Faculty Development Workshop planning.

Student Evaluation of Teaching Task Force, University of Kansas, March 2020-present.

Faculty Consultant Network, Center for Teaching Excellence, University of Kansas, July 2020-present.

Law School Ambassador to the Center for Teaching Excellence, University of Kansas, Sept. 2019-present.

Central States Law School Association (Secretary), Sept. 2019-present.

AALS Committee on Arc of Career Programs (invited by incoming AALS President to serve a three-year term), Jan. 1, 2020-Dec. 31, 2022.

Appointments Committee, University of Kansas School of Law, fall 2019.

LatCrit, Inc./SALT Annual Faculty Development Workshop, organizing committee member, fall 2019 and fall 2020.

Diversity, Equity & Inclusion Committee, University of Kansas School of Law, fall 2019-present.

Judicial Clerkship Committee, University of Kansas School of Law, fall 2019-present.

Diversity Scholars Program (selected via university-wide application process), Spring 2019.

Faculty Workshops and Lectureships Committee, University of Kansas School of Law, fall 2018-present.

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

Educational Effectiveness Committee, Texas Tech University School of Law, 2016-2018.

Diversity, Equity & Equal Opportunity Committee, Texas Tech University School of Law, 2015-2018.

Judicial Clerkships Committee, Texas Tech University School of Law, 2015-2018.

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).

Colorado Women's Bar Association, 2008-present.

Chair

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

OUTLaws & Allies Student Group, University of Kansas School of Law, fall 2019-present.

OULaws Student Group, Texas Tech University School of Law, 2016-2018.

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

Community Presentations

Invited CLE Panelist, *Unfit to Serve: Conversations on the Trans Military Ban*, KC LEGAL, July 21, 2020.

Invited speaker, Webinar: *Protecting Transgender Students' Title IX Rights*, ACPA (American College Personnel Association), March 20, 2020.

Invited CLE Panelist, *The Kansas Adoption Protection Act: Religious Liberty, Discrimination or Compromise?*, Fifth Annual Law & Religious Freedom Conference, University of Missouri-Kansas City School of Law, May 30, 2019.

Invited Speaker, University of Kansas Queer Talks Series; presented on *LGBTQ+ Rights in the Trump Era*, University of Kansas, Lawrence, KS Feb. 28, 2019.

Invited Panelist, *Masterpiece Cakeshop Panel*, Federal Bar Association Civil Rights CLE, Kansas City, KS, Feb. 15, 2019.

Invited Panelist, *Masterpiece Cakeshop and Its Impact on Kansas*, Kansas Bar Association CLE, Topeka, KS, Sept. 28, 2018.

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 Drafthouse, 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

Fulton v. City of Philadelphia, Case No. 19-123, Brief of Amicus Curiae Legal Scholars in Support of Equality in Support of Respondents, August 18, 2020.

R.G. & G.R. Harris Funeral Homes, Inc. v. Equal Employment Opportunity Commission, Case No. 18-107, Brief of Law & History Professors as Amici Curiae in Support of Respondent Amiee Stephens, July 3, 2019 (coauthored).

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 (sole author).

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 (coauthored) (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 (coauthored).

MEDIA APPEARANCES

Print and Online Media

Quoted in Robert Iafolla, *New Sex-and-Age Bias Ruling Signals Reach of LGBT Worker Case*, Bloomberg Law News (July 27, 2020).

Quoted in NJ.com article, *The Government Doesn't Know Much About LGBTQ People. Here's What We Know About N.J.*, Feb. 20, 2020.

Quoted in Hays Post (KS) article, *Kan. Schools Protect LGBTQ Students as Experts Dismiss Lawsuit Concerns*, Dec. 25, 2019.

Quoted in the ABA Journal article *Judges Who Wed Couples Can't Refuse Same-Sex Unions, ABA Ethics Opinion Says*, April 1, 2019.

Quoted in the Christian Science Monitor article *Across US, Trans Rights Makes Election Gains Even as White House Pushes Back*, Nov. 16, 2018.

Quoted in a Law360 article regarding the Texas Supreme Court's decision in *Pidgeon v. Turner*, June 30, 2017.

Radio

Invited to appear live on KCUR, the Kansas City, MO, NPR affiliate program *Central Standard* to discuss Title IX's protection of transgender students, March 2, 2020.

One of two invited guests to appear live on the Kansas City, MO, NPR affiliate program *Up to Date* to discuss U.S. Supreme Court Justice nominee Brent Kavanaugh, Sept. 20, 2018.

One of two invited guests to appear live on KPCC, 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.

Colorado Public Radio, 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.)

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

Television

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>

Fox 34 News, Lubbock, TX, interview regarding 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>

Fox 34 News, Lubbock, TX, 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>

Fox 34 News, Lubbock, TX, 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>

Fox 34 News, Lubbock, TX, 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>

Fox 34 News, Lubbock, TX, 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>

RECOGNITION

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

Colorado October, 1999

New York July, 2010