

MARK TOTTEN
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EDUCATION

J.D., Yale Law School, 2006
Ph.D., M.A., Ethics, Yale University, 2006/1999
B.A., Cedarville College, 1996

PROFESSIONAL EXPERIENCE

Michigan State University College of Law, East Lansing, Mich. 2008-present
Associate professor. Teach in the areas of criminal law, criminal procedure, federal and state constitutional law, and ethics. Recent scholarly research has focused on the role of enforcement in consumer protection.

Office of the Genesee County Prosecutor, Flint, Mich. 2016-2017
Special prosecutor. Served under Genesee County Prosecutor David Leyton to investigate the Flint Water Crisis and review possible legal strategies.

U.S. Attorney's Office – Western District of Michigan, Grand Rapids, Mich. 2011-2013
Special Assistant U.S. Attorney. Briefed and argued numerous cases before the U.S. Court of Appeals for the Sixth Circuit involving predatory lending, child exploitation, domestic violence, homicide, drug crimes, and gun crimes.

Judge Thomas Griffith, U.S. Court of Appeals for the D.C. Circuit
Washington, D.C. 2007-2008
Law clerk. Researched a variety of statutory and constitutional issues, including several national security matters. Assisted in the drafting of opinions.

U.S. Department of Justice, Civil Appellate Staff 2006-2007
Staff attorney. Wrote appellate briefs and other motions for various U.S. courts of appeals and the Supreme Court, presented oral argument, and coordinated litigation with federal agencies on a variety of constitutional and statutory issues.

Indonesian Human and Environmental Health Project 2005-2011
Founding board member and legal counsel for a 501(c)(3) organization that is building a hospital in West Kalimantan, Indonesia to provide critical medical care and to protect the rainforest by creating local economic incentives for preservation.

SCHOLARLY PUBLICATIONS AND WORKS IN PROGRESS

Prentiss Cox, Amy Widman, & Mark Totten, *Strategies of Public UDAP Enforcement* (submitted for publication on Feb. 24, 2017).

The Enforcers & the Great Recession, 36 CARDOZO L. REV. 1611 (2015).

Credit Reform and the States: The Vital Role of Attorneys General After Dodd-Frank, 99 IOWA L. REV. 115 (2013).

FIRST STRIKE: AMERICA, TERRORISM, AND MORAL TRADITION (Yale University Press 2010).

Nahed Artoul Zehr, *Moral Landscapes and Ethical Vistas: American Responses to the War on Terror*, 41 J. RELIG. ETHICS 514 (reviewing Mark Totten, FIRST STRIKE: AMERICA, TERRORISM, AND MORAL TRADITION (2010)).

John D. Carlson, Book Review, 80 J. Am. Acad. Relig. (2012) (reviewing Mark Totten, FIRST STRIKE: AMERICA, TERRORISM, AND MORAL TRADITION (2010)).

Cian O'Driscoll, *Under an Empty Sky? Bruce Springsteen, Just War and the War on Terror*, 4 CRIT. STUD. TERRORISM 283 (2011) (reviewing Mark Totten, FIRST STRIKE: AMERICA, TERRORISM, AND MORAL TRADITION (2010)).

Using Force First: Moral Tradition and the Case for Revision, 43 STAN. J. INT'L L. 95 (2007).

The Politics of Faith: Rethinking the Prohibition on Political Intervention, 18 STAN. L. & POLICY REVIEW 298 (2007).

OTHER PUBLICATIONS

Bill Schuette failed consumers as Michigan Attorney General, BRIDGE MAGAZINE, Jan. 9, 2018.

With CFPB in Limbo, States Take the Reins for Consumer Rights, THE HILL, Dec. 18, 2017.

Bias Against LGBT is on basis of "sex", DETROIT NEWS, Nov 24, 2017 (with Eli Savit and Prof. Sam Bagenstos).

The Rise of State Attorneys General a Boon to Democracy, THE HILL, July 6, 2017.

The Key to Protecting Consumers, U.S. NEWS & WORLD REPORT, May 12, 2017.

Better AG Disclosure Is Better For Us All (with former Michigan Attorney General Frank Kelley), DETROIT FREE PRESS, Jan. 4, 2015.

Michigan Needs a Law that Protects Consumers (with Rep. Sam Singh), DETROIT FREE PRESS, March 1, 2014.

State Should Clarify an Email Policy for Michigan Policies, LANSING STATE JOURNAL, April 28, 2013.

Michigan Must Renounce Drug-Maker Immunity Law, DETROIT FREE PRESS, April 8, 2013.

The Pursuit of Justice Blocked by Party Politics, DETROIT FREE PRESS, Nov. 17, 2012.

Federal Oversight of Credit Bureaus Good 1st Step, DETROIT FREE PRESS, July 19, 2012.

Shameless Politics Blocks Naming of Financial Protection Leader, DETROIT FREE PRESS, Dec. 8, 2011.

CONFERENCES AND PRESENTATIONS

“Strategies of Public UDAP Enforcement,” Marquette University Law School, Milwaukee, Wis., Feb. 21, 2017.

“Strategies of Public UDAP Enforcement,” University of Minnesota Law School, Minneapolis, Minn., Jan. 19, 2017.

“The Enforcers & The Great Recession,” Michigan State University College of Law Faculty Workshop, East Lansing, Mich., Jan. 29, 2014.

“Credit Reform and the States: The Vital Role of Attorneys General After Dodd-Frank,” Maryland Francis King Carey School of Law Junior Faculty Exchange in January, University of Maryland, Baltimore, Md., Jan. 22, 2013.

“Preemptive/Preventive Force: The Intersection of Moral and Legal Traditions,” “Is There a War on Terror?” Michigan State University College of Law, East Lansing, Mich., Feb. 19, 2010.

Panelist on issue of tax-exempt houses of worship and electoral politics, “Voices and Votes: Religious Convictions in the Public Square,” Yale Divinity School, New Haven, Conn., Fall 2006.

“Yale Symposium on Religion and the Judiciary,” Yale Law School, New Haven, Conn., Fall 2005 (Organized event with several state and federal judges exploring the intersection of faith and the judicial task, moderated by Professor Stephen Carter).

COURSES TAUGHT

Criminal Law
Criminal Procedure: Investigation
Criminal Procedure: Adjudication
Constitutional Law I
State Constitutional Law
National Security Law
Lawyers & Ethics (designed curriculum)

INSTITUTIONAL SERVICE

Career Services Committee, Chair (2015-2016, 2016-2017, 2017-2018)
Appointments Committee (2013-2014)
University Faculty Committee on Tenure (2013)
Self-Study Committee (2012-2013)
Ad Hoc Committee on Student Evaluations (2011-2013)
Curriculum Committee (2011-2012)
Programs Committee (2008-2010)

AWARDS AND AFFILIATIONS

Frank J. Kelley Consumer Advocacy Award, 2015
Visiting Scholar, George Washington University Law School, 2006-2007
Fellow, Yale Center for Faith and Culture, 2006-present
Heyman Fellowship for Federal Public Service (Dept. of Justice, Civil Appellate), 2006-2007
Pew Charitable Trusts Fellowship (for scholarship in religion and ethics), 1999-2003
Archibald High Scholarship Prize (Yale University, for highest GPA), 1999
Rotary Ambassadorial Scholarship (Univ. of Aberdeen, Scotland), 1996-1997

BAR ADMISSIONS

State of Michigan
United States Court of Appeals for the D.C. Circuit
United States Court of Appeals for the Sixth Circuit
United States District Court for the Eastern District of Michigan
United States District Court for the Western District of Michigan