

Curriculum Vitae

Peter S. Kierst **Department of Political Science**

Educational History:

BAFA (Theatre Arts), University of New Mexico, 1977
MA (Political Science), University of New Mexico, 1980
JD, University of New Mexico, 1984

Employment History:

Research Director, Governor's Commission on Higher Education (1983)

- Conducted and coordinated research for Commission examining current status and future needs of New Mexico's higher education system, with particular emphasis on how to measure success of that system; wrote initial draft of Commission's report.

Assistant Attorney General, November 5, 1984-April 1, 1986, Office of the Attorney General, Post Office Drawer 1508, Santa Fe, New Mexico 87504

- Represented the State in criminal appeals; advised the Governor's Office regarding extraditions

Assistant Public Defender, April 2, 1986-September 30, 1987, Public Defender's Office, 200 Second Street NW, Albuquerque, New Mexico 87102

- Represented indigent criminal defendants; scores of trials including one that lasted four weeks

Attorney, October 1, 1987-June 30, 1991, Bruce E. Pasternack, P.C., 700 Lomas NE, Albuquerque, New Mexico 87102

- One of a three-lawyer office engaged in an active civil litigation practice for both plaintiffs and defendants; litigated one of the first sexual abuse cases in New Mexico, against a psychologist and the hospital where he worked, resulting in a major settlement and a criminal conviction.

Lecturer (part-time, occasional), 1988-2005, University of New Mexico, Department of Political Science

- Taught American Politics, Civil Rights Law and Policy, Constitutional Law various semesters from 1988-2001, thereafter regularly taught Constitutional Law in the Fall and Spring semesters, and Law and the Political Community in the Summer session.

Attorney and Shareholder, July 1, 1991-June 20, 2005, Eaves, Bardacke, Baugh, Kierst and Larson, P.A., 6565 Americas Parkway NE Suite 950, Albuquerque, New Mexico 87110

- Represented a wide variety of clients in complex civil litigation matters; represented state officials, including three Governors of New Mexico in litigation over constitutional matters; had sole or “first chair” responsibility for such matters including all aspects of client relationship, litigation strategy, legal research, writing, discovery, and motions practice; appeared in front of the district courts, Court of Appeals and Supreme Court of New Mexico, and the United States district court, and the Tenth Circuit Court of Appeals

Adjunct Professor of Law, Fall 1992-Spring 2004, University of New Mexico, School of Law

- This was a part-time volunteer position in which I, along with a number of other lawyers and judges, taught Evidence and Trial Practice to second and third year law students by conducting exercises in courtroom skills and application of the Rules of Evidence to real-life situations

Attorney (of Counsel), June 20, 2005-January 30, 2014, Sutin, Thayer, and Browne, PC, 6565 Americas Parkway NE, Suite 1000, Albuquerque, New Mexico 87102

- Served as Lead Counsel for plaintiffs in Griego v. Oliver, the case that established the right of same sex couples in New Mexico to marry, represented the Governor of New Mexico in response to federal grand jury subpoenas and related constitutional issues, the State Engineer in litigation over separation of powers issues, and assisted in representing firm’s clients in a variety of matters.

Principal Lecturer in Constitutional Law, August 2005-date, University of New Mexico, Department of Political Science

- Teach a series of four upper division undergraduate courses in Constitutional Law and theory, and the Department’s introductory-level course: The Political World
- Serve as Undergraduate Advisor for the Department, meeting scores of students each semester to review the requirements of the major and minor, and assist them in completing the necessary requirements. Also in this capacity, I have worked on course assessments, and the Undergraduate Committee for scholarship awards
- Fall 2017-date also serve as Pre-Law Advisor for College of Arts and Sciences

Professional Recognition, Honors

- American Civil Liberties Union “Guardian of Liberty” Award for work on marriage equality litigation (2013)
- AV Rating, Martindale-Hubbell (2005-date) (this is the highest possible rating for a lawyer, measuring both professional skill and ethical conduct, and is issued by the preeminent lawyer-rating service)
- New Mexico Bar Zenith Award (2008) for excellence in teaching professionalism
- Vivian Vance Award for Outstanding Contribution, Albuquerque Little Theatre (2007)
- Mortar Board Society, Maia Chapter, Faculty Recognition Award (2007)
- Order of Omega, Exceptional Instruction Award (2008)

Short Narrative Description of Teaching, Research and Service Interests.

My interest is helping students understand and think critically about the representative democratic form of government in general, and the Constitution of the United States in particular. As George Washington said, "In a republic, what species of knowledge can be equally important? And what duty more pressing than communicating it to those who are to be the future guardians of the liberties of the country?" Self-government, particularly in difficult times, demands an educated citizenry, alert to the responsibilities inherent in a representative democracy and armed with a deep and accurate understanding of its principles.

This interest shapes my teaching in the introductory class, as well as in the upper division constitutional law classes. At the introductory level, my goal is to orient the students to the political world, the various forms of governance employed in it, and what governments do. To equip them, in short, with a vocabulary of politics so they can understand current events better, and go on to more advanced study. At the upper division, my goal is to arm students with accurate and in-depth information about constitutional government, and to help train them in critical thinking about that information so they can do their jobs in a free society.

I am certain my students understand my belief in the essential worth of the Constitution's values, but I emphasize to them that they, as free people, are at liberty to accept or reject those values as they see fit, and to determine for themselves how well we are preserving those values, and how best to do that in the future. My job is not answer all those questions for them---I would not even if I could---but to help equip them with information and analytical skills so that they can answer them for themselves.

As to research, Constitutional Law is very dynamic and I am constantly reading and assessing the developments in the law in order to keep my classes current.

My service work is focused on being the department's Undergraduate Advisor. I know from my own experience, and my daughter's college experience, how valuable an informed and sympathetic advisor can be to an undergraduate. In addition, I value the work I do with the Undergraduate Committee, particularly in the thoughtful allocation of scholarship funds. Additionally, I make as many television and radio appearances as I am asked to do in order to serve the public at large with accurate information about constitutional issues.

Teaching Achievements:

Classroom Teaching:

Spring 2017	POLS 110	The Political World	60
Spring 2017	POLS 316	Constitutional Law-Liberties	39
Spring 2017	POLS 317	Constitutional Law-Rights	60
Fall 2016	POLS 110	The Political World	66
Fall 2016	POLS 300	T: Constitution & How It Got That Way	53
Fall 2016	POLS 315	Constitutional Law-Powers	59
Summer 2016	POLS 300	T: Powers of the Presidency	32
Summer 2016	POLS 303	Law in the Political Community	16

Spring 2016	POLS 110	The Political World	67
Spring 2016	POLS 316	Constitutional Law-Liberties	52
Spring 2016	POLS 317	Constitutional Law-Rights	53
Fall 2015	POLS 110	The Political World	81
Fall 2015	POLS 300	T: Constitution & Dem Theory	56
Fall 2015	POLS 315	Constitutional Law-Powers	49
Summer 2015	POLS 303	Law in the Political Community	15
Summer 2015	POLS300	T: Powers of the Presidency	24
Spring 2015	POLS 110	The Political World	68
Spring 2015	POLS 316	Constitutional Law-Liberties	58
Spring 2015	POLS 317	Constitutional Law-Rights	46
Fall 2014	POLS 110	The Political World	90
Fall 2104	POLS 300	Constitution & Religion	60
Fall 2104	POLS 315	Constitutional Law-Powers	60
Summer 2014	POLS 300	T: Powers of the Presidency	14
Summer 2014	POLS 303	Law in the Political Community	16
Spring 2014	POLS 110	The Political World	79
Spring 2014	POS 316	Constitutional Law-Liberties	37
Spring 2014	POLS 317	Constitutional Law-Rights	56
Fall 2013	POLS 110	The Political World	113
Fall 2013	POLS 300	Constitution & War on Terror	54
Fall 2013	POLS 315	Constitutional Law-Powers	56
Summer 2013	POLS 300	T: Powers of the Presidency	17
Summer 2013	POLS 303	Law in the Political Community	15
Spring 2013	POLS 110	The Political World	67
Spring 2013	POLS 316	Constitutional Law-Liberties	44
Spring 2013	POLS 317	Constitutional Law-Rights	59
Fall 2012	POLS 110	The Political World	107
Fall 2012	POLS 300	T: Constitution & Dem Theory	43
Fall 2012	POLS 315	Constitutional Law-Powers	65
Summer 2012	POLS 303	Law in the Political Community	17
Summer 2012	POLS 499	Independent Study	
Spring 2012	POLS 110	The Political World	104

Spring 2012	POLS 316	Constitutional Law-Liberties	62
Spring 2012	POLS 317	Constitutional Law-Rights	60

Undergraduate Student Mentoring:

As Undergraduate Advisor for the Department, I have informally mentored hundreds of majors and minors as they progressed towards their degrees. This also includes the many, many students whom I have advised and counseled during and after the process of applying to and attending law school. I estimate this number, conservatively, at 100 over the past 5 years. I have voluminous notes, both hand written and by email, of these consultations but these would be far too burdensome to attach.

In addition I supervised students in numerous Independent Study projects over the past several years. I do not have a complete record of all of these, but the following is a representative sample:

Fall 2012: John P. Valdez, research project on Presidential signing statements and the Constitutional doctrine of separation of powers.

Spring 2013: Jamison Shekter research project on privacy and electronic communications

Fall 2014: Brandon Hajny research project on George Washington and the establishment of the presidency

In 2015, I was primary supervisor and first reader of a student's departmental honors thesis.

Curriculum Development or Teaching Administrative Positions:

Spring 2006: developed and taught a new course in American Political Theory

Fall 2008: developed and taught a new course entitled "The Constitution and Democratic Theory." I have subsequently taught this class five more times, have significantly revised and updated it (and changed the title to "The Constitution and How It Got That Way).

Spring 2008: developed and taught a new course entitled "Constitution Writing" which examined current issues in constitutional law and politics, examined the need, if any, for constitutional amendments to address those, and drafted and debated such amendments.

Fall 2013: developed and taught a new course entitled "The Constitution and the War on Terror" which examined the constitutional issues posed by the ongoing struggle with international terrorism, and the attendant concerns with executive powers.

Summer 2013: developed and taught a new course entitled "The Powers of the Presidency" which examines the origins, development and constitutional issues arising out of presidential power. I continue to revise and teach this class every summer.

Fall 2014: developed and taught a new course entitled "The Constitution, Religion and American Politics" which examines the Constitution's understandings of the role of religion in politics, and how that role has changed over time.

Fall 2017: am currently doing research for a course I will teach next fall entitled "The Constitution, Money and American Politics" which will examine the constitutional law surrounding raising and spending money on campaigns, the problems posed by this spending

and whether any constitutional resolution is either possible or advisable.

2005-date. Undergraduate Advisor: advise majors and minors on completion of the department's requirements, approve and classify transfers of courses from other colleges and universities, and provide guidance and direction as requested as students make their way through the undergraduate process. I see hundreds of students every year in my office. I developed carbonless versions of the "Plan of Study for the Major/Minor" forms the department uses so that the student and I both had a record of our conversation, and the student's progress towards completion of the degree requirements on the date we met. The form is then available to the student and me for future consultation. This was a simple move, but it has eliminated much doubt and confusion. I have adopted policies designed to get the students into my office as early in the process as possible, so that we can get them on a good track towards timely completion of the degree.

Moreover I work closely with the Arts and Sciences advisement staff on matters related to Political Science majors.

Service:

University Service

2005-date: Member, department Undergraduate Committee: develop departmental policies regarding the completion of the major and the minor, prepare the undergraduate assessment program, and award the department's scholarship funds.

2012-date: Second reader on five departmental honors theses.

2006, 2011, 2013 and 2015: Presented different talks about aspects of the Constitution at the Student Union as part of the University's observance of Constitution Day.

2013-2015: sponsor of the College Republicans, and the Lacrosse team.

2014: I gave a talk and answered questions at the Student Union regarding the Griego v. Oliver marriage equality case.

2016-date: Member of the Educator Preparation Council.

2016: I gave interviews to 3 local radio and television stations in spring regarding Senate opposition to President Obama's nominee to the Supreme Court. In November, following the election, I gave 2 interviews and appeared on Scott Stigler's KKOB radio call in show to discuss the Electoral College and the results of the presidential election.

Community Service

1981-83: Artistic Director, The Vortex Theatre

1996-2002: Member, Board of Directors, Cuidando los Ninos (a non profit social service agency that provides day care and other support services to homeless people)

2003-2004: Member Board of Directors, Very Special Arts New Mexico

2002-2005: Member and President, Board of Directors, Albuquerque Little Theatre

2005-2006: Artistic Director, Albuquerque Little Theatre

2009: Founding contributor, Southwest Women's Law Center

2013-2014: Political Director, Kerry Kiernan for New Mexico Court of Appeals

2015-date: Member, Board of Directors, The Vortex Theatre

Additionally, when I had an active license to practice law I served in a number of Bar-related committees, service projects and so on.

Scholarly Achievements:

Books Authored or Co-authored:

Chapter in Edited Volume:

“Law and the Courts” in Governing New Mexico (formerly titled “The Judicial System in New Mexico Government), ed. F. Chris Garcia, Paul Hain, Gilbert St. Clair and Kim Seckler, UNM Press (3rd ed. revised 2006), pp.127-144.

Books Edited or Co-edited: N/A

Articles in Refereed Journals: N/A

Articles Appearing in Chapters in Edited Volumes: N/A

Other Writings: N/A

Works in Progress: N/A

Invited or Refereed Abstracts and/or Presentations at Professional Meetings: N/A

Contributed (un-refereed) Abstracts and/or Oral Presentations at Professional Meetings: N/A

Research Funding: N/A

Pending Research Funding: N/A

