

CURRICULUM VITAE
University of Idaho

NAME: Aliza Plener Cover

DATE: March 15, 2019

RANK OR TITLE: Associate Professor of Law

DEPARTMENT: College of Law

OFFICE LOCATION AND CAMPUS ZIP:

College of Law
University of Idaho
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DATE OF FIRST EMPLOYMENT AT UI: August 2014

DATE OF TENURE: August 2018

DATE OF PRESENT RANK OR TITLE: August 2014

EDUCATION BEYOND HIGH SCHOOL:

Degrees:

J.D., Yale Law School, New Haven, CT, 2008

Yale Law Journal, Public Editor
Immigration Legal Services Clinic, Supervising Student Director
Yale Human Rights and Development Law Journal, Editor
Rebellious Lawyering Conference, Co-Director

B.A., Yale College, New Haven, CT, 2003, English

Magna cum laude
Departmental Honors in English
Phi Beta Kappa
Lloyd Mifflin Prize for General Excellence: Senior Essay in English or American Literature

Certificates and Licenses:

Member of the State Bar of Louisiana (active 2010 – 2014; inactive 2014 – present)

EXPERIENCE:

Teaching Appointments:

University of Idaho College of Law
Associate Professor (2014 – present)

Loyola University New Orleans College of Law, New Orleans, Louisiana
Westerfield Fellow (2012 – 2014)

Non-Academic Employment:

Louisiana Capital Assistance Center, New Orleans, Louisiana
Junior Staff Attorney (2009 – 2011) (admitted to practice 2010)

Hon. Stephen Reinhardt, United States Ninth Circuit Court of Appeals, Los Angeles, California
Law Clerk (2008 – 2009)

Lawyers' Committee For Civil Rights of the San Francisco Bay Area, San Francisco, California
Legal Intern (Summer 2007)

Refugee Law Project, Kampala, Uganda
Research and Advocacy Intern (Summer 2006)

Children's Rights, New York, New York
Paralegal (August 2003 – July 2005)

TEACHING ACCOMPLISHMENTS:

Areas of Specialization:

Criminal Law and Procedure; Evidence; Death Penalty Law

Courses Taught:

University of Idaho College of Law:

Criminal Procedure, LAW 953-01 (Fall 2014, Fall 2015, Fall 2016, Fall 2018)
Criminal Law, LAW 812 (Spring 2015, Spring 2016, Spring 2017, Spring 2018, Spring 2019)
Evidence, LAW 950-01 (Spring 2015, Spring 2016, Spring 2017)
Advanced Criminal Procedure, LAW 901 (Fall 2015, Fall 2016, Spring 2018, Spring 2019)
Family Law, LAW 963-02 (Fall 2017, Fall 2018)
Seminar: The Death Penalty, LAW 901 (Fall 2017)

Loyola University New Orleans College of Law:

Legal Research & Writing (Fall 2012, Fall 2013)
Moot Court (Spring 2013, Spring 2014)
The Death Penalty in America (Fall 2013)

Students Advised:

Directed study:

Spring 2016 (1 student); Fall 2016 (3 students); Spring 2017 (3 students); Spring 2018 (1 student);
Fall 2018 (2 students); Spring 2019 (3 students)

Law Review / Critical Legal Studies Journal advisor:

2014-2015 (2 students); 2015-2016 (3 students); 2016-2017 (2 students); 2017-2018 (2 students);
2018-2019 (5 students)

Courses Developed:

Advanced Criminal Procedure: Adjudications (University of Idaho College of Law)

I proposed and began teaching this course as a LAW 901 temporary course in Fall 2015 and Fall 2016. In Fall 2016, I co-wrote and submitted a successful proposal to the Curriculum Committee and law faculty to permanently add this course to the curriculum.

The Death Penalty in America (Loyola University New Orleans College of Law)

I designed a seminar, using my own course material, focusing on the administration and legal regulation of the death penalty in America since the 1970s.

SCHOLARSHIP ACCOMPLISHMENTS:**Law Review and Journal Publications (Accepted for Forthcoming Publication):**Articles:

Supermajoritarian Criminal Justice, __ GEO. WASH. L. REV. ____ (forthcoming).

Law Review and Journal Publications (Published):Articles:

The Arbiters of Decency: A Study of Legislators' Eighth Amendment Role (with David Niven), 93 WASH. L. REV. 1397 (2018).

Hybrid Jury Strikes, 52 HARV. C.R.-C.L. L. REV. 357 (2017).

The Eighth Amendment's Lost Jurors: Death Qualification and Evolving Standards of Decency, 92 IND. L.J. 113 (2016).

Archetypes of Faith: How Americans See, and Believe In, Their Constitution, 26 STAN. L. & POL'Y REV. 555 (2015).

Cruel and Invisible Punishment: Redeeming the Counter-Majoritarian Eighth Amendment, 79 BROOK. L. REV. 1141 (2014).

Essays:

The Pope and the Capital Juror, 128 YALE L. J. FORUM 599 (2018).

On Law-Breaking and Law's Legitimacy, 15 U. MD. L.J. RACE RELIG. GENDER & CLASS 310 (2015) (symposium).

Editorials:

Could the Pope's Call to End the Death Penalty Keep Catholics Off Juries?, WASHINGTON POST (online Jan. 18, 2019) (in print Sunday, Jan. 20, 2019).

Why Doubt Should Be Disqualifying for a Supreme Court Nominee, Guest Opinion, IDAHO STATESMAN (Oct. 5, 2018) (online).

Scholarly Presentations:

"Supermajoritarian Criminal Justice," Faculty Workshop, Fowler School of Law – Chapman University, November 15, 2018.

"Supermajoritarian Criminal Justice," CrimFest, Benjamin N. Cardozo School of Law, July 16, 2018.

"The Standard-Bearers: A Study of Legislators' Eighth Amendment Role," ABA Criminal Justice Section Academic Roundtables, Washington D.C., November 2, 2017.

"The Standard-Bearers: A Study of Legislators' Eighth Amendment Role," Junior Scholars Virtual Colloquium, Stetson University College of Law, August 11, 2017.

"Hybrid Peremptory Strikes," ABA Criminal Justice Section Academic Roundtables, Washington D.C., November 3, 2016.

“Hybrid Peremptory Strikes,” Junior Scholars Virtual Colloquium, University of Toledo College of Law, August 12, 2016.

“Law-Breaking and Evolving Standards of Decency,” Faculty Colloquium, University of Idaho College of Law, March 23, 2016.

“Law-Breaking and Evolving Standards of Decency,” 2015 SEALS Annual Conference Discussion Group, “Reversing Mass Incarceration: What Reforms Are Working (or Could Work) and Why?,” July 29, 2015.

“Law-Breaking and Evolving Standards of Decency,” Junior Scholars Virtual Colloquium, University of Louisville Louis D. Brandeis School of Law, July 22, 2015.

“Resurrecting the Death-Disqualified Juror: *Witherspoon* Strikes as Objective Indicia of Evolving Standards of Decency,” Northwest Junior Faculty Forum, Seattle University School of Law, March 26, 2015.

“Resurrecting the Death-Disqualified Juror: *Witherspoon* Strikes as Objective Indicia of Evolving Standards of Decency,” College of Law Junior Faculty Retreat, University of Idaho College of Law, February 28, 2015.

“Resurrecting the Death-Disqualified Juror: *Witherspoon* Strikes as Objective Indicia of Evolving Standards of Decency,” Faculty Colloquium, University of Idaho College of Law, Dec. 10, 2014.

“Resurrecting the Death-Disqualified Juror: *Witherspoon* Strikes as Objective Indicia of Evolving Standards of Decency,” Rocky Mountain Junior Scholars Forum, University of Utah S.J. Quinney College of Law, Nov. 13-14, 2014.

“Resurrecting the Death-Disqualified Juror: *Witherspoon* Strikes as Objective Indicia of Evolving Standards of Decency,” Junior Scholars Virtual Colloquium, Michigan State University College of Law, August 8, 2014.

“The Four Sons of America’s Constitutional Faith,” Inland Northwest Scholars Workshop, Gonzaga University School of Law, July 14, 2014.

“The Political Cost of *Brady* Compliance: Untangling the Paradox of Orleans and Jefferson Parishes,” 2013 SEALS Annual Conference Discussion Group, “50 Years After *Brady v. Maryland*: Where Are We Now?,” August 8, 2013.

“Cruel and Invisible Punishment: Redeeming the Counter-Majoritarian Eighth Amendment,” Loyola University New Orleans Junior Faculty Forum, February 28, 2013.

Honors and Awards:

2018 Ellis Law Fund Scholar (for summer research funding).

2017 Ellis Law Fund Scholar (for summer research funding).

Finalist, 2017 AALS Criminal Justice Section Junior Scholars Paper Competition (for *The Eighth Amendment’s Lost Jurors: Death Qualification and Evolving Standards of Decency*).

SERVICE:

Major Committee Assignments:

Participant, Strategic Implementation Group – Boise (Fall 2018)

Vice Chair, Faculty Appointments Committee (Fall 2018 – Spring 2019)

Member (Elected Faculty Representative), Dean’s Advisory Group (Fall 2017 – Spring 2018)

Faculty Appointments Committee (Fall 2017 – Spring 2018)

Temporary Justice, Honor Court (Spring 2017)

Faculty Secretary (Spring 2016)

Member (Elected Faculty Representative), Dean’s Advisory Group (Fall 2015 – Spring 2016)

Participant, Curriculum Subcommittee (Fall 2015 – Spring 2016)

Member, Library Committee (Fall 2015 – Spring 2016)

Professional and Scholarly Organizations:

Idaho State Bar Diversity Section, College of Law Faculty Representative (Summer 2018 – present).

University Service – Presentations:

Co-presenter, “How to Structure a Law Review Article,” Faculty Colloquium, Oct. 26, 2018.

Orientation Instructor, Lawyering Fundamentals, August 2018.

Panelist, Criminal Law advising panel, Feb. 13, 2018.

Moderator, Academic Opportunities Panel, Nov. 13, 2017.

Orientation Instructor, Lawyering Fundamentals, August 2017.

Panelist, Criminal Law advising panel, Feb. 13, 2017.

Panelist, “Transition to Practice: State & Federal Clerkships - Faculty perspective,” Feb. 6, 2017.

Orientation Instructor, Lawyering Fundamentals, August 2016.

Panelist, Student/Faculty Q&A Session, Aug. 24, 2016 (sponsored by Phi Alpha Delta).

Panelist, Roundtable on advice for female attorneys, Apr. 20, 2016 (sponsored by Women’s Law Caucus).

Panelist, Discussion on diversity, Apr. 11, 2016 (sponsored by the Multicultural Law Caucus and the Native American Law Students Association).

Panelist, “Gun Rights: Will the Second Amendment Survive the Current Executive Branch?,” Jan. 28, 2016 (sponsored by the Federalist Society).

Panelist, “Filming the Police,” Oct. 29, 2015 (sponsored by the ACLU and the Black Law Students Association).

Moderator/Panelist, “High on Federalism: Marijuana’s Challenge to Federal-State Relations,” Nov. 7, 2014 (sponsored by the Federalist Society).

University Service – Other:

Faculty Mentor (Sam Newton), Fall 2018 – present.

Coach, National Moot Court Team, Fall 2018.

Faculty Advisor, Criminal Law Society, Spring 2017 – present.

Juror, Mock Trial competition, University of Idaho College of Law, Oct. 1, 2015.

Judge, Prince Memorial Evidence Moot Court competition, University of Idaho College of Law, November 19, 2014.

Judge, McNichols Moot Court Competition, University of Idaho College of Law, Oct. 24, 2014.

Outreach Service – Presentations:

Panelist, “Forum: Criminal Justice Reform and Idaho,” City Club of Boise, March 1, 2019 (with Senator Todd Lakey and Representative Melissa Wintrow; broadcast on Boise State Public Radio).

Moderator, Panel on Stop-and-Frisk in Idaho, *Idaho Law Review* Symposium, “*Terry v. Ohio* at 50: Considering the Past, Present and Future of Stop-and-Frisk,” April 6, 2018.

Panelist, Film screening of *Executing the Insane: The Case of Scott Panetti*, followed by panel discussion on severe mental illness and the death penalty, Feb. 21, 2017 (sponsored by the Idaho ACLU Student Organization and the Idaho Alliance for the Severe Mental Illness Death Penalty Exclusion).

Panelist, “The Fourth Amendment’s Application to Social Media Surveillance,” 225th Anniversary of the Bill of Rights Symposium, Sept. 15, 2016 (sponsored by the Diversity Section of the Idaho State Bar).

Panelist, Film screening and discussion of *BUSTED: The Citizen’s Guide to Surviving Police Encounters*, Washington State University, Oct. 22, 2014 (sponsored by the WSU Criminal Justice and Criminology Graduate Student Association).

Outreach Service – Media Interviews:

Discussed in multiple news reports and editorials covering the trial in the public records case *Aliza Cover v. Idaho Board of Correction, et al.*, which sought access to information about Idaho’s use of lethal injection drugs. Representative examples include:

Rebecca Boone, *Idaho’s lethal injection document redactions were extensive*, AP NEWS (Jan. 29, 2019) (picked up by newspapers including *US News & World Report* and *Seattle Times*).

Idaho Press Editorial Board, *Editorial: State needs to come clean about lethal injection drugs*, IDAHO PRESS (Jan. 31, 2019).

Tony Simmons, *Former IDOC purchasing agent describes unusual financial practices related to executions*, IDAHO PRESS (Feb. 1, 2019).

Marty Trillhaase, *Editorial: Idaho draws down the shades on capital punishment*, THE LEWISTON TRIBUNE (Feb. 7, 2019).

Quoted in: Gretel Kauffman, *Self-representation: Twin Falls case highlights challenges that arise when a defendant represents himself*, MAGIC VALLEY TIMES-NEWS (Aug. 4, 2018).

Interviewed by Gemma Gaudette on *Idaho Matters*, Boise State Public Radio, in a segment called *Idaho Court Makes Ruling on Execution Documents* (May 23, 2018). Audio recording available at https://cpa.ds.npr.org/idaho/audio/2018/05/052318_a.mp3.

Discussed in: Rebecca Boone, *Judge: Prison officials must release execution drug details*, AP NEWS (May 17, 2018) (picked up by newspapers including the *Seattle Times*, *Idaho Statesman*, and *The Spokesman-Review*).

Quoted and featured in: Rebecca Boone, *UI law prof sues Idaho for execution records*, AP NEWSBREAK (Feb. 28, 2018) (picked up by newspapers nationwide including the *Los Angeles Times*, *Chicago Tribune*, *Idaho Statesman*, and *The Spokesman-Review*).

Quoted in: Bryan Clark, *Bill would restrict death penalty for mentally ill*, IDAHO FALLS POST-REGISTER (Oct. 1, 2016).

Quoted in: Natalie Jacewicz, *With No Insanity Defense, Seriously Ill People End Up In Prison*, NPR (Aug. 5, 2016), <http://www.npr.org/sections/health-shots/2016/08/05/487909967/with-no-insanity-defense-seriously-ill-people-end-up-in-prison>.

Quoted in: Samantha Malott, *Gambling with courtroom deals; Judge calls it a 'necessary evil'*, MOSCOW-PULLMAN DAILY NEWS (Sept. 18, 2014), page 1.

Outreach Service – Court Testimony:

Aliza Cover v. Idaho Board of Correction et al., Case No. CV01-18-03877 (2019) (expert testimony on the public interest in access to information about lethal injection drugs).

State of Idaho v. Jonathan Daniel Renfro, Case No. CR-15-0006589 (2016) (expert testimony on the impact of death qualification upon society's "evolving standards of decency" on capital punishment).

PROFESSIONAL DEVELOPMENT: (workshops and seminars attended)

Teaching:

Attendee, American Association of Law Schools New Law Teachers Workshop (June 2014)

Scholarship:

Attendee, American Association of Law Schools Annual Meeting (January 2017)

Attendee, Southeastern Association of Law Schools Annual Conference (August 2015)

Attendee, American Association of Law Schools Annual Meeting (January 2015)