

GREGORY E. MAGGS -- RESUME

U.S. COURT OF APPEALS FOR THE ARMED FORCES

Chief Judge (2026-present); Judge (2018-2026)

THE GEORGE WASHINGTON UNIVERSITY LAW SCHOOL

Professorial Lecturer in Law (part-time 2018-present); Arthur Selwyn Miller Research Professor of Law (2017-2018); Interim Dean (2010-2011; 2013-2014); Co-Director, National Security & U.S. Foreign Relations Law LL.M. Program (2009-2018); Senior Associate Dean for Academic Affairs (2008-2010); Professor of Law (2000-2017); Associate Professor of Law (1993-2000)

Principal subjects taught: Contracts, Constitutional Law, Sales, Commercial Paper, Secured Transactions, Counterterrorism Law

Awards: Distinguished Faculty Service Award (1997, 1998, 2004, 2005, 2011, 2012, 2013, 2014, and 2015) & Distinguished Adjunct Teaching Award (2018, 2025), conferred by vote of the graduating class; George Washington Award (2012), awarded for outstanding service to the University

EDUCATION

Harvard College, A.B., summa cum laude (1985); Phi Beta Kappa, John Harvard Scholar
Harvard Law School, J.D., magna cum laude (1988); Harvard Law Review (Articles Co-Chair)
U.S. Army War College, Master of Strategic Studies (2014); Daniel M. Lewin Writing Award

JUDICIAL CLERKSHIPS

Hon. Clarence Thomas, U.S. Supreme Court (1991-1992)
Hon. Anthony M. Kennedy, U.S. Supreme Court (1989-1990)
Hon. Joseph T. Sneed, U.S. Court of Appeals for the Ninth Circuit (1988-1989)

OTHER LEGAL POSITIONS

Lecturer, Catholic University of America (part-time 2025-present)
Reporter, Advisory Committee on Appellate Rules, Judicial Conference of the United States, (2015-2018) (appointed by Hon. John Roberts)
Special Master, U.S. Supreme Court in No. 128 Orig., Alaska v. United States (2000-2005)
Consultant to the Office of Independent Counsel (Hon. Kenneth W. Starr) (1998-2000)
Assistant Professor of Law, University of Texas School of Law (Fall 1991, 1992-1993)
Research and private practice with Hon. Robert H. Bork (1990-1991)

MILITARY

Colonel, U.S. Army Retired. Served in U.S. Army Reserve, Judge Advocate General's Corps (1990-2018); mobilized (2007-2008); assigned as appellate military judge (2007-2014) and military trial judge (2014-2017); taught at West Point (2017-2018); received Judge Advocates Association's Major General William K. Suter Distinguished Judicial Service Award (2018) and Outstanding Career Armed Services Attorney Award (2002)

OTHER

American Law Institute (2007-present); Heritage Foundation Center for Legal & Judicial Studies Advisory Board (2002-2013); Civilian Member, Uniform Code of Military Justice Committee (2005-2008); Boy Scout/Cub Scout leader (2001-2013)

GREGORY E. MAGGS -- PUBLICATIONS

BOOKS

- Amendments to the Military Rules of Evidence Since 1984 (2024 ed., 2025 ed.)
- Amendments to the Rules for Courts-Martial Since 1984 (2024 ed., 2025 ed.)
- Amendments to the Uniform Code of Military Justice Since 1950 (2024 ed., 2025 ed., 2026 ed.)
- Constitutional Law: A Contemporary Approach (West Academic Publishing 2009, 2d ed. 2011, 3d ed. 2015, 4th ed. 2018, 5th ed. 2021, 6th ed. 2023, 7th ed. 2027) (co-authored with Peter J. Smith)
- Constitutional Law: Undergraduate Edition (West Academic Publishing 2019, 2d ed. 2021, 3d ed. 2023) (co-authored with Peter J. Smith)
- Constitutional Law and Military Law (West Academic Publishing 2021-2022 ed., 2022-2023 ed.) (co-authored with Lisa M. Schenck & Peter J. Smith)
- Modern Military Justice: Cases and Materials (West Academic Publishing 2012, 2d ed. 2015) (co-authored with Lisa M. Schenck)
- Questions & Answers: Payment Systems (LexisNexis 2003) (co-authored with Timothy R. Zinnecker)
- Terrorism and the Law: Cases and Materials (West Academic Publishing 2005, 2d ed. 2010)

ARTICLES: CONSTITUTIONAL LAW

- The Armies Clause, in the Heritage Guide to the Constitution 207 (Josh Blackman & John G. Malcolm eds., 3d ed. 2025) (co-authored with Robert Leider)
- The Navy Clause, in the Heritage Guide to the Constitution 213 (Josh Blackman & John G. Malcolm eds., 3d ed. 2025) (co-authored with Robert Leider)
- The Military Regulations Clause, in the Heritage Guide to the Constitution 215 (Josh Blackman & John G. Malcolm eds., 3d ed. 2025) (co-authored with Robert Leider)
- The Calling Forth the Military Clause, in the Heritage Guide to the Constitution 221 (Josh Blackman & John G. Malcolm eds., 3d ed. 2025) (co-authored with Robert Leider)
- The Militia Organization Clause, in the Heritage Guide to the Constitution 222 (Josh Blackman & John G. Malcolm eds., 3d ed. 2025) (co-authored with Robert Leider)
- The Commander of the Militia Clause, in the Heritage Guide to the Constitution 378 (Josh Blackman & John G. Malcolm eds., 3d ed. 2025) (co-authored with Robert Leider)
- The Grand Jury Exceptions Clause, in the Heritage Guide to the Constitution 637 (Josh Blackman & John G. Malcolm eds., 3d ed. 2025) (co-authored with Robert Leider)
- A Guide and Index for Finding Evidence of Original Meaning of the U.S. Constitution in Early State Constitutions and Declarations of Rights, 98 N.C. L. Rev. 779 (2020)
- How Justice Thomas Determines the Original Meaning of Article II of the Constitution, 127 Yale L.J. F. 210 (2017) (symposium piece)
- A Critical Guide to Using the Legislative History of the Fourteenth Amendment to Determine the Amendment's Original Meaning, 49 Conn. L. Rev. 1069 (2017)
- A Concise Guide to the Articles of Confederation as a Source for Determining the Original Meaning of the Constitution, 85 Geo. Wash. L. Rev. 397 (2017)

GREGORY E. MAGGS -- PUBLICATIONS

- A Concise Guide to Using Dictionaries from the Founding Era to Determine the Original Meaning of the Constitution, 82 Geo. Wash. L. Rev. 358 (2014)
- Justice Kennedy's Use of Sources of the Original Meaning of the Constitution, 44 McGeorge L. Rev. 77 (2013) (symposium piece)
- A Concise Guide to the Records of the Federal Constitutional Convention of 1787 as Evidence of the Original Meaning of the U.S. Constitution, 80 Geo. Wash. L. Rev. 1707 (2012)
- A Concise Guide to the Records of the State Ratifying Conventions as a Source of the Original Meaning of the United States Constitution, 2009 U. Ill. L. Rev. 457.
- Which Original Meaning of the Constitution Matters to Justice Thomas, 4 N.Y.U. J. of L. & Liberty 494 (2009) (symposium piece)
- A Concise Guide to the Federalist Papers as a Source of the Original Meaning of the United States Constitution, 87 B.U. L. Rev. 801 (2007)
- Translating Federalism: A Textualist Reaction, 66 Geo. Wash. L. Rev. 1198 (1998)
- Virtual Impeachment and Book Review Conviction: Talk about Strange Justice, 64 Geo. Wash. L. Rev. 703 (1996)
- Yet Still Partial to It, 103 Yale L.J. 1627 (1994) (review of Cass Sunstein, *The Partial Constitution*)
- Innovation in Constitutional Law: The Right to Education and the Tricks of the Trade, 86 Nw. U.L. Rev. 1038 (1992)
- Book Note, Original Federalism, 101 Harv. L. Rev. 855 (1988)

ARTICLES: NATIONAL SECURITY LAW AND MILITARY LAW

- Comparing the Military Justice Systems of Australia, Canada, the United Kingdom, and the United States by Reference to a Common Fact Pattern, __ Mil. L. Rev. ____ (forthcoming 2026) (coauthored with C. Julie Deschênes, Alan Large, Joshua Liddy & Robert P. Monahan)
- Judge Bork's Remarkable Adherence to Unremarkable Principles of National Security Law, 13 Ave Maria L. Rev. 1 (2015).
- Book Review, 103 Am. J. of Int'l Law 198 (2009) (review of Jeremy Scahill, *Blackwater: The Rise of the Most Powerful Mercenary Army* (2008) and *From Mercenaries to Market: The Rise and Regulation of Private Military Companies* (Simon Chesterman & Chia Lehnardt, eds. 2007))
- Responses to the Ten Questions [On National Security Posed by the Journal of National Security Forum Board of Editors], 35 Wm. Mitchell L. Rev. 5079 (2009)
- Assessing the Legality of Counterterrorism Measures Without Characterizing Them as Law Enforcement or Military Action, 80 Temple L. Rev. 661 (2007)
- Foreword to the Symposium: The New Face of Armed Conflict: Enemy Combatants After *Hamdan v. Rumsfeld*, 75 Geo. Wash. L. Rev. 971 (2007) (symposium piece)
- How the United States Might Justify a Preemptive Strike on a Rogue Nation's Nuclear Weapon Development Facilities Under the U.N. Charter, 57 Syracuse L. Rev. 465 (2007) (symposium piece)

GREGORY E. MAGGS -- PUBLICATIONS

- The Rehnquist Court's Non-Interference with the Guardians of National Security, 74 Geo. Wash. L. Rev. 1122 (2006) (symposium piece)
- The Campaign to Restrict the Right to Respond to Terrorist Attacks in Self-Defense under Article 51 of the U.N. Charter and What the United States Can Do about It, 4 Regent Int'l L. Journal 149 (2006) (symposium piece), also reprinted in Right of Private Defense: Expanding Horizons (P. Satyanarayana Prasad ed. 2010).
- Book Review, 67 J. Mil. Hist. 642 (2003) (review of Frederic L. Borch, Judge Advocates in Combat: Army Lawyers in Military Operations from Vietnam to Haiti)
- Cautious Skepticism about the Benefit of Adding More Formalities to the Manual for Courts-Martial Rule-Making Process: A Response to Captain Keven J. Barry, 166 Mil. L. Rev. 1 (2000)
- Judicial Review of the Manual for Courts-Martial, 160 Mil. L. Rev. 96 (1999), also reprinted in an edited form in Evolving Military Justice (Eugene Fidell & Dwight Sullivan, eds. 2002)

ARTICLES: CONTRACTS AND COMMERCIAL LAW

- A Complaint about Payment Law under the U.C.C.: What You See is Often Not What You Get, 67 Ohio St. L.J. 201 (2007) (symposium piece)
- Report Concerning the United States of America on "Protecting Legitimate Expectations and Estoppel," reprinted in La Confiance Légitime et L'Estoppel (Bénédicte Fauvarque-Cosson, ed., 2007) (conference report)
- The Waning Importance of Revisions to U.C.C. Article 2, 78 Notre Dame L. Rev. 595 (2003)
- Report Concerning the United States of America on "Regulating Electronic Commerce," 50 Am. J. Comparative L. 665 (2002) (conference report)
- Patterns of Drafting Errors in the Uniform Commercial Code, 2002 U. Ill. L. Rev. 81
- Karl Llewellyn's Fading Imprint on the Jurisprudence of the Uniform Commercial Code, 71 Colo. L. Rev. 541 (2000), also reprinted in Perspectives on the Uniform Commercial Code? (Douglas E. Litowitz ed. 2007)
- A New Proposal for Implementing Means Testing in Bankruptcy, 1 Corp. & Bus. L.J. 1 (1999)
- Ipsa Dixit: The Restatement (Second) of Contracts and the Modern Development of Contract Law, 66 Geo. Wash. L. Rev. 508 (1998)
- The Holder in Due Course Doctrine as a Default Rule, 32 Ga. L. Rev. 783 (1998)
- Internet Solutions to Consumer Protection Problems, 49 S.C. L. Rev. 888 (1998)
- New Payment Devices and General Principles of Payment Law, 72 Notre Dame L. Rev. 755 (1997)
- Determining the Rights and Liabilities of the Remitter of a Negotiable Instrument: A Theory Applied to Some Unsettled Questions, 36 B.C. L. Rev. 619 (1995)
- Consumer Bankruptcy Fraud and the "Reliance on Advice of Counsel" Argument, 69 Am. Bankr. L.J. 1 (1995)
- Bankruptcy as a Business Tool, 71 Tex. L. Rev. 681 (1993) (review of Kevin J. DeLaney, Strategic Bankruptcy)

GREGORY E. MAGGS -- PUBLICATIONS

The Pace Picks Up: Bankruptcy Cases are No Longer the Court's Stepchildren, *Legal Times*, Sept. 30, 1991 Special Supplement, at 26
Note, "Adequate Protection" and the Availability of Postpetition Interest to Undersecured Creditors in Bankruptcy, 100 *Harv. L. Rev.* 1106 (1987)

ARTICLES: LEGISLATION AND ADMINISTRATIVE LAW

An American Perspective on Professor Thomas Möllers's Comprehensive Treatise on Legal Methods, in *Liber Amicorum in Honor of Professor Thomas M.J. Möllers* (Philipp Maume ed., forthcoming 2027)
Estoppel and Textualism, 54 *Am. J. Comparative Law* 167 (2006), also reprinted in *Estoppel: Theories and Applications* (S. Ravi ed. 2008)
More Than One Cent for Tribute, 1 *Green Bag* 2d 98 (1997) (review of Fred S. McChesney, *Money for Nothing*)
Reconciling Textualism and the Chevron Doctrine: In Defense of Justice Scalia, 28 *Conn. L. Rev.* 393 (1996)
The Secret Decline of Legislative History: Has Someone Heard a Voice Crying in the Wilderness?, 1994 *Public Interest L. Rev.* 57.
Reducing the Costs of Statutory Ambiguity: Alternative Approaches and the Federal Courts Study Committee, 29 *Harv. J. Legis.* 123 (1992)

REPORTS SUBMITTED AS SPECIAL MASTER FOR THE U.S. SUPREME COURT

Report of the Special Master on Six Motions for Partial Summary Judgment and One Motion for Confirmation of a Disclaimer of Title, *Alaska v. United States* (U.S. Mar. 2004) (No. 128, Orig.) .
Report of the Special Master on the Motion to Intervene by Franklin H. James, the Shakan Kwaan Thling-Git Nation, Joseph K. Samuel, and the Taanta Kwaan Thling-Git Nation, (U.S. Nov. 2001) (No. 128, Orig.)

OTHER

Creating Law School Review Videos and Slides and Putting Them on the Internet (Sept. 1, 2001) (published in *Jurist's "Lessons from the Web Series"*)
The Permanence of Paperless Law Review Articles: Who is Worried and What Can Be Done?, 24 *Rutgers L. Rec.* 2000 (symposium piece)
Self-Publication on the Internet and the Future of Law Reviews, 30 *Akron L. Rev.* 237 (1996)
Just Say No?, 70 *Chi.-Kent L. Rev.* 101 (1995)
Progress on Attorney's Fees: Expanding the "Loser Pays" Rule in Texas, 20 *Houston L. Rev.* 1915 (1994) (co-authored with Michael D. Weiss)
Postscript: In Budget Disputes Between Elected Officials Will the Rule of Law Prevail?, 23 *St. Mary's L. J.* 511 (1991) (comment)
The 1989 Supreme Court Term: Review and Outlook, 1991 *Public Interest L. Rev.* 75.
Case Comment, *Asahi Metal Industry Co. v. Superior Court*, 101 *Harv. L. Rev.* 260 (1987)