

# PROFESSOR TERRY L. TURNIPSEED

SYRACUSE UNIVERSITY COLLEGE OF LAW  
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## EMPLOYMENT

*Syracuse University College of Law*, Syracuse, New York  
July 2004 - Present

ASSOCIATE PROFESSOR OF LAW. Scholarship interests include constitutional law (Article I), separation of church and state, eminent domain, sexual individual rights, spousal property rights upon death, trust fiduciary law, and transfer taxation. Teaching interests include eminent domain, property, wills and trusts, estate planning, and estate and gift taxation.

*Covington & Burling*, Washington, District of Columbia  
December 2000 - June 2004

WEALTH MANAGEMENT & ESTATE PLANNING ATTORNEY. Developed and implemented complex tax planning strategies for more than \$1 billion in assets. Represented a number of large trust beneficiaries with fiduciary issues. Developed expertise in complex domestic and international estate planning, including substantial asset protection experience.

*Deloitte & Touche LLP - National Office*, Washington, District of Columbia  
May 1998 - December 2000

ESTATE, GIFT & TRUST TAXATION AND ESTATE PLANNING SPECIALIST. Worked with clients performing estate and gift tax planning services. Lectured and instructed at many internal and external training seminars and conferences. Published articles in internal and external publications including *Legal Times and Tax Advisor*. Developed complex model for FY 1999 federal tax legislation with results published in many newspapers including the *New York Times*, *USA Today* and the *Washington Post*.

*Other Employment*  
June 1988 - August 1997

Nine years of experience in Washington, D.C., including law firms, the U.S. government and a trade association.

## EDUCATION

*Georgetown University Law Center*, Washington, District of Columbia  
LL.M. Tax, 1998, *Cum Laude*

*Georgetown University Law Center*, Washington, District of Columbia  
J.D., 1995

*Massachusetts Institute of Technology*, Cambridge, Massachusetts  
M.S., Technology & Policy, 1998  
M.S., Nuclear Engineering, 1988  
National Science Foundation Fellow  
(Note: MIT does not award honors.)

*Mississippi State University*, Starkville, Mississippi  
B.S., Nuclear Engineering, *Summa Cum Laude*  
Harry S. Truman Memorial Scholar

## PUBLICATIONS

*The President and the Autopen: It Is Unconstitutional for Someone or Something to Sign a Bill Outside of the President's Presence*, 17 Fl. J. Tech. Law and Policy \_\_\_\_ (2012).

*Adult Adoption of Lovers and Spouses to Help Ensure Their Inheritance: Fair or Foul?* Book chapter in *The Public Nature of Private Property* (Malloy and Diamond, eds., Ashgate Publishing 2011), part of the *Law, Property & Society* book series.

*Community Property v. the Elective Share*, *Louisiana Law Review* (forthcoming).

*All the President's Signatures: The Constitutional Quibble with the Autopen (It's Not What You Think it is)*, *Slate*, August 24, 2011.

*Is Voting in Churches (or Anywhere Else) Unconstitutional?: The Polling Place Priming (PPP) Effect*, co-authored with Jeremy Blumenthal, 91 B.U. L. Rev. 561 (2011).

*Scalia's Ship of Revulsion Has Sailed: Will Lawrence Protect Adults Who Adopt Lovers to Help Ensure Their Inheritance From Incest Prosecution?* 32 *Hamline* 95 (Winter 2009).

*Fair or Foul? Inheritance-Driven Adult Adoption within Same-Sex Partnerships*, *Jurist*, August 24, 2009.

*How Do I Love Thee, Let Me Count the Days: Deathbed Marriages in America*, Kentucky Law Journal, 96 K.L.J. 275 (March 2008), reprinted in the Minnesota Family Law Journal (November/December 2009).

2005 – 2006 *Survey of New York Law: Estates and Trusts*, 57 Syracuse L. Rev. 1135 (2007).

*Why Shouldn't I Be Allowed to Leave My Property to Whomever I Choose At My Death? (Or How I Learned to Stop Worrying and Start Loving the French)*, Brandeis Law Journal at the University of Louisville Brandeis School of Law, 44 B.L.J. 737 (2006).

*Supreme Shocker! Anna Nicole Goes to High Court*, New York Daily News, February 23, 2006.

*Charitable Trusts Benefit Donors and College of Law*, Syracuse Law Honor Roll of Donors, August 2005.

*Back to the Future: Is Total Return Investing Old Fashioned?* American Law Institute – American Bar Association, Representing Estate and Trust Beneficiaries and Fiduciaries, July 2, 2004.

*Practitioner's Corner: Final Regulations on Trust Accounting Income Adjust to Modern Trust Practice*, Federal Tax Weekly, January 4, 2004.

*Tools for Better Balancing the Interests of Income Beneficiaries and Remaindermen*, Tax Management Memorandum, Vol. 44, No. 13, June 30, 2003, and Tax Management Estates, Gifts and Trusts Journal, Vol. 28, No. 5, September 11, 2003.

*Fleeing the Firm Doesn't Have to Mean Leaving the Law*, Legal Times, May 17, 1999.

*New Charitable Remainder Trust Regulations*, The Tax Advisor, 3-99 T.T.A. 151, March 1999.

*Who's Minding the Army's Stores?* Legal Times, p. 29, March 17, 1997.

## **WORK IN PROGRESS**

*Community, Home and Identity*, co-editor along with Professor Michael Diamond (Georgetown University Law Center), part of a book series sponsored by the Association for Law, Property & Society, Inc. (forthcoming).

Co-authoring a BNA Tax Portfolio on the elective share (forthcoming).

Eminent domain textbook appropriate for law school course or seminar.

## SCHOLARLY PRESENTATIONS

*Is Voting in Churches Unconstitutional?*, Southeastern Association of Law Schools Conference, Hilton Head, SC, July 25, 2011 (winner of “Call to Papers” award).

*Community Property v. the Elective Share*, Louisiana Law Review Symposium on Community Property, Louisiana State University, Baton Rouge, LA, April 1, 2011.

*Is Voting in Churches Unconstitutional?*, Association of Law, Property and Society Conference, Georgetown University, Washington, DC, March 4-5, 2011.

*Community Property v. the Elective Share*, Southeastern Association of Law Schools Conference, Palm Beach, FL, August 30–September 5, 2010.

Keynote Address, Law Day, Onondaga County Bar Association, May 4, 2010.

*Adult Adoption of Lovers and Spouses to Help Ensure Their Inheritance: Fair or Foul?* Association for the Study of Law, Culture and the Humanities, Brown University, Providence, RI, March 19-20, 2010.

*Adult Adoption of Lovers and Spouses to Help Ensure Their Inheritance: Fair or Foul?* Association for Law, Property & Society, Georgetown University, Washington, DC, March 5-6, 2010.

*How to Give Without Risking it All*, Syracuse University College of Law Board of Advisors Retreat, Naples, FL, February 26-28, 2010.

Keynote Speaker (*Pending Federal Tax Legislation and How Practitioners Can Prepare for Changes to Come*), New York State Bar Association Trust and Estates Law Section Fall Meeting, Syracuse, NY, October 2, 2009.

*Scalia's Ship of Revulsion Has Sailed: Will Lawrence Protect Adults Who Adopt Lovers to Help Ensure Their Inheritance From Incest Prosecution?* Syracuse University College of Law Colloquium Series, April 7, 2009.

*Planned Charitable Giving with Underwater Assets*, Syracuse University College of Law Board of Advisors Retreat, Boca Raton, FL, February 28, 2009.

*Scalia's Ship of Revulsion Has Sailed: Will Lawrence Protect Adults Who Adopt Lovers to Help Ensure Their Inheritance From Incest Prosecution?* Property, Citizenship, and Social Entrepreneurism Conference, Washington, DC,

November 14-15, 2008.

*Planned Giving to Syracuse University*, Syracuse University Board of Trustees, Syracuse, NY, November 7, 2008.

*Will Your Wishes Be Granted? Preserving Your Estate for Your Heirs*, University College Continuing Education Series, Syracuse, NY, April 8, 2008.

*Supersized Planned Charitable Giving*, Syracuse University College of Law Board of Advisors Retreat, Kiawah Island, SC, January 20, 2007.

Presentation to Syracuse University Family Issues Network group on elective share issues, December 1, 2006.

*Will Your Wishes Be Granted? Preserving Your Estate for Your Heirs*, Joseph I. Lubin House Monthly Conversations on the Law series sponsored by the College of Law, New York, NY, April 26, 2006.

*A Primer on Fiduciary Income Taxes*, January 25, 2006, New York Bar Association Annual Meeting, New York, NY.

*Planned Charitable Giving: Leveraging Gifts to the College of Law*, Syracuse University College of Law Board of Advisors Retreat, Kiawah Island, SC, January 21, 2006.

*Private Property v. Public Interest: the Eminent Domain Debate*, Syracuse Thursday Morning Roundtable, Syracuse, NY, September 22, 2005.

*Why Shouldn't I Be Allowed to Leave My Property to Whomever I Choose At My Death? (Or How I Learned to Stop Worrying and Start Loving the French)*, Property, Citizenship, and Social Entrepreneurism Conference, Washington, DC, November 5, 2004.

*Back to the Future: Is Total Return Investing Old Fashioned?* American Law Institute – American Bar Association Conference on Representing Estate and Trust Beneficiaries and Fiduciaries, Boston, MA, July 2, 2004.

*Tools for Better Balancing the Interests of Current and Remainder Beneficiaries*, Tax Management Advisory Committee Board Meeting, New York, NY, March 2003.

*Tools for Better Balancing the Interests of Current and Remainder Beneficiaries*, District of Columbia Bar Association, Estates, Trusts and Probate Law Section, December 16, 2002.

## SELECTED MEDIA APPEARANCES

*Justice: Is it unconstitutional for presidents to sign bills by autopen?* Think Progress, August 25, 2011.

*Does signing a bill into law with an autopen present constitutional problems?* Professor Terry Turnipseed explains how it might. Above The Law, August 24, 2011.

*Nobody should be signing bills for the president, not even when the president orders them to do so,* Stubborn Facts, August 24, 2011.

*It's not the Autopen, it's the Proxy Presence Requirement,* TheConstitutional.org, August 23, 2011.

*It's not the Autopen, it's the Proxy Presence Requirement,* Constitutional Law Prof Blog, August 22, 2011.

*Autopen Signatures,* Wills, Trusts & Estates Law Prof Blog, August 15, 2011.

*Auto-Signed Bills – Constitutional?* State Bar of Michigan Blog, August 15, 2011.

*Turnipseed on Presidential Signatures and the Autopen,* Legal Theory Blog, August 12, 2011.

*Turnipseed on Presidential Signatures and the Autopen,* LawyerBlog, August 12, 2011.

*Deathbed Billionaires Continue to Pursue Lustful Marriages While Heirs Wait and Worry,* The Trust Advisor, June 18, 2011 (quoted).

*Scripps Networks Gains Most in 2 Years After Trust Petition,* Bloomberg News Service, June 17, 2011 (quoted).

*Unholy Matrimony: How to Fight Back,* Wall Street Journal, June 11, 2011 (quoted).

*Kiss-immee of Death,* Trust & Estates Magazine, April 20, 2011 (quoted).

*In Auburn, Individual Rights Clash With the Greater Good,* Syracuse Post-Standard, April 5, 2010 (quoted).

WTVH (CBS TV) news interview regarding Auburn eminent domain issues, April 2, 2010.

*Road Project at Standstill: 2 Property Owners Hold up Camillus' Land Acquisition*, Syracuse Post-Standard, December 5, 2007 (quoted).

*It's More Expensive Today for Cities to Have Proper Legal Representation*, Syracuse Post-Standard, October 14, 2007, reprinted November 23, 2007 (quoted).

*Excluded Heirs Put Spotlight on Updating Wills and Trusts*, North Carolina Lawyers Weekly, June 4, 2007 (quoted).

*Excluded Heirs in the Spotlight*, The Minnesota Lawyer, May 21, 2007 (quoted).

*Atkins Estate Battle Offers Advisors Lessons*, Craine's Investment News, May 14, 2007 (quoted).

*Excluded Heirs in the Spotlight*, The Daily Record of Rochester, May 8, 2007 (quoted).

*World May Know Today How Anna Nicole Died*, Houston Chronicle, March 26, 2007 (quoted).

*Law: Teaching by Tabloid*, Newsweek, p. 14, March 19, 2007 (quoted).

*Give and Save Through Your IRA*, Syracuse Law Magazine, Winter 2007 (quoted).

*Experts Skeptical About Anti-NYRI Bills*, Utica Observer-Dispatch, February 6, 2007 (quoted).

*Power Line Company Strikes Back: Lawsuit Takes Aim at Eminent Domain Law*, Utica Observer-Dispatch, February 2, 2007 (quoted).

WSTM (NBC TV) news interview regarding eminent domain issues, October 5, 2006.

*Anna Nicole Smith Case Sends Ripples Through Probate World*, Lawyers USA, page 1, May 22, 2006 (quoted).

WSTM (NBC TV) live news interview regarding the *Marshall v. Marshall* Supreme Court decision May 7, 2006.

*Trust & Estates Law: Speakers Review Fiduciary Income Taxes, Lay Out the Basics*, New York State Bar News, March/April 2006 (report on January 25, 2006, presentation before the New York Bar Association Annual Meeting).

*SU Professor: U.S. Supreme Court Likely to Side with Ex-playmate*, Syracuse Post-

Standard, March 1, 2006 (quoted).

*Anna Nicole Smith Gets Her Day in Supreme Court*, Foxnews.com, March 1, 2006 (quoted).

Special Report with Brit Hume, Fox News Network, national television interview regarding *Marshall v. Marshall* Supreme Court oral argument, February 28, 2006.

WSTM (NBC TV) news story regarding the *Marshall v. Marshall* Supreme Court oral argument, February 28, 2006 (quoted).

WSYR interview previewing the *Marshall v. Marshall* Supreme Court oral argument, February 23, 2006.

WSYR interview on the U.S. Supreme Court oral arguments in *Ayotte v. Planned Parenthood of New England*, December 5, 2005.

WSYR Interview on the Nomination of Samuel Alito to the Supreme Court, October 31, 2005.

WBFL Interview on the Nomination of Harriet Miers to the Supreme Court, October 4, 2005.

WAER Interview on the Nomination of Harriet Miers to the Supreme Court, October 3, 2005.

WSYR Interview on the Nomination of Harriet Miers to the Supreme Court, October 3, 2005.

WAER Presentation of September 22, 2005 Thursday Morning Roundtable on Eminent Domain Issues, September 26, 2005.

*Eminent domain Issues Discussed: Thursday Morning Roundtable Looks at U.S. Supreme Court Decision*, Syracuse Post-Standard, September 23, 2005 (quoted).

WBFL Interview on Eminent Domain Issues, September 22, 2005.

*7 Pages of Questions for Judge Roberts; Senator Charles Schumer Meets for Nearly an Hour with Bush Supreme Court Nominee*, Syracuse Post-Standard, July 22, 2005 (quoted).

*Voices; On Destiny and Eminent Domain*, Syracuse Post-Standard, June 24, 2005 (quoted).

*8 Questions for an Expert, Syracuse Post-Standard, June 5, 2005 (quoted).*

## **PROFESSIONAL AFFILIATIONS AND LICENSES**

Member, District of Columbia and New Jersey Bars  
American Association of Law Schools - Donative Transfers Section  
American Bar Association - Probate and Property Section  
District of Columbia Bar Association - Estates, Trusts & Probate Law  
Section  
Series 66 (SEC Investment Certification)