

# TOMER KENNETH

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## EDUCATION

### **New York University School of Law**

J.S.D., Doctor of Juridical Science, 2024

Dissertation title: *Determining Political-truths and Legal-truths*

Supervisors: John Ferejohn, Erin Murphy, Fred Schauer

### **New York University School of Law**

LL.M., Master of Laws (Thesis track, Legal Theory Program), 2019

Dean's Merit scholar

### **Reichman University, Radziner School of Law**

LL.B., Bachelor of Laws (*cum laudē*), 2016

Dean's List for Outstanding Academic Achievements (2014, 2015, 2016)

Merit-based Scholarship for Academic Excellence

Law Review: Co-executive editor (2015–2016), articles editor (2014–2015)

## APPOINTMENTS

### **University of Southern California, Gould School of Law**

Visiting Assistant Professor, 2024–

### **New York University School of Law**

Affiliated Fellow, Information Law Institute, 2024–

Fellow, Information Law Institute, 2020–2024

### **New York Law School**

Adjunct Professor & Co-Director of the Center for Law & Technology, 2023–2024

## TEACHING INTERESTS

*Primary:* Evidence; Law & Technology; Jurisprudence; Judicial Decision-Making; Contracts

*Secondary:* Political Theory; Federal Courts; Law & Democracy; Facts in Law and Politics

## PUBLICATIONS

### **Articles**

*In Defense of Factual Precedents*

93 THE UNIVERSITY OF CHICAGO LAW REVIEW (forthcoming)

*A Political Approach to Legal Evidence*

35 YALE JOURNAL OF LAW AND THE HUMANITIES 82 (2024)

*Taming Online Public Health Misinformation* (with Ira Rubinstein)

60 HARVARD JOURNAL ON LEGISLATION 219 (2023)

*Gonzalez v. Google: The Case for Protecting "Targeted Recommendations"* (with Ira Rubinstein)

72 DUKE LAW JOURNAL ONLINE 176 (2023)

*Policy Tweets: Officials' Three Bodies on Social Media*

25 MISHPAT U'MIMSHAL: L. & GOV. IN ISR. 203 (2022) (Heb.)

\* Cited by the Supreme Court of Israel in HCJ 748/24 Avital v. AG (2024) (Isr.)

*Personalization of Smart-Devices: Between Users, Operators, and Prime-Operators*

70 DEPAUL LAW REVIEW 497 (2021)

**Book chapters**

*Multiculturalism & the Israeli Defense Forces* (with Amnon Rubinstein), in TRIBES OF ISRAEL: LIBERALISM & MULTICULTURALISM IN THE JEWISH STATE 245 (2017)

**Other Publications**

*On the Need For (and Difficulties of) Reaching A "Mature Position" About AI*, YALE J. REG. NOTICE & COMMENT (Mar. 15, 2023) (with Oren Tamir)

*The Theoretical Foundations of Evidence Law*, 121 EXCITED UTTERANCE PODCAST (May 2, 2022)

*Confronting Misinformation During a Pandemic*, VERFASSUNGSBLOG (Nov. 3, 2020) (invited)

Featured: *Confronting Misinformation During and After a Pandemic*, PUBLIC JURIST 47–51 (Dec. 2020)

*Conscience Exemption and Army Service in Israel*, REICHMAN U. L. REV. ONLINE (Heb.) (2015)

**TEACHING EXPERIENCE**

**University of Southern California, Gould School of Law**

Evidence (spring 2025)

Judicial Decision-Making (fall 2024)

**New York Law School**

Contracts (fall 2023)

**New York University School of Law**

Lecturer, Upper-Level Reading Group (one credit seminar)

Legality (with Alma Diamond, spring 2022)

Regulating Fake News & Misinformation (with Meir Yarom, summer 2021)

Teaching Assistant

Intro to U.S. Law; Intro to U.S. Legal Practice (Prof. Irene Segal Ayers, summer 2019)

**Reichman University, Radziner School of Law**

Teaching Assistant

Constitutional Law (Dr. Shirley Naveh; fall 2017, spring 2018)

Liberalism & Multiculturalism Seminar (Prof. Amnon Rubinstein, fall 2015)

**JUDICIAL CLERKSHIP**

**Supreme Court of Israel**

Law Clerk, Chambers of Justice Salim Joubran (Deputy President), 2016–2017

## CONFERENCES, WORKSHOPS, PRESENTATIONS

### **Presentations**

#### *Factual Precedents*

- Drexel University Kline School of Law, Faculty Workshop (Jan. 30, 2025)
- AALS Jurisprudence Section, Junior Scholars Workshop (Aug. 27, 2024)
- Vanderbilt Law School, Evidence Summer Workshop (May 17, 2024)
- University of Michigan Law School, 10th Annual Junior Scholars Conference (Apr. 12–13, 2024)  
Commentator: Steven Schaus
- Northeastern University School of Law, Junior Scholars Conference (March 1–2, 2024)
- Vanderbilt Law School, Evidence Summer Workshop (May 6, 2022)

#### *Challenging the State's Claim to Authority (with Meir Yarom)*

- University of Sydney Law School, Dimensions of Authority conference (May 30, 2024)
- New York Law School Faculty Workshop (March 27, 2024)
- Cambridge University Legal Theory Discussion Group (Oct. 26, 2023)  
Commentator: Andreas Samartzis
- AALS Jurisprudence Section, Junior Scholars Workshop (Aug. 4, 2023)  
Commentator: Raff Donelson
- University of Edinburgh Law School, 9<sup>th</sup> Postgraduate Law Conference (May 30–31, 2023)
- Max Planck Law, 2<sup>nd</sup> Tech, Society Graduate Student Symposium (May 12, 2023)

#### *More on Justifying Determinations of Political-truths*

- New York University School of Law, J.S.D. Forum (Apr. 21, 2023)  
Commentator: Jeremy Waldron

#### *Taming Online Public Health Misinformation*

- Northeastern School of Law, Center for Health Policy & Law (CHPL) (Apr. 14, 2023)
- Northeastern University, Privacy Law Scholars Conference (PLSC) (June 2, 2022)  
Commentator: Daniel Schwarcz
- Yale Law School, 10<sup>th</sup> Freedom of Expression Scholars Conference (Apr. 31, 2022)  
Commentator: Ari Waldman
- New York University School of Law, Privacy Research Group (Dec. 1, 2021)

#### *Law & Normative Political Epistemology*

- Sciences Po Law School, 11<sup>th</sup> Intensive Doctoral Week (June 13–17, 2022)
- McGill University, Graduate Law Conference (May 5, 2022)
- New York University School of Law, J.S.D. Forum (Feb. 25, 2022).  
Commentator: Elizabeth Edenberg

#### *Legal Evidence and Legitimate Legal-truths*

- University of Edinburgh Law School, Legal Theory Research Group (Nov. 18, 2021)
- Durham University, Society of Legal Scholars 112<sup>th</sup> Annual Conference (Sep. 1, 2021)
- Cornell Law School, 15<sup>th</sup> Inter-University Graduate Conference, Criminal Theory (May 7, 2021)
- New York University School of Law, J.S.D. Forum (Apr. 1, 2021).  
Commentator: Fred Schauer

#### *Personalization of Smart Devices: Legal Perspectives*

- Cornell Law School, 15<sup>th</sup> Inter-University Graduate Conference, Law & Tech sect. (May 6, 2021)
- Yale Law School's 9<sup>th</sup> Annual Doctoral Scholarship Conference (Nov. 8–9, 2019)
- New York University School of Law, Privacy Research Group (Oct. 30, 2019)

#### *Introducing Political-truths*

- New York University School of Law, J.S.D. Forum (Mar. 27, 2020)  
Commentator: Jeremy Waldron

### **Organization**

- Organizer & discussant, *Law as an Achievement of Governance: A Conversation with Lewis Kornhauser*  
NYU School of Law (Sep. 9, 2022)
- Panel Organizer & discussant, *Truth and truths in Legal and Political Decision Making*  
7th ICON-S-IL annual conference, Law & Business Academic Center (June 12, 2022)
- Co-organizer & co-moderator, *Legality and Plans: Fireside Chat with Scott Shapiro*  
NYU School of Law, Center for Law and Philosophy (Apr. 11, 2022)
- Co-organizer & co-moderator, *Filling the Void: Legal and Political Implications of the Replacement of R.B.G.*  
NYU School of Law (Oct. 19<sup>th</sup>, 2020)
- Organizer & moderator, *Academic Online Presence*, NYU School of Law (Mar. 11<sup>th</sup>, 2021)

### **Other Conference Service**

- Discussant, *Large Language Models, Law and Policy Roundtable*,  
NYU School of Law (July 20, 2023)
- Invited Lecturer, *Gonzalez v. Google: The Case That Will (not) Break the Internet*  
NYU School of Law, Guarini Colloq.: Regulating Global Digital Corporations (Feb 27, 2023)
- Discussant, *The Long Arc of Legality: A Book Launch Discussion with David Dyzenhaus*  
NYU School of Law, Center for Law and Philosophy (Nov. 4, 2022)
- Commentator, *Accepting and Expecting Deception on Instagram* (Sanfilippo & Nair)  
University of Illinois, Governing Everyday Misinformation (July 14, 2022)
- Discussant, *The Future of Social Media: Covering, Researching, and Regulating Platforms*  
NYU Center for Social Media and Politics (Apr. 13, 2022)

## **ACADEMIC SERVICE**

### **International Journal of Evidence & Proof**

Deputy Editor, 2024–

### **Peer Reviewer**

Duke Law Journal

### **New York University School of Law**

- Visiting Doctoral Researchers application assessment committee, 2022, 2023
- Convener, Reading Group on Colloquium in Legal, Political, & Social Philosophy (fall 2020)

## **MISCELLANEOUS**

- Book Editor | A. Rubinstein, *Tribes of Israel: Liberalism and Multiculturalism in the Jewish State* (2017)
- Member of the Israeli Bar Association, 2017