

# James Toomey

Griswold 116 • Harvard Law School • Cambridge, MA 02138  
(516) 993-9083 • [jtoomey@law.harvard.edu](mailto:jtoomey@law.harvard.edu)

## CURRENT POSITION

**Climenko Fellow & Lecturer on Law**, Harvard Law School (September 2020 – Present)

*Courses:* First Year Legal Research and Writing (Fall 2020 – Spring 2022)

Contemporary Challenges in Elder Law Reading Group (Spring 2022)

## EDUCATION

**Harvard Law School**, J.D., *magna cum laude* (2019)

*Research:* Student Fellow, Petrie-Flom Center for Health Law Policy, Biotechnology & Bioethics (September 2018 – May 2019)

Research Assistant, Professor Francis X. Shen (Fall 2017 – May 2019)

Cravath International Travel Fellowship (January 2018)

*Teaching:* Teaching Fellow, Professor Michael J. Sandel, for the undergraduate course “Money, Markets and Morals.” Awarded Harvard Distinction in Teaching Award. (Fall 2018)

*Journal:* Executive Editor for Online, HARV. NAT. SEC. J. (Fall 2018 – May 2019)

**Cornell University**, B.A. in English, *summa cum laude*, and Government, *magna cum laude* (2016)

*Theses:* ‘All Made the One Way’: Nationalism, Purpose and Universal Human Nature in James Joyce’s *Ulysses*. (English). Awarded M.H. Abrams Prize for Best Thesis.

*Imperium Legum Non Hominum:* A Constitutional Theory of Democratic Peace. (Government). Awarded Kasdan-Montessori Peace Prize for Best Thesis on the Problems of Securing Peace in the World.

*Activities:* Phi Beta Kappa Society

President, Cornell Literary Society

## PUBLICATIONS

*Property’s Boundaries*, 109 VA. L. REV. (forthcoming 2023) ([link](#))

*Narrative Capacity*, 100 N.C. L. REV. (forthcoming 2022) ([link](#))

*How to End Our Stories: A Study of the Perspectives of Seniors on Dementia and Decision-making*, 29 ELDER L. J. 1 (2021) ([link](#))

*Too Important for the Bureaucrats: Rethinking Risk and Regulatory Presumptions in Times of Crisis*, 47 AM. J. L. & MED. 249 (peer-reviewed) (2021) ([link](#))

*'As Long As I'm Me': From Personhood to Personal Identity in Dementia and Decision-making*, 4 CANADIAN J. BIOETHICS 57 (2021) (peer-reviewed) ([link](#))

*Constitutionalizing Nature's Law: Dignity and the Regulation of Biotechnology in Switzerland*, 7 J. L. & BIOSCIENCES 1 (2020) (peer-reviewed) ([link](#))

*Understanding the Perspectives of Seniors on Dementia and Decision-making*, 12 AJOB EMPIRICAL BIOETHICS 101 (2020) (peer-reviewed) ([link](#))

### **SHORTER WORKS**

*Liberalism and Identity*, 21 AM. J. BIOETHICS 59 (2021), Open Peer Commentary to *Neutrality and Perfectionism in Public Health*, by Hafez Ismaili M'Hamdi ([link](#))

*Is Noninvasive Prenatal Genetic Testing Eugenic?*, HASTINGS CEN. BIOETHICS F. (Dec. 13, 2017) ([link](#))

### **WORKING PAPERS**

*The Age of Fraud* ([link](#))

### **JUDICIAL CLERKSHIP**

Hon. Stanley Marcus, U.S. Court of Appeals for the Eleventh Circuit (2019 – 2020)

### **RELEVANT WORK EXPERIENCE**

Sullivan & Cromwell LLP—New York; London (summer 2018; summer 2019)  
*Summer Associate* (offer extended)

U.S. Attorney's Office for the District of Massachusetts (spring 2018, January 2019)  
*Legal Intern—Healthcare Fraud*

U.S. Attorney's Office for the Eastern District of New York (summer 2017)  
*Legal Intern—International Narcotics and Money Laundering*

Securities Industry & Financial Markets Association (SIFMA) (summer 2016)  
*Intern—State Government Affairs; Senior Investor Protection Initiative*

Cornell University Police Department (fall 2012 – spring 2016)  
*Police Auxiliary*

### **SELECTED COMMENTARY**

*Equalizing the Genetic Lottery?*, BILL OF HEALTH, Jan. 12, 2022 ([link](#))

*There's More to Decision-Making Capacity than Cognitive Function*, BILL OF HEALTH, Sept. 8, 2021 ([link](#))

*Responsibly Developing Gene Drives: The GeneConvene Global Collaborative*, BILL OF HEALTH, Jan. 13, 2021 ([link](#))

*Book Review: Mary Ziegler's 'Abortion and the Law in America'*, BILL OF HEALTH, Dec. 2, 2020 ([link](#))

*To Combat the COVID-19 Pandemic, the US Should Crowdfund Contact Tracing*, BILL OF HEALTH, Nov. 4, 2020 ([link](#))

*No One Is Sovereign Over Genetic Sequences*, BILL OF HEALTH, Mar. 21, 2019 ([link](#))

*Malaria Eradication: For Africa as America*, BILL OF HEALTH, Mar. 7, 2019 ([link](#))

*On Social Suicide Prevention, Don't Let the Perfect be the Enemy of the Good*, BILL OF HEALTH, Feb. 20, 2019 ([link](#))

*Towards Human Bioprogress*, BILL OF HEALTH, Nov. 26, 2018 ([link](#))

### **ACADEMIC SERVICE**

Guest lecturer, “Health Law and Policy,” taught by Aaron Kesselheim & Brendan Abel, Harvard Medical School. Taught “Introduction to the American Legal System” class to M.S. in Bioethics students. (2021 – 2022 ).

Peer Reviewer

*Legal Theory*, Cambridge University Press (2022)  
Routledge. (2021).

### **SELECTED PRESENTATIONS**

*Narrative Capacity*, Health Law Policy, Bioethics, and Biotechnology Workshop, Harvard Law School (Sept. 8, 2021)

### **BAR ADMISSIONS**

New York (2020)