

**ANDREA L. ROTH**

Stanford Law School

559 Nathan Abbott Way, Stanford, CA 94305

650-723-9212 [aroth@law.stanford.edu](mailto:aroth@law.stanford.edu)

**EDUCATION**

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**Yale Law School**, J.D., June 1998. Member, New York, D.C., California, and Supreme Court Bars. John Currier Gallagher Prize, Final Round Mock Trial Best Presentation; Editor and Admissions Committee Member, *Yale Law Journal*; Semifinalist, Morris Tyler Moot Court of Appeals; Symposium Editor, *Yale Law & Policy Review*; Vice-President, The *Initiative* for Public Interest Law; Teacher, Street Law Program; Mentor, New Haven Truancy Court Project

**University of New Mexico**, B.S., Mathematics, B.A., Political Science, *summa cum laude*, May 1995. First Place Senior Award, Mathematics Department; General Commencement Speaker; First Place Speaker, Parliamentary Debate Association National Finals; First Place Speaker, Yale Debate Invitational; Phi Beta Kappa; Phi Kappa Phi National Fellowship Award

**ACADEMIC EXPERIENCE AND JUDICIAL CLERKSHIP**

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**Stanford Law School**, Law Fellow and Instructor, July 2008 – present

Research and write on the use of forensic science in criminal trials and the continuing viability of the lay jury. Participate in faculty and fellow workshops and various criminal defense clinic moot oral arguments. Design and teach first-year courses on legal writing, analysis, and research, and federal litigation. Received excellent teaching evaluations (4.97 out of 5.0, evaluations upon request).

**Justice Dana Fabe, Alaska Supreme Court**, Law Clerk, Aug. 1998-July 1999

Prepared bench memoranda; drafted opinions; performed marriages; supervised at Anchorage Youth Court.

**PUBLICATIONS AND WORKING PAPERS**

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*Safety in Numbers?: Deciding When DNA Alone Is Enough To Convict* (in progress)

*Database Limitations on the Evidentiary Value of Forensic Mitochondrial DNA Evidence*, 43 AM. CRIM. L. REV. 53 (2006)

Review, *Forensic Identification and Criminal Justice: Forensic Science, Justice, and Risk*, by Carole McCartney, 8 L. PROBABILITY & RISK 55 (2009) (peer reviewed journal)

## OTHER TEACHING AND PROFESSIONAL EXPERIENCE

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### **Public Defender Service for the District of Columbia**, *Staff Attorney*, Oct. 1999-June 2008

Tried felony jury and misdemeanor bench cases in D.C. Superior Court for 2 ½ years. Was a member of the Appellate Division for 6 years and supervised and second-chaired attorneys in the Division for 2 years. Was a founding member of PDS's Forensic Practice Group and, since 2001, attended hundreds of hours of DNA training and litigated and lectured on use of nuclear DNA and mtDNA evidence. Submitted U.S. Supreme Court *amicus* briefs in sex offender registration and *Crawford v. Washington* cases. Litigated sex offender registration issues in the D.C. Court of Appeals, U.S. District Court, and D.C. Circuit. Appellate reversals include:

*Mack v. United States* (D.C. 2007) (reversing murder conviction for rule of completeness violation)

*Howard v. United States* (D.C. 2007) (reversing drug conviction for *Crawford* error) (*amicus*)

*Cottingham v. United States* (D.C. 2007) (government conceding invalid *Terry* stop)

*Thomas v. United States* (D.C. 2006) (holding that DEA chemist's report is "testimonial" hearsay under *Crawford*) (was *amicus* but argued case)

*Wilson-Bey v. United States* (D.C. 2006) (*en banc*) (declaring "natural and probable consequences" language in D.C.'s aiding and abetting instruction unconstitutional) (was *amicus* but argued case)

*Stancil v. United States* (D.C. 2005) (holding that on-scene "excited" reports of crime are usually testimonial; remanding to determine if any statements were before scene was "secured") (was *amicus* but argued case)

*Keels v. United States* (D.C. 2001) (remanding for resentencing upon holding that D.C.'s life-without-parole statute as written is unconstitutional under *Apprendi v. New Jersey*)

### **Yale Law School**, Teaching Assistant, Prof. Judith Resnik, *Procedure*, Fall 1997

Was responsible for conducting weekly small group sessions with 17 students, editing and grading of student-written pleadings, and assisting with class preparation.

### **Yale Law School**, Student Director, Jerome Frank Legal Services Organization, 1996-98

Supervised team of students working on Second Circuit appeal of Title VII case; represented Title VII plaintiff at trial and appellate oral argument; worked at weekly outreach soup kitchen and on Social Security and HIV-related issues.

### **University of New Mexico**, Teaching Assistant, Prof. Frank Kelly, *Non-European Mathematics*, Spring 1995

Lectured and demonstrated proofs during seminar for UNM Honors Program students. Held weekly office hours.

## SELECTED PRESENTATIONS

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Visiting Lecturer, *Cranford* and the Confrontation Clause, Catholic Univ. School of Law (Mar. 7 & 9, 2006).

“Use of Forensic DNA Typing in Superior Court,” David A. Clarke School of Law, D.C. (Oct. 7, 2005).

Faculty Member, PDS DNA Cross-Examination College, Gallaudet University, D.C. (Sept. 2005).

“The Evidentiary Value of mtDNA Evidence,” International Conference on Forensic Statistics, Arizona State Univ. College of Law, Center for the Study of Law, Science and Technology (Mar. 18, 2005).

“Fairness, Accuracy, and Forensic Evidence: Lessons from Washington, D.C.,” International Forensic Science Conference, Calabria, Italy (June 2004).

“Defense Challenges to DNA Evidence,” New Mexico Criminal Defense Lawyers Association, Albuquerque, N.M. (July 17, 2005).

“Making Your Appellate Record,” Prettyman Fellowship Training, Georgetown Univ. Law School, D.C. (Sept. 2005, Sept. 2006, Sept. 2007).

“Effectively Litigating 4th and 5th Amendment Issues,” CJA Summer Series, D.C. (June 12, 2007).

“Forensic Evidence and Expert Testimony Issues,” Forensic Science Conference, D.C. (June 2, 2007).

“4th, 5th, and 6th Amendment Litigation in Juvenile Cases,” Bar Association of D.C. (Mar. 5, 2007).

“Making an Appellate Record as a Neglect Lawyer,” Children’s Law Center, D.C. (Sept. 9, 2006).

“*Cranford v. Washington*’s Impact on Trial Practice,” ABA Criminal Justice Section, Baltimore, MD (Nov. 4, 2005).