

# THOMAS WILSON MITCHELL

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## CURRENT ACADEMIC APPOINTMENTS

### BOSTON COLLEGE LAW SCHOOL

07/01/2022 – present      Professor and holder of the Robert F. Drinan, S.J. Endowed Chair  
Director: Initiative on Land and Housing Rights

#### Courses:

- Property
- Land Use
- Wills and Estates

## PRIOR ACADEMIC APPOINTMENTS

06/2016 - 06/2022      TEXAS A&M UNIVERSITY SCHOOL OF LAW  
Professor of Law

12/2015-07/2017      UNIVERSITY OF WISCONSIN LAW SCHOOL  
*Professor of Law & Frederick W. and Vi Miller Chair in Law*

11/2012 -12/2015      UNIVERSITY OF WISCONSIN LAW SCHOOL  
*Professor of Law*

09/2006 - 10/2012      UNIVERSITY OF WISCONSIN LAW SCHOOL

## **OTHER PRIOR PROFESSIONAL EXPERIENCE**

Journal of Black Innovation: named 1 of 50 Most Important African-Americans in Infrastructure in 2021

Howard University 2021 Alumni Award for Distinguished Postgraduate Achievement

MacArthur Fellow, 2020 (1 of 21 people in the United States awarded the MacArthur Fellowship in 2020)

Honors: *Special Articles Editor*, HOWARD UNIVERSITY LAW JOURNAL  
American Jurisprudence Book Award: Constitutional Law

AMHERST COLLEGE

B.A., English 1987

Honors: G. Armour Craig Award for Prose Composition

*Growing*

10/23/2021 Presentation about the Uniform Partition of Heirs Property Act to the Legislative Committee of the Minnesota State Bar Association's Real Property Law Section

9/30/2021 Presentation about the Uniform Partition of Heirs Property Act to the Legislative Committee of the Utah State Bar Association's Legislative Committee

about the Justice for Black Farmers Act. Panel consisted of legal counsel for Senator Cory Booker, the Executive Director of the Black Food Justice organization, a few state legislators, and me.

Justice for Black Farmers Act: Participated in drafting United States Senate bill co-sponsored by Senators Cory Booker, Kirsten Gillibrand, and Elizabeth Warner. The bill represents the most robust, wide-ranging bill ever introduced in Congress to address historical injustices and systemic racism against Black farmers by various groups, most prominently the United States Department of Agriculture.

President-Elect Joseph Biden's Presidential Campaign (2020): Served on the Climate Energy and Environment Policy Committee, including the Agriculture and Rural Development Subcommittee and the Environmental Justice Subcommittee.

Senator Elizabeth Warren's Presidential Campaign (2020): Advised Senator Warren's campaign policy staff

Author of proposal submitted to the ULC in the fall of 2019 to establish a committee to study the potential for drafting a second uniform act to address state property laws that often keep tenancy-in-common property owners who are disproportionately low-income, low-wealth, and people of color locked into the very unstable tenancy-in-common form of ownership, including many families who own heirs' property, which is a subset of tenancy-in-common property. The ULC accepted this proposal in February 2020 and has established drafting



ULC has promulgated in its 128-year history. I have played a very robust role in terms of efforts to enact the UHPA in nearly every state or other jurisdiction that has considered enacting the UHPA into law.

INSIGHT CENTER FOR COMMUNITY ECONOMIC DEVELOPMENT, THE RACIAL GAP IN LAND RETENTION, ACQUISITION, AND DEVELOPMENT (June 2009) (I was one of the primary contributors to this policy brief).

## **WORKS IN PROGRESS**

*Black Land Loss and Racial Wealth Inequality in the United States.* This is a collaborative research project I am working on with Nathan Rosenberg, Dania Francis, Darrick Hamilton, and Bryce Stucki. We will have multiple publications including in an economics journal, other social science journals, and in various media outlets.

*Black Americans' Quest for Property Ownership: A Sisyphean History Submitted.* This manuscript traces the long history of the various ways in which many African Americans have been thwarted in their attempts to become property owners or to maintain ownership of property they have acquired.

*Property Valuation Beyond Numbers,* co-authors are John Schelhas and Cassandra Johnson Gaither from the USDA U.S. Forest Service Southern Research Station and Sarah Hitchner, an adjunct professor of anthropology at the University of Georgia.

*Uniform/Model Laws and Social Justice: Combining a Social Movement and Top-Down Approach.* This article will address how advocates for underprivileged people can and should seek to develop uniform and model acts in various substantive areas of the law to promote social and economic justice, especially given that very few uniform or model laws have been developed to address the specific legal problems poor and minority people often face. This article will be submitted to the Vermont Journal of Environmental Law as part of the commitment I made to Vermont Law School in connection with the Norman Williams Distinguished Lecture in Land Use and Planning Law that I delivered in the spring of 2018.

*Exit from Common Property Ownership: An International Comparative Study.* I have conducted some preliminary research for this article by researching relevant property laws in several provinces in Canada and in several European countries.

LAND REFORM IN THE NEW DEAL: SEPARATE AND UNEQUAL Book project that explores the racialized history of certain programs the United States Department of Agriculture established for poor farm families during the New Deal.

## **ACADEMIC CONFERENCES, SYMPOSIA, AND PRESENTATIONS**

1/9/2022 Part of 5-person research team that participated in American Economic Association/Allied Social Science Associations' Annual Meeting for session titled Race, Gender, and Financial Well-Being. We presented our

work in progress titled

- 12/8/2020 U.S.C. Sol Price School of Public Policy, *Conversations with Interim Dean Dana Goldman featuring Thomas Mitchell and Richard Green* (fireside chat about my law & policy work)
- 11/19/2020 Featured Speaker for the University of Minnesota Law School's Faculty Works in Progress series
- 2/28/2020 Panelist, *Racial Bias, Disparities and Oppression in the 1L Curriculum: A Critical Approach to the Canonical First Year Law School Subjects*, Boston University School of Law, Provost-Sponsored Great Topics Symposium. My presentation was titled *Exposing and Counteracting Some Ways in Which 1L Property Courses Often Marginalize and Erase Underlying Racial Issues*. Boston, MA
- 2/29/2020 Keynote Speaker & Panelist, 32<sup>nd</sup> Annual Dr. Sadie T.M. Alexander Commemorative Conference, *The Cost of Slavery: How Reparations Correct America's Balance Sheet*, University of Pennsylvania Law

Carolyn Grose who serves on the Mitchell-Hamline faculty. Saint Paul, MN

- 04/02/2019      Presenter, *Heirs' Property Ownership and the Uniform Partition of Heirs Property Act*. I made this presentation for Professor Andrea Roberts' (Texas A&M University's School of Architecture) Community Revitalization Course. College Station, TX
- 03/07/2019      Distinguished Lecturer, *Addressing Property Challenges for Disadvantaged Communities: By All Means Available*. I delivered the Ruth Chance Lecture at U.C. Berkeley School of Law.
- 03/05/2019      Invited Presenter, *Striving to Address Racial (and other) Inequalities*

03/27/2017

Invited Presenter, *African-Americans' Quest for Full Citizenship Undermined by Recurring Property Ownership Barriers*,  
Northeastern University School of Law, Boston, MA

04/30/2015 Invited Presenter, USDA Forest Service Southern Research Station, Faculty Workshop Series, Athens, GA

04/07/2015 Invited Presenter, Historic Black Towns and Settlements Workshop, University of North Carolina at Chapel Hill, Chapel Hill, NC

03/20/2015 Invited Presenter, 20th Thomas R. Gallivan, Jr. Conference, Kelo: A *Decade Later*, University of Connecticut School of Law, Hartford, CT

03/05/2015 Invited Presenter, Loyola Law School, Faculty Workshop Series, Los Angeles, CA

10/24 - 10/25/2014 Midwest Law and Society Retreat, University of Wisconsin – Madison, Madison, WI

08/30/2014 Invited Presenter, New Legal Realism 10th Anniversary Conference: Future Directions for Legal Empiricism, University of California, Irvine School of Law, Irvine, CA

04/11/2014 Invited Presenter, Marquette University Law School, Faculty Workshop Series, Milwaukee, WI

03/24/2014 Invited Presenter, Elon University School of Law, Faculty Workshop Series, Greensboro, NC

11/01/2013 Presenter, Southern Historical Association Annual Meeting, St. Louis, MO

10/24/2013 Presenter, Poverty Law Conference at American University Washington College of Law, Washington, D.C.

04/27/2013 Presenter, 4th Annual Meeting for the Association for Law, Property and Society, University of Minnesota Law School, Minneapolis, MN

02/20/2013 Invited Presenter, Texas Wesleyan School of Law, 2012-2013 Faculty Speaker Series, Fort Worth, TX

11/01/2012 Invited Presenter, Howard University School of Law, 9th Annual Wiley A. Branton - Howard Law Journal Symposium, Washington, D.C.

02/28/2012 Invited Presenter, UC Hastings College of the Law, Faculty Speakers Series, San Francisco, CA

01/27/2012 Mid-Atlantic People of Color Legal Scholarship Conference, *Law and the Historical Movement: Law's Response to 21st Century Issues*, panelist, Howard University School of Law, Washington, D.C.

11/03/2011

- 06/02/2011 Invited plenary panel speaker, Law and Society Association's Annual Meeting, panelist on a plenary session titled *Geographies, Nature and the Environment*, San Francisco, CA
- 03/17/2011 Invited Presenter, Southern University Law Center, panelist, *We're Taking your Property: Expropriation and Property Rights*, Symposium sponsored by the Journal of Race, Gender and Poverty, Baton Rouge, LA
- 03/05/2011 Presenter, Association for Law, Property, and Society, Georgetown University Law Center, Washington, D.C.
- 05/01/2010

11/12/2004           Presenter, Invisible Fences: Municipal Underbunding and Minority Exclusion Conference, University of North Carolina Law School, Chapel Hill, NC

10/08/2004           Presenter, 2nd National People of Color Legal Scholarship Conference, Panel on Race, Geography and Community Development: Legal Advocacy in Urban and Rural Communities George Washington University Law School, Washington, D.C.

06/26/2004           Presenter, New Legal Realism Conference, University of Wisconsin - Madison, Madison, WI

05/29/2004           Presenter, Law and Society Conference, Chicago, IL

05/24/2004           Presenter, Who Owns America IV? Conference, University of Wisconsin – Madison, Madison, WI

03/26/2004           Invited Presenter, University of North Carolina Law School, Faculty



- 4/12/2021 Amherst College, Black Alumni Week, Conversation with fellow MacArthur Fellow and Amherst College alum, Kellie Jones
- 3/18/2021 A.B.A./Real Property, Trust and Estate Law Section/Estate Planning Council of Metro Louisville eCLE Webinar - *Heirs' Property – Pervasive Ownership Problems and Discrimination Hiding in Plain Sight*, panelist along with Senator Jennifer Leigh McClellan (Virginia state senator)
- 2/25/2021 Amon Carter Museum of American Art, Experts Talk on the Carter: The Art of Change, *John Quincy Adams Ward's The Freedman: The Continuing African American Struggle for 40 Acres and a Mule and Full Citizenship*
- 2/23/2021 California Association of Black Real Estate Professionals, *Helping To Preserve Family Wealth: A Conversation with Professor Thomas Mitchell*
- 2/16/2021 Atlanta Bar Association, Thought Leader Series: Zooms at Noon, *Heirs' Property—A Substantial But Underappreciated Problem Hiding in Plain Sight*
- 2/5/2021 U.S.C. Lusk Center for Real Estate,

06/15/2017

Keynote Speaker, *Heirs' Property Ownership: Movin*

04/12/2007 Keynote Speaker, Land Rich II Conference, University of North Carolina Law School, Chapel Hill, NC

09/20/2006 Presenter, Corporation for Enterprise Development, Asset Learning Conference, Phoenix, AZ

06/12/2006 Presenter, Farmers' Legal Action Group, *This Is Not Your Grandpa's Farm Law: Cutting Edge Legal Issues in Agricultural Law*, continuing legal education workshop, St. Paul, MN

05/08 - 05/12/2006 Presenter, Facilitator, and Policy Team Member, W.K. Kellogg Foundation  
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- 10/15/2021 Jason Johnson, *Black to the Land: Will the Reversal of the Racist Land Grab at Bruce's Beach Spark a Trend?*, SLATE: A WORD . . WITH JASON JOHNSON
- 10/10/2021 Danny Hajek, A Martínez, & Kelley Dickens, *A Black Family Got Their Beach Back — and Inspired Others to Fight Against Land Theft*, NPR MORNING EDITION
- 10/4/2021 Video, *Heirs Property and Generational Land Loss*, Planning for a Diverse and Equitable Future Video Series, The American College of Trust and Estate Counsel (co-presented with David Diedrich)
- 6/28/2021 David Condos, *Federal Payments to Black Kansas Farmers Come Too Late for Generations Who Faced Discrimination*, HIGH PLAINS PUBLIC RADIO
- 6/24/2021 Andrew Balaban, *Heirs' Property: "The Biggest Problem You've Never Heard Of,"* THE MAROON (New Palz High School Newspaper, New Palz, NY)
- 6/8/2021 Keir Miller & Kelly Gordon, *Debt Relief for Black Farmers and Other Farmers of Color*, MPR News (Minnesota Public Radio)
- 4/7/2021 Keith Romer, *How Jacob Loud's Land Was Lost*, NPR PLANET MONEY
- 4/3/2021 Michaëlle Bond, *When the T*

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2/1/2021

POST (quoted and one of the article's featured fellows noting I was only lawyer selected in 2020).

- 10/6/2020 Petra Mayer, *Amidst Global Troubles, MacArthur 'Genius Grant' Winners 'Provoke And Inspire'*, NPR
- 10/6/2020 KERA, NPR Affiliate in Dallas-Fort Worth, TX (radio interview)
- 9/21/2020 April Simpson, *Racial Justice Push Creates Momentum to Protect Black-Owned Land*, PEW CHARITABLE TRUSTS
- 8/26/2020 Greg Barlow, *Mitigating Property Loss Through Historic Partition Law Reform in the U.S.*, LSA STORIES, LAW & SOCIETY ASSOCIATION (LSA STORIES is the Law and Society Association's exclusive feature story series).
- 6/23/2020 *Florida Enacts UPHPA*, BLACK NEWS NETWORK (national cable news network)
- 4/24/20 *Losing Ground*, VICE (airs on Showtime), Lyle Kendrick, lyle.kendrick@vice.com (featured expert)
- 12/11/2019 Renzo Downey, *Senate Panel Advances Randolph Bracy Heir Property Inheritance Bill*, FLORIDA POLITICS
- 12/3/2019

- 7/8/2019      Insight Center: Hidden Truths Podcast: Interviewed by the Executive Director for the Insight Center, an Oakland, California-based national research and economic justice organization
- 6/18/2019      April Simpson, *New Laws Help Rural Black Families Fight for Their Land*, STATELINE, a publication of the Pew Charitable Trusts
- 5/24/2019      Rosalind Bentley, *New Farm Bill Could Help Southern Black Farmers Tap Loans, Keep Land*, ATLANTA JOURNAL-CONSTITUTION (quoted in article and my uniform real property act featured)
- 5/02/2019      *CAP Report Highlights Inequities for Black Farmers*, Food and ENVIRONMENT REPORTING NETWORK, (based in New York, NY), (quoted in article).
- 4/22/2019      Columbia Missourian: Interviewed for possible article on Uniform Partition of Heirs Property Act bill in Missouri legislature.
- 3/19/2019      *Going, Going, Gone: New Tactic by Real Estate Investors Forcing Some New Yorkers from Their Homes*

12/22/2018 *AgriLife Extension Experts*



- 07/24/2013 Wisconsin Public Radio, State Supreme Court Decision May Change How Utilities and Government Buy Property
- 02/18/2011 Quoted in Dow Jones Newswires article “New Model for Family Property”
- 12/2001 Quoted in award winning, Associated Press series titled Torn From the Land that explored African-American land loss in the 20th century.

## **GRANTS**

10/1/2021 UNITED STATES DEPARTMENT OF AGRICULTURE – ECONOMIC RESEARCH SERVICE  
Principal investigator for one-year cooperative agreement titled *Identifying and characterizing agricultural heirs’ property, owners, and production decisions*.

Fall 2012 UNIVERSITY OF WISCONSIN GRADUATE SCHOOL  
Received funding in fall co(nve)50 1]-13 (() -12(t) -2 (f) -2 ( t-24 (n) -24 (n) -13 (() - ( )

*Racially Restrictive Covenants – Were They Dignity Takings? for Law & Social Inquiry* (2015)

*El Titulo en la Mano: The Impact of Titling Programs Upon Low Income Housing in Texas Colonia for Law & Social Inquiry* (2008)

*Psychological Aspects of Property and Ownership for Law & Social Inquiry* (2007)

*Intestate Succession, Property, and the Persistence of Poverty: Implications for*



policy proposal