

## **ZACHARY BRAY**

University of Kentucky J. David Rosenberg College of Law  
620 S. Limestone, Lexington, KY 40508  
zachary.bray@uky.edu

---

### **EMPLOYMENT**

#### **UNIVERSITY OF KENTUCKY J. DAVID ROSENBERG COLLEGE OF LAW, Lexington, Kentucky**

*James and Mary Lassiter Professor of Law, 2020-present*

*H. Wendell Cherry Associate Professor of Law, 2016-2020*

*Visiting Assistant Professor, Fall 2015*

*Courses Taught:* Property; Natural Resources; Real Estate Transactions; Trusts & Estates; Administrative Law; Payment Systems; Seminar: Property Law; Law & Inequality

#### *Awards and Representative Service:*

- University of Kentucky Alumni Association, Great Teacher Award (university-wide award; student and colleague nomination)
- Commencement Speaker, Spring 2022; Commencement Hooder, Spring 2019; Commencement Toast, Spring 2018 (student vote)
- Admissions Committee (Chair 2017-2022, Member 2016-2017)
- Appointments Committee (Member, 2022-2023)
- Executive Committee (two-year term-limited faculty vote, 2017-2019, 2021-23)
- University Faculty Senate (three-year term, faculty vote, 2018-2020)
- Chair, University Faculty Senate Academic Organization and Structure Committee (“SAOSC”) (2019-2021)
- Chair, Ad Hoc Bar Exam Passage Committee (2017-2019)
- Bar Exam Passage Advisor to Academic Enhancement Office (2019-2020)
- Visiting Speakers Committee (2016-2017, 2018-2019, 2021-2022)
- Strategic Planning Committee (2016-2017)
- University Faculty Senate Rules Committee (2018-2019)
- Faculty Advisor, Student Appalachian Law Caucus (2017-present)
- Faculty Advisor, Equine Law Society (2022-present)
- Instructor, Kentucky Legal Education Opportunity (“KLEO”) program (2019)

#### **UNIVERSITY OF HOUSTON LAW CENTER, Houston, Texas**

*Associate Professor, 2016*

*Assistant Professor, 2010-2016*

*Courses Taught:* Property; Land Use; Natural Resources; Water Law; Seminar: Local Controls, Land Development, Public Rights, and Private Conservation

*Awards and Representative Service:*

- Provost's Office, University of Houston Teaching Excellence Award, 2015 (university-wide award; interdisciplinary peer instructor observation)
- Commencement Hooder, Spring 2015 (student vote)
- Instructor, Summer Diversity Pipeline Program (2015-2016)
- Instructor, Street Law Program (2016)
- Honor Court (elected by student vote)
- Advisory Committee, University of Houston Center for Sustainability and Resilience (2014-2016)
- Law Center Faculty Mentor, 2015 Texas Energy Innovation Challenge (university and interscholastic competitions won by a University of Houston law student)
- Admissions Committee (Chair 2014-2016, Member 2011-2016)
- Online Learning Committee (2014-2015)
- Appointments Committee (2013-2014)
- Clerkship Committee (2011-2014)
- Clinical & Non-Tenure-Track Faculty Committees (2013-2014)
- First-Year Curriculum Reform Committee (2010-2011)

**WILLIAM & MARY LAW SCHOOL, Williamsburg, Virginia**

*Visiting Instructor, Spring 2022, Spring 2024 (planned)*

*Courses Taught:* Environmental Law (Spring 2021), Water Law (Spring 2024)

**UNIVERSITY OF HOUSTON LAW CENTER, Houston, Texas**

*Visiting Instructor, Spring 2023*

*Courses Taught:* Statutory & Regulatory Interpretation

**WASHINGTON UNIVERSITY SCHOOL OF LAW, St. Louis, Missouri**

*Visiting Instructor, Spring 2021, Spring 2022*

*Courses Taught:* Contemporary Issues in Real Estate Law

**MUNGER, TOLLES & OLSON, LLP, Los Angeles, California**

*Litigation Associate, 2007-2010*

**UNITED STATES DISTRICT COURT FOR THE EASTERN AND WESTERN DISTRICTS OF KENTUCKY**  
*Law Clerk to the Honorable Jennifer B. Coffman, 2006-2007*

**UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT**  
*Law Clerk to the Honorable Carolyn Dineen King, 2005-2006*

**YALE LAW SCHOOL**, New Haven, CT & Washington, D.C.  
*Member of Hamdan v. Rumsfeld Legal Team, 2004-2005*

**O'MELVENY & MYERS LLP**, Washington, D.C.  
*Summer Associate, 2004*

**SIDLEY AUSTIN BROWN & WOOD**, Chicago, IL  
*Summer Associate, 2003*

**YALE LAW SCHOOL**, New Haven, CT  
*Research Assistant for Professor Alan Schwartz, 2003*

## **EDUCATION**

**YALE LAW SCHOOL**, J.D., June 2005  
*Activities: The Yale Law Journal, Essays Editor*  
*Yale Journal on Regulation, Editor*  
*Law Clerk, Temporary Restraining Order Project*

**UNIVERSITY OF NOTRE DAME**, B.A., *summa cum laude*, in Philosophy, History, May 2001  
*Honors: Class Rank: 1st in College of Arts & Letters*  
*Phi Beta Kappa*  
*Oesterle Award – Outstanding Student, Philosophy Department*  
*Notre Dame Honors Program*

## LAW REVIEW PUBLICATIONS

*Precious and Dear to Us Is Only This Place: The Transformative Potential of Monumental Remnants*, 71 WASH. U. J. L. & PUB. POL'Y 1 (2023) (invited contribution, lead article in volume), in *American Antiquity, Monument Protection, and the Law*, 71 WASH. U. J. L. & PUB. POL'Y (2023) (invited curator for volume).

*We Are All Growing Old Together: Making Sense of America's Monument-Protection Laws*, 61 WILLIAM & MARY L. REV. 1259 (2020).

*Diagnosing the Ills of American Monument-Protection Laws*, 72 FLA. L. REV. F. 85 (2020) (invited response).

*From 'Wonderful Grandeur' to 'Awful Things': What the Antiquities Act and National Monuments Reveal about the Statue Statutes and Confederate Monuments*, 108 KY. L. J. 585 (2020) (invited contribution, symposium co-organizer).

*The Fragile Future of Aquifer Storage and Recovery*, 57 SAN DIEGO L. REV. 1 (2020) (lead article in volume).

*Monuments of Folly: How Local Governments Can Challenge Confederate 'Statue Statutes,'* 91 TEMPLE L. REV. 1 (2018) (lead article in volume).

*RLUIPA and the Limits of Religious Institutionalism*, 2016 UTAH L. REV. 41, reprinted in PATRICIA E. SALKIN, ZONING AND PLANNING LAW HANDBOOK (2017), and excerpted in LESLIE GRIFFIN, LAW AND RELIGION: CASES AND MATERIALS (4<sup>th</sup> ed. 2017).

*Texas Groundwater and Tragically Stable 'Crossovers,'* 2014 BRIGHAM YOUNG UNIVERSITY L. REV. 1283 (invited contribution).

*The Hidden Rise of 'Efficient' (De)listing*, 73 MARYLAND L. REV. 389 (2014).

*The New Progressive Property and the Low-Income Housing Conflict*, 2012 BRIGHAM YOUNG UNIVERSITY L. REV. 1109.

*Reconciling Development and Natural Beauty: The Promise and Dilemma of Conservation Easements*, 34 HARV. ENVTL. L. REV. 119 (2010).

*Appellate Review and the Exclusionary Rule*, 113 YALE L.J. 1143 (2004).

## SELECTED PRESENTATIONS AND LECTURES

University of Kentucky, Office of Vice President for Research, "Confederate Monuments and Public Spaces: Rethinking the Roles and Values of Public Memory," January 2023 (with Melynda Price).

American Bar Association / Real Property, Trusts, and Estates Section, "Rethinking the Role and Values of Monuments in Public Spaces," April 2022.

Moderator, “Beyond Statues: Future Sites of Monument Conflict,” *Written in Stone: American Monuments & Monument-Protection Law*, Kentucky Law Journal Symposium, University of Kentucky College of Law, Lexington, KY, November 2019 (symposium co-host).

“We Are All Growing Old Together: Making Sense of America’s Monument-Protection Laws,” 2019 Association of Law, Property, and Society Conference, Syracuse University College of Law, Syracuse, New York, May 2019.

“The Power of Pastness: Making Sense of America’s Monument-Protection Laws,” 2019 Faculty Workshop, William & Mary School of Law, Williamsburg, Virginia, January 2019.

“Monuments of Folly: How Local Governments Can Challenge Confederate ‘Statue Statutes,’” 2018 Real Property Roundtable: Bridging the Urban-Rural Divide, Texas A&M College of Law, Fort Worth, Texas, February 2018.

“The Checkered History and Fragile Future of Aquifer Storage and Recovery,” Natural Resources Law Teachers Workshop, Santa Fe, New Mexico, July 2017.

“Property, Energy, and the Limits of Local Control,” State and Local Government Works-in-Progress Conference, Houston, Texas, October 2016.

“RLUIPA and the Limits of Religious Institutionalism,” University of Kentucky College of Law, October 2015.

“RLUIPA and the Limits of Religious Institutionalism,” 2015 Texas Legal Scholars Conference, Houston, TX, August 2015.

“Supreme Court Update: *Texas Department of Housing and Community Affairs v. Inclusive Communities Project, Inc.*,” University of Houston Law Center Continuing Legal Education Series, July 2015.

“RLUIPA and the Limits of Religious Institutionalism,” 2015 Association of Law, Property, and Society Conference, University of Georgia Law School, Athens, GA, March 2015.

“Texas Groundwater and Tragically Stable ‘Crossovers,’” University of Kentucky College of Law, November 2014.

“Lone Star Water Forum-Experts Panel,” Brenham, TX October 2014.

“The Hidden Rise of Efficient ‘Delisting,’” University of Washington School of Law, April 2014.

“Texas Groundwater and Tragically Stable ‘Crossovers,’” Brigham Young University Law School, January 2014.

“The Hidden Rise of Efficient Extinction,” Thurgood Marshall School of Law at Texas Southern University, April 2013.

“The Edges of Development,” 2013 Association of Law, Property, and Society Conference, University of Minnesota Law School, Minnesota, MN

“Notes from the Early Years,” Panel Discussion, 2012 Association of American Law Schools New Law Professors Conference, Washington, D.C.

“Administrative Law Exceptionalism,” Panel Discussion, 2012 Law and Society Conference, Honolulu, HI.

“The New Progressive Property and the Low-Income Housing Conflict,” 2012 Law and Society Conference, Honolulu, HI.

“The New Progressive Property and the Low-Income Housing Conflict,” 2012 Association of Law, Property, and Society Conference, Washington, D.C.

“Section 8, Rent Control, and the New Progressive Property,” 2011 New Scholars Panel, Southeast Association of Law Schools, Hilton Head, South Carolina.

“Section 8, Rent Control, and the New Progressive Property,” 2011 Southwest/West Junior Law Faculty Conference, Sandra Day O’Connor School of Law, Arizona State University.

“Reconciling Development and Natural Beauty: The Promise and Dilemma of Conservation Easements,” University of Houston Law Center, December 2009.

“Reconciling Development and Natural Beauty: The Promise and Dilemma of Conservation Easements,” St. Louis University Law School, December 2009.

“Reconciling Development and Natural Beauty: The Promise and Dilemma of Conservation Easements,” Brooklyn Law School, November 2009.

### **BAR ADMISSIONS**

- States of Kentucky (active) and California (inactive)
- Eastern and Western Districts of Kentucky, Central District of California
- United States Court of Appeals for the Sixth and Ninth Circuits