

KAITLIN AINSWORTH CARUSO

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EDUCATION

YALE LAW SCHOOL, J.D. (2010)

Yale Law & Policy Review, notes editor, vol. 27
San Francisco Affirmative Litigation Project, student director
Temporary Restraining Order Project, director

NORTHWESTERN UNIVERSITY, B.A. in Psychology *magna cum laude* (2006)

Honors: Phi Beta Kappa, Golden Key honor society

TEACHING AND RESEARCH INTERESTS

Primary: State & Local Government Law, Consumer Protection Law, Civil Rights Litigation, Civil Procedure, Administrative Law

Additional Interests: Federal Courts, Remedies

PUBLICATIONS

Price Gouging, the Pandemic, and What Comes Next (B. C. L. Rev. Forthcoming 2023)

A comprehensive, multi-jurisdictional review of the price gouging laws of the states and territories, with analysis of how they performed and were changed during the pandemic, and what those changes tell us about longstanding critiques of price regulation in times of emergency.

Abortion Localism and Preemption in a Post-Roe Era, 27 *Lewis & Clark L. Rev.* 585 (2023)

The first article to highlight the significance local regulation on abortion access in the post-*Roe v. Wade* era. The article traces some of the extensive history of local engagement on the issue of abortion and points out the ways that state preemption of local law will be a significant front in the battle to determine abortion access going forward.

Who and What is a City 'For'? Municipal Associational Standing Reexamined, 62 *Wm. & Mary L. Rev.* Online art. 5 (2021).

A response to further work building on, and criticism of, my 2014 article *Associational Standing for Cities*. In it, I argue that despite some doctrinal challenges, associational standing should be a viable option for municipal standing in federal court, and that a stable, reliable form of standing for cities to represent their constituents' interests in federal court would be good for both the doctrine and the cities.

Associational Standing for Cities, 47 *Conn. L. Rev.* 59 (2014).

This article highlights the disparity between cities, on the one hand, and states and

private associations, on the other, to litigate on behalf of their constituents in federal court. In it, I argue that denying this kind of representational standing to cities is both unjustified and unnecessary, and that municipalities should be able in some cases to litigate in federal court using the existing doctrine of associational standing.

The Municipal Corporation, Revisited: Rationalizing the Law of Cities After Hunter v. Pittsburgh, Harv. C.R.-C.L. L. Rev. Colloquium: The Case for Local Constitutional Enforcement (2012)

A solicited response to Prof. Kathleen Morris's *The Case for Local Constitutional Enforcement*, advocating that local governments embrace their identities as public *corporations* to capitalize on the increasing tendency of federal courts to bestow powerful rights upon corporations.

WORKS IN PROGRESS

Silence is Gold: International Regulation of Unfair Negative Option Contracts (co-authored with Prentiss Cox)

This article highlights the inadequacy of disclosure-centered approaches to protecting consumers in negative-option contracting. It then offers a broader look at the emerging global picture of negative-option regulation and proposes a new model law that pairs tailored consumer disclosures with a variety of substantive restrictions on negative option contracting, generally and in particular types of consumer transaction.

When States Opt Out: Federal-Local Grant Programs in an Era of Intense Polarization (co-authored with Emma Sokoloff-Rubin)

This article explores the increasingly explicit provisions in federal grant legislation and regulation that allows local governments to participate in federal grant programs, even over the objections of their states. We explore the history and federalism implications of bypassing the states, highlight the consequences of the current polarized environment, and assess the likely impact of the Supreme Court's recent activity on federal-local cooperation.

LECTURES AND PRESENTATIONS

Presenter, Washington & Lee University School of Law Law & Economics Workshop, Forthcoming Nov. 2023 (*Price Gouging, the Pandemic, and What Comes Next*)

Presenter, State and Local Government Law Works in Progress Conference, hosted by Northwestern University Pritzker School of Law, Oct. 2023

Co-presenter (with Emma Sokoloff-Rubin), Clinical Law Review Writer's Workshop, hosted by New York University Law School, Oct. 2023 (*When States Opt Out: Federal-Local Grant Programs in an Era of Intense Polarization*)

Discussant, Consumer Law Scholars Conference, March 2023

Presenter, *Movements on the Ground: a Colloquium on Social Movements and State and Local Law*, hosted by the University of Miami School of Law, Nov. 2022 (*Abortion Localism and Preemption in a Post-Roe Era*)

Guest Lecturer, *Investigations and Case-Building – Skills, Tools, and Strategies* (and related titles)

Yale Law School, Spring 2019, Spring 2021

Berkeley Law School: Fall 2020

Panelist, *Investigative Toolkit*, Public Rights Project, Fall 2019

Panelist, *Consumer Protection Enforcement and Policy*, Federal Trade Commission Hearings on Competition and Consumer Protection in the 21st Century, Summer 2019

Panelist, *How the government brings cases: enforcement case lifecycle and the case generation process*, Public Rights Project Fellowship Orientation, Fall 2018

Panelist, *Roundtable with State and Local Government Officials*, State and Local Government Law Works in Progress Workshop, Fordham Law School, Fall 2018

TEACHING EXPERIENCE

University of Maine School of Law (2021 – present)

Associate Professor (2023-present)

Visiting Professor (2021-2022)

Teaching Civil Procedure, Administrative Law, Local Government Law, and Civil Rights Litigation.

Yale Law School (2010 – 2011)

Lecturer in Law, San Francisco Affirmative Litigation Fellow

Co-taught a clinical course on local government law and municipal impact litigation in partnership with the Office of the City Attorney of San Francisco.

PROFESSIONAL EXPERIENCE

- 2018– **NEW JERSEY DIVISION OF CONSUMER AFFAIRS** Newark, NJ
2021 *Acting Director* (2021)
Oversaw a 500+ person regulatory and enforcement division of the Department of Law and Public Safety, focused on consumer protection, business regulation and oversight of licensed professional. Managed agency response to the COVID-19 pandemic, as an institution and for licensees, particularly health care licensees, statewide.
Deputy Director for Policy and Strategic Planning (2018-2021)
Acting Deputy Director for the Office of Consumer Protection (2019-2020)
- 2016– **NEW YORK CITY LAW DEPARTMENT** New York, NY
2018 *Senior Counsel for Strategic Advocacy, Chair of the Strategic Advocacy Committee* (2018)
Managed a cross-department task force to develop and support impact litigation for New York City, in areas including federalism and civil rights.
On assignment, Special Counsel, Office of Counsel to the Mayor (2017-2018)
Senior Counsel, Legal Counsel Division (2016-2017)
Provided assistance and advice to city agencies, including in promulgating local regulations, with a focus on civil rights and consumer protection.
- 2014– **NEW YORK CITY COUNCIL** New York, NY
2016 *Legislative Counsel*
Drafted and advised on potential legislation in many areas of local government, with a particular focus on labor, civil rights, and consumer protection laws.
- 2013– **HON. WILLIAM J. KAYATTA, JR., FIRST CIR. COURT OF APPEALS** Portland, ME
2014 *Law Clerk*
- 2012– **STATE OF ILLINOIS OFFICE OF THE ATTORNEY GENERAL** Chicago, IL
2013 *Assistant Attorney General, Consumer Fraud Bureau*
Investigated and litigated violations of the Illinois Consumer Fraud Act, ranging from home contractor fraud to major financial system wrongdoing.
- 2011– **HON. HARRY D. LEINENWEBER, U.S. DISTRICT COURT, N. D. IL** Chicago, IL
2012 *Law Clerk*

ADMISSIONS TO PRACTICE

- Admitted to New York Bar (2015)
Admitted to Illinois Bar (2010, currently inactive)
Admitted to New Jersey Bar, 2018-2021 (resigned without prejudice)
Admitted to First Circuit Court of Appeals (2014)
Admitted to the Northern District of Illinois General Bar (2012)