

ANDREW M. WILLINGER

Mailing Address:
210 Science Drive
Durham, NC 27708-9985

Email: Andrew.willinger@duke.edu
Phone: 919-613-8641
973-818-3753 (cell)

CURRENT POSITION

Duke University School of Law, Durham, NC
Executive Director, Center for Firearms Law, June 2022 – present
Lecturing Fellow, July 2023 – present

- **Courses Taught:** Second Amendment: History, Theory, and Practice[†] (Fall 2023; Fall 2024)

EDUCATION

Duke University School of Law, Durham, North Carolina 2016
Juris Doctor, magna cum laude
Order of the Coif; Top 5% of the class; Duke Law Journal, Staff Editor

Dartmouth College, Hanover, New Hampshire 2012
Bachelor of Arts, magna cum laude

PUBLICATIONS

*Bruen's Enforcement Puzzle: Unearthing and Adjudicating the Historical Enforcement Record in Second Amendment Cases**

99 NOTRE DAME L. REV. 1425 (2024) [[link](#)]

*Missing Pieces: Gaps in the Record of Early American Decisional Law**

73 DUKE L.J. ONLINE 209 (2024) [[link](#)]

*Extreme Risk Protection Orders in the Post-Bruen Age: Weighing Evidence, Scholarship and Rights for a Promising Gun Violence Prevention Tool**

51 FORDHAM URB. L.J. 157 (2023) (with Shannon Frattaroli) [[link](#)]

The Territories Under Text, History, and Tradition

101 WASH. U. L. REV. 1 (2023) (lead article) [[link](#)]

- Cited in *Atkinson v. Garland*, 70 F.4th 1018 (7th Cir. 2023) (Wood, J., dissenting)
- Cited in *Miller v. Bonta* (S.D. Cal. 2023); *Duncan v. Bonta* (S.D. Cal. 2023); *Rhode v. Bonta* (S.D. Cal. 2024)

Does the Second Amendment Make Gun Politics Obsolete?

55 (2) POLITY 363 (2023) (with Joseph Blocher) [[link](#)]

[†] Co-taught with Joseph Blocher. Student evaluations available upon request.

* Invited submission.

WORKS IN PROGRESS

History and Tradition As Heightened Scrutiny
60 WAKE FOREST L. REV. __ (forthcoming 2025)

Judge-Scholar Collaboration & the Second Amendment (with co-author Eric Ruben; working title)
78 SMU L. REV. __ (forthcoming 2025)

SELECTED POPULAR WRITING

[Cargill and the Regulatory Time Gap](#), THE REGULATORY REVIEW (July 24, 2024) [[part of the 2023-2024 Supreme Court Term Essay Series](#)]

[Private Property Default Exceptions, Firearms Training, and Multi-Tiered Licensing](#), SECOND THOUGHTS BLOG (Jan. 11, 2023)

- Cited in *Koons v. Platkin* (D.N.J. 2023)

[California's New 'Bounty-Hunter' Gun Law](#), BLOOMBERG LAW (Aug. 15, 2022)

SELECTED MEDIA

Quoted in Stephen Dinan, "[Appeals courts increasingly skeptical of gun controls in wake of Supreme Court rulings](#)," WASHINGTON TIMES (Sep. 5, 2024)

Quoted in Jessica Keagu and Clare Hymes, "[Could parents of Trump rally shooter face legal consequences?](#)" CBS NEWS (July 19, 2024)

Quoted in Devan Cole, "[Minnesota ban on 18- to 20-year-olds obtaining handgun permits is unconstitutional, federal appeals court says](#)," CNN (July 16, 2024)

Quoted in "[Battle over Illinois' assault weapon ban will continue after Supreme Court declines to get involved](#)," WBEZ CHICAGO (July 2, 2024)

Interviewed for "[Bloomberg Intelligence: SCOTUS Gun Ruling, ETF Reshuffle](#)," BLOOMBERG INTELLIGENCE PODCAST (June 21, 2024)

Interviewed for "[SCOTUS Decisions, Hunter Biden, Chicago's plan to handle the DNC and much more](#)," WGN RADIO LEGAL FACE-OFF (June 21, 2024)

Quoted in Lawrence Hurley and Dareh Gregorian, "[After gun control victory at Supreme Court, justices have other firearms cases in their sights](#)," NBC NEWS (June 22, 2024)

Interviewed for "[Bloomberg Intelligence: SCOTUS Gun Ruling, ETF Reshuffle](#)," BLOOMBERG INTELLIGENCE PODCAST (June 21, 2024)

Interviewed for "[Eyewitness News at 4pm](#)," ABC 11 WTVD-TV RALEIGH (June 14, 2024)

Quoted in John Fritze and Devan Cole, "[How the Supreme Court could help Hunter Biden appeal his conviction](#)," CNN (June 12, 2024)

Quoted in Rebecca Boone, "[What's the firearms form at the center of Hunter Biden's gun trial? AP Explains](#)," THE ASSOCIATED PRESS (June 7, 2024)

Quoted in Cole Clayburn, "[Questions to Ask Before Heading to Law School](#)," U.S. NEWS & WORLD REPORT (May 31, 2024)

Interviewed for "[SCOTUS Will Decide Trump Immunity & Bump Stock Ban](#)," BLOOMBERG LAW PODCAST (Feb. 28, 2024)

Quoted in Champe Barton, "[Mexico's Lawsuit Against U.S. Gunmakers Has Cleared a Big Hurdle](#)," THE TRACE (Feb. 5, 2024)

Interviewed for Martin Kaste, "[In today's gun rights cases, historians are in hot demand. Here's why](#)," NPR (Feb. 3, 2024)

Quoted in Dan Kane, "[Lawmakers revoked NC's gun permit law. It might have saved professor killed at UNC](#)," THE NEWS & OBSERVER (Jan. 28, 2024)

Interviewed for "[Justices Weigh New Gun Test in Domestic Violence Case](#)," BLOOMBERG CASES AND CONTROVERSIES PODCAST (Nov. 9, 2023)

Quoted in Melissa Quinn & Erica Brown, "[Supreme Court to hear arguments in case that could limit Congress on gun control](#)," ROLL CALL (Nov. 6, 2023)

Quoted in Clare Hymes, Melissa Quinn, and Erica Brown, "[Hunter Biden pleads not guilty at arraignment on felony gun charges](#)," CBS NEWS (Oct. 3, 2023)

Quoted in Devan Cole, "[How Clarence Thomas' landmark Second Amendment ruling could help Hunter Biden fight his gun charges](#)," CNN (Sep. 27, 2023)

Quoted in Hannah Wiley, "[California Legislature approves concealed-carry limits, teeing up possible Supreme Court fight](#)," L.A. TIMES (Sep. 12, 2023)

Quoted in Dan Kane, "[Could the UNC shooting suspect legally possess a gun? Here's what we know so far](#)," THE NEWS & OBSERVER (Sep. 7, 2023)

Interviewed for "[Is it Unconstitutional to Take Guns Away from Domestic Abusers?](#)", NEW BOOKS NETWORK'S POSTSCRIPT (July 24, 2023)

Quoted in Lydia Wheeler, "[Judges Confused by Supreme Court's Historical Test for Gun Laws](#)," BLOOMBERG LAW (July 12, 2023)

Interviewed for Karen Conti, "[Can domestic violence abusers own a firearm?](#)", WGN RADIO 720 CHICAGO (July 9, 2023)

Quoted in Aliza Chasan, "[What are red flag laws – and do they work in preventing gun violence?](#)", CBS NEWS (June 30, 2023)

Interviewed for Martin Kaste, "[Washington state is moving to ban or restrict the sale of assault weapons](#)," NPR'S ALL THINGS CONSIDERED (April 26, 2023)

Quoted in Sanya Mansoor, "[States Are Banning Assault Weapons. Courts Could Stop Them](#)," TIME (Mar. 30, 2023)

Quoted in Shawn Hubler, "[In the Gun Law Fights of 2023, a Need for Experts on the Weapons of 1791](#)," N.Y. TIMES (Mar. 14, 2023)

Interviewed for Emma Withrow, "[Republican lawmakers closer to repealing Jim Crow-era pistol permit law in NC](#)," CBS 17 (Mar. 11, 2023)

Quoted in Avalon Zappo, "[Judge Frustrated Over Lack of Historical Analysis in Gun Rights Case](#)," LAW.COM (Feb. 8, 2023)

Quoted in Hannah Wiley, "[California Democrats try again to rewrite concealed-carry gun law](#)," L.A. TIMES (Feb. 1, 2023)

Quoted in Ariane de Vogue, "[Supreme Court asked to step in on New York concealed carry firearm law](#)," CNN (Jan. 3, 2023)

Interviewed for "[Federal judge strikes down California gun safety law, Governor Newsom rejoices](#)," KCBS RADIO (Dec. 20, 2022)

Quoted in Cole Claybourn, "[What to Know about Gun Policies on Colleges Campuses](#)," U.S. NEWS & WORLD REPORT (Dec. 16, 2022)

Quoted in Jimmy Vielkind, "[States Advancing Gun-Control Proposals Face Legal Uncertainty](#)," WALL ST. JOURNAL (Dec. 5, 2022)

Quoted in Nina Baker, "[In Iowa, Voters Set Their Sights on Gun Rights](#)," THE NATION (Nov. 1, 2022)

Quoted in Keegan Hamilton, "[Ghost Guns Are Causing Chaos in American Courts](#)," VICE (Oct. 27, 2022)

Quoted in Jonah Bromwich, "[Federal Judge Blocks N.Y. Gun Law, Finding Much of It Unconstitutional](#)," N.Y. TIMES (Oct. 6, 2022)

Quoted in Nusaiba Mizan, "[Fact-check: Is Abbott right that raising age for AR purchases is unconstitutional?](#)" AUSTIN-AM. STATESMAN (Sep. 20, 2022)

Interviewed for "[Duke Law's Andrew Willinger on Bruen's Fallout](#)," THE RELOAD PODCAST (Aug. 1, 2022)

Interviewed for "[Supreme Court's Next Term Could Be As Controversial](#)," BLOOMBERG LAW PODCAST (July 12, 2022)

Quoted in Ariane de Vogue, "[Supreme Court makes it clear there's a red America and a blue America](#)," CNN (July 2, 2022)

PRESENTATIONS AND PUBLIC SPEAKING

Thoughts on the Future of the Second Amendment after *Bruen*, The Federalist Society, Triangle Lawyers Chapter, Raleigh, NC (May 22, 2024)

How Should a President Be?: Firearms and Gun Violence, with New America Us@250 Fellow and bestselling author Alexis Coe, Washington, DC (May 15, 2024)

"The Past and Future of the Right to Keep and Bear Arms," ABA Midyear Meeting, Louisville, KY (Feb. 2, 2024)

2023 Cooper-Walsh Colloquium: Public Health History and the Future of Gun Regulation after *Bruen*, Fordham University School of Law, New York, NY (Oct. 13, 2023)

Notre Dame Law Review Symposium: History, Tradition, and Analogical Reasoning, Notre Dame Law School, South Bend, IN (Nov. 3, 2023)

Mississippi Law Journal Symposium, University of Mississippi, Oxford, MS (Nov. 10, 2023)

"The Gun Debate," Jewish for Good at the Levin Jewish Community Center, Durham, NC (Dec. 15, 2023)

Gun Country Panel Discussion, Chapel Hill, NC (Jan. 30, 2024)

LEGAL WORK EXPERIENCE

Patterson Belknap Webb & Tyler LLP, New York

Associate, Litigation, October 2019 – June 2022

- Drafted briefs for dispositive motions, including motions to dismiss and motions for summary judgment; took and defended multiple expert and fact witness depositions.
- Prepared fact and expert witnesses for trial and drafted examination scripts; served as second chair for trial testimony of affirmative survey expert in defamation case.
- *Pro bono matters*: Drafted amicus brief in Fourth Circuit appeal challenging terrorist screening database; obtained discharge upgrade for LGBTQ+ military veteran.

The Honorable William L. Osteen, Jr., United States District Judge, Greensboro, NC

Law Clerk, 2018 – 2019

- Assisted in drafting opinions and orders, researched issues for criminal trials.
- Prepared judge for Fourth Circuit oral arguments and drafted opinions.

Simpson Thacher & Bartlett LLP, New York

Associate, Corporate, 2016 – 2018 (*Summer Associate*, New York/Hong Kong, 2015)

- Represented corporations and banks in debt and equity offerings and mergers and acquisitions.
- Obtained special immigrant juvenile status in Bronx Family Court for pro bono client.

BAR ADMISSIONS

North Carolina

New York