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Case Western Reserve University
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LAW SCHOOL EMPLOYMENT

CASE WESTERN RESERVE UNIVERSITY SCHOOL OF LAW, CLEVELAND, OHIO

<i>Founding Director, Reproductive Rights Law Initiative</i>	2023-
<i>Associate Dean for Research and Faculty Development</i>	2012-2015, 2019-2024
<i>Associate Dean for Academic Affairs</i>	2015-2019
<i>Judge Ben C. Green Professor</i>	2015-
<i>Professor</i>	2010-2015
<i>Associate Professor</i>	2008-2010
<i>Assistant Professor</i>	2004-2008
<i>Visiting Assistant Professor</i>	2003- 2004
Courses: Constitutional Law, Civil Rights, Religion and the State, Reproductive Rights, <i>Health</i>	
<i>Matrix Seminar, Law Review Seminar, Civil Procedure</i>	

THE OHIO STATE UNIVERSITY MORITZ COLLEGE OF LAW, Columbus, Ohio

<i>Visiting Professor</i>	Fall 2024
Course: Constitutional Law	

OTHER EMPLOYMENT

BERKMAN, GORDON, MURRAY & DEVAN, CLEVELAND, OHIO

ASSOCIATE	2001-2003
Litigated a wide variety of civil and criminal matters, with an emphasis on federal civil rights suits, particularly involving claims under the First Amendment. Researched and wrote briefs, complaints, and pretrial motions; drafted discovery requests and responses; took and defended depositions.	

ACLU REPRODUCTIVE FREEDOM PROJECT, NEW YORK, NEW YORK

STAFF ATTORNEY FELLOW	2000-2001
INTERN	1999
Litigated challenges to state-law restrictions on reproductive rights at both trial and appellate levels. Advised state ACLU offices regarding the ACLU's position on the constitutionality and desirability of state legislation affecting reproductive rights.	

U.S. COURT OF APPEALS FOR THE SIXTH CIRCUIT, CLEVELAND, OHIO

LAW CLERK TO JUDGE KAREN NELSON MOORE	1999-2000
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PUBLICATIONS

Law Review Articles

The Medicalization of Abortion Rights, 49 Harv. J.L. & Gender (forthcoming 2026).

History's Speech Acts, 108 IOWA L. REV. 2215 (2023).

Due Process, Delegation, and Private Veto Power, 108 IOWA L. REV. 1199 (2023).

Religious Nondelegation, 54 LOY. UNIV. CHICAGO L.J. 511 (2022).

Look Who's Talking: Conscience, Complicity, and Compelled Speech, 97 IND. L.J. 913 (2022).

The Geography of Abortion Rights, 109 GEO. L.J. 1081 (2021).

Reconsidering Hostile Takeover of Religious Organizations, 97 WASH. U. L. REV. 1833 (2020).

The Deliberative Privacy Principle, 28 WM. & MARY BILL RTS. J. 407 (2019).

Sex, Lies, and Ultrasound, 89 U. COLO. L. REV. 421 (2018).

Kingdom Without End? The Inevitable Expansion of Religious Sovereignty Claims, 20 LEWIS & CLARK L. REV. 1177 (2017).

The Identity of the Public University, 17 RUTGERS J.L. & RELIGION 429 (2016).

Discrimination, Wisconsin v. Yoder, and the Freedom of Association, 60 ST. LOUIS U. L.J. 695 (2016).

The First Amendment and the Politics of Reproductive Health Care, 50 WASH. U. J.L. & POL'Y 103 (2016).

Ties That Bind? The Questionable Consent Justification for Hosanna-Tabor, 109 NW. U. L. REV. 563 (2015).

Constituting Children's Bodily Integrity, 64 DUKE L.J. 1295 (2015).

Casey Meets the Crisis Pregnancy Centers, 43 J.L. MED. & ETHICS 59 (2015).

Anatomy of the Reasonable Observer, 79 BROOKLYN L. REV. 1407 (2014).

Resistance to Constitutional Theory: The Supreme Court, Constitutional Change, and the "Pragmatic Moment," 91 TEX. L. REV. 1815 (2013).

(Dis)Owning Religious Speech, 20 GEO. MASON L. REV. 361 (2013).

What Is the Meaning of Health? Constitutional Implications of Defining "Medical Necessity" and "Essential Health Benefits" Under the Affordable Care Act, 38 AM. J.L. & MED. 445 (2012).

Medical Decision-Making by and on Behalf of Adolescents: Reconsidering First Principles, 15 J. HEALTH CARE L. & POL'Y 37 (2012).

Whose Body? Whose Soul? Medical Decision-Making on Behalf of Children and the Free Exercise Clause Before and After Employment Division v. Smith, 32 CARDOZO L. REV. 1857 (2011).

Dangerous Terrain: Mapping the Female Body in Gonzales v. Carhart, 19 COLUM. J. GENDER & L. 649 (2010).

Of Christmas Trees and Corpus Christi: Ceremonial Deism and Change in Meaning over Time, 59 DUKE L.J. 705 (2010).

A Radically Immodest Judicial Modesty: The End of Facial Challenges to Abortion Regulations and the Future of the Health Exception in the Roberts Era, 59 CASE W. RES. L. REV. 997 (2009).

Reproductive Rights as Health Care Rights, 18 COLUM. J. GENDER & L. 501 (2009).

The Constitutional Right to Make Medical Treatment Decisions: A Tale of Two Doctrines, 86 TEX. L. REV. 277 (2007).

Putting Religious Symbolism in Context: A Linguistic Critique of the Endorsement Test, 104 MICH. L. REV. 491 (2005).

Book Chapters

"We're Living in a Really Alternative Universe Right Now": The Limits of Physicians' Cultural Authority Pre-Dobbs and What That Means for a Post-Dobbs World, in *When Roe Fell: How Barriers, Inequities, and Systemic Failures of Justice in Abortion Became Visible* (Katrina Kimport ed., forthcoming Rutgers University Press 2025) (with Danielle Bessett, Meredith J. Pensak, and Michelle L. McGowan).

Right to Decisional Privacy, in *LAWS OF MEDICINE: CORE LEGAL ASPECTS FOR THE HEALTHCARE PROFESSIONAL* (Amirala Pasha ed., Springer Publishing 2022).

God and Man and Religious Exemptions at the Modern University, in *RELIGIOUS FREEDOM AND LGBT RIGHTS: POSSIBILITIES AND CHALLENGES FOR FINDING COMMON GROUND* (William Eskridge & Robin Fretwell Wilson eds., Cambridge University Press 2019) (essay in edited volume).

Regulating Reasons: Governmental Regulation of Private Deliberation in Reproductive Decision-Making, in *LAW, RELIGION, AND HEALTH IN THE UNITED STATES* (Holly Fernandez Lynch, I. Glenn Cohen & Elizabeth Sepper eds., Cambridge University Press 2017) (essay in edited volume).

New, Experimental, and Lifesaving Therapies, in *OXFORD HANDBOOK OF U.S. HEALTHCARE LAW* (I. Glenn Cohen, Allison Hoffman & William Sage eds., Oxford University Press 2017) (book chapter).

Change, Dissent, and the Problem of Consent, in *THE RISE OF CORPORATE RELIGIOUS LIBERTY* (Chad Flanders, Zoë Robinson & Micah Schwartzman eds., Oxford University Press 2016) (essay in edited volume).

Abortion and Reproductive Health Services: Point and Abortion and Reproductive Health Services: Counterpoint, in *DEBATES ON U.S. HEALTH CARE* (Jennie Jacobs Kronenfeld, Wendy E. Parmet & Mark A. Zezza eds. 2012) (book chapters).

Other

Substantive Neutrality, Realism, and Government-Sponsored Religious Speech After Kennedy v. Bremerton School District, *J. Law & Religion* (forthcoming 2025) (Festschrift essay in honor of Doug Laycock) (peer reviewed).

Reproductive Rights as Health Care Rights as Equality Rights, Balkinization (April 4, 2025), <https://balkin.blogspot.com/2025/04/abortion-rights-as-health-care-rights.html?m=1>

The Right to Life and Medical Authority, 104 B.U. L. REV. ONLINE 67 (2024).

Religious Freedom Claims Could Provide New Path to Protect Abortion Rights, STATE COURT REPORT (Sept. 18, 2024), <https://statecourtreport.org/our-work/analysis-opinion/religious-freedom-claims-could-provide-new-path-protect-abortion-rights>

Understanding Abortion Legality and Trimester of Abortion Care in Ohio, West Virginia and Kentucky, Three Abortion-Restrictive States, PERSPECTIVES ON SEXUAL & REPRODUCTIVE HEALTH 1 (Sept. 17, 2024) (with Annamarie L. Beckmeyer, Jeremy A. Brenner-Levoy, Tamika C. Odum, Abigail Norris Turner, Alison H. Norris, Danielle Bessett & Katherine L. Rivlin) (peer reviewed), <https://doi.org/10.1111/psrh.12284>

COVID-19 and Abortion in the Ohio River Valley: A Case Study of Kentucky, Ohio, and West Virginia, PERSPECTIVES ON SEXUAL & REPRODUCTIVE HEALTH 1 (Aug. 12, 2023) (with Mikaela H. Smith, Molly Broscoe, Payal Chakraborty, Robert Hood, Michelle McGowan, Danielle Bessett & Alison H. Norris) (peer reviewed), <https://doi.org/10.1363/psrh.12244>

The GOP's Next Move to Block Abortion Rights Is Tinkering with Direct Democracy, MS. MAGAZINE (March 15, 2023) (op-ed), <https://msmagazine.com/2023/03/15/ballot-measure-initiative-abortion-ohio/>

Unlimited Discretion: How Unchecked Bureaucratic Discretion Can Threaten Abortion Availability, 48 L. Health Politics, Pol'y & L. 629 (2023) (with Orlaith Heymann, Danielle Bessett, Alison Norris, Danielle Czarnecki, Hillary J. Gyuras, Meredith Pensak & Michelle L. McGowan) (peer reviewed).

Minors' Rights to Access Sexual and Reproductive Health Care, 113 AM. J. PUB. HEALTH 350 (2023) (invited editorial).

Big, Bad Roe, 14 CONLAWNOW 65 (2022) (online essay).

Response to Wasserman and Rhodes: The Texas SB 8 Litigation and "Our Formalism," 72 AM. U. L. REV. F. 1 (2022) (online response essay).

De-medicalizing Abortion, AM. J. BIOETHICS Vol. 22, No. 8, Aug. 2022, at 57 (open peer commentary).

Uprooting Roe, 12 HOUSTON L. REV. ONLINE 50 (2022) (with Mae Kuykendall).

Federal, State, and Institutional Barriers to the Expansion of Medication and Telemedicine Abortion Services in Ohio, Kentucky, and West Virginia during the COVID-19 Pandemic, 104 CONTRACEPTION 111 (July 2021) (with Kelsey Mello, Mikaela H. Smith, Payal Chakraborty, Katherine Rivlin, Danielle Bessett, Alison H. Norris & Michelle McGowan) (peer reviewed), <https://doi.org/10.1016/j.contraception.2021.04.020>

During the Pandemic, Some Rights Are More Equal Than Others, Cleveland Plain Dealer, December 6, 2020 (with Caroline Mala Corbin) (op-ed), <https://www.cleveland.com/opinion/2020/12/during-the-pandemic-some-rights-are-more-equal-than-others-caroline-mala-corbin-and-jessie-hill.html>

Essentially Elective: The Law and Ideology of Restricting Abortion During the COVID-19 Pandemic, 106 VA. L. REV. ONLINE 99 (2020) (online essay), <https://www.virginialawreview.org/articles/essentially-elective-law-and-ideology-restricting-abortion-during-covid-19-pandemic/>

Abortion Access in Ohio's Changing Legislative Context, 2010-2018, 110 AM. J. PUB. HEALTH 1228-34 (2020) (with Alison H. Norris, Payal Chakraborty, Kaiting Lang, Robert B. Hood, Sarah Hayford,

Lisa Keder, Danielle Bessett, Mikaela H. Smith, Molly Broscoe, Carolette Norwood & Michelle L. McGowan) (peer reviewed), <https://doi.org/10.2105/AJPH.2020.305706>

Neonatal Organ and Tissue Donation for Research: Options Following Death by Natural Causes, 21 CELL & TISSUE BANKING 289-302 (2020) (with Martha Anderson, Stuart Youngner, Regina Dunne Smith, Raja R. Nandyal, Jeffrey P. Orłowski & Sarah Gutin Barsman), <https://doi.org/10.1007/s10561-020-09822-7>

Brief of Biomedical Ethicists Ruth R. Faden, Ph.D., M.P.H., et al., as Amici Curiae on behalf of Petitioners, EMW Women's Surgical Center, P.S.C., et al., v. Meier (amici curiae brief in support of petition for certiorari) (filed Oct. 28, 2019 in the U.S. Supreme Court).

Could Abortion Become Illegal in America? All Signs Point to Yes, The Guardian, May 14, 2019 (op-ed), <https://www.theguardian.com/commentisfree/2019/may/14/abortion-illegal-america-roe-v-wade>

Brief Amici Curiae on Behalf of Iowa Professors of Law and of Women's Studies in Support of Planned Parenthood of the Heartland, Inc. and Jill Meadows, M.D., Planned Parenthood of the Heartland, et al. v. Reynolds (filed Nov. 7, 2017, in the Iowa Supreme Court).

Book Review: Exemptions: Necessary, Justified, or Misguided? by Kent Greenawalt, 59 J. CHURCH & STATE 521 (2017) (solicited review essay).

A Tribute to Professor Jonathan L. Entin, 67 CASE W. RES. L. REV. 1008 (2017).

Could Roe v. Wade Be Overturned?, The Conversation, March 19, 2017 (online), <https://theconversation.com/could-roe-v-wade-be-overturned-73235>

Libertarians and Abortion Restrictions: Where's the Outrage? Daily Caller, Feb. 16, 2016 (online op-ed), <http://dailycaller.com/2016/02/16/libertarians-and-abortion-restrictions-wheres-the-outrage/>

Book Review: First Amendment Institutions by Paul Horwitz, 30 J. L. & RELIGION 530 (2015) (solicited review essay).

Executive Discretion and the Administrative State Symposium: Introduction, 65 CASE W. RES. L. REV. 891 (2015) (symposium introduction).

The Associate Dean for Research in the Age of the Internet, 31 TOURO L. REV. 33 (2014).

Legislative Restrictions on Abortion, 14 VIRTUAL MENTOR 133 (Feb. 2012) (guest column for American Medical Association Journal of Ethics (online)).

Laura Chisolm: An Advocate and Ally, 62 CASE W. RES. L. REV. 637 (2012).

Introduction: Government Speech, 61 CASE W. RES. L. REV. 1081 (2011) (symposium introduction).

Abortion as Health Care, AM. J. BIOETHICS, Vol. 10, No. 12 Dec. 2010, at 48 (open peer commentary).

Property and the Public Forum: An Essay on Christian Legal Society v. Martinez, 6 DUKE J. CONST. L. & PUB. POL'Y 49 (2010) (invited symposium contribution to special online issue).

Introduction: Reproductive Rights, Human Rights, and The Human Right to Health, 60 CASE W. RES. L. REV. 951 (2010) (symposium introduction).

Foreword: Sacred Violence: Religion and Terrorism, 39 CASE W. RES. J. INT'L L. 703 (2008) (with Adam F. Kinney).

McCreary County v. ACLU and Capitol Square Review & Advisory Board v. Pinette, in *ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES* (David Spinoza Tanenhaus, ed. 2008).

Introduction: Science, Politics, and Reproductive Rights, 16 HEALTH MATRIX 1 (2006) (symposium guest editor).

Carey v. Population Services International, Colautti v. Franklin, and Planned Parenthood ("Nuremberg Files") Litigation, in *ENCYCLOPEDIA OF AMERICAN CIVIL LIBERTIES* (Paul Finkelman, ed. 2006).

Note, *Expressive Harms and Standing*, 112 HARV. L. REV. 1313 (1999).

HONORS AND AWARDS

American Law Institute, Elected member, 2023

Champion for Women Award, Cuyahoga Democratic Women's Caucus, 2023

Black Law Students Association Faculty Award, 2023

Reproductive Rights Advocacy Award, ACLU of Ohio, 2022

Nootbaar Fellow in Law and Religion, Pepperdine University Caruso School of Law, 2020-present

CWRU Law School Distinguished Research Prize, 2020

Case Western Reserve University School of Law Society of Benchers, 2016-

Case Western Reserve University Distinguished Research Award, 2015

Case Western Reserve University Active Learning Fellowship, 2014-2015 (awarded competitive fellowship to engage in year-long program centered on pedagogy and teaching in an "active learning" classroom).

Case Western Reserve University Mather Spotlight Prize for Women's Scholarship, 2010

Case Western Reserve University Center for Innovation in Teaching and Education, Glennan Fellow, 2007-2008 (received grant, awarded to junior faculty for excellence in teaching and scholarship, for project on experiential learning in the traditional law school classroom).

Health Law Scholars Workshop, St. Louis University School of Law, September 2006 (selected to present work-in-progress, *A Tale of Two Doctrines: The Body, the Constitution, and the Right to Appropriate Medical Treatment*, for comment by senior scholars).

UCITE Learning Fellow, Case Western Reserve University, Fall 2004 (received grant to participate in semester-long seminar on teaching theory and methods).

SELECTED PRESENTATIONS

Reproductive Rights as Health Care Rights as Equality Rights, UCLA Law School Symposium on *Legal Pathways After Dobbs* (March 2025).

The Medicalization of Abortion Rights, The Ohio State University Moritz College of Law faculty workshop (November 2024).

The Puzzling Submergence and Re-emergence of Religious Freedom Arguments in the Abortion Cases, Pepperdine University Colloquium on Law, Faith and Religion, Malibu, CA (August 2024).

The Right to Life and Medical Authority, Boston University School of Law Symposium on *Advancing Pregnant Persons' Right to Life* (February 2024).

Reproductive Health Law and Policy Update, Metro Health OB/GYN Grand Rounds (October 2023).

Demedicalizing Abortion Rights, BYU J. Reuben Clark Law School (September 2023).

Invited Panelist, *Civil Discourse Forum: Is Abortion a Right?*, The Ohio State University Center for Ethics and Human Values (March 2023).

Religious Nondelegation, Yale Law School Free Exercise Speaker Series, Yale Law School (February 2023).

Panelist, *What about Previaible Prelabor Rupture of Membranes?*, Society of Family Planning Annual Meeting, Baltimore, MD (December 2022).

Invited Panelist, *Legislative Impacts in the Wake of Dobbs*, Notre Dame Journal on Legislation Symposium, University of Notre Dame Law School (November 2022).

The Legal Landscape of Abortion in Ohio, Cleveland Society of Obstetricians and Gynecologists (November 2022) (invited presentation).

Big, Bad Roe, University of Akron Center for Constitutional Law Con Law Scholars Forum on *The Future of Reproductive Rights* (October 2022).

Abortion Rights under the Ohio Constitution, Cleveland State Law Review Symposium on the Future of the Fourteenth Amendment: Autonomy and Equality Post-*Dobbs v. Jackson* (October 2022).

Life after Roe v. Wade: The Dobbs Decision and the Future of the Fourteenth Amendment, West Virginia University College of Law Constitution Day Program (September 2022).

Dobbs and the History of Abortion Rights, Otterbein University (September 2022).

Religious Freedom and Nondelegation, Loyola University (Chicago) Law Review Symposium on Religious Freedom (April 2022).

Panelist, *Political Breakdown on Abortion Law and Policy Across the United States*, Annual Meeting of the Society for Maternal-Fetal Medicine (February 2022).

Repro Shabbat: Virtual Lunch & Learn with Dahlia Lithwick and Jessie Hill, National Council of Jewish Women/Cleveland (January 2022).

Invited Panelist, American Academy of Religion Webinar on *Religious and Academic Freedom and the Texas Anti-Abortion Bill* (November 2021).

Responding to the Changing Abortion Rights Landscape, Webinar, North American Society for Psychosocial Obstetrics & Gynecology (November 2021).

Beyond Britney: The Law of Reproductive Decision-Making for Incompetent Patients, Miriam Rosenthal Grand Rounds, University Hospitals Department of Psychiatry, Cleveland (October 2021).

Invited Panelist, *The End of Roe? Texas, SCOTUS, and the Urgent Fight for Reproductive Rights*, American Constitution Society (via Zoom) (September 2021).

Invited Panelist, Moderated Discussion of *Fulton v. City of Philadelphia*, University of Notre Dame Law School (April 2021).

Look Who's Talking: Conscience, Complicity, and Compelled Speech, Indiana Law Journal Symposium on Compelled Speech: The Cutting Edge of First Amendment Jurisprudence (March 2021).

Panelist, *The Jurisprudence and Legacy of Ruth Bader Ginsburg*, Florida International University (October 2020).

Organizer and Panelist, *After the Inauguration: Abortion Law in 2021*, Temple University School of Law Center for Public Health Law (January 2021).

Reconsidering Hostile Takeover, Washington University Law Review Symposium on the Religion Clauses, Washington University School of Law (co-sponsored by Danforth on Religion & Politics) (January 2020).

State of the Womb, Cleveland Metropolitan Bar Association CLE Program, Cleveland (October 2019).

Reproductive Health Law and Policy Update, OB/GYN Grand Rounds, MetroHealth, Cleveland (April 2019).

The Privacy Principle: Abortion, Free Speech, and Religious Freedom, William and Mary Bill of Rights Journal Symposium on Constitutional Rights: Intersections, Synergies, and Conflicts, William and Mary Law School (March 2019).

Reproductive Health Law and Policy Update, OB/GYN Grand Rounds, University Hospitals and CWRU School of Medicine (September 2018).

The Geography of Abortion Rights, Health Law Professors Conference, Case Western Reserve University (June 2018).

Sex, Lies, and Ultrasound, Ira C. Rothgerber Conference on Truth, Lies, and the Constitution, University of Colorado at Boulder (April 2017).

Controversial Coverage: Faith and the Fight to Insure Contraceptives, Percy Skuy Lecture, Dittrick Museum of Medical History at CWRU (March 2017).

Invited Panelist, *Conference on Faith, Sexuality, and the Meaning of Freedom*, Yale University, (January 2017).

Respondent: *Childress Lecture by Professor Lawrence Sager*, St. Louis University School of Law (November 2015).

Invited panelist, *Reproductive Rights Roundtable*, AALS Midyear Meeting: Next Generation Issues of Sex, Gender, and Law, Orlando, FL (June 2015).

The First Amendment and the Politics of Reproductive Health Care, Health Law Professors Conference, St. Louis University School of Law (June 2015)

Regulating Reasons, Conference on Law, Religion, and Health in America, Petrie Flom Center for Health Law Policy, Biotechnology, and Bioethics, Harvard Law School (May 2015).

Change, Dissent, and the Problem of Consent in Religious Organizations, Washington University School of Law (March 2015).

Reproductive Rights or Reproductive Justice? Power of Diversity Lecture Series, Case Western Reserve University (March 2015).

The ACA and the Politics of Reproductive Health Care, *The ACA and Beyond: The Ethics and Future of Health Reform*, sponsored by the University of Missouri Center for Health Ethics and the University of Missouri Center for Health Policy (October 2014).

Fighting Back in Times of Turmoil, Cleveland Regional Meeting of the National Abortion Federation (October 2014).

Debate: The Hobby Lobby Case, Case Western Reserve University School of Law (debated Ilya Shapiro of the Cato Institute) (sponsored by the Federalist Society and Law Students for Reproductive Justice) (October 2014).

Reading the Tea Leaves of AID v. Alliance for Open Society, *Clashing Rights: Free Speech and Reproductive Autonomy*, Northeastern University School of Law (April 2014).

The Challenge of Challenging Burdensome Abortion Restrictions, Ohio League of Women Voters Statehouse Day, Columbus, Ohio (April 2014).

Change and Dissent in Religious Organizations, Conference on the New Religious Institutionalism, DePaul University College of Law (September 2013).

Anatomy of the Reasonable Observer, Annual Law and Religion Roundtable, Stanford Law School (June 2013).

The Unreasonable Critique of the Reasonable Observer, BYU Law School Law and Religion Colloquium (March 2013).

Resistance to Constitutional Theory: The Supreme Court, Constitutional Change, and the "Pragmatic Moment," Symposium—Constitutional Foundations, University of Texas School of Law (February 2013) (sponsored by the *Texas Law Review*).

Minors and the Right to Bodily Integrity, Mercer University Law School Faculty Workshop (December 2012).

The State of Reproductive Rights in Ohio and Beyond, City Club of Cleveland ("Case Downtown" Lecture Series) (October 2012).

Public Bodies, Private Reasons: Minors and the Right to Bodily Integrity, Cornell Law School Faculty Workshop (August 2012).

Public Bodies, Private Reasons: Minors and the Right to Bodily Integrity, 35th Annual Health Law Professors Meeting, Arizona State University (June 2012).

Invited Panelist, *The Rule of Law*, Symposium—Lawyers Without Rights, Cleveland-Marshall College of Law (May 2012).

Cocktails and Contraception, ACLU of Ohio (May 2012).

The State of Reproductive Rights Today, Cornell Law School (April 2012) (sponsored by Cornell Law Students for Reproductive Justice).

Invited Panelist, *Symposium—Women and Prenatal Genetic Testing*, Case Western Reserve University School of Law (April 2012).

The Law of Reproductive Rights: Privacy, Equality, Health, or Something Else? Spotlight Lecture, Flora Stone Mather Center for Women, Case Western Reserve University (March 2012).

What Is the Meaning of “Health?”, Symposium—The American Right to Health, Boston University School of Law (January 2012) (sponsored by the *American Journal of Law & Medicine*).

(Dis)owning Religious Speech, Temple University School of Law Faculty Colloquium (October 2011).

Public Bodies, Private Reasons: Minors and the Right to Bodily Integrity, UCLA School of Law Faculty Colloquium (October 2011).

(Dis)owning Religious Speech, UCLA Legal Theory Workshop (October 2011).

Invited Panelist, Panel on Maternal-Fetal Issues, Cleveland Clinic-Southpointe Hospital, Cleveland, Ohio (October 2011).

Invited Speaker, *Is the Affordable Care Act Constitutional?*, City Club of Cleveland (April 2011) (debated State Sen. Larry Obhof) (sponsored by the Cleveland Lawyers Chapters of the American Constitution Society and the Federalist Society).

Summary of Legal Trends in Adolescent Decision-Making, Roundtable on Adolescent Decision-Making, University of Maryland School of Law (April 2011) (plenary lecture) (sponsored by the University of Maryland School of Law, Law & Health Care Program and the Johns Hopkins Berman Institute of Bioethics).

Panelist, *The Obama Conscience Regulation*, Georgetown Law School (April 2011) (sponsored by the Federalist Society).

Children and the Right to Bodily Integrity Before and After Employment Division v. Smith, Symposium—Twenty Years After *Employment Division v. Smith*, Cardozo Law School (October 2010) (sponsored by the Floersheimer Center for Constitutional Democracy, Jacob Burns Institute for Advanced Legal Studies & the Cardozo Law Review).

(Dis)owning Religious Speech, Southeastern Association of Law Schools (SEALS) Annual Meeting, Palm Beach, Florida (August 2010).

(Dis)owning Religious Speech, Annual Law and Religion Roundtable, Brooklyn Law School (June 2010).

The Meaning of “Health,” Symposium – Reproductive Rights, Human Rights, and the Human Right to Health, Case Western Reserve University School of Law (January 2010).

Minors' Rights to Bodily Integrity and the Right to Information, Symposium – Reproductive Rights and the Right to Information, Harvard Law School (October 2009) (sponsored by the Human Rights Program at Harvard Law School and the Center for Reproductive Rights).

Dangerous Terrain: Mapping the Body of Abortion Law, Symposium – Gender on the Frontiers: Confronting Intersectionalities, Columbia University Law School (April 2009) (sponsored by the Columbia Journal of Gender and Law).

The End of Facial Challenges to Abortion Regulations and the Future of the Health Exception in the Roberts Era, Symposium – Access to Courts in the Roberts Era, Case Western Reserve University School of Law (January 2009) (sponsored by the Case Western Reserve Law Review).

Of Christmas Trees and Corpus Christi: The Establishment Clause and Change in Meaning over Time, Prawfest works-in-progress conference, University Miami School of Law (December 2008).

Reproductive Rights as Health Care Rights, Symposium – New Scholarship on Reproductive Rights, Columbia University Law School (October 2008) (sponsored by the Columbia Journal of Gender and Law and the Center for Reproductive Rights).

Of Christmas Trees and Corpus Christi: The Establishment Clause and Change in Meaning over Time, Faculty Colloquium Series, University Cincinnati Law School (October 2008).

Of Christmas Trees and Corpus Christi: The Establishment Clause and Change in Meaning over Time, Ohio Legal Scholarship Workshop, University of Dayton School of Law (June 2008).

Conference organizer and participant, *Law's Intervention in Private Domains on Behalf of Children*, CWRU School of Law (June 2008) (funded by a grant from the CWRU Presidential Research Initiative).

Invited speaker, *The Future of the Establishment Clause in the Roberts Court*, Cleveland Chapter of Americans United for Separation of Church and State (May 2008).

Panelist, *Law's Intervention in the Family: An Empirical Study of the Causes of Laws Regulating Corporal Punishment and Minors' Access to Abortion*, Law and Society Association Meeting, Montreal, Canada (May 2008) (with Brian Gran).

Panelist, *Crossing the Line: A Forum on Abortion Clinic Protests, Preterm*, Cleveland (June 2007).

Invited speaker, *Divided Justice? The New Supreme Court and Abortion*, City Club of Cleveland (debated David Forte, Cleveland-Marshall College of Law) (March 2006).

Panelist, *The Roberts Court's Impact on Reproductive Rights*, University of Akron School of Law (March 2006).

Panelist, *Reproductive Rights in a Hostile Climate*, sponsored by the ACLU of Ohio (April 2005).

Invited speaker, Freedom of Choice Coalition Cleveland, *Roe v. Wade* Anniversary Event, on the status of *Roe v. Wade* (January 2005).

Trainer, International Human Rights Law Training for Iraqi Jurists, sponsored by the International Bar Association and International Legal Assistance Consortium (Dubai, United Arab Emirates, September 2004).

The Endorsement Test and the Problem of Social Meaning (paper presented at the Law, Culture and Humanities Conference, University of Texas at Austin, March 2001).

LAW SCHOOL AND UNIVERSITY SERVICE

Faculty Advisor, American Constitution Society (2024-)

Faculty Advisor, Law Students for Reproductive Freedom (2023-)

Co-Chair, Law School Dean Search Committee (2023-2024)

Search Committee Member, Case Western Reserve University Provost & Executive Vice President (2023-2024)

Chair, Law School Promotion & Tenure Committee (2022-2023)

Chair, Faculty Workshops Committee (fall 2021-present)

Chair, Curriculum Committee (2021-2022)

Search Committee Member, Associate Dean for Development (2021)

Admissions Committee (spring 2020)

Co-Chair, Search Committee for Vice President of Inclusion, Diversity, and Equal Opportunity at Case Western Reserve University (2018-2019)

Chair, ABA Accreditation and Site Visit Committee (2015-2016)

Chair, Search Committee for Director of the Ben C. Green Law Library at Case Western Reserve University (2014)

Faculty Senate Committee on Women Faculty (2005-2008, 2012-2015)
Chair (2014-2015)

Chair, Search Committee for Director of Flora Stone Mather Center for Women at Case Western Reserve University (2013)

Advisory Board member, University Center for Innovation in Teaching and Education (UCITE) (2013-2014)

CWRU President's Committee on Child Care Options (2012-present)

Chair, Law School Diversity Committee / Strategic Planning Subcommittee (Spring 2012)

Law School Appointments Committee (Fall 2006, Spring 2008, 2010-2011, 2012-2019)

Law School Promotion and Tenure Committee (Spring 2012)

Law School Experiential Education Committee (2011-present)

Case Western Reserve University Social Justice Institute Leadership Team (2010-2019)

Chair, Appeals and Rules Committee (2008-fall 2011); Member (spring 2012)

Law School Excellence Committee (2009-2011)

Law School Dean Search Committee (2008-2009, 2010-2011)

Law School Loan Repayment Assistance Program Committee (2008-2009, 2010-present)

CWRU Darwin Celebration Planning Committee (2007-2009)

Law School Rankings Committee (Spring 2007)

Law School Curriculum Committee (2004-2005, 2020-2021)

PROFESSIONAL ACTIVITIES AND COMMUNITY SERVICE

AALS Section on Law and Religion

Chair, Nominating Committee (2021)

Chair (2013)

Co-chair Elect (2012)

Co-chair, Program Committee (2011)

Member, Program Committee (2010)

Board member, Preterm (2012-2021)

Board President, 2021

NAF Hotline Fund, Board Member (July 2018-June 2024)

Committee on Diversity, Equity, and Social Justice, Old Trail School (2017-2018)

Judicial Nominating Commission, U.S. District Court for the Southern District of Ohio (2016)
(nominated by Sen. Sherrod Brown)

Academic Advisory Board, Law Students for Reproductive Justice (2011-present)

Member, Advisory Committee, *Venus*, Cleveland Public Theater (2005)

ACLU of Ohio, Cleveland Chapter, Board Member (2003-2006)

Member, ACLU Legal Committee 2002-2003

SIGNIFICANT LITIGATION

Preterm-Cleveland v. Yost, Hamilton Co. Comm. Pleas No. A 2203203 (lead counsel for plaintiffs in challenge under Ohio Constitution to Ohio law banning abortion after fetal cardiac activity can be detected; argued before Ohio Supreme Court).

National Association of Social Workers v. City of Lebanon, S.D. Ohio No. 22-cv-00258 (lead counsel for plaintiffs in vagueness and First Amendment challenge to municipal law banning abortion, abortion-inducing medications, and a broad range of speech about abortion).

Women's Med Group Professional Corp. v. Vanderhoff, Hamilton Co. Comm. Pleas No. A 2200704 (lead counsel for plaintiffs in challenge to Ohio SB 157, imposing arbitrary licensing requirements on clinics).

Planned Parenthood Southwest Ohio Region v. Ohio Department of Health, Hamilton Co. Comm. Pleas No. A21 00870 (counsel for plaintiffs in challenge to Ohio law requiring burial or cremation of

remains from surgical abortions at any stage of pregnancy).

Preterm v. Yost, S.D. Ohio No. 19-cv-00360 (counsel for plaintiffs in constitutional challenge to Ohio law banning abortions after fetal cardiac activity is detected and to Ohio Attorney General's attempt to shut down surgical abortion services as non-essential during the COVID pandemic).

Preterm v. Himes, S.D. Ohio No. 18-cv-00109 (lead counsel in constitutional challenge to Ohio law banning abortions due to Down syndrome; argued before a Sixth Circuit court of appeals panel and *en banc* Sixth Circuit).

Planned Parenthood v. Hodges, S.D. Ohio No. 15-cv-00568 (counsel for plaintiffs in constitutional challenge to Ohio's Written Transfer Agreement requirement and arbitrary rules for achieving a variance to that requirement, which makes abortion clinics perpetually vulnerable to losing their licenses).

Preterm v. Kasich, Ohio Supreme Court No. 2016-1252 (lead counsel in state constitutional challenge to abortion-related amendments in Ohio budget bill; argued appeal before Ohio Supreme Court).

Planned Parenthood v. DeWine, S.D. Ohio No. 04-cv-00493 (counsel for plaintiff in constitutional challenge to first-of-its-kind Ohio law restricting use of the abortion-inducing drug mifepristone).

EDUCATION

HARVARD LAW SCHOOL

J.D., *magna cum laude*, 1999

Harvard Law Review, Articles and Commentaries Committee – Commentaries Chair
Battered Women's Advocacy Project, Co-Chair and Welfare Project Coordinator

YALE UNIVERSITY

POSTGRADUATE WORK IN COMPARATIVE LITERATURE, 1993-1996

Yale University Fellowship (full tuition)

Awarded Rotary Foundation Ambassadorial Scholarship to study German literature and philosophy at the Humboldt-Universität zu Berlin, 1994-95

BROWN UNIVERSITY

B.A. IN COMPARATIVE LITERATURE, *magna cum laude*, 1992

Rosalie Colie Prize for Comparative Literature (award for senior thesis)

Study abroad in Lyon, France 1990-91

BAR ADMISSIONS

Massachusetts, 2000

Ohio, 2002

U.S. Court of Appeals for the Sixth Circuit, 2000

U.S. District Court for the Northern District of Ohio, 2002

U.S. District Court for the Western District of Michigan, 2003

U.S. District Court for the Southern District of Ohio, 2004

LANGUAGES

Fluent in French and German