

**GRISWOLD'S LEGACY:  
CONSTITUTIONAL LIBERTY IN THE INTIMATE SPHERE**

**2015 PROGRAM GUIDE**

This coming June, we will celebrate the 50th anniversary of the Supreme Court's momentous decision in *Griswold v. Connecticut* in which the Supreme Court struck down a Connecticut statute prohibiting the use of contraception by married couples.<sup>1</sup> This decision, grounded in constitutional text and principles protecting personal liberty, is the bedrock upon which rest later decisions protecting reproductive rights and rights to intimate relationships free from unwarranted government intrusion.

To mark this milestone, ACS encourages chapters in 2015 to explore the history and meaning of *Griswold* and how the Court's analysis has evolved with respect to the questions the case presented, as well as current challenges to the personal liberty the decision sought to protect. Two broad areas worthy of inquiry are the reproductive rights cases (e.g., *Roe v. Wade*<sup>2</sup> and *Planned Parenthood v. Casey*<sup>3</sup>) and intimate relationship cases (e.g., *Lawrence v. Texas*<sup>4</sup> and *U.S. v. Windsor*<sup>5</sup>) that flow from *Griswold*'s holding.

*Some specific questions to consider:*

- What roles do the Due Process and Equal Protection Clauses of the 14<sup>th</sup> Amendment play in securing the liberties at stake in *Griswold* and the personal liberty cases that followed?
- How do competing views of constitutional interpretation affect the rights at issue in those cases?
- What are current challenges to the rights secured by *Griswold* and its progeny, and what might be effective strategies for addressing them?

*Some useful resources:*

- For an overview of the jurisprudence concerning the Constitution's protection of personal decision making in the intimate sphere, see [\*Liberty\*, in KEEPING FAITH WITH THE CONSTITUTION](#) (Liu et al., 2009), and for an analysis of what recent Supreme Court decisions concerning personal liberty mean for originalism as an interpretive method, see Dawn Johnsen, [\*Windsor, Shelby County and the Demise of Originalism: A Personal Account\*](#), 89 IND. L. J.3 (2014), (first published as an ACS Issue Brief).
- For an account of the right to contraception before *Griswold*, see Mary L. Dudziak, [\*Just Say No: Birth Control in the Connecticut Supreme Court Before Griswold v. Connecticut\*](#),

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<sup>1</sup> *Griswold v. Connecticut*, 381 U.S. 479 (1965).

<sup>2</sup> 410 U.S. 113, 164 (1973).

<sup>3</sup> 505 U.S. 833, 847 (1992).

<sup>4</sup> 539 U.S. 558 (2003).

<sup>5</sup> 133 S. Ct. 2675 (2013).

75 IOWA L. REV. 915 (1990), and for a discussion of the debate over abortion before *Roe*, see LINDA GREENHOUSE AND REVA SIEGEL, [BEFORE ROE V. WADE](#) (2d Edition, 2012).

- For an overview of recent state efforts to restrict access to abortion, see Heather D. Boonstra and Elizabeth Nash, [A Surge of State Abortion Restrictions Puts Providers—and the Women They Serve—in the Crosshairs](#), 17 GUTTMACHER POLICY REVIEW 1 (2014), and view the January 2014 ACS event [“Reproductive Rights and Women’s Health: The States Courts and Congress.”](#) See also [this account](#) of the litigation challenging a restrictive Texas law potentially headed for Supreme Court review.
- For background on the Supreme Court and marriage equality, view the ACS panel discussion [“Toward a More Civil Union: Considering Marriage for All.”](#) and for information on the status of the right to marry in the states, see this [interactive map](#) by Freedom to Marry.

Please consult the speaker list that follows and don’t hesitate to be in touch with ACS staff for further assistance.

**Spring 2015 Program Guide Speakers List**

<b>Name</b>	<b>Title</b>	<b>Focus</b>	<b>Organization</b>	<b>Location</b>
Aziza Ahmed	Associate Professor of Law	Reproductive and Sexual Health Rights	Northeastern University Law School	MA
Brigitte Amiri	Senior Staff Attorney	Reproductive Rights Litigation and Legislation	ACLU Reproductive Freedom Project	NY
Ian Bartrum	Associate Professor of Law	Constitutional Law, Constitutional Theory, Law and Religion	UNLV William S. Boyd School of Law	NV
Eric Berger	Associate Professor of Law	Constitutional Law	Nebraska College of Law	NE
Mary Bonauto	Civil Rights Project Director	LGBT Issues	GLAD	MA
Gretchen Borchelt	Acting Vice President for Health and Reproductive Rights (as of 1/1/15)	Reproductive Rights, Healthcare, Family Planning	National Women's Law Center	DC
Caitlin Borgmann	Professor of Law	Abortion, State Legislation, "Personhood," Religion and Reproductive Rights	CUNY School of Law	NY
Michael Boucai	Associate Professor of Law	Family Law, Law and Sexuality	SUNY Buffalo Law School	NY
Khiara Bridges	Associate Professor of Law	Critical Race Theory, Reproductive Rights, Equal Protection, Fundamental Rights Analysis under the Due Process Clause	Boston University School of Law	MA

<b>Name</b>	<b>Title</b>	<b>Focus</b>	<b>Organization</b>	<b>Location</b>
Dale Carpenter	Earl R. Larson Professor of Civil Rights and Civil Liberties Law	Constitutional Law, Sexual Orientation and the Law	University of Minnesota Law School	MN
Matt Coles	Deputy National Legal Director and Director of the Center for Equality	LGBT Rights, Voting Rights and Immigration, Racial Justice, Disability Rights	ACLU	NY
Caroline Mala Corbin	Professor of Law	Constitutional Law, First Amendment, Feminism	University of Miami Law School	FL
David B. Cruz	Professor of Law	Constitutional Law, Civil Rights, LGBT Rights, Sex, Gender Identity, and Sexual Orientation Law	USC Gould School of Law	CA
Maxine Eichner	Reef C. Ivey II Professor of Law	Reproductive Rights and Family Leave and Support	University of North Carolina School of Law	NC
William Eskridge	John A. Garver Professor of Jurisprudence	LGBT Issues	Yale Law School	CT
Roger Evans	Senior Director of Public Policy Litigation and Law	Reproductive Rights	Planned Parenthood Federation of America	NY
Katie Eyer	Assistant Professor of Law	Constitutional Law, Civil Rights	Rutgers School of Law - Camden	NJ

<b>Name</b>	<b>Title</b>	<b>Focus</b>	<b>Organization</b>	<b>Location</b>
Cary Franklin	Assistant Professor of Law	Constitutional Law, Anti-Discrimination Law, Sex and Sexual Orientation and the Law	University of Texas at Austin School of Law	TX
Frederick Gedicks	Guy Anderson Chair and Professor of Law	Constitutional Law, Law and Religion, Constitutional Interpretation	BYU Law	UT
Suzanne Goldberg	Herbert and Doris Wechsler Clinical Professor of Law; Director, Center for Gender and Sexuality Law	Sexuality and Gender Law, Including LGBT and Other Issues	Columbia University School of Law	NY
Linda Greenhouse	Senior Research Scholar in Law, Knight Distinguished Journalist in Residence, and Joseph Goldstein Lecturer in Law	Constitutional Law and the Supreme Court	Yale Law School	CT
Jessie Hill	Associate Dean for Faculty Development and Research; Professor of Law and Laura B. Chisolm Distinguished Research Scholar	Constitutional Law, Abortion, Healthcare, Minors' Reproductive Rights	Case Western Reserve University School of Law	OH
Nan Hunter	Associate Dean, Graduate Programs, Professor of Law	LGBT Issues	Georgetown School of Law	DC
Dawn Johnsen	Walter W. Foskett Professor of Law	Constitutional Law	Indiana University Maurer School of Law	IN
Robbie Kaplan	Partner	LGBT Litigation, Same-Sex Marriage Litigation	Paul, Weiss	NY

<b>Name</b>	<b>Title</b>	<b>Focus</b>	<b>Organization</b>	<b>Location</b>
Andrew Koppelman	John Paul Stevens Professor of Law	Constitutional Law, LGBT Issues, 14th Amendment Jurisprudence, 1st Amendment, Law and Religion	Northwestern University Law School	IL
Helene Krasnoff	Senior Director	Reproductive Rights and Justice, Litigation	Planned Parenthood Federation for America	DC
Sarah Lipton Lubet	Director, Reproductive Health Programs	Reproductive Rights and Health	National Partnership for Women & Families	DC
Beth Littrell	Senior Attorney	LGBT Rights	Lambda Legal	GA
Emily Martin	Vice President and General Counsel	Supreme Court, Women and the Constitution	National Women's Law Center	DC
Saru Matambanadzo	Gordon Gamm Faculty Scholar and Associate Professor of Law	Pregnancy, Discrimination, LGBT Issues	Tulane University	LA
Louise Melling	Deputy National Legal Director and Director of the Center for Liberty	Reproductive Rights, LGBT Rights, Freedom of Religion and Belief, Women's Rights	ACLU	NY
Shannon Price Minter	Legal Director	LGBT Issues	National Center for Lesbian Rights	CA

<b>Name</b>	<b>Title</b>	<b>Focus</b>	<b>Organization</b>	<b>Location</b>
Melissa Murray	Professor of Law	Constitutional Law, Reproductive Rights, Criminal Law, Family Law	UC Berkeley School of Law	CA
Douglas NeJaime	Professor of Law	Sexual Orientation Law, Same-Sex Marriage, Law and Social Movements, Family Law, Cause Lawyering, Anti-Discrimination Law	UC Irvine School of Law	CA
Jenny Pizer	Law and Policy Project National Director	LGBT Rights	Lambda Legal	CA
Nancy Polikoff	Professor of Law	LGBT Issues	American University Washington College of Law	DC
Susannah Pollvogt	Associate Professor of Law	Equal Protection	Washburn School of Law	KS
Laura Rosenbury	Professor of Law; John S. Lehmann Research Professor	Feminist Legal Theory, Sexual Autonomy, Construction of Gender	Washington University Law	MO
Julie Rikelman	Litigation Director	Reproductive Rights and Justice, Litigation	Center for Reproductive Rights	NY
Maya Rupert	Federal Policy Director	LGBT Issues, Identity, Reproductive Justice	National Center for Lesbian Rights	DC

<b>Name</b>	<b>Title</b>	<b>Focus</b>	<b>Organization</b>	<b>Location</b>
Steve Sanders	Associate Professor of Law	Constitutional Law, Gender, Sex and Reproduction, Family Law	Indiana University Maurer School of Law	IN
Carol Sanger	Barbara Arinstein Black Professor of Law	Reproductive Rights and Family Law	Columbia University School of Law	NY
Susan Schmeiser	Professor of Law	Family Law, Sexuality, Gender and the Law, Health Law	University of Connecticut School of Law	CT
Reva Siegel	Nicholas deB. Katzenbach Professor of Law	Constitutional Law	Yale Law School	CT
Neil Siegel	David W. Ichel Professor of Law and Professor of Political Science, Co-Director of the Program in Public Law, and Director of the DC Summer Institute on Law and Policy	Constitutional Law, Supreme Court, Federalism, Equal Protection and Substantive Due Process, Constitutional Politics	Duke University School of Law	NC
Stacey Long Simmons	Director of Public Policy and Government Affaris	LGBT Issues	National LGBTQ Task Force	DC
Priscilla Smith	Director, Program for the Study of Reproductive Justice at the Information Society Project	Privacy, Reproductive Rights and Justice	Yale Law School	CT
Paul Smith	Partner	LGBT Litigation, Constitutional Law and the Supreme Court	Jenner & Block	DC
David Strauss	Gerald Ratner Distinguished Service Professor of Law	Constitutional Law	University of Chicago Law School	IL
Camilla Taylor	Counsel and Marriage Project National Director	LGBT Rights	Lambda Legal	IL



<b>Name</b>	<b>Title</b>	<b>Focus</b>	<b>Organization</b>	<b>Location</b>
Sarah Warbelow	Legal Director	Federal, State and Municipal Policy Affecting the LGBT Community	Human Rights Campaign	DC
Tanya Washington	Associate Professor of Law	Family Law, Race and Law, Education Law	Georgia State University College of Law	GA
Heidi Williamson	Senior Policy Analyst	Women's Rights, Reproductive Health	Center for American Progress	DC
Evan Wolfson	Founder and President	LGBT Issues	Freedom to Marry	NY
Kenji Yoshino	Chief Justice Earl Warren Professor of Constitutional Law	LGBT Issues, Constitutional Law	New York University School of Law	NY