

Name of Panel: Defending the Third Branch

Date | Time | Location: Friday, June 8, 2018 | 9:15 AM – 11:00 AM | Washington, DC

Brief Description: From the far-reaching “court-packing” plan proposed by Federalist Society founder Steven Calabrese, to attempts in North Carolina to place control of the courts in the hands of a diminishing conservative legislative majority, to the effective end of the blue slip practice in federal judicial nominations, the third branch is in danger of being reshaped in ways that affect hard-won gains in civil and human rights, economic and criminal justice, and basic access to a fair and impartial justice system, for generations to come. These efforts to remake the judiciary occur at a time when we face critical challenges to the very rule of law, and the courts’ ability to protect rights and act as an independent instrument for government accountability is increasingly under attack. What can be learned from the experiences of other democracies where the judiciary has been the focus of political attacks? How should courts defenders think and speak differently in the courts’ defense in order to help the public understand what is at stake?

Panelists’ Names and Bios:

- **Ron Klain (moderator)**
 - Executive Vice President and General Counsel, *Revolution LLC*. Received his B.A., *summa cum laude*, from Georgetown University and J.D., *magna cum laude*, from Harvard Law School.
- **Tom Ginsburg**
 - Leo Spitz Professor of International Law, Ludwig and Hilde Wolf Research Scholar, Professor of Political Science, *The University of Chicago Law School*. Received his B.A., J.D., and Ph.D. from the University of California at Berkeley.
- **Ginna Green**
 - Managing Director for the Democracy Collaborative, *ReThink Media*. Received her B.A. from the University of South Carolina-Columbia.
- **Chris Kang**
 - Chief Counsel, *Demand Justice*. Received his B.A., with honors, from the University of Chicago and his J.D. from the Duke University School of Law.
- **Melissa Price Kromm**
 - Director, *North Carolina Voters for Clean Elections*. Received her B.A. from North Carolina State University.
- **Hon. Timothy Lewis**
 - Counsel, *Schnader, Harrison, Segal & Lewis LLP*. Former Judge on the U.S. Court of Appeals for the Third Circuit. Received his B.A. from Tufts University and his J.D. from Duquesne University School of Law.
- **Kristine Lucius**
 - Executive Vice President for Policy, *The Leadership Conference*. Received her B.A. from the University of Minnesota and her J.D. from the Georgetown University Law Center.

Agenda of Panel:

- Introductions / Opening Remarks (10 min)
- Panel Discussion (75 min)
- Q&A (20 min)

Materials for Panel:

- Aziz Huq & Tom Ginsburg, [*How to Lose a Constitutional Democracy*](#), 65 UCLA L. REV. 78 (2018).
- Salvador Rizzo, [*Are Senate Republicans Killing the 'Blue Slip' for Court Nominees?*](#), WASH. POST (Feb. 21, 2018).
- Chris Kang, [*10 Things You Need to Know About Blue Slips*](#), AMERICAN CONSTITUTION SOCIETY (Sept. 13, 2017).
- Trip Gabriel, [*In North Carolina, Republicans Stung by Court Rulings Aim to Change the Judges*](#), N.Y. TIMES (Oct. 18, 2017).
- Steven G. Calabresi & Shams Hirji, [*Proposed Judgeship Bill*](#), NW. U. PRITZKER SCHOOL OF LAW NO. 17-24 (Nov. 7, 2017).
- Ronald A. Klain, [*Conservatives Have a Breathtaking Plan for Trump to Pack the Courts*](#), WASH. POST. (Nov. 21, 2017).
- Charlie Savage, [*Trump is Rapidly Reshaping the Judiciary. Here's How.*](#), N.Y. TIMES (Nov. 11, 2017).
- Kristine Lucius, [*Will the Federal Judiciary Remain a Check and Balance After Trump?*](#), HARV. L. REV. BLOG (Feb. 16, 2018).
- Timothy K. Lewis, [*Pa. Republicans overstepped in their defiance of court ruling on redistricting*](#), PENN LIVE OPINION (Feb. 18, 2018).

Name of Panel: Making Census of the Population and Redistricting

Date | Time | Location: Friday, June 8, 2018 | 11:15 AM – 12:45 PM | Washington, DC

Brief Description: The nation is fast approaching the next census and round of redistricting. 2020 could be a chance to undo the distortive gerrymandering of the past decade, or it could see a doubling down on manipulation and entrenchment. There are already troubling signs that the census itself may be politicized to an unprecedented degree, and that it will result in a significant undercount that penalizes minority communities and those with high immigrant populations, among others. The next redistricting cycle will take place with a very different Supreme Court, with open questions about whether the traditional remedies relied upon by voting rights advocates will continue to be viable. On the other hand, there are encouraging signals that the Supreme Court may finally be willing to wade into question of partisan gerrymandering. This panel will preview the 2020 redistricting and the battles ahead of us. What risks are there to a full and accurate census count? What challenges will communities of color likely face in ensuring fair representation? How is redistricting jurisprudence likely to be different in the next cycle?

Panelists' Names and Bios:

- **Adam Liptak (moderator)**
 - Supreme Court Correspondent, *The New York Times*. Received his B.A., *cum laude*, from Yale College and J.D. from Yale Law School.
- **Guy-Uriel Charles**
 - Edward and Ellen Schwarzman Professor of Law and Senior Associate Dean for Faculty & Research, *Duke Law School*. Received his B.A. from Spring Arbor University and his J.D. from the University of Michigan Law School.
- **Terri Ann Lowenthal**
 - Census Consultant, *The Leadership Conference Education Fund*. Received her B.A. from Cornell University and her J.D. from Georgetown University Law Center.
- **Katherine McKnight**
 - Partner, *Baker Hostetler*. Received her B.A. from Brown University and her J.D. from University of Minnesota Law School.
- **Arturo Vargas**
 - Executive Director, *National Association of Latino Elected Officials (NALEO)*. Received his B.A. and master's from Stanford University.
- **Wendy Weiser**
 - Director of the Democracy Program, *Brennan Center for Justice*. Received her B.A. from Yale College and J.D. from Yale Law School.

Agenda of Panel:

- Introductions / Opening Remarks (20 min)
- Panel Discussion (50 min)
- Q&A (20 min)

Materials for Panel:

- SCOTUSBlog, [Gill v. Whitford](#).
- Laura Royden, Michael Li, & Yuriy Rudensky, [Extreme Gerrymandering & the 2018 Midterm](#), BRENNAN CENTER FOR JUSTICE (Mar. 27, 2018).

- Guy-Uriel E. Charles & Luis Fuentes-Rohwer, [Reynolds Reconsidered](#), 67 ALA. L. REV. 485 (2015).
- Arturo Vargas, [The Census is Too Important to Risk the Addition of a Citizenship Question](#), ACSBLOG (Apr. 3, 2015).
- FUNDERS' COMMITTEE FOR CIVIC PARTICIPATION, [Census Policy Challenges: What's in Store for 2018?](#), FUNDERS CENSUS INITIATIVE (Feb. 13, 2018).
- Terri Ann Lowenthal, ['Perfect Storm' Threatens Successful 2020 Census](#), NEW AMERICA MEDIA (Sept. 15, 2017).
- [League of Women Voters of Pennsylvania et al. v. Pennsylvania et al.](#), (M.D. Pa. Feb. 7, 2018).
- [Evenwel v. Abbott](#), 136 S. Ct. 1120 (2016).
- Wendy Weiser & Thomas Wolf, [Why the Census Asking About Citizenship Is Such A Problem](#), THE HUFFINGTON POST (Mar. 27, 2018, 1:50 PM).
- Michael Li & Eric Petry, [The Impact of Evenwel: How Using Voters Instead of People Would Dramatically Change Redistricting](#), BRENNAN CENTER FOR JUSTICE (Dec. 7, 2015).
- [Complaint](#), States et al. v. Dep't of Commerce and Bureau of the Census, 1:18-cv-02921 (S.D.N.Y. Apr. 3, 2018).

Name of Panel: Deregulation, Defunding, and Deference: The Administrative State in the Age of Trump

Date | Time | Location: Friday, June 8, 2018 | 11:15 AM – 12:45 PM | Washington, DC

Brief Description: The Trump Administration has made rolling back regulations and reducing funding for federal agencies like the National Labor Relations Board and the Environmental Protection Agency a priority. In the case of the Consumer Financial Protection Board, its Acting Director recently issued a strategic plan designed to limit the agency's role, with a stated objective of "reduc[ing] unwarranted regulatory burdens." Congress has stepped into the fray by reinvigorating – and in the eyes of some critics reinventing – the Congressional Review Act, which essentially allows the legislature to repeal federal regulations. At a moment when the power and possibilities of federal agencies are being redefined, what options are being considered by those who oppose this tide of deregulation? Can Congress play a constructive role in protecting the vitality of the federal workforce? Are lawsuits by state attorneys general and others an effective way to challenge regulatory rollbacks? And what potential reforms to the Administrative Procedure Act would protect and strengthen the administrative state moving forward?

Panelists' Names and Bios:

- **Theodore Chuang (moderator)**
 - U.S. District Judge, *U.S. District Court for the District of Maryland*. Received his B.A., *summa cum laude*, from Harvard College and J.D., *magna cum laude*, from Harvard Law School.
- **Loren Alikhan**
 - Solicitor General, *Office of the Attorney General for the District of Columbia*. Received her B.A., *summa cum laude*, from Bard College at Simon's Rock and her J.D., *magna cum laude*, Georgetown University Law Center.
- **Peter Shane**
 - Jacob E. Davis and Jacob E. Davis II Chair in Law, *The Ohio State University Moritz College of Law*. Received his A.B., *magna cum laude*, from Harvard College and J.D. from Yale Law School.
- **Susannah Weaver**
 - Partner, *Donahue & Goldberg LLP*. Received her B.A. from Harvard College and her J.D. from the Georgetown University Law Center.
- **Adam White**
 - Director of the Center for the Study of the Administrative State, *George Mason University's Antonin Scalia Law School*. Received his B.B.A. from the University of Iowa and his J.D. from Harvard Law School.

Agenda of Panel:

- Introductions / Opening Remarks (20 min)
- Panel Discussion (50 min)
- Q&A (20 min)

Materials for Panel:

- Adam White, *Executive Orders as Lawful Limits on Agency Policymaking Discretion*, NOTRE DAME L. REV. (forthcoming 2018).
- Peter M. Shane, [Chevron Deference, the Rule of Law, and Presidential Influence in the Administrative State](#), Ohio State Public Law Working Paper No. 266 (July 30, 2014).

- Peter M. Shane, [*The Quiet GOP Campaign Against Government Regulation*](#), THE ATLANTIC (Jan. 26, 2017).
- Gillian E. Metzger, [*1930s Redux: The Administrative State Under Siege*](#), 131 HARV. L. REV. 1 (2017).
- Lisa Heinzerling, [*The Legal Problems \(So Far\) of Trump's Deregulatory Binge*](#), _ HARV. L. AND POL'Y REV. _ (forthcoming 2018).
- [*Clean Air Council, et. al. v E. Scott Pruitt*](#), No. 17-1145 (D.C. Cir. July 3, 2017) (granting petitioners' motion to vacate the stay).

Name of Panel: Safeguarding the Rule of Law

Date | Time | Location: Friday, June 8, 2018 | 11:15 AM – 12:45 PM | Washington, DC

Brief Description: Among the principles of governance central to sustaining the rule of law within the U.S. constitutional system are separation of powers, democratic accountability, transparency, and norms that guide officials in their use of political power. Critics contend that the United States is currently being led by an executive who demonstrates autocratic tendencies, with a record of ignoring established legal processes, dismantling democratic conventions, and flouting norms that help preserve a stable, reliable government. Are alleged violations of the Emoluments Clauses; attacks on the Mueller investigation, the Justice Department, the judiciary, and the press; and the abandoning of established norms challenging the vitality of the rule of law? What can be done to push back?

Panelists' Names and Bios:

- **Easha Anand (moderator)**
 - Managing Associate, *Orrick*. Received her B.A. from Yale University and her J.D. from the University of California Berkeley School of Law.
- **Norman Eisen**
 - Chair and co-founder, Citizens for Responsibility and Ethics in Washington (CREW). Received his A.B., *magna cum laude*, from Brown University and his J.D., *cum laude*, from Harvard Law School.
- **Asha Rangappa**
 - Senior Lecturer at the Jackson Institute for Global Affairs, *Yale University*. Received her B.A. from Princeton University and her J.D. from Yale Law School.
- **David Strauss**
 - Gerald Ratner Distinguished Service Professor of Law; Faculty Director of the Jenner & Block Supreme Court and Appellate Clinic, *the University of Chicago Law School*. Received his B.A., *summa cum laude*, from Harvard College, B.Phil from Oxford, and received his J.D., *magna cum laude*, from Harvard Law School.
- **Justin Walker**
 - Assistant Professor of Law, *University of Louisville Brandeis School of Law*. Received his B.A. from Duke University and his J.D. from Harvard Law School.

Agenda of Panel:

- Introductions / Opening Remarks (20 min)
- Panel Discussion (50 min)
- Q&A (20 min)

Materials for Panel:

- AMERICAN CONSTITUTION SOCIETY, [Safeguarding the Rule of Law](#) (2018).
- Barry H. Berke, Noah Bookbinder, & Norman Eisen, [Presidential Obstruction of Justice: The Case of Donald J. Trump](#), BROOKINGS (Oct. 10, 2017).
- Noah Bookbinder, Norman Eisen, & Caroline Fredrickson, [Why Trump Can't \(Easily\) Remove Mueller – and What Happens If He Tries](#), PRESIDENTIAL INVESTIGATION EDUCATION PROJECT (DEC. 6, 2017)

- Noah Bookbinder, Norman Eisen, Caroline Fredrickson, & Kristin Amerling, [*The Smear Campaign Against Mueller: Debunking the Nunes Memo and the Other Attacks on the Russia Investigation*](#), PRESIDENTIAL INVESTIGATION EDUCATION PROJECT (Jan. 31, 2018).
- Justin Walker, [*FBI Independence as a Threat to Civil Liberties: An Analogy to Civilian Control of the Military*](#), 86 GEO. WASH. L. REV. (Feb. 12, 2018).

Name of Panel: Under Pressure: Immigrants and the Trump Administration

Date | Time | Location: Friday, June 8, 2018 | 11:15 AM – 12:45 PM | Washington, DC

Brief Description: The Trump Administration made immigrants and immigration policy a central focus of its agenda on day one when it issued its first executive order barring admission into the U. S. from certain predominantly Muslim countries and suspending all refugee admissions. As that order and its successors have made their way to the Supreme Court for review this Term, the administration has also brought litigation against sanctuary states, rescinded the Deferred Action for Childhood Arrivals program, increased ICE enforcement activities at courthouses and sensitive locations, and talked about reshaping our immigrant admissions system to prioritize “merit” over family ties. State and local actors have stepped in to try to ameliorate the situation, ratcheting up debates about federalism, preemption and standing. What are the key law and policy arguments underpinning these developments? How can progressives reconcile previous positions taken on immigration and federal power? And how can advocates best protect immigrants in the current environment?

Panelists’ Names and Bios:

- **Dara Lind (moderator)**
 - Senior Reporter, *Vox*. Received her B.A. from Yale University.
- **Muzaffar Chishti**
 - Director of the Migration Policy Institute, *New York University School of Law*. Received his degree from the University of Delhi and his J.D. from Cornell Law School.
- **Jacinta Ma**
 - Director of Policy and Advocacy, *National Immigration Forum*. Received her B.A. from the University of California, Berkeley, and her J.D. from the New York University School of Law.
- **Hon. Alejandro Mayorkas**
 - Partner, *Wilmer Hale*. Received his B.A., *with distinction*, from the University of California, Berkeley, and his J.D. from Loyola Law School.
- **Jonathan Miller**
 - Consumer Protection Division and Public Protection and Advocacy Bureau Chief, *Massachusetts Office of the Attorney General*. Received his B.A. from Dartmouth College and his J.D. from Columbia Law School.

Agenda of Panel:

- Introductions / Opening Remarks (20 min)
- Panel Discussion (50 min)
- Q&A (20 min)

Materials for Panel:

- Sarah Pierce & Andrew Selee, [*Immigration Under Trump: A Review of Policy Shifts in the Year Since the Election*](#), MIGRATION POLICY INSTITUTE (Dec. 2017).
- [Exec. Order No. 13,769](#), 82 Fed. Reg. 8,977 (Jan. 27, 2017).
- [Exec. Order No. 13,780](#), 82 Fed. Reg. 13,209 (Mar. 6, 2017).
- THE WHITE HOUSE, [Presidential Proclamation Enhancing Vetting Capabilities and Processes for Detecting Attempted Entry Into the United States by Terrorists or Other Public-Safety Threats](#) (Sept. 24, 2017).
- SCOTUSBLOG, [Trump v. Hawaii](#).

- Kristen Bialik, [ICE Arrests Went Up in 2017, with Biggest Increases in Florida, northern Texas, and Oklahoma](#), PEW RESEARCH CENTER (Feb. 8, 2018).
- U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, [FAQ on Sensitive Locations and Courthouse Arrests](#) (2018).
- Akilah Johnson, [ICE Arrests at Courthouses Disrupt Justice, Lawsuits Claim](#), THE BOSTON GLOBE (Mar. 16, 2018).
- OFFICE OF ATTORNEY GENERAL MAURA HEALEY, [Ten States Challenge U.S. Department of Homeland Security for Failing to Disclose Immigration Records](#) (Oct. 17, 2017).
- Elaine C. Duke, [Memorandum on Rescission of Deferred Action for Childhood Arrivals \(DACA\)](#), DEP'T OF HOMELAND SECURITY (Sept. 5, 2017).
- [NAACP et al. v. Trump et al.](#), No. 1:17-cv-02325-JDB (D.D.C. Apr. 24, 2018).
- Dara Lind, [Jeff Sessions's Lawsuit Against California's "Sanctuary" Laws, Explained](#), VOX (Mar. 7, 2018, 10:20 AM).
- John Byrne, [Emanuel Wins Court Ruling in Sanctuary City Lawsuit Against Trump Administration](#), Chicago Tribune (Apr. 20, 2018, 6:40 AM).

Name of Panel: The Constitutional Dilemmas of Big Tech

Date | Time | Location: Friday, June 8, 2018 | 2:30 PM – 4:00 PM | Washington, DC

Brief Description: As we near the end of the 21st century's second decade, it is beyond cliché to say that the law has trouble keeping up with the rapid pace of technological development. Whether in the context of the 4th Amendment rights implicated in the *United States v. Microsoft* case where the Supreme Court must apply a statute written before there even was a global Internet, the challenges of analyzing under a First Amendment rubric the hateful expression increasingly found on platforms like Twitter and Facebook when the amendment only limits the actions of government entities, or attacks on our democracy launched by Russian bots using social media platforms, the ubiquity of technology presents confounding legal questions for industry, law enforcement, and consumers alike. What are and should be the obligations of tech companies to their customers when law enforcement seeks user content, and should liability result when they make the wrong call? What remedies are available to industry when the government seeks to tie its hands through gag orders that prevent it from making customers aware of government surveillance? And how should these companies, who seek to provide expressive fora, navigate the problem of online hate speech? What should be the rules of the road for all the stakeholders?

Panelists' Names and Bios:

- **Anupam Chander (moderator)**
 - Martin Luther King, Jr. Professor of Law and Director of the California International Law Center, *UC Davis School of Law*. Received his A.B., *magna cum laude*, from Harvard University and J.D. from Yale Law School.
- **Hasan Ali**
 - Senior Attorney for Law Enforcement & National Security (LENS), *Microsoft*. Received his B.A. from the University of Chicago and his J.D. from the Boston University School of Law.
- **David Bitkower**
 - Partner, *Jenner & Block*. Received his B.A., *cum laude*, from Yale University and his J.D., *magna cum laude*, from Harvard Law School.
- **Brittan Heller**
 - Director of Technology and Society, *Anti-Defamation League*. Received her B.A., *with distinction*, from Stanford University and her J.D. from Yale Law School.
- **Lyrisa Lidsky**
 - Dean and Judge C.A. Leedy Professor of Law, *University of Missouri School of Law*. Received her B.A., *summa cum laude*, from Texas A&M University and her J.D., *with high honors*, from the University of Texas School of Law.

Agenda of Panel:

- Introductions / Opening Remarks (20 min)
- Panel Discussion (50 min)
- Q&A (20 min)

Materials for Panel:

- Jennifer Daskal, [*Access to Data Across Borders: The Critical Role for Congress to Play Now*](#), AMERICAN CONSTITUTION SOCIETY (Oct. 2017).

- Jennifer Daskal & Peter Swire, [Why the CLOUD Act is Good for Privacy and Human Rights](#), LAWFARE (Mar. 14, 2018, 12:00 PM).
- David Bitkower & Natalie K. Orpett, [Congress Passes CLOUD Act Governing Cross-Border Law Enforcement Access to Data](#), JENNER & BLOCK (Mar. 2018).
- Lyrissa Barnett Lidsky & Linda Riedemann Norbut, [#I🇺🇸U: Considering the Context of Online Threats](#), 106 CAL. L. REV. 101 (forthcoming 2018).
- Ronnell Anderson Jones & Lyrissa Barnett Lidsky, [Of Reasonable Readers and Unreasonable Speakers: Libel Law in a Networked World](#), VA. J. SOC. POL'Y L. (forthcoming).
- [Brief for Technology Companies as Amici Curiae in Support of Neither Party](#), Carpenter v. U.S. (No. 16-402).

Name of Panel: Blue Cities, Red States: The Troubling Turn in State Preemption

Date | Time | Location: Friday, June 8, 2018 | 2:30 PM – 4:00 PM | Washington, DC

Brief Description: Increasingly, states are attempting to shut down local innovation through preemptive legislation that overrides local lawmaking—threatening to withhold state funding from sanctuary cities, precluding civil rights protections for LGBT citizens, prohibiting cities from raising the minimum wage for their workers, and blocking gun violence prevention laws. Critics argue that these efforts are stifling local democracy. In some cases, preemption efforts have even gone so far as to impose criminal liability on city officials who merely vote for progressive legal reforms. How widespread is this aggressive campaign of state preemption and what legal strategies are available to cities to fight back?

Panelists' Names and Bios:

- **Nestor Davidson (moderator)**
 - Albert A. Walsh Chair in Real Estate, Land Use, and Property Law and Faculty Director of the Urban Law Center, *Fordham University School of Law*. Received his A.B. from Harvard College and his J.D. from Columbia Law School.
- **Olatunde Johnson**
 - Jerome B. Sherman Professor of Law and Vice Dean, *Columbia Law School*. Received her B.A. from Yale University and her J.D. from Stanford Law School.
- **Jon Russell**
 - Director of the American City County Exchange, *American Legislative Exchange Council (ALEC)*. Received his B.S. from Thomas Edison State University.
- **Ames Simmons**
 - Director of Transgender Policy, *Equality North Carolina*. Received his B.A. from Agnes Scott College and his J.D. from Emory University School of Law.
- **Adam Skaggs**
 - Chief Counsel, *Giffords Law Center to Prevent Gun Violence*. Received his B.A. from Swarthmore College and his J.D. from Brooklyn Law School.

Agenda of Panel:

- Introductions / Opening Remarks (20 min)
- Panel Discussion (50 min)
- Q&A (20 min)

Materials for Panel:

- Richard Briffault, Nestor Davidson, Paul A. Diller, Olatunde Johnson, & Richard C. Schragger, [*The Troubling Turn in State Preemption: The Assault on Progressive Cities and How Cities Can Respond*](#), AMERICAN CONSTITUTION SOCIETY (Sept. 2017).
- Glenn Harlan Reynolds, [*Splitsylvania: State Secession and What to Do About It*](#), University of Tennessee Knoxville College of Law Research Paper #343 (Mar. 2018).
- NAT'L LEAGUE OF CITIES CENTER FOR CITY SOLUTIONS, [*City Rights in an Era of Preemption: A State-by-State Analysis – 2018 Update*](#) (2018).
- Jon D. Russell & Aaron Bostrom, [*Federalism, Dillon Rule and Home Rule*](#), ACCE WHITE PAPER (June 2016).

- Richard C. Schragger, [*The Attack on American Cities*](#), University of Virginia School of Law Public Law and Legal Theory Research Paper Series 2017-46 (Aug. 2017).

Name of Panel: Religious Freedom v. Anti-Discrimination Laws: Can Rights Be Reconciled?

Date | Time | Location: Friday, June 8, 2018 | 2:30 PM – 4:00 PM | Washington, DC

Brief Description: Increasingly, religious liberty claims seem in conflict with reproductive and LGBTQ rights, and these conflicts are being litigated in courthouses, legislatures, and the public discourse. While courts have generally rejected religious liberty challenges to laws protecting LGBTQ rights, the country still awaits the Supreme Court’s decision in *Masterpiece Cakeshop*. And, as *Hobby Lobby* illustrates, the Court has accepted religious liberty challenges to laws protecting women’s reproductive rights. When the Religious Freedom Restoration Act was enacted in 1993, it was supported by a coalition of civil rights groups that included those advocating for the rights of women and LGBTQ Americans. But now it seems those alliances have broken down, as RFRA and its state counterparts are used to seek exemptions from anti-discrimination laws based on religious objectors’ assertions that compliance with the law would make them complicit in what they view as the sinful conduct of other citizens. What are the contours of the asserted rights at stake, and can—or should—we attempt to reconcile them? If exemptions are to be available to those who object to abortion, contraception, and marriage equality, on what principle would exemption claims based on beliefs about race be distinguished from claims based on beliefs about sexuality and gender? Is there a constructive way through this thicket?

Panelists’ Names and Bios:

- **Mark Joseph Stern (moderator)**
 - Contributor/Writer, *Slate*. Received his B.A. from Georgetown University and his J.D. from the Georgetown University Law Center.
- **Shannon Minter**
 - Legal Director, *National Center for Lesbian Rights*. Received his B.A. from the University of Texas at Austin and his J.D. from Cornell Law School.
- **Lourdes Rivera**
 - Senior Vice President, *Center for Reproductive Rights*. Received her B.A. from Yale University and her J.D. from Yale Law School.
- **Micah Schwartzman**
 - Joseph W. Dorn Research Professor of Law, *University of Virginia School of Law*. Received his B.A. from the University of Virginia, his D.Phil from the University of Oxford, and his J.D. from the University of Virginia School of Law.
- **Robin Fretwell Wilson**
 - Roger and Stephany Joslin Professor of Law, *Illinois College of Law*. Received her B.A. and J.D. from the University of Virginia.

Agenda of Panel:

- Introductions / Opening Remarks (20 min)
- Panel Discussion (50 min)
- Q&A (20 min)

Materials for Panel:

- Douglas NeJaime & Reva Siegel, [*Religious Accommodation, and Its Limits, in a Pluralist Society*](#), in RELIGIOUS FREEDOM AND LGBT RIGHTS: POSSIBILITIES AND CHALLENGES FOR FINDING COMMON GROUND (Robin Fretwell Wilson & William N. Eskridge, Jr. eds., Cambridge Univ. Press 2018).
- Nelson Tebbe, Micah Schwartzman, & Richard Schragger, [*When Do Religious Accommodations Burden Others?*](#), Cornell Legal Studies Research Paper No. 16-25 (2016).
- Robin Fretwell Wilson, [*Bargaining for Religious Accommodations: Same-Sex Marriage and LGBT Rights After Hobby Lobby*](#), THE RISE OF CORPORATE RELIGIOUS LIBERTY (Micah Schwartzman, Chad Flanders, Zoë Robinson, eds., Oxford University Press, 2016).
- SCOTUSBLOG, [*Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission*](#).
- Shannon Minter & Christopher F. Stoll, [*The Specious Legal Argument at the Center of the Cake Case*](#), ADVOCATE (Dec. 7, 2017, 5:23 AM).
- CTR. FOR REPRODUCTIVE RIGHTS, [*Center for Reproductive Rights Announces Challenge to Trump Administration's Contraceptive Coverage Rules*](#) (Oct. 10, 2017).

Name of Panel: To Amend or Not to Amend: What Path to Keeping Money Out of Politics?

Date | Time | Location: Friday, June 8, 2018 | 2:30 PM – 4:00 PM | Washington, DC

Brief Description: Even before the Supreme Court's 2010 Citizens United decision striking down the McCain-Feingold campaign finance regulations on the grounds that corporations and unions have a First Amendment right to spend money on political speech, some in the progressive community were advocating for a constitutional amendment that would limit political spending, and thus the influence of money on our democracy. Equally passionate are those progressives concerned with the current campaign to call an Article V Constitutional Convention, which they note is being driven by conservative political forces such as the American Legislative Exchange Council (ALEC). What might a 28th Amendment limiting political spending actually say, and what are the disputes within the progressive community about the language? What are the risks of convening a new constitutional convention, and what is the likelihood that a 28th Amendment could pass without it?

Panelists' Names and Bios:

- **Ciara Torres-Spelliscy (moderator)**
 - Leroy Highbaugh Sr. Research Chair and Associate Professor of Law, *Stetson University College of Law*. Received her A.B. from Harvard University and her J.D. from Columbia Law School.
- **Jeff Clements**
 - Founder and President, *American Promise*. Received his B.A. from Colby College and his J.D., *magna cum laude*, from Cornell Law School.
- **Viki Harrison**
 - Executive Director, *Common Cause*. Received her B.A. from the University of New Mexico.
- **Lawrence Lessig**
 - Roy L. Furman Professor of Law and Leadership, *Harvard Law School*. Received his B.A. and B.S. from the University of Pennsylvania, his M.A. from Cambridge, and his J.D. from Yale Law School.
- **Adam Winkler**
 - Professor of Law, *UCLA School of Law*. Received his B.S.F.S. from Georgetown University, his M.A. from UCLA, and his J.D. at New York University School of Law.

Agenda of Panel:

- Introductions / Opening Remarks (20 min)
- Panel Discussion (50 min)
- Q&A (20 min)

Materials for Panel:

- SCOTUSBlog, [Citizens United v. Federal Election Commission \(2010\)](#).
- AMERICAN CONSTITUTION SOCIETY, [What's the Big Idea?: Recommendations for Improving Law and Policy in the Next Administration](#) (Oct. 2016).
- COMMON CAUSE, [The Dangerous Plan: Big Money's Plan to Shred the Constitution](#) (May 2016).
- Lawrence Lessig, [A Real Step to Fix Democracy](#), THE ATLANTIC (May 30, 2014).
- Jeff Clements, [The Case for a 28th Amendment](#), U.S. NEWS & WORLD REPORT (July 25, 2014, 8:00 AM).

- Mark Bauer, ['Citizens United' Thrust Corporate Personhood Into the Spotlight, But It's Actually an Idea Rooted in America's Founding](#), NAT'L LAW JOURNAL (Feb. 1, 2018, 5:00 AM).

Name of Panel: #MeToo, #UsToo. Can Lawyers Take the Lead?

Date | Time | Location: Friday, June 8, 2018 | 4:15 PM – 6:00 PM | Washington, DC

Brief Description: The impact of the viral #MeToo campaign has revealed the pervasiveness of sexual assault, harassment, and misconduct on campuses, in the media, and in every workplace, including the legal profession. This movement has brought the “silence breakers” into the forefront of the discussion of how secrecy has enabled this culture to fester and what we can do to prevent and end it. Panelists will reflect on how the movement has empowered women and others vulnerable to this type of abuse to come forward and share their stories. The panel will also discuss concerns about visibility and retaliation, how the legal profession can take a leadership role in enacting change, and the challenges that remain.

Panelists’ Names and Bios:

- **Meena Harris (moderator)**
 - Commissioner, *San Francisco Commission on the Status of Women*; Head of Strategy & Leadership, *Uber*; Founder, *Phenomenal Woman Action Campaign*. Received her B.A. from Stanford University and her J.D. from Harvard Law School.
- **F. Paul Bland**
 - Executive Director, *Public Justice*. Received his B.A., *magna cum laude*, from Georgetown University and his J.D., *cum laude*, from Harvard Law School.
- **Fatima Goss Graves**
 - CEO and President, *National Women’s Law Center*. Received her B.A. from UCLA and her J.D. from Yale Law School.
- **Kalpana Kotagal**
 - Partner, *Cohen Milstein*. Received her B.D., *with honors*, from Stanford University and her J.D., *cum laude*, from the University of Pennsylvania.
- **Catherine Lhamon**
 - Chair, *U.S. Commission on Civil Rights*. Received her B.A., *summa cum laude*, from Amherst College and received her J.D. from Yale Law School.
- **Deborah Rhode**
 - Ernest W. McFarland Professor of Law and the Director of the Center on the Legal Profession, *Stanford Law School*. Received her B.A. from Yale University and her J.D. from Yale Law School.
- **Hon. Shira Scheindlin**
 - Of Counsel, *Stroock*; and Former Senior Judge (ret.), *U.S. District Court for the Southern District of New York*. Received her B.A. from the University of Michigan, her M.A. from Columbia University, and her J.D., *cum laude*, from Cornell Law School.

Agenda of Panel:

- Introductions / Opening Remarks (20 min)
- Panel Discussion (65 min)
- Q&A (20 min)

Materials for Panel:

- Joanna L. Grossman & Deborah L. Rhode, [*Understanding Your Legal Options If You’ve Been Sexually Harassed*](#), HARV. BUS. REV. (June 22, 2017).

- COALITION OF CIVIL RIGHTS ORGANIZATIONS, [Letter to Speaker Paul Ryan, Rep. Nancy Pelosi, Rep. Gregg Harper, and Rep. Robert Brady](#) (2018).
- Maya Raghu & Joanna Suriani, [#MeTooWhatNext: Strengthening Workplace Sexual Harassment Protections and Accountability](#), NATIONAL WOMEN’S LAW CENTER (Dec. 2017).
- U.S. DEP’T OF EDUCATION, [Dear Colleague Letter](#) (Apr. 4, 2011).
- Catherine E. Lhamon, [Questions and Answers on Title IX and Sexual Violence](#), U.S. DEP’T OF EDUCATION OFFICE OF CIVIL RIGHTS, (Apr. 29, 2014).
- Candice Jackson, [Dear Colleague Letter](#) (Sept. 22, 2017) (withdrawing previous Title IX guidance by the Obama administration).
- Kalpana Kotagal, [The ‘Inclusion Rider’ Should Be a Hollywood Standard](#), WASH. POST (Mar. 9, 2018).
- Emily Stewart, [Trump Wants “Due Process” For Abuse Allegations. I Asked 8 Legal Experts What That Means.](#), Vox (Feb. 12, 2018, 3:08 PM).
- Heather McLaughlin, Christopher Uggen, & Amy Blackstone, [The Economic and Career Effects of Sexual Harassment on Working Women](#), 31 GENDER & SOC’Y 333 (June 2017).

Name of Panel: Reclaiming the Legacy of Martin Luther King, Jr.

Date | Time | Location: Saturday, June 9, 2018 | 9:15 AM – 11:00 AM | Washington, DC

Brief Description: In the fifty years since his assassination in Memphis, Dr. King’s radical message of racial and economic justice has too often been reduced to a simple call for harmony between black and white Americans. Dr. King sought not only to dismantle the Jim Crow laws that perpetuated racial segregation and debasement in the South, but to upend institutionalize racism throughout the country, assemble a “multiracial army of the poor,” and help workers of all colors organize against unjust labor practices. Today, his heirs seek foundational changes to policing and criminal justice. They seek clean drinking water and environmental justice in Flint, Michigan and other forgotten communities. They seek to protect and strengthen workers’ rights through more robust labor unions, and create economic opportunity for the poor through more equitable economic policies. More than a half century after his work began, what does it look like to truly honor Dr. King’s legacy and move closer to the just society envisioned by the Civil Rights Movement?

Panelists’ Names and Bios:

- **Judge Carlton Reeves (moderator)**
 - U.S. District Judge, *U.S. District Court for the Southern District of Mississippi*. Received his B.A., *magna cum laude*, from Jackson State University and J.D. from the University of Virginia.
- **Paul Butler**
 - Albert Brick Professor in Law, *Georgetown University Law Center*. Received his B.A. from Yale University and his J.D. from Harvard Law School.
- **Tefere Gebre**
 - Executive Vice President, *AFL-CIO*. Received his B.A. from Cal Poly Pomona and his M.B.A. from the University of Southern California.
- **Cheryl Harris**
 - Rosalinde and Arthur Gilbert Professor in Civil Rights and Civil Liberties, *UCLA School of Law*. Received her B.A. from Wellesley and her J.D. from Northwestern University Pritzker School of Law.
- **Rick Kahlenberg**
 - Senior Fellow, *The Century Foundation*. Received his B.A., *magna cum laude*, from Harvard College and his J.D., *cum laude*, from Harvard Law School.
- **Marianne Engelman Lado**
 - Florence Rogatz Visiting Clinical Professor of Law, *Yale Law School*; Senior Staff Attorney, *Earthjustice*. Received her B.A. from Cornell University, M.A. from Princeton University, and her J.D. from the University of California at Berkeley.
- **Jeanne Theoharis**
 - Distinguished Professor in Political Science, *Brooklyn College*. Received her A.B. from Harvard University and her Ph.D. from the University of Michigan.

Agenda of Panel:

- Introductions / Opening Remarks (20 min)
- Training Presentation (70 min)
- Q&A (15 min)

Materials for Panel:

- Paul Butler, [*Police in America: Ensuring Accountability and Mitigating Racial Bias*](#), 11 NW. J. L. & SOC. POL'Y 385 (2017).
- Cheryl I. Harris, [*Ricci v. DeStefano: Lost at the Intersection*](#), 91 DENVER U. L. REV. 1121 (2015).
- Richard D. Kahlenberg, [*An Economic Fair Housing Act*](#), THE CENTURY FOUNDATION (Aug. 3, 2017).
- Richard D. Kahlenberg, [*Achieving Better Diversity: Reforming Affirmative Action in Higher Education*](#), THE CENTURY FOUNDATION (Dec. 3, 2015).
- Marianne Engelman Lado, [*Toward Civil Rights Enforcement in the Environmental Justice Context – Step One: Acknowledging the Problem*](#), 29 FORDHAM ENVTL. L. REV. 1 (2017).
- Cheryl I. Harris, [*Limiting Equality: The Divergence and Convergence of Title VII and Equal Protection*](#), 2014 U. CHICAGO L. FORUM 95 (2014).
- Michelle Adams, [*The Unfulfilled Promise of the Fair Housing Act*](#), THE NEW YORKER (Apr. 11, 2018, 5:00 AM).
- Richard L. Hasen, [*'Civil Right No. 1:' Dr. King's Unfinished Voting Rights Revolution*](#), U. MEMPHIS L. REV. (forthcoming 2018).
- Nancy Leong, [*"So Closely Intertwined": Labor and Racial Solidarity*](#), 81 GEO. WASH. L. REV. 1135 (2013).

Name of Panel: Welcoming the Stranger: An Immigration Law Training for the Beginner

Date | Time | Location: Saturday, June 9, 2018 | 11:15 AM – 1:00 PM | Washington, DC

Brief Description: This workshop will provide a crash course for those interested in working on a pro bono basis with refugees, asylees, and unaccompanied children in immigration matters. Attorneys from Catholic Legal Immigration Network, Inc. (CLINIC) and Kids in Need of Defense (KIND) will lead a training that reviews the law in this area, the cases they typically handle, and the kind of help they need. Attendees will break into groups to work on practice scenarios.

Presenters' Names and Bios:

- **Bradley Jenkins**
 - Pro Bono Project Attorney, *Catholic Legal Immigration Network, Inc. (CLINIC)*. Received his B.A. from the University of Notre Dame and his J.D. from Harvard Law School.
- **Priya Konings**
 - Supervising Attorney, *Kids in Need of Defense (KIND)*. Received her B.A. from the University of California, Los Angeles (UCLA) and her J.D. from the University of Maryland Francis King Carey School of Law.

Agenda of Workshop:

- Substantive Presentation (45 min)
- Q&A / Interactive Exercise (60 min)

Materials for Workshop:

- KIDS IN NEED OF DEFENSE (KIND), [No Child Should Face Immigration Court Alone](#) (June 2017).
- Ahmad Al-Dajani, *Current Developments in the Executive Branch: Sanctuary Cities Under the Trump Administration, the Frontlines of the Battle for Immigration*, 31 GEO. IMMIGR. L.J. 665 (2017).
- Guohao Qu, Michael Fakhoury, James O'Toole, and Paul Mayer, *Current Developments in the Legislative Branch: The Fair Day in Court for Kids Act: A Necessary but Unlikely Step to Increase Representation in Immigration Proceedings*, 31 GEO. IMMIGR. L.J. 689 (2017).
- KIDS IN NEED OF DEFENSE (KIND), [Representing Children In Immigration Matters](#) (June 2015).
- AMERICAN BAR ASSOCIATION, [Quick Guide to Federal Child Welfare & Immigration Law](#).
- AMERICAN IMMIGRATION COUNCIL, [Asylum in the United States](#) (Aug. 22, 2016).
- Brad Jenkins and Priya Konings, [Welcoming The Stranger: An Immigration Law Training For Beginners](#).
-

Name of Panel: Enhancing Justice by Reducing Implicit Bias: Strategies for Becoming a Bias Disrupter

Date | Time | Location: Saturday, June 9, 2018 | 11:15 AM – 1:00 PM | Washington, DC

Brief Description: Studies continue to show that too many Americans lack confidence in the fairness of outcomes in our judicial system, and developing research continues to demonstrate that implicit bias is often a barrier to fair and unbiased outcomes at virtually every juncture of the process. This session will provide an overview of the concept and science of implicit bias and will address how such biases manifest themselves in unintended behavior and decision-making that can produce differential treatment in the judicial system and in legal and other venues more broadly. Specific strategies to interrupt such biases will be discussed and practiced that can be adapted for use by attendees.

Panelists' Names and Bios:

- *Sarah E. Redfield*
 - Professor, *University of New Hampshire School of Law*. Received her B.A. from Mount Holyoke College, her J.D. from Northeastern University, and her LL.M from Harvard Law School.
- [*Rosevelie Márquez Morales*](#)
 - East Coast Diversity Director, Sidley Austin.
- [*Carla Laroche*](#)
 - Visiting Clinical Professor at Florida State University College of Law.

Agenda of Workshop:

- Introductions / Opening Remarks (20 min)
- Substantive Presentation (65 min)
- Q&A (20 min)

Materials for Workshop:

- Justin D. Levinson & Robert J. Smith, [*Systemic Implicit Bias*](#), 126 YALE L. J. FORUM 406 (2017).
- Justin D. Levinson, Mark W. Bennett, & Koichi Hioki, [*Judging Implicit Bias: A National Empirical Study of Judicial Stereotypes*](#), 69 FLA. L. REV. 63 (2017).
- Cynthia Lee, [*Making Race Salient: Trayvon Martin and Implicit Bias in a Not Yet Post-Racial Society*](#), 91 N.C. L. Rev. 101 (2013).
- Jeffrey J. Rachlinski, Sheri Lynn Johnson, Andrew J. Wistrich, & Chris Guthrie, [*Does Unconscious Racial Bias Affect Trial Judges?*](#), 84 NOTRE DAME L. REV. 1195 (2009).
- Judge Bernice B. Donald & Sarah E. Redfield, [*Framing the Discussion*](#) (2018).