

NAME OF EVENT:

Current Efforts to Amend the Constitution: A Constitution Day Discussion

(This event has been approved for 1 hour of California MCLE credit.)

DATE | TIME | LOCATION: September 17, 2020 | 3:00 p.m. to 4:00 p.m. ET | Online

BRIEF DESCRIPTION:

The American Constitution is by design famously hard to change, and as a result, it has been almost 30 years since it was last formally amended. Recently, we've seen amendment battles play out in a number of ways. Conservative legal forces, seeking a Balanced Budget Amendment and Term Limits, have been attempting to call a constitutional convention. But could the subject matter of such a convention be limited? And the Equal Rights Amendment, proposed by Congress under Article V's other provision for amending the Constitution, is now the subject of litigation, after Virginia became the 38th state to pass it earlier this year. Join ACS on Constitution Day for a conversation about constitutional change, the amendment process, and what it means for our constitutional order.

SPEAKERS' NAMES AND BIOS:

Introductory Remarks:

Kamala Lopez, Executive Director, Equal Means Equal

Panelists:

Russ Feingold, ACS President, *Moderator*

Wilfred Codrington III, Assistant Professor of Law, Brooklyn Law School, and Fellow, Brennan Center for Justice

Aziz Huq, Frank and Bernice J. Greenberg Professor of Law, University of Chicago Law School

Michelle Kallen, Virginia Deputy Solicitor General

AGENDA OF PROGRAM:

5 minutes welcome and introductions

5 minutes introductory remarks

40 minutes speaker presentations and moderated conversation

10 minutes Q&A

MATERIALS FOR CALL:

Article V

David A. Strauss, [How We Change the Constitution \(Hint: It's Not By Amending It\)](#), NATIONAL CONSTITUTION CENTER.

Aziz Huq, [What Good is Article V?: A Defense of Our Rigid and Inflexible Constitution](#), YOUTUBE (June 7, 2013).

Rosalind Dixon, [Constitutional Amendment Rules: A Comparative Perspective](#) (U. OF CHI. P. L. WORKING PAPER NO. 347, 2011).

[Dillon v. Gloss](#), 256 U.S. 368, 41 S. Ct. 510 (1921).

[Coleman v. Miller](#), 307 U.S. 433, 59 S. Ct. 972 (1939).

The Movement for a Constitutional Convention

Michael Leachman & David A. Super, [States Likely Could Not Control Constitutional Convention on Balanced Budget Amendment or Other Issues](#), CENTER ON BUDGET AND POLICY PRIORITIES (Jan. 18, 2017).

Wilfred Codrington, [A Campaign to Rewrite the Constitution Is Underway](#), THE HILL (Sept. 13, 2018).

[America Might See A New Constitutional Convention In A Few Years](#), ECONOMIST (Sept. 30, 2017).

John Donvan et al., [Call A Convention To Amend The Constitution?](#), NATIONAL CONSTITUTION CENTER (Dec. 8, 2016).

Equal Rights Amendment

Julie C. Suk, [The Trump Administration Says the ERA Is Dead on Arrival. It Isn't.](#), WASHINGTON POST (Jan. 21, 2020).

Sarah Rankin & Michelle L. Price, [Democratic AGs Sue to Force US to Adopt ERA in Constitution](#), ASSOCIATED PRESS (Jan. 30, 2020).

[Virginia v. Ferriero](#), No. 1:20CV00242, 2020 U.S. Dist. LEXIS 103545 (D.D.C. Jun. 12, 2020).

[Equal Means Equal v. Ferriero](#), No. 20CV10015(DJC), 2020 WL 4548248 (D. Mass. Aug. 6, 2020).

[Petition for Writ of Certiorari, Equal Means Equal v. Ferriero](#), No. 20CV10015(DJC), 2020 WL 4548248 (D. Mass. Aug. 6, 2020).