

July 2021, short version

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EDUCATION:

Yale Law School	J.D., 1987
Yale University	Ph.D. in History, 1977
Yale College	B.A., <i>magna cum laude</i> , 1971, Honors in History

Academic Appointments in Law

Current Position:

Lyle T. Alverson Professor of Law, The George Washington University Law School,
2016 to present

Professor, 2004, effective January 1, 2005-2016
Associate Professor with tenure (July 1999-December
2004)
Associate Professor with term (July 1996-June 1999)

Visiting Appointments:

Visiting Scholar, Harvard Graduate School of Education, 2015-2016
Member, Institute for Advanced Study (School of Social Science), Princeton,
New Jersey, 2008-2009
Visiting Professor, School of Law, St. John's University, 2011-2012
Visiting Associate Professor, University of Pennsylvania Law School, Fall 2001, and
Visiting Scholar, Center for Children's Policy, Practice and Research,
University of Pennsylvania, Fall 2001 through 2002
Visiting Associate Professor of Law, Boston College Law School (joint appointments
in the School of Education and Department of History), 1994-1996

PUBLICATIONS

Books

A RIGHT TO LIE? PRESIDENTS, OTHER LIARS, AND THE FIRST AMENDMENT
(University of Pennsylvania Press, in press, release date September 19, 2021).

LESSONS IN CENSORSHIP: HOW SCHOOLS AND COURTS SUBVERT STUDENTS' FIRST AMENDMENT RIGHTS (Harvard University Press 2015) (second printing March 2016).

- Named Best Book of 2015 by Concurring Opinions' First Amendment News
- Winner, 2016 Critics' Choice Book Award, American Educational Studies Association
- Book events at the Newseum, Washington D.C, the Cato Institute, Harvard Book Store (Cambridge MA), Barnes & Noble (Upper West Side, Manhattan—in conversation with Floyd Abrams) and more
- On CSPAN2's BOOKTV (The Cato Institute)
- On WGBH Forum TV (Harvard Book Store)
- Invited talks at Yale Law School, Harvard Law School, Harvard Graduate School of Education, Columbia Law School and more
- Other events listed in Presentations below

CONTEMPORARY FAMILY LAW, and accompanying **TEACHER'S MANUAL**.

First Edition (West 2006); (Co-authored, Douglas Abrams, Naomi Cahn, Catherine J. Ross and David Meyer).

Second Edition (West (Thomson)/West 2009, second printing 2010);

Third Edition; (West, 2012);

Fourth Edition (West Academic 2015) (Co-authored Douglas Abrams, Naomi Cahn, Catherine J. Ross, David Meyer and Linda C. McClain)

- Sole author:
Chapter 9, Division of Marital Property at Dissolution
Chapter 12, Child Custody
Chapter 13, Visitation and Post-Dissolution Custody Disputes
- Co-authored (with Cahn):
Chapter 1, Marriage, Family and Privacy in Contemporary

America (and in Fourth and Fifth edition, McClain)
Chapter 4, Social and Economic Rights and Obligation

Fifth Edition, (West Academic, 2019) with Douglas Abrams, Naomi Cahn & Linda C. McClain.

AMERICA'S CHILDREN AT RISK: AN AGENDA FOR LEGAL ACTION.

(Report of the ABA Working Group on the Unmet Legal Needs of Children and their Families). Chicago: American Bar Association Press, 1993.

CHILD ABUSE: AN AGENDA FOR ACTION. (co-editor with Gerbner, George and Edward Zigler). New York: Oxford University Press, 1980.

Articles & Book Chapters

Campus Discourse and Democracy: Free Speech Principles Provide Sound Guidance Even After the Tumult of 2017, 20 UNIVERSITY OF PENNSYLVANIA J. OF CONSTITUTIONAL LAW 787 (2018).

Ministry of Truth: Why Law Can't Stop Prevarications, Bullshit and Straight-Out lies in Political Campaigns, 16 FIRST AMENDMENT LAW REVIEW 367 (2018).

Incredible Lies, 89 UNIVERSITY OF COLORADO L. REV. 377 (2018).

Assaultive Words and Constitutional Norms, 66 J. of Legal Education 739 (2017).

"Bitch", Go Directly To Jail: Student Speech And Entry Into The School To Prison Pipeline, Temple Law School Symposium on juvenile justice, 88 TEMPLE L. REV. 717 (2016).

Fundamentalist Challenges to Core Democratic Values: Exit and Homeschooling, symposium issue on Families, Fundamentalism and the First Amendment, 18 WM & MARY BILL OF RIGHTS J. 991 (May 2010).

A Stable Paradigm: Revisiting Capacity, Vulnerability and the Rights Claims of Adolescents, in LAW, MIND & BRAIN, Michael Freeman, ed. Ashgate, 2009.

Children's Religious Expression in School: A Comparative Treatment of the Veil and Other Religious Symbols in Western Democracies, in WHAT IS RIGHT FOR CHILDREN?, Martha Fineman and Karen Worthington., eds. Ashgate, 2009.

Perennial Outsiders: The Educational Experience of Turkish Youth in Germany, 24 AM. U. INT'L L. REV. 685 (2009) (Symposium on Turkey and the European Union).

Legal Constraints on Child-Saving: The Strange Case of the Fundamentalist Latter Day

Saints at Yearning for Zion Ranch, 37 CAPITAL U. LAW. R. 361 (2008), Wells Symposium on Adoption.

Choosing a Text for the Family Law Curriculum of the Twenty-First Century, 44 FAMILY COURT REVIEW 584-589 (Oct. 2006) (Special Issue: The Family Law Education Reform Project).

Legal Intersections: Foster Children Awaiting Adoption Under the Adoption and Safe Families Act of 1997, ADOPTION QUARTERLY, Vol. 9 (2/3) 2006.

A Place at the Table: Creating Presence and Voice for Teenagers in Dependency Proceedings. Special Issue on the Legal Representation of Children, 6 NEVADA LAW JOURNAL 1362-1373 (Spring 2006).

Constitutional Obstacles to Regulating Violence in the Media. in HANDBOOK OF CHILDREN, CULTURE, AND VIOLENCE 291-310, edited by Nancy Dowd, Dorothy G. Singer & Robin Fretwell Wilson. Thousand Oaks, CA: Sage, 2006.

A Delicate Task: Balancing the Rights of Children and Mothers in Parental Termination Proceedings. in 33 STUDIES IN LAW, POLITICS AND SOCIETY, edited by Austin Sarat & Patricia Ewick. London: Elsevier Press, 2004. (peer reviewed annual volume of leading work in the field of Law and Society).

Society's Children: The Care of Indigent Youngsters in New York City, 1875-1903. in FAMILIES BY LAW: AN ADOPTION READER 11-18, edited by Naomi R. Cahn & Joan Hollinger. New York: New York University Press, 2004.

The Tyranny of Time: Vulnerable Children, 'Bad' Mothers, and Statutory Deadlines in Parental Termination Proceedings. 11 VIRGINIA JOURNAL OF SOCIAL POLICY AND THE LAW 176-228 (2004).

Implementing Constitutional Rights for Juveniles: The Parent-Child Privilege in Context. 14 STANFORD LAW AND POLICY REVIEW 85-120 (2003).

Including Lawyers in the Mix: The Role of Law, Lawyers, and Legal Training in Child Advocacy. in 4 HANDBOOK OF APPLIED DEVELOPMENTAL SCIENCE: PROMOTING POSITIVE CHILD, ADOLESCENT, AND FAMILY DEVELOPMENT THROUGH RESEARCH, POLICIES, AND PROGRAMS 353-370, edited by Richard M. Lerner, Francine Jacobs & Donald Wertlieb. Thousand Oaks, CA: Sage Publications, (2003).

The Parent-Child Privilege in Context. 21 QUINNIPIAC LAW REVIEW 1139-1143 (2003) (Symposium Issue of selections from the AALS Evidence Conference).

Anything Goes: Examining the State's Interest in Protecting Children from Controversial Speech. 53 VANDERBILT LAW REVIEW 427-524 (2000).

(with Adreienne Davis, Marion Crain, Bonnie Thornton Dill, Nancy Dowd, and Joan Williams). *Panel Two: Who's Minding the Baby?* 49 AMERICAN UNIVERSITY LAW REVIEW 901-942 (2002).

An Emerging Right for Mature Minors to Receive Information. 2 UNIVERSITY OF PENNSYLVANIA JOURNAL OF CONSTITUTIONAL LAW 223-275 (1999).

"Families Without Paradigms: Child Poverty and Out-of-Home Placement in Historical Perspective." 60 OHIO STATE LAW JOURNAL 1249-1293 (1999).

(with Naomi Cahn). *Subsidy for Caretaking in Families: Lessons from Foster Care.* 8 AMERICAN UNIVERSITY JOURNAL OF GENDER, SOCIAL POLICY AND THE LAW 55-71 (1999).

Unified Family Courts: Good Sense, Good Justice. 35 TRIAL 30 (January 1999).

The Failure of Fragmentation: The Promise of a System of Unified Family Courts. 32 FAMILY LAW QUARTERLY 3-30 (1998).

Sex, Violence, Children and the Media: Legal, Historical and Empirical Perspectives. Transcript of Comments at AALS Annual Meeting. Mass Communications Program. COMMLAW CONSPECTUS (January 6, 1997).

From Vulnerability to Voice: Appointing Counsel for Children in Civil Litigation. 64 FORDHAM LAW REVIEW 1571-1620 (1996).

(with Elizabeth F. Emens, Nancy W. Hall and Edward F. Zigler). *Preventing Juvenile Delinquency: An Ecological, Developmental Approach.* in CHILDREN, FAMILIES AND GOVERNMENT: PREPARING FOR THE TWENTY—FIRST CENTURY, edited by Edward F. Zigler, Sharon Lynn Kagan and Nancy W. Hall. New York: Cambridge University Press, 1996.

Disposition in a Discretionary Regime: Punishment and Rehabilitation in the Juvenile Justice System. (Symposium --Struggling for a Future: Juvenile Violence, Juvenile Justice). 36 BOSTON COLLEGE LAW REVIEW 1037-1059 (1995).

(with Haynes, Margaret Campbell). *Negotiating the Child Support Collection Maze.* 30 TRIAL 47 (February 1994).

(Ross and Zigler), *Treatment Issues in Child Abuse,* 22 JOURNAL OF THE AMERICAN ACADEMY OF CHILD AND ADOLESCENT PSYCHIATRY 305, Invited editorial introducing special issue, May 1983.

Advocacy Movements in the Century of the Child. in CHILDREN, FAMILIES AND GOVERNMENT: PERSPECTIVE ON AMERICAN SOCIAL POLICY, edited by Edward Zigler, Sharon Lynn Kagan and Edward Klugman. New York: Cambridge University

Press, 1983.

Of Children and Liberty: An Historian's View. AMERICAN JOURNAL OF ORTHOPSYCHIATRY (Special issue on children's rights). (July 1982).

(with Zigler, Edward). *An Agenda for Action.* in CHILD ABUSE: AN AGENDA FOR ACTION, edited by George Gerbner, Catherine J. Ross, and Edward Zigler. New York: Oxford University Press, 1980.

The Lessons of the Past: Defining and Controlling Child Abuse in the United States. in CHILD ABUSE: AN AGENDA FOR ACTION, edited by George Gerbner, Catherine J. Ross, and Edward Zigler. New York: Oxford University Press, 1980.

(with Aber, L., et al.). Conference Recommendations on Child Abuse, November 20- 21, 1978, Philadelphia, PA." Abridged version reprinted in CHILD ABUSE IN THE INTERNATIONAL YEAR OF THE CHILD, edited by Leslie Taylor and Eli H. Newberger. New York: United Nations Secretariat Discussion Paper Series, 1979. Available in English, French and Spanish.

Early Skirmishes with Poverty: The Historical Roots of Head Start. in PROJECT HEAD START: A LEGACY OF THE WAR ON POVERTY, edited by Edward Zigler and Jeanette Valentine. New York: The Free Press, 1979.

(with Valentine, Jeanette and Edward Zigler). *Epilogue.* in PROJECT HEAD START: A LEGACY OF THE WAR ON POVERTY, edited by Edward Zigler and Jeanette Valentine. New York: The Free Press, 1979.

(with Weitzman, L. and D. Eifler). *Sex Role Socialization in Picture Books for Pre- School Children.* AMERICAN JOURNAL OF SOCIOLOGY (May 1972).

Reprinted in MARRIAGE AND FAMILY: A CRITICAL ANALYSIS AND PROPOSALS FOR CHANGE, edited by Carolyn C. Perrucci and Dena B. Targ. New York: David McKay Co., 1974.

Selected Book Reviews

Book Review Essay: *Taming the Wild West: Online Excesses, Reactions and Overreactions*, 51 TULSA L. REV. 267 (Winter 2016). Review of Danielle Citron, *Hate Crimes in Cyberspace* (Cambridge Ma.: Harvard University Press, 2014) and *Sexting Panic: Rethinking Criminalization, Privacy and Consent* (Urbana Ill.: University of Illinois Press, 2015), Annual Book Review issue.

Review of Todd A. Mitchell and Richard Fossey, *The Challenges of Mandating School Uniforms in the Public Schools* (Rowman & Littlefield, Lanham 2015) in TEACHERS COLLEGE RECORD (Feb. 8, 2016).

Book Review of Marcella B. Rutherford, *Adult Supervision Required: Private Freedom and Public Constraints for Parents and Children* (Rutgers University Press, 2011) 42 CONTEMPORARY SOCIOLOGY 273 (March 2013). (Invited for the official book review publication of the American Sociological Association).

Review of James G. Dwyer, THE RELATIONSHIP RIGHTS OF CHILDREN. New York and London: Cambridge University Press. 2006 in Vol. 16, No. 12 LAW AND POLITICS BOOK REVIEW 975 (Dec. 2006).

Selected Other Publications: Op-Eds, Online comments etc.

One "Vulgar" Cheerleader Vindicated—But Other Students May Still Face Discipline for Off-Campus Speech, Comment on Mahanoy v. B.L., published in First Amendment Watch and in Geo. Wash. L. Rev., On the Docket (Oct. Term 2020).

Testimony, podcast with Dean Dayna Matthew, March 2021. On *B.L. v. Mahoney*, my research on student speech etc.

"This Acquittal Sends Three Dangerous Messages to Future Presidents" *Politico* February 13, 2021,

"Impeachment, Incitement, and the First Amendment" National Constitution Center "We the People" podcast, Feb. 11, 2021.

"It's Been a Good Week." featured guest, on Colin McEnroe, Connecticut Public Radio, Jan. 23, 2021 on incitement and the constitutionality of trying an ex-president.

"What the First Amendment Really Says About Whether Trump Incited the Capitol Riot" Slate, Jan. 19, 2021.

Trump's Latest Threat to Free Speech and the Academy, March 14, 2019, published simultaneously at FAN (First Amendment Newsletter) 204.1 and First Amendment Watch.

School Walkouts, March for Our Lives, and First Amendment Rights, First Amendment Watch, April 2018 (online).

College Is Too Late to Teach Free Speech, Chronicle of Higher Education, Feb. 7, 2017 (print and online).

"Putting the First Amendment Second: The Censorial Impulse in the 21st Century," Harvard University Press Featured Blog, Feb. 2016.

"Common Sense About the Chilling of Campus Speech" invited response to Gregory Lukianoff and Eric Posner; Cato Unbound, January 14, 2016, and "Why First Amendment Values Matter, Cato Unbound, January 22, 2016.

Strangling the Free Mind, USA Today Op-Ed, print national edition January 4, 2016 (various regional editions under slightly different titles and within a few days).

"True Threat to Free Speech Averted in *Elonis v. United States*, "cited as: *Response*, *Elonis v. United States*, GEO. WASH. L. REV. DOCKET (June 7, 2015), <http://www.gwlr.org/elonis-v-united-states/>.

"The Supreme Court was right to strike down California's Video game law," Op-Ed, THE WASHINGTON POST, June 28, 2011 (June 27 on line).

Foster Care, (long entry) in Richard A. Shweder, et al. eds., THE CHILD: AN ENCYCLOPEDIA. Chicago: University of Chicago Press, 2009.

Parens Patriae, (with Naomi Cahn) in Richard A. Shweder, et al. eds., THE CHILD: AN ENCYCLOPEDIA. Chicago: University of Chicago Press, 2009.

Kirk A. Bailey and Catherine J. Ross, SCHOOL SAFETY & YOUTH VIOLENCE: A LEGAL PRIMER (Hamilton Fish Institute, 2001) (funded by and available from Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice).

Issue Editor, Symposium Issue on Unified Family Courts, 32 FAMILY LAW QUARTERLY (1998).

"Who Speaks for the Children?" CHICAGO TRIBUNE, December 30, 1993, invited article in a series with HHS Secretary Donna Shalala, the Rev. Jesse Jackson and others.

Amicus Briefs

Brief of Amici Curiae Law and Education Professors in Support of Appellee, B. L. v. Mahoney School District, U.S. Supreme Court (No. 20-255), filed March 2021 (organizer and lead in outlining, consulting, editing with counsel Arnold & Porter)

Brief of Amici Curiae Agudath Israel of America et al., submitted in *In the Matter of the Marriage of Julie Ann Bergmann v. Robert Sokol*, District Court of Johnson Co. , Kansas Case No. 96 CV 2266 (consultant and signer in a case involving religious exercise claims of a teenager in the context of divorce) 2007.

Brief of Georgia Citizens for Integrity in Science Education, et al. As Amici Curiae in Support of Appellees, submitted in *Cobb County School District et al. v. Selman*, United States Court of Appeals for the Eleventh Circuit (primary author in a case involving textbook stickers warning that "evolution is a theory") 2005.

SELECTED MEDIA COVERAGE

I have been frequently quoted in, provided background for, and been interviewed on a wide variety on U.S. and international media including The New York Times, the Washington Post, USA Today, U.S. Law Week, and Politifact. Television and radio shows include CBS Evening News, various NPR outlets in syndication including among others On Point with Tom Ashbrook, Marketplace, and All Things Considered, and Court TV Supreme Court Watch (Fred Graham) and cable news networks. International outlets in Brazil, Germany, Canada, Australia and Ireland have interviewed me for print or broadcast. La Presse, the major French newspaper in Canada featured a debate between me and Eric Posner. U.S. and international extensively interviewed me after my talks on impeachment at the National Press Club in 2016, once on a panel with Tom Steyer. Featured in a New York Times Magazine article on the first class of women at Yale College, October 2019.

Among the videos available online:

- A two part interview with Eric Byler, on The Young Turks network, released June and July 2017
- Chronicle of Higher Education video on What Lies Ahead in the Campus Wars, released September 2017
- Speaking Freely with Sanford Unger, Free Speech Project at Georgetown University, part of a series of interviews with First Amendment experts, archived online, September 2017.

SELECTED PRESENTATIONS

WHAT DOES FREE SPEECH MEAN ON CAMPUS? ABRAMS INSTITUTE CONVERSATIONS, YALE LAW SCHOOL, AUG. 4, 2021, CONVERSATION WITH ROBERT POST, MODERATED BY FLOYD ABRAMS.

THE FIRST AMENDMENT IN SCHOOLS: IMPLICATIONS OF MAHANOVY V. B.L. AND OTHER RECENT DEVELOPMENTS, SCHOLASTIC JOURNALISM TEACH-IN, ASSOCIATION FOR EDUCATION IN JOURNALISM AND MASS COMMUNICATION, (VIRTUAL) JULY 22, 2021.

Free Speech Battles: A Right to Lie?, Andrea Mitchell Center on Democracy, University of Pennsylvania April 15, 2021 (attended by more than 150 people on Zoom).

Moderator and commentator, *Speech Within and Without the Doctor-Patient Relationship*, conference on *First Amendment Values in Health Care*, George Washington University Law School, Mar. 12, 2021.

Panelist, *The Constitution is Not a Suicide Pact Freedom of Speech, Assembly, and Insurrection*, George Washington University Law School, Feb. 25, 2021.

Panelist, *Protest in America*, George Washington University Law School, Jan. 14, 2021.

Panelist, *The Roles of Government and Private Entities in Foster Care*, conference on *Fulton, Faith, and Foster Care*, University of Virginia Law School, Jan. 22, 2021.

“The President Works for Us,” Work in Progress presentation, George Washington University Law School, Nov. 18, 2020.

Fulton v. City of Philadelphia, A Debate on Faith, Family, & Freedom, (debating Helen Alvaré), Antonin Scalia Law School, Oct. 6, 2020 (co-sponsored by the Scalia Law School and GW Law Federalist Societies)

Presidential Lies, Work in Progress, University of Baltimore Law School, September 2019.

“The Twinning Reaction—Social Science and Deception,” panelist, University of Virginia Law School, Charlottesville VA, March 29, 2019.

“Free Speech on Campus,” featured remarks and conversation with the Colonial Deans Meeting (arts and sciences deans from about 20 colleges and universities), meeting at GW, March 23, 2019.

The State of Free Speech on College Campuses, University Wide Constitution Day Event, University of Virginia, Batten School of Leadership and Public Policy, Sept. 2018.

Respondent, “Catherine J. Ross, Censorship in Schools: Its impact on citizenship, juvenile justice, and higher education,” Symposium on my work, Center for International Human Rights, John Jay College of Criminal Justice, New York, May 2, 2018.

Invited Panel, *Academic Freedom and the First Amendment: Academic Freedom in an Age of Political Polarization*, The Shanker Institute and the American Federation of Teachers, March 14, 2018.

Round Table, *Threats to Academic Freedom and Free Speech*, Institute for Humane Studies, Washington D.C., Feb. 2018.

The First Amendment on Campus, Yale Law School, Feb. 2018.

Work-in-Progress, *Incredible Lies*, George Washington University Law School, Jan. 2018.

Panelist, Hot Topics in the First Amendment, ABA Section of Civil Rights and Social Justice, Dec. 2017, Washington D.C.

Ministry of Truth: Why Law Can't Stop Prevarications, Bullshit and Straight-Out Lies in Political Campaigns, Conference on Fake News and Free Speech, Annual Symposium sponsored by the First Amendment Law Review, University of North Carolina, Chapel Hill, Oct. 2017.

Plenary Speaker, Silencing Speech, Diminishing Discourse: Threats to Democracy on Campus, part of the Exploring Social Justice Distinguished Lecture Series, American University Library, Washington D.C., Oct. 16, 2017.

Book Talk: Lessons in Censorship, New England Librarians Association, Oct. 2017.

The Speech Rights of University Employees, at the Annual Conference of the College and University Professional Association (CUPA) for Human Resources, Washington D.C. Sept. 2016 (invited by Elizabeth McMillen, editor-in-chief of the Chronicle of Higher Education).

The Meaning of Alvarez, invited speaker at Floyd Abrams' First Amendment class, N.Y.U. Law School, New York, Sept. 2017.

Censory Deprivation: The Speech Rights Of "Cyberbullies" In School And Online, World Congress on Family Law and Children's Rights, Dublin Ireland, June 4-7, 2017.

Panelist, The First Amendment on Campus: Freedom of Speech in Higher Education, event on The First Amendment on Campus: Freedom of Speech and the Press in Higher Education, The Newseum, Washington D.C., June 2017 (open to public and online).

Incredible Lies, Rothberger Conference on Truth, Lies and the Constitution, University of Colorado, Boulder, CO. April 2017.

Plenary Speaker, Lessons in Century, full day event devoted to my book, Institute for Constitutional History Workshop, co-sponsored by the NYU School of Education and the New York Historical Society, April, 2017.

Plenary Speaker, The Censorial Impulse on Campus, Censorship Awareness Week, Wellesley College, March 2017 (filmed by WBUR public television).

Lunch Keynote speaker, Hate Speech, The First Amendment, And Academic Freedom, at 2017 Diversity Summit: Embracing Diversity And Inclusion at George Washington University March 29, 2017.

Student Rights on Campus, American Council on Education (ACE) Annual Meeting, of college presidents, provosts and deans, Washington D.C., March 2017.

Campus Speech, Hate Crimes and Hate Speech, University of Pennsylvania annual symposium of the Journal of Constitutional Law, Feb. 2017.

Panelist, Hot Topics in the First Amendment, ABA Section of Civil Rights and Social Justice, Washington, D.C. Nov. 2016.

Critics' Choice Award Book Talk: Best Book of 2016, American Educational Studies Association Annual Meeting, Nov. 2016.

Violent Words and Constitutional Norms, conference on Campus Sexual Assault, sponsored by Georgetown Law School and the AALS's Journal of Legal Education, Oct. 2016.

Freedom of Expression on Campus, GW Law School Federalist Society, Sept. 2016.

The Constitution on Campus, GW Law School special event, covered by C-SPAN, Aug. 2016.

Panel, "Speech on Campus," moderated by Michael McConnell, Stanford Law School, Constitutional Law Center, Conference on Civil Liberties on Campus, April 29-30, 2016, Palo Alto, CA.

Panel, Free Speech and Safe Spaces: A False Dichotomy, Harvard Graduate School of Education, April 26, 2016, Cambridge, MA.

Freedom Day Panel, "Free Speech on Campus," National Constitution Center, April 13, 2016, Philadelphia, PA.

Distinguished Author Series Book Talk, Harvard Graduate School of Education, April 6, 2016, Cambridge, MA.

In Conversation with Edmund Sullivan, Executive Director of the Columbia Scholastic Press Association (the national organization of high school journalists and their advisors), at the Association's Annual Meeting, March 18, 2016, Columbia University, N.Y., N.Y.

Book Event on Lessons in Censorship, The Cato Institute, with comments by Sigal Ben-Porath (University of Pennsylvania) and Neal McCluskey (Cato Institute), March 16, 2016, Washington, D.C.

- On CSPAN BOOKTV

Moderator, "The Battle Over Free Speech on College Campuses," (panelists included Geoffrey Stone) the University of Chicago, Institute of Politics, March 9, 2016, Chicago, Ill.

"Putting the First Amendment Second: The Censorial Impulse in the 21st Century," Address to the Annual Meeting of the Association of American Publishers, March 1, 2016, NYU, New York, N.Y.

Book Talk, Harvard Law School Author Series, with comments by Mark Tushnet, Paul Horwitz and Michael Gregory, February 16, 2016, Cambridge, MA.

Book Talk, Columbia Law School, with comments by Kent Greenawalt and Jane Spinak, February 3, 2016, N.Y., NY.

“News You Can Use: Lessons in Censorship, American Library Association,” Midyear Meeting, January 9, 2016, Boston, MA.

Commentator, “The Assassin’s Veto: On the anniversary of the attack on Charlie Hebdo,” Response to Robert Corn-Revere. Cato Institute, Washington, D.C. January 6, 2016.

“Hot Topics in Free Speech” ABA Section of Civil Rights and Social Justice, Bill of Rights Day (panel with First Amendment litigators Robert Corn-Revere and Paul Smith), American Bar Association, Washington, D.C., December 15, 2015.

“The First Amendment and Students: Speak Up or Shut Up?” Conversation with Gene Policinski, The Newseum Institute’s First Amendment Institute, The Newseum, November 9, 2015 Washington, D.C.

“Lessons in Liberty: How schools and courts diminish democracy,” Yale Law School, Abrams Institute for Freedom of Expression, Knight Law and Media Speaker Series, Oct. 27, 2015, New Haven, CT.

Addressed the Freedom To Read Committee, sponsored by the Association of American Publishers, October 14, 2015, New York, NY.

The Committee is a collaboration with representatives from the American Library Ass’n, the Coalition Against Censorship, The American Booksellers Foundation for Free Expression, Ass’n of American University Presses, the Nat’l Ass’n of College Stores, the Nat’l Council of Teachers of English, several major publishers and First Amendment lawyers.

“The School Speech to Prison Pipeline,” presented at the Symposium on Court-Involved Youth in the 21st Century, in honor of the 40th Anniversary of the Juvenile Law Center, Temple University School of Law, Philadelphia, PA October 2-3, 2015, Temple Law Review Symposium.

“Balance of Power Between Families and Schools,” AALS Conference on The Shifting Foundations of Family Law, June 23-24, 2015.

“What’s Wrong With Political Correctness in Schools,” to be presented at the Feminism and Legal Theory Workshop – Workshop on Education, convened by Martha Fineman, Amherst, MA, April 24-25, 2015.

“Progressive Critiques of Family Law,” ReLaw Conference, Yale Law School, New Haven, Conn., February 20-21, 2015.

“Power Struggles,” presented at session on The Constitution and Family, South Eastern Association of Law Schools, Annual Meeting Palm Beach, FL., July 2013.

“Dissing and Discipline”, Work-in-Progress presentation, Tulane Law School, New Orleans, LA, October 23, 2011.

“Balancing the Constitutional Rights of Parents with the Best Interests of Children,” at the Twenty-Third Annual Neglect and Delinquency Practice Institute (NDPI), training for attorneys who serve on the appointed panel in child abuse and neglect cases in the District of Columbia, sponsored by the D.C. Bar Association. March 7, 2011.

Trumping Parental Values for the Sake of Pluralist Democracy, refereed presentation for the 2010 American Political Science Association Annual Meeting, (Sept. 2010), panel on Social Justice and Education in Hard Times, and Association Proceedings.

‘Dissing and Discipline: Student Speech Rights, Works-in-Progress Workshop, Rutgers-Camden School of Law, February 15, 2010.

Challenges to Core Democratic Values: Exit and Home Schooling, at Families, Fundamentalism and the First Amendment, William and Mary School of Law, November 5-6, 2009.

“Ground Zero in the Culture Wars: First Amendment Rights in Public Schools,” Institute for Advanced Study, address to friends and significant others of IAS Trustees at the home of the Director, May 2, 2009.

“Public School Conflicts Over Civic Norms, Parental Values and First Amendment Rights,” Work-in-Progress presentation, Seminar on Social Norms and Cooperation, Institute for Advanced Study, organized by Eric Maskin, Deborah Prentiss and Simon Levin, April 22, 2009.

“Crucibles of Liberty: First Amendment Rights and Pluralism in Public Schools,” Work-in-Progress presentation, School of Social Science, Institute for Advanced Study, series organized by Joan Scott, April 15, 2009.

“Pluralism, Parental Values and Children’s Rights in Public Schools,” address to Friends of the Institute, about my research and why the Institute matters, March 6, 2009. (One Member each year is asked to give these remarks to the Institute’s financial supporters.)

“Fight or Flight: Disputes Over Values in Public Schools,” School of Social Science lunch lecture series, Institute for Advanced Study, Feb. 26, 2009.

Panelist, Religion in the Public Schools, American Bar Association Continuing Legal Education Program, May 14, 2008 (Teleconference).

Commentator, Professor Marci Hamilton’s presentation on “Suing the Holy See: Child Abuse by Clerics,” Program on Law and Public Affairs, Princeton University, March 31, 2008.

“Competing Claims: When Do Parents Stop Speaking for Their Children?”, Wells Conference-Hearing the Child’s Voice: Selected Adoption and Child Welfare Topics, March 13, 2008, Capital University Law School, Columbus, Ohio.

“Assimilation of Second-Generation Turks in Germany,” at Turkey at the Crossroads, American University, Washington College of Law, January 9, 2008.

“The Prisoner’s Dilemma: Child Support Obligations”, 17th National Child Support Enforcement Training Conference, Office of Child Support Enforcement, Washington, D.C. September 10, 2007.

“Feminism and Visibility,” A Conversation on Comparative Law, American University, Washington College of Law, April 12, 2007.

Presenter, Grand Rounds, The National Institutes of Health, Bethesda, Md., on a bioethics problem involving inheritable disease and adoption, February 7, 2007.

“Constitutional Obstacles to Regulation”, National Summit on Violent Videogames, University of Minnesota, Minneapolis, MN, October 20-21, 2006.

“Balancing the Interests of the National Community and the Rights of Religious Minorities in State-Supported Schools,” Society for the Advancement of Socio- Economics (SASE), Communitarian Ideals and Civil Society, Trier Germany, June 29- July 1, 2006.

Commentator, Historical Perspectives on the Welfare State in Sweden, France and the United States, interdisciplinary invitational working conference, Columbia University, N.Y., N.Y., May 25-26, 2006.

Moderator and Commentator, Panel on Teen Mothers and the Child Welfare System, Conference on “Law and Adolescence: The Legal Status, Rights and Responsibilities of Adolescents in the Child Welfare, Juvenile, and Criminal Justice Systems,” at Temple

University James E. Beasley School of Law, Philadelphia, PA, March 17-18, 2006.

“Reconciling Children’s Brains with Children’s Rights,” invitational, interdisciplinary international colloquium on “Law, Mind & Brain,” The Gruter Institute/ University College, London, England, February 13-14, 2006.

Keynote Panel, response to the comments of the Hon. Judith Kaye, Chief Judge of the State of New York, ABA Summit on Youth at Risk, Hofstra University Law School, February 2-4, 2006.

“Comparative Treatment of Religious Symbols in Public Schools: The Problem of the Veil and Related Issues,” International Society of Family Law, 12th World Conference, Salt Lake City, Utah, July 2005.

“The Problem of the Veil,” Competing Paradigms of Rights and Responsibility: Children in the Discourses of Religion and International Human Rights, Emory School of Law, April 15-17, 2005.

“*Mens Rea*,” Invitational interdisciplinary conference on “The Mind of a Child: The Relationship Between Brain Development, Cognitive Functioning, and Accountability Under the Law,” The Ohio State University Moritz College of Law, Columbus, OH, March 10-11, 2005.

“No Winners: Doing Justice to the Competing Rights of Mothers and Children in the Child Welfare System, Panel on Children,” at the Law and Society Association Annual Meeting, Pittsburgh, PA. June 7, 2003.

Participant, Woodrow Wilson Center, United States Studies Division, Discussion of American Law Institute Report on child custody issues, May 20, 2003. Transcript available at the Wilson Center website.

Keynote Address, New York State Judicial Institute, Judicial Training on Domestic Violence Courts, May 1, 2003, White Plains, N.Y.

“Constitutional Obstacles to Regulating Violent Speech,” Colloquium on Children, Culture and Violence, Florida State University, March 20-21, 2003.

“The Parent—Child Privilege in Context: Implementing Constitutional Rights for Juveniles” presented at the American Association of Law Schools Conference on Evidence Law, June 3, 2002

“Mothers and Children at Odds: Doing Justice to Conflicting Claims in the Child Welfare”

System, presented at the Conference on Feminism and Child Protection: Tensions and Possibilities, co-sponsored by the Baldy Center for Law and Social Policy, Buffalo School of Law and the Cornell Law School Feminism and Legal Theory Project, May 3-4, 2002

“The Parent-Child Privilege in Context: Implementing Constitutional Rights for Juveniles,” Bush Center in Child Development and Social Policy, Yale University, February 22, 2002.

“The Parent-Child Privilege in Context: Implementing Constitutional Rights for Juveniles,” Works-in-Progress, University of Pennsylvania Law School, December 11, 2001.

“Preventing Violence Via a Constitutional Standard of Care,” American Psychological Association, Washington, D.C., December 2, 1999.

Panelist, “Who’s Minding the Baby?” Symposium on Unbending Gender: Why Family and Work Conflict & What to Do About It, Gender, Work, & Family Project, American University, Washington College of Law, November 19, 1999.

“From Indenture to Adoption: Sources of Confusion About the Meaning of the Foster Family.” Symposium on The Implications of Welfare Reform for Children, Ohio State University College of Law, March 12, 1999.

“Accommodation in Public Schools: Who Decides What Children Learn?” Communitarian Summit, Washington, D.C., February 27, 1999.

Moderator, “Privacy and the Family,” Symposium on Privacy and the Law, George Washington University Law School, February 12, 1999.

“Toward an Emerging Right for Mature Minors to Receive Information; Symposium on the Emerging and Existing Constitutional Rights of Children,” University of Pennsylvania Law School, February 5, 1999.

“Sex, Violence, Children, and the Media: Legal, Historical and Empirical Perspectives,” AALS Annual Meeting, Mass Communications Law Program, January 6, 1997 (Washington, D.C.).

Transcript in CommLaw Conspectus, Journal of Communications Law and Policy, Summer 1997.

Moderator and Commentator, Colloquium on Unified Family Courts, New York Colloquium of the Second World Congress on Family Law and the Rights of Children, UNICEF, September 1996.

Moderator, Panel on Child Custody Disputes, Annual Meeting of the International Society of Family Law, Quebec, Canada, June 1996.

HONORS AND GRANTS:

Member, School of Social Science, Institute for Advanced Study, 2008-2009.

Lifetime Fellow, American Bar Foundation, elected 1998.

Who's Who in America, Who's Who in the World and other Marquis Who's Who listings.

Aspen Institute for Humanistic Studies, Andrew Mellon Fellow, 1983-84. In residence in Aspen and Baca, Colorado as a resource person for Aspen Seminars, including the Executive Seminar and Seminar on the American Family.

Research Grants:

Child Study Center, Yale University School of Medicine (1979-83):

Edna McConnell Clark Foundation
Ford Foundation
MacArthur Foundation
Ehrmann Foundation

Graduate School Fellowships (1971-77):

Danforth Foundation Kent Fellow (national graduate fellowship for persons whose academic work concerns ethical values)
Carnegie Teaching Fellow (Yale)
Sutherland Douglas Fellow (Yale)

SELECTED PROFESSIONAL ACTIVITIES

Member, Legal Advisory Board, Impeachdonaldtrumpnow, a joint project of Free Speech for People and RootsAction, appointed 2016.

Member, Legal Advisory Committee, Free Speech for People, appointed 2016.

Member, Advisory Board, First Amendment Library Project (Online resource for research), FIRE (appointed 2016).

Senior Fellow for The Human and Civil Rights of Children, Center for Children and Social Engagement, 2013-2015.

Invited witness for the Minority, House of Representatives Committee on the Judiciary, Subcommittee on the Constitution and Civil Justice, Hearing on H.J. Res. 50, "Proposing an amendment to the Constitution of the United States relating to parental rights," September 9, 2014. (statement published in Committee proceedings)

Observer, Drafting Committee, ULC, Non-Parental Rights to Child Custody and Visitation Act, Fall 2014 to 2018.

Outside reader/examiner, doctoral dissertation, University of Pennsylvania, for Phillip Buckley, "'Constituting Kids: Children's Speech Rights Law, the Status of Children and the Meaning of Citizenship.'" Doctoral defense April 28, 2011. Internal committee members were Rogers Smith and Sigal Ben-Porath.

Invited participant, Race and Child Welfare: Disproportionality, Disparity, Discrimination-Re-Assessing the Facts, Re-Thinking the Policy Options, conference at Harvard Law School, Jan. 28-29, 2011.

Invited Member of expert working group on Education, Democracy and Justice, Institute for Advanced Study, School of Social Science, convened by Danielle Allen and Robert Reich, September 2009-2010.

Reviewer of manuscripts for academic presses including the University of California, Cornell, LEXIS publishing, New York University and Yale.

Chair or Co-Chair, Committee on Children's Rights, ABA Section of Individual Rights and Responsibilities, 1998-2012. Co-authored draft ABA policy on religion in public schools; negotiated changes to the 2002 Uniform Parentage Act.

Member, drafting committee on Standards for Judicial Excellence in Abuse and Neglect Cases, 2008-9.

Chair, Section on Law and Communitarian Studies, Association of American Law Schools (AALS), 2006. Member, Section Executive Committee, 2007. Section Chair- Elect 2005.

Member, Accreditation Committee, ABA Section of Legal Education and Admissions to the Bar, July 2000-2005. (this Committee reviews all sabbatical site reports regarding the nation's accredited law schools and oversees necessary changes required for compliance, conducts hearings regarding sanctions as needed and considers requests for accreditation or major program changes).

Senior Legal Consultant, Center for Children's Policy, Practice and Research, University of Pennsylvania, academic year 2002-2003.

Member, Editorial Board of the Family Courts Review (formerly the Family and Conciliation Courts Review) (sponsored by the Association of Family and Conciliation Courts), 1997-2015.

Member, Editorial Board of the FAMILY LAW QUARTERLY, 1994-2000.

Member, Editorial Board, PROMOTING POSITIVE, CHILD, ADOLESCENT AND FAMILY DEVELOPMENT: A HANDBOOK OF PROGRAM AND POLICY INNOVATIONS (four volumes) (Sage Publications, 2003).

Delegate, United States Delegation to the International Conference on Family Law, Havana, Cuba, 2002.

Consultant, Hamilton Fish National Institute on School and Community Violence, 2000.

Member, American Bar Association Coalition for Justice (Presidential Committee), 1999- 2002.

Member, Expert Working Group on Guidelines for Public Policy and State Legislation Governing Permanency for Children, U.S. Department of Health & Human Services and Department of Justice, 1997-9.

Chair, Subcommittee on Standards for Legal Representation of Children, Parents and the Child Welfare Agency.

Member, Program Committee, AALS Section of Family Law 1999 Meeting.

Co-Chair, American Bar Association Steering Committee on the Unmet Legal Needs of Children, 1997-98. Appointed by the President of the ABA.

Chair, American Bar Association Steering Committee on the Unmet Legal Needs of Children, 1994-1997; Vice Chair 1993-1994 (Hon. A. Leon Higginbotham, Jr. served as Chair in 1993-94). ABA Presidential Appointment.

Vice Chair, American Bar Association Presidential Working Group on the Unmet Legal Needs of Children and Their Families, 1993.

· Primary responsibility for the day-to-day operation of the Working Group, chaired by the Honorable A. Leon Higginbotham, Jr.

Member, American Bar Association Coordinating Committee on Gun Violence, 1997- 99.

Member, American Bar Association Section of Litigation Task Force on Children 1993-97.

Member, Executive Committee, Initiatives for Children, American Academy of Arts and Sciences, 1995-97.

Member, Advisory Committee, ABA Center for Children and the Law, 1995-97. Speaker, Presidential Showcase on the Report of the ABA Presidential Working

Group on the Unmet Legal Needs of Children and Their Families (August 1993); numerous other ABA presentations, 1993 forward.

Consultant, Department of Health and Human Services; National Center for Child Abuse and Neglect (project on homeless children).

COURSES

Lecture Courses: Family Law; Constitutional Law II

Seminars, *e.g.*, Parents, Pluralism and Public Schools; Children, Speech Rights and Forms of Communication; Topics in Children and the Law; The Child Welfare System

SERVICE

Professional service: regularly review manuscripts for book publishers, law reviews (including Harvard and Yale), and write letters reviewing candidates for tenure or promotion.

University:

Committee on the Status of Women Faculty and Librarians (2004-2008).

- Chair, Subcommittee on Gender Equity in Salaries and Perquisites, 2007-2008.

Law School:

Dean's Advisory Committee, Spring 2021-present

Appointments Committee (elected) Chair, 2017-2018; member 2021-2022, 2016-2017, 2004-2005
Committee on Tenure and Promotion, (elected) (Chair 2007-2008; member, 2009-2010, 2014-2015)

Committee on Complaints of Discrimination and Harassment (2009-10)

Academic Integrity Committee (2003-2007, Chair 2006-7)

Curriculum Committee (1999-2001)

Works-in-Progress (1996-99; 2003-2008)

Faculty Secretary (1997-98).

Faculty advisor: Women's Law Society; Family Law Society

Prior Experience

Paul, Weiss, Rifkind, Wharton & Garrison, New York

- Associate (Litigation), 1987-1994

Yale University

- Assistant Professor of History and Assistant Section Head, Section in History

and Social Policy, Yale University School of Medicine, Child Study Center 1979-1983 (on leave 1983-1985); with joint appointments in History and Women's Studies

- Bush Center in Child Development and Social Policy, Research Associate, 1978-1979, Post-Doctoral Fellow, 1977-1978 (dir. Edward Zigler)