MARK STRASSER

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EDUCATION

Stanford Law School, J.D. 1993 (associate editor, **Stanford L. Rev.**)
University of Chicago, M.A. 1980, Ph.D. 1984 in Philosophy
Harvard College 1977, B.A. in Philosophy

WORK EXPERIENCE

Trustees Professor of Law; Capital Univ. Law School; Columbus, OH; 1/02 - Present
Visiting Tyler Haynes Chair Professor of Law, Univ. of Richmond School of Law; Richmond, Va; 8/01 - 12/01
Prof. of Law; Capital Univ. Law School; Columbus, OH; 8/99 - 12/01
Visiting Prof. of Law; Univ. of Maryland Law School; 8/99 – 5/00
Assoc. Prof. of Law; Capital Univ. Law School; Columbus, OH; 8/96 – 7/99
Asst. Prof. of Law; Capital Univ. Law School; Columbus, OH; 8/93 - 7/96
Asst. Prof. of Philosophy; Washington Univ.; St. Louis, MO; 7/87 - 7/90;
Asst. Prof. of Philosophy; Univ. of TX at Arlington; Arlington, TX; 9/84 – 6/87

BAR ADMISSION

California (1993)

COURSES TAUGHT

Law
Constitutional Law; Torts; Family Law; Jurisprudence; Sexual Diversity and the Law; Sex and the Law (seminar); Law and Philosophy (seminar); Law and Biomedical Ethics (seminar)

Arts and Sciences
Ethical Theory; Biomedical Ethics; Social and Political Philosophy; Philosophy of Religion

PUBLICATIONS

BOOKS
"Separate but Equal" No More: A Guide to the Legal Status of Same-Sex Marriage, Civil Unions, and Other Partnerships (ed.) (1st volume in 3-volume set entitled “Defending Same-Sex Marriage." Praeger

Publishers/Greenwood Publishing Group, 2006)

Questions and Answers: Family Law (LexisNexis, 2003)

Marriage and Same-Sex Unions: A Debate (co-edited with Lynn Wardle, William Duncan and David Coolidge) (Praeger Publishers/Greenwood Publishing Group, 2003)

On Same-Sex Marriage, Civil Unions, and the Rule of Law: Constitutional Interpretation at the Crossroads (Praeger Publishers/Greenwood Publishing Group, 2002)

The Challenge of Same-Sex Marriage: Federalist Principles and Constitutional Protections (Praeger Publishers/Greenwood Publishing Group, 1999)

Legally Wed: Same-Sex Marriage and the Constitution (Cornell University Press, 1997)

Agency, Free Will, and Moral Responsibility (Hollowbrook Publishing, 1992)

The Moral Philosophy of John Stuart Mill: Toward Modifications of Contemporary Utilitarianism (Longwood Academic/Hollowbrook Communications, 1991)

Francis Hutcheson's Moral Theory: Its Form and Utility (Longwood Academic/Hollowbrook Communications, 1990)

ARTICLES

The Legal Landscape Post-DOMA,[Iowa] **Journal of Gender, Race, and Justice** (forthcoming) (symposium issue)

The Coercion Test: On Prayer, Offense, and Doctrinal Inculcation, **Saint Louis University Law Journal** (forthcoming)

State Funding of Devotional Studies: A Failed Jurisprudence that Has Lost Its Moorings, **[Utah] Journal of Law and Family Studies** forthcoming)

Religion in the Schools: On Prayer, Neutrality, and Sectarian Perspectives, **Akron Law Review** (forthcoming)

Repudiating Everson*: On Buses, Books, and Teaching Articles of Faith*, **Mississippi Law Journal** (forthcoming)

When Churches Divide: On Neutrality, Deference, and Unpredictability, **Hamline Law Review** (forthcoming)

The Protection and Alienation of Religious Minorities: On the Evolution of the Endorsement Test, **Michigan State Law Review** (forthcoming)

Interstate Recognition of Adoptions: On Jurisdiction, Full Faith and Credit, and Potential, Future Difficulties, **Brigham Young University Law Review** (forthcoming)(symposium issue)

Deliberate Indifference, Professional Judgment, and the Constitution: On Liberty Interests in the Child Placement Context, 15 **Duke Journal of Gender, Law and Policy** 223-46 (2008)

The Future of Marriage, 21 **Journal of the American Academy of Matrimonial Lawyers** 87-119 (2008)

Death by a Thousand Cuts: The Illusory Safeguards against Funding Pervasively Sectarian Institutions of Higher Learning, 56 **Buffalo Law Review** 353-408 (2008)

Marriage, Free Exercise, and the Constitution,26 **Law and Inequality: A [University of Minnesota] Journal of Theory and Practice** 59-108 (2008)

Marriage, Same-Sex, **International Encyclopedia of the Social Sciences**. Ed. William A. Darity, Jr. Vol. 4, 2nd ed.(Detroit: Macmillan Reference USA, 2008) 619-21

The Alleged Harms of Recognizing Same-Sex Marriage, in **What's the Harm? How Legalizing Same-Sex Marriage Harms Society, Families and Individuals** (Lynn Wardle ed.) (Lanham, MD: University Press of America) 27-45 (2008)

The Often Illusory Protections of "Biology Plus:" On the Supreme Court's Parental Rights Jurisprudence, **13 Texas Journal on Civil Liberties and Civil Rights** 31-83 (2007)

Preaching, Fundraising, and the Constitution: On Proselytizing and the First Amendment, 85 **Denver University Law Review** 405-41(2007)

Loving *Revisionism: On Restricting Marriage and Subverting the Constitution*, 51 **Howard Law Journal** 75-115 (2007) (symposium issue)

Establishing the Pledge: On Coercion, Endorsement and the Marsh *Wild Card,* 40 **Indiana Law Review** 529-83 (2007) (symposium issue)

State Marriage Amendments and Overreaching: On Plain Meaning, Good Public Policy, and Constitutional Limitations, 25 **Law and Inequality: A Journal of Theory and Practice** 59-113 (2007)

Thou Shalt Not? 6 **Maryland Law Journal of Race, Religion, Gender and Class** 439-90 (2006)

Holmes on Law and Morality, 44 **Alberta Law Review** 377-402 (2006)

Lawrence, *Mill, and Same-Sex Relationships: On Values, Valuing, and the Constitution*, 15 **Southern California Interdisciplinary Law Journal** 285-306 (2006)

An Amendment to Protect Marriage: Bad in Theory, Likely Worse in Practice, 20 **Brigham Young University Journal of Public Law** 387-406 (2006) (symposium issue)

Paying to Stay Home: On Competing Notions of Fairness and the Imputation of Income, **Reconceiving the Family: Critical Reflections on the American Law Institute's Final Principles of the Law of Family Dissolution** (ed. Robin Fretwell Wilson) (New York: Cambridge University Press, 2006), 142-61

State Constitutional Amendments Defining Marriage: On Protections, Restrictions, and Credibility, 7 **Florida Coastal Law Review** 365-87 (2005) (symposium issue)

Monogamy, Licentiousness, Desuetude, and Mere Tolerance: The Multiple Misinterpretations of Lawrence v. Texas, 15 **Southern California Review of Law and Women's Studies** 95-144 (2005)

Lawrence, Lofton, *and Reasoned Judgment: On Who Can Adopt and Why*, 18 **Saint Thomas Law Review** 473-93 (2005) (symposium issue)

Rebellion in the Eleventh Circuit: On Lawrence, Lofton *and the Best Interests of Children*, 40 **Tulsa Law Review** 421-42 (2005) (symposium issue)

"Defending" Marriage in Light of the Moreno-Cleburne-Romer-Lawrence *Jurisprudence: Why DOMA Cannot Pass Muster after* Lawrence, 38 **Creighton Law Review** 421-47 (2005) (symposium issue)

The Lawrence *Reader:* Standhardt *and* Lewis *on Women in Love*, 24 **Saint Louis University Public Law Review** 59-88 (2005) (invited article)

Marriage, Parental Rights, and Public Policy: On the FMA, Its Purported Justification, and Its Likely Effects on Families, 2 **University of St. Thomas Law Journal** 118-36 (2004) (symposium issue)

Interpretations of Loving *in* Lawrence, Baker, *and* Goodridge: *On Equal Protection and the Tiers of Scrutiny*, 13 **Widener Law Journal** 859-77

(2004) (symposium issue)

Lawrence *and Same-Sex Marriage Bans: On Constitutional Interpretation and Sophistical Rhetoric*, 69 **Brooklyn Law Review** 1003-36 (2004)

Adoption and the Best Interests of the Child: On the Use and Abuse of Studies, 38 **New England Law Review** 629-42 (2004) (symposium issue)

Lawrence, *Same-Sex Marriage and the Constitution: On What Is Protected and Why*, 38 **New England Law Review** 667-81 (2004) (symposium issue)

Was Brown*'s Declaration of Per Se Invalidity Really Out of the Blue*: *The Evolving "Separate But Equal" Education Jurisprudence from* Cumming *to* Brown, 47 **Howard Law Journal** 769-94 (2004) (symposium issue)

The Interstate Recognition of Same-Sex Marriages and Civil Unions, in **2004 Family Law Update** (Ron Brown & Laura W. Morgan eds., 2004), 115-51

Domestic Relations, Missouri v. Holland*, and the New Federalism*, 12 **William & Mary Bill of Rights Journal** 179-220 (2003)

Adoption, Best Interests, and the Constitution: On Rational Basis Scrutiny and the Avoidance of Absurd Results, 5 **Journal of Law and Family Studies** 297-318 (2003)

Yes, Virginia, There Can Be Wrongful Life: On Consistency, Public Policy, and the Birth-Related Torts, 4 **Georgetown Journal of Gender and the Law** 821-61 (2003)

Marriage, Transsexuals, and the Meaning of Sex: On DOMA, Full Faith and Credit, and Statutory Interpretation, 3 **Houston Journal of Health Law & Policy** 301-30 (2003) (symposium issue)

Harvesting the Fruits of Gardiner*: On Marriage, Public Policy, and Fundamental Interests,* 71 **George Washington Law Review** 179-230 (2003)

Some Reflections on the President's Pardon Power, 31 **Capital University Law Review** 143-59 (2003) (symposium issue)

The Limits of the Clemency Power: On Pardons, Retributivists, and the United States Constitution, 41 **Brandeis Law Journal** 85-154 (2002)

Some Observations about DOMA, Marriages, Civil Unions, and Domestic Partnerships, 30 **Capital University Law Review** 363-86 (2002) (symposium issue)

Same-Sex Marriages and Civil Unions: On Meaning, Free Exercise, and Constitutional Guarantees, 33 **Loyola Chicago Law Journal** 597-630 (2002)

Hans, Ayers, *and Eleventh Amendment Jurisprudence: On Justification, Rationalization, and Sovereign Immunity*, 10 **George Mason Law Review** 251-91 (2001)

When Is a Parent Not a Parent? On DOMA, Civil Unions, and Presumptions of Parenthood, 23 **Cardozo Law Review** 299-324 (2001)

Toleration, Approval, and the Right to Marry: On Constitutional Limitations and Preferential Treatment, 35 **Loyola Los Angeles Law Review** 65-99 (2001)

A Small Step Forward: The ALI's Domestic Partners Recommendation, 2001 **Brigham Young University Law Review** 1135-1173 (symposium issue)

Taking Exception to Traditional Exceptions Clause Jurisprudence: On Congress's Power to Limit the Court's Jurisdiction, 2001 **Utah Law Review** 125-87

Chisholm*, the Eleventh Amendment, and Sovereign Immunity: On* Alden's *Return to Confederation Principles*, 28 **Florida State University Law Review** 605-48 (2001)

Same-Sex Marriage, Referenda, and the Constitution: On Hunter, Romer, *and Electoral Process Guarantees*, 64 **Albany Law Review** 949-81 (2001) (symposium issue)

The Future of Same-Sex Marriage, 22 **University of Hawaii Law Review** 119-47 (2000) (symposium issue)

Equal Protection at the Crossroads: On Baker*, Common Benefits, and Facial Neutrality*, 42 **Arizona Law Review** 935-63(2000)

Mission Impossible: On Baker, *Equal Benefits, and the Imposition of Stigma*, 9 **William & Mary Bill of Rights Journal** 1-27 (2000)

Baehr *Mysteries, Retroactivity, and the Concept of Law*, 41 **Santa Clara Law Review** 161-201 (2000)

Plessy, Brown, *and the HBCUs: On the Imposition of Stigma and the Court's Mechanical Equal Protection Jurisprudence*, 40 **Washburn Law Journal** 48-69 (2000) (symposium issue)

Sex, Law, and the Sacred Precincts of the Marital Bedroom: On State and Federal Right to Privacy Jurisprudence, 14 **Notre Dame Journal of Law, Ethics & Public Policy** 753-789 (2000) (symposium issue)

Loving *in the New Millennium: On Equal Protection and the Right to Marry,* 7 **University of Chicago Law School Roundtable** 61-90 (2000)

The Privileges of National Citizenship: On Saenz*, Same-Sex Couples, and the Right to Travel*, 52 **Rutgers Law Review** 553-588 (2000)

Loving*,* Baehr*, and the Right to Marry: On Legal Argumentation and Sophistical Rhetoric*, 24 **Nova Law Review** 769-791 (2000) (festschrift)

Marital Acts, Morality, and the Right to Privacy, 30 **New Mexico Law Review** 43-68 (2000)

From Colorado to Alaska by Way of Cincinnati: On Romer, Equality Foundation, *and the Constitutionality of Referenda*, 36 **Houston Law Review** 1193-1250 (1999)

Courts, Legislatures, and Second Parent Adoptions: On Judicial Deference, Specious Reasoning, and the Best Interests of the Child, 66 **Tennessee Law Review** 977-1018 (1999)

Unity, Sovereignty, and the Interstate Recognition of Marriage, 102 **West Virginia Law Review** 393-409 (1999) (symposium issue)

A Jurisprudence in Disarray: On Battery, Wrongful Living, and the Right to Bodily Integrity, 36 **San Diego Law Review** 997-1041 (1999)

Wrongful Life, Wrongful Birth, Wrongful Death, and the Right to Refuse Treatment: Can Reasonable Jurisdictions Recognize All But One? 64 **Missouri Law Review** 29-76 (1999)

Misconceptions and Wrongful Births: A Call for a Principled Jurisprudence, 31 **Arizona State Law Journal** 161-202 (1999)

Constitutional Limitations and Baehr *Possibilities: On Retroactive Legislation, Reasonable Expectations, and Manifest Injustice,* 29 **Rutgers Law Journal** 271-314 (1998)

Ex Post Facto Laws, Bills of Attainder, and the Definition of Punishment: On DOMA, the Hawaii Amendment, and Federal Constitutional Constraints, 48 **Syracuse Law Review** 227-259 (1998)

Baker *and Some Recipes for Disaster: On DOMA, Covenant Marriages, and Full Faith and Credit Jurisprudence*, 64 **Brooklyn Law Review** 307-351 (1998)

DOMA and the Two Faces of Federalism, 32 **Creighton Law Review** 457-475 (1998)

(symposium issue)

For Whom Bell *Tolls: On Subsequent Domiciles' Refusing to Recognize Same-Sex Marriages,* 66 **University of Cincinnati Law Review** 339-383 (1998)

Sodomy, Adultery, and Same-Sex Marriage: On Legal Analysis and Fundamental Interests, 8 **University of California at Los Angeles Women's Law Journal** 313-339 (1998) (symposium issue)

Natural Law and Same-Sex Marriage, 48 **DePaul Law Review** 51-81 (1998)

The Futility of Futility? On Life, Death, and Reasoned Public Policy, 57 **Maryland Law Review** 505-557 (1998)

Statutory Construction, Equal Protection, and the Amendment Process: On Romer, Hunter, *and Efforts to Tame* Baehr, 45 **Buffalo Law Review** 739-777 (1997)

Loving *the* Romer *Out for* Baehr*: On Acts in Defense of Marriage and the Constitution,* 58 **University of Pittsburgh Law Review** 279-323 (1997)

Judicial Good Faith and the Baehr *Essentials: On Giving Credit Where It's Due*, 28 **Rutgers Law Journal** 313-366 (1997)

Fit To Be Tied: On Custody, Discretion, and Sexual Orientation, 46 **American University Law Review** 841-895 (1997)

Legislative Presumptions and Judicial Assumptions: On Parenting, Adoption, and the Best Interests of the Child, 45 **University of Kansas Law Review** 49-111 (1996)

Domestic Relations Jurisprudence and the Great, Slumbering Baehr*: On Definitional Preclusion, Equal Protection, and Fundamental Interests*, 64 **Fordham Law Review** 921-986 (1995)

Unconstitutional? Don't Ask; If It Is, Don't Tell: On Deference, Rationality, and the Constitution, 66 **University of Colorado Law Review** 375-460 (1995)

Assisted Suicide and the Competent, Terminally Ill: On Ordinary Treatments and Extraordinary Policies, 74 **Oregon Law Review** 539-609 (1995)

Hutcheson and Mill on Evaluating Actions and Characters, 24 **Philosophia** 417-432 (1995)

Incompetents and the Right to Die: In Search of Consistent, Meaningful Standards, 83 **Kentucky Law Journal** 733-799 (1994-1995)

The Invidiousness of Invidiousness: On the Supreme Court's Affirmative Action Jurisprudence, 21 **Hastings Constitutional Law Quarterly** 323-403 (1994)

Parental Rights Terminations: On Surrogate Reasons and Surrogacy Policies, 60 **Tennessee Law Review** 135-228 (1992)

Suspect Classes and Suspect Classifications: On Discriminating, Unwittingly or Otherwise, 64 **Temple Law Review** 937-975 (1991)

Family, Definitions, and the Constitution: On the Antimiscegenation Analogy, 25 **Suffolk University Law Review** 981-1034 (1991)

Hutcheson on Aesthetic Perception, 21 **Philosophia** 107-118 (1991)

The Virtues of Utilitarianism, 20 **Philosophia** 209-226 (1990)

Degradation, Pornography, and Immorality, in **Terrorism, Justice, and Social Values** 339-353 (C. Peden and Y. Hudson eds. 1990)

Actual Versus Probable Consequence Utilitarianism, 27 **Southern Journal of**

Philosophy 585-597 (1989)
The New Paternalism, 2 **Bioethics** 103-117 (1988)
Ethical Considerations (co-written with G. Giles), in **Anorexia and Bulimia Nervosa** 204-212 (D. Scott ed. 1988)
Mill on Voluntary Self-Enslavement, 17 **Philosophical Papers** 171-183 (1988)
Frankfurt, Aristotle, and PAP, 26 **Southern Journal of Philosophy** 235-246 (1988)
Schell on the Internal Inconsistency of Deterrence Theory, 19 **Journal of Social Philosophy** 30-36 (1988)
Guilt, Regret, and Prima Facie Duties, 25 **Southern Journal of Philosophy** 133-146 (1987)
Accordion Effects Without Accordion Players -- A Critique of Davidson, 17 **Philosophia** 191-194 (1987)
Conscience and the Right to Do Wrong, 17 **Philosophia** 411-420 (1987)
Ross on the Sense of Duty, 16 **Philosophical Papers** 195-207 (1987)
Hutcheson on the Higher and Lower Pleasures, 25 **Journal of the History of Philosophy** 517-531 (1987)
Physicians, Battery, and the Duty to Give Informed Consent, 8 **Journal of Medical Humanities & Bioethics** 40-48 (1987)
Noonan on Contraception and Abortion, 1 **Bioethics** 199-205 (1987)
Mill on the Right to Remain Uninformed, 11 **Journal of Medicine & Philosophy** 265-278 (1986)
Hutcheson on External Rights, 49 **Philosophical Studies** 263-269 (1986)
Leibniz, Plantinga, and the Test for Existence in Possible Worlds, 18 **International Journal of Philosophy and Religion** 153-159 (1985)
Mill's Higher and Lower Pleasures Re-examined, 17 **International Studies in Philosophy** 51-72 (1985)
Dependence, Reliance, and Abortion, 35 **Philosophical Quarterly** 73-82 (1985)
Mill and the Utility of Liberty, 34 **Philosophical Quarterly** 63-68 (1984)

BOOK REVIEWS

21 **Journal of Law and Religion** 209-12 (2006) (reviewing **James Bernard Murphy, The Philosophy of Positive Law: Foundations of Jurisprudence** (2005))
19 **Constitutional Commentary** 761-779 (2003) *An Analysis of the Federal Constitutional Right to Same-Sex Marriage* (reviewing **Andrew Koppelman, The Gay Rights Question in Contemporary American Law** (2002))
10 **Business Ethics Quarterly** 761-767 (2000) (reviewing **V. Samar, Justifying Judgment: Practicing Law and Philosophy** (1998))
43 **Review of Metaphysics** 870-871 (1990) (reviewing **J. Kekes**, **Moral Tradition and Individuality** (1989))
8 **Canadian Philosophical Reviews/Revue Canadienne de Comtes Rendus en Philosophie** (**C.P.R./R.C.C.P.**) 141-143 (1988) (reviewing **S. McMurrin** ed., **Liberty, Equality, and Law** (1988))

CONFERENCES, ADDRESSES, AND TESTIMONY

"The Legal Landscape Post-DOMA," University of Iowa Law School, conference entitled "As Iowa Goes, So Goes the Nation: Varnum v. Brien and its Impact on Same-Sex Marriage Rights," Iowa City, IA, Feb. 27, 2009.
"Marriage, Parenting, and Sexual Orientation," Towson University, conference entitled "The Ethics of the Family," Baltimore, Maryland, Nov. 14, 2008.

"Repudiating Everson: On Buses, Books, and Teaching Articles of Faith," Boalt Hall, conference entitled "Law, Culture and the Humanities"), Berkeley, California, March 29, 2008

"Interstate Recognition of Adoptions: On Jurisdiction, Full Faith and Credit, and Potential, Future Difficulties," conference entitled "Contemporary Conflicts of Law Issues in Family Law," Brigham Young University Law School, Provo UT, Feb. 1, 2008

"The Rights of the Unmarried Father: A Jurisprudence in Disarray," conference entitled, "Making Family Law, Facts, Values and Practicalities," International Society of Family Law (ISFL), Vancouver, BC, June 20, 2007

"Deliberate Indifference, Professional Judgment, and the Constitution: On Liberty Interests in the Child Placement Context Deliberate Indifference, Professional Judgment, and the Constitution: On Liberty Interests in the Child Placement Context," "Symposium on Children's Rights and Adoption," J. Reuben Clark Law School, Brigham Young University, Provo, UT, March 2, 2007

"Comment on 'Abandonment, Termination of Parental Rights and the Constitutional Contrast between the Rights of Married and Unmarried Fathers,'" conference entitled "No Parent Left Behind: Fathers' Rights in Adoption," Capital University Law School, Columbus, OH, Feb. 15, 2007

"Legal Impact of Issue One," The Supreme Court of Ohio Judicial College, (Common Pleas Judges Association Winter Meeting Seminar), Columbus, OH, Dec. 7, 2005

"The Constitutionality of Restrictions of Lesbian and Gay Adoption," conference entitled "Lofton and the Future of Lesbian and Gay Adoption", Stetson University College of Law, Tampa, FL, Oct. 28, 2005

"Some Undesirable Intended and Unintended Consequences of the Proposed Federal Marriage Amendment," Symposium on a Federal Marriage Protection Amendment, J. Reuben Clark Law School, Brigham Young University, Provo, Utah, Sept. 9, 2005

"*Lawrence*, Mill, and Same-Sex Relationships: On Values, Valuing, and the Constitution," conference entitled, "Family Law--Balancing Interests and Pursuing Priorities", ISFL, Salt Lake City, Utah, July 21, 2005

"The Multiple Meanings of *Lawrence*," University of Toronto Faculty of Law-Flavelle House (ILGLaw Conference, "Rights Are Right") Toronto, Canada, June 28, 2005

"State Constitutional Amendments Defining Marriage: On Protections, Restrictions and Credibility," Georgia State University College of Law (Symposium on State Marriage Amendments: Efforts to Protect Conjugal Marriage, Efforts to Legalize Same-Sex Unions), Atlanta, Ga, April 16, 2005

"Holmes's *Path* from Mill's *Utilitarianism*: A Reexamination of a Seminal Essay," College of Liberal Arts, University of Texas ("Law, Culture and the Humanities"), Austin, Texas, March 13, 2005

"Justice for All" (A Panel Discussion on the Importance of a Fair and Balanced Judiciary to the GLBT Community), Moritz College of Law, Ohio State University, Columbus OH, Jan. 26, 2005

"DOMA and the Interstate Recognition of Marriage" ("Life After *Lawrence*: The State of Marriage Equality in America Today"), Fordham University School of Law, New York, NY, Jan. 18, 2005

"Income Imputation and the Stay-at-Home Parent: The ALI versus the States on

When to Impute and Why," Harvard Law School (Critical Reflections on the American Law Institute's Final Principles of the Law of Family Dissolution), Cambridge, MA, Oct. 15, 2004

"Marriage, Parental Rights, and Public Policy: On the FMA, Its Purported Justification, and Its Likely Effects on Families," University of St. Thomas School of Law ("The Federal Marriage Amendment: Yes or No?"), Minneapolis, MN, Sept. 24, 2004

"*Lawrence* and the Right to Marry," Roundtable: Same-Sex Marriage and the Future of American Constitutionalism, American Political Science Association (APSA), Chicago IL, Sept. 3, 2004

"DOMA's Constitutionality in Light of *Moreno* and *Lawrence*," Catholic University Law School ("The Implications of *Lawrence* and *Goodridge* for the Recognition of Same-Sex Marriages and the Validity of DOMA"), Washington, D.C., May 20, 2004

"Toward Marriage Equality: Harvesting the Fruits of *Lawrence* and Recent Transgender Cases," University of Houston Law School ("The Second Annual Alternative Family Law Seminar"), Houston, TX, Nov. 7, 2003

"Same-Sex Marriage and the Constitution: On What Is Protected and Why," New England School of Law ("Same Sex Marriages: Can Anyone Show Just Cause Why These Two Should Not Be Lawfully Joined Together?"), Boston, MA, Oct. 24, 2003

"*Lawrence*, Equal Protection, and the Right to Marry a Same-Sex Partner," J. Reuben Clark Law School, Brigham Young University ("The Future of Marriage and Claims for Same-Sex Unions"), Provo, Utah, August 29, 2003

"Mill on Morality and the Law," Cardozo Law School and New York University Law School ("Law, Culture and the Humanities"), New York, New York, March 8, 2003

"Adoption, Best Interests, and the Constitution: On Rational Basis Scrutiny and the Avoidance of Absurd Results," Capital University Law School Symposium ("Marriage, Adoption and the Best Interests of the Child), Columbus, OH, Nov. 1, 2002

"Families, Hierarchies, and Arrays of Choices: The United States Approach," ILGLA (International Lesbian and Gay Law Association) & CERSGOSIG (Center for Research and Comparative Legal Studies on Sexual Orientation and Gender Identity), Turin, Italy, ("Marriage, Partnerships and Parenting in the 21st Century"), June 7, 2002

"Some Legal and Philosophical Reflections on the Presidential Pardon Power," Capital University Law School Symposium ("Forgiveness and the Law Executive Clemency and the American System of Justice"), Columbus OH, April 10, 2002

"Public Policy and the Birth-Related Torts: A Plea for Consistency," Medical College of Wisconsin, Milwaukee, WI, ("Values in Healthcare: Past, Present and Future"), April 5, 2002

"DOMA, Civil Unions and Parental Status," Queen's University, Kingston, Ontario, Canada, ISFL North American Regional Conference, ("Defining the Family: Familial Rights and Obligations in the New Century"), June 16, 2001

"Interstate Recognition of Same-Sex Marriages and Civil Unions," Vermont House Judiciary Committee (telephone testimony), Mar. 20, 2001

"The Cultural Meaning of Civil Unions," University of Texas at Austin, ("Law, Culture and the Humanities,") Austin, TX, March 9, 2001

"Some Observations about DOMA, Marriages, Civil Unions, and Domestic Partnerships," Capital University Law School Symposium ("Same Sex Marriages, Domestic Partnerships and Civil Unions"), Mar. 3, 2001

"A Small Step Forward: The ALI's Domestic Partners Provision," J. Reuben Clark Law School, Brigham Young University Symposium ("The ALI's Family Dissolution Principles: Blueprint to Strengthen or to Deconstruct Families"), Feb. 2, 2001

"DOMA; Status of Children, Parents, and Spouses," Discussant, "Transcending Boundaries: The Constitution, Families, Federalization and Federalism," Joint Program of Sections of Constitutional Law, Family and Juvenile Law and Federal Courts, AALS, San Francisco, Jan. 4, 2001

"Same-Sex Marriage Referenda and the Constitution: On *Hunter*, *Romer*, and Electoral Process Guarantees," Albany Law School Symposium ("'Family' and the Political Landscape for Lesbian, Gay, Bisexual, Transgender, People (LGBTT)"), Oct. 19, 2000

“The Interstate Implications of Vermont’s Recognizing Same-Sex Marriages or Domestic Partnerships,” Vermont House Judiciary Committee, Jan. 20, 2000

"Same-Sex Marriage and Equal Protection," University of Chicago Law School, University of Chicago Law School Roundtable Symposium (“A Symposium on Same-Sex Marriage”), Oct. 22, 1999

"Courts, Legislatures, and Second Parent Adoptions: On Deference and the Best Interests of the Child," University of New Mexico Law School, ISFL (International Society of Family Law), June 11, 1999

"Natural Law, Same-Sex Marriage, and Domestic Relations Jurisprudence," Twentieth World Congress of Philosophy, Philosophy of Law Section, Aug. 10, 1998

"DOMA and the Two Faces of Federalism," Conference on Interjurisdictional Marriage Recognition, Creighton University School of Law, June 20, 1998 (paper presented by another participant)

"*Baehr*, DOMA, and the Two Faces of Federalism," Indiana University School of Law-Indianapolis, Apr. 2, 1998

"Sodomy, Adultery, and Same-Sex Marriage: On Legal Analysis and Fundamental Interests," UCLA Women's Law Journal symposium ("Queer Matters: Emerging Issues in Sexual Orientation Law"), March 7, 1998

"DOMA, Ohio, and the Recognition of Same-Sex Marriages," Columbus Bar Association, Spring Seminar: Family Law, Columbus, OH, Apr. 13, 1998

Conference, Interstate Recognition of Marriage, Lambda Legal Defense and Education Fund (LLDEF), New York, NY, Feb. 24, 1997

“Recognition of Same-Sex Marriage,” Ohio State Bar Association, Family Law Section, Columbus, OH, June 6, 1997

GRANTS AND FELLOWSHIPS

Human Action: Self, Thinking, and Reality; Hector-Neri Castaneda, Dir.; Bloomington, IN (Summer 1986)

NEH Summer Seminar Visiting Fellowship in Ethics and Medicine; Baruch Brody, Dir.; Houston, TX (Summer, 1986); Exxon Education Foundation

Institute on Human Action; Robert Audi, Dir.; Lincoln, NE (Summer, 1984); NEH Summer Institute

ORGANIZATIONS

American Law Institute, American Philosophical Association

REFERENCES

Prof. Carol Sanger,
Columbia Law School (212) 854-5478 csanger@law.columbia.edu

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New York University Law School (212) 995-6251 david.richards@nyu.edu

Prof. Jana Singer,
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http://papers.ssrn.com/author=167532