

19th Annual
**WOMEN AND THE LAW
CONFERENCE**

and
**RUTH BADER
GINSBURG LECTURE**



CONFERENCE PROGRAM

THE WAY FORWARD:
GENDER, LGBTQIA RIGHTS, AND RELIGIOUS LIBERTIES

February 1, 2019, 12:30pm–5:00pm

THOMAS JEFFERSON
SCHOOL OF LAW
SAN DIEGO • CALIFORNIA



Marybeth Herald (1956 – 2018)

The 2019 Women and the Law Conference is dedicated to the memory of our colleague, **Professor Marybeth Herald**, who passed away on August 27, 2018. Professor Herald was a member of the Thomas Jefferson community for more than 25 years, from 1991 until 2018. She served as Associate Dean from 1994 to 2002, giving her the distinction of being the longest serving Associate Dean in the law school's history. Professor Herald's legacy is reflected in the milestones achieved while she was a member of the law school administration. During her service, the law school separated from its former parent institution, Western State University College of Law, earned both provisional and full ABA approval, and converted to a nonprofit institution. Her commitment to excellence, wise counsel, and selfless dedication were absolutely indispensable to this profound transformation of the law school.

Beyond those accomplishments, she was a beloved teacher and a respected scholar, authoring numerous articles on constitutional law and cognitive bias as well as an innovative book, *Your Brain and Law School* (Carolina Academic Press 2014). She was also the author of the blog *Your Brain, Law School, and Law Practice*. Her friends, colleagues, and students will long remember her for her incisive intellect, her moral strength, her personal warmth, and her keen and unwavering sense of humor.

Professor Herald was a graduate of Harvard Law School. Following law school, she clerked for the U.S. Court of Appeals for the Ninth Circuit, served the public as a lawyer for Micronesian Legal Services, and then opened her own firm on the island of Saipan with her husband, Joel Bergsma. Professor Herald is survived by her husband, her children Brendan and Sarah, and her sister Joyce Herald.

Welcome to the 19th Annual Women and the Law Conference and 17th Annual Ruth Bader Ginsburg Lecture. Today's event, *The Way Forward: Gender, LGBTQIA Rights, and Religious Liberties*, brings together leading experts and practitioners to discuss critical federal and state legislative, executive, and judicial developments affecting women, the LGBTQIA community, and people concerned about religious liberties. At a time when public discourse about these issues seems irreconcilably polarized, this event will focus on the means to resolve these opposing views.

Multidisciplinary perspectives facilitate rich dialogue. To that end, our featured speakers represent a range of academic disciplines from Law to Psychology. We are also fortunate to have speakers from legal practice who will share their insight and experience with us. We have chosen panelists from an array of political ideologies because we believe that solutions require conversations among those with diverse viewpoints. These speakers will highlight a number of critically important and timely topics, which together comprise the core of the debate over LGBTQIA rights and religious liberties.

One highlight of our annual conference is the Ruth Bader Ginsburg Lecture, which this year will be delivered by the Honorable Chai Feldblum, who for two terms has served as a Commissioner of the Equal Employment Opportunity Commission (EEOC). President Trump nominated her to serve a third term. The EEOC is the independent agency responsible for the enforcement of federal civil rights in employment. Commissioner Feldblum's work has focused especially on issues involving disability, pregnancy accommodation, preventing harassment, and employment discrimination based on sexual orientation and transgender status. Before her appointment, she was a law professor at Georgetown University Law Center. Commissioner Feldblum joins a long line of illustrious speakers who have been honored as the Ruth Bader Ginsburg Lecturer, a lecture series Justice Ginsburg generously established for Thomas Jefferson School of Law in 2003.

On behalf of the many individuals and groups who helped organize today's event, we thank you for attending. We are especially grateful to Joel Bergsma, Marybeth Herald's spouse, for his generous support of this conference. We look forward to learning from our knowledgeable speakers and the informative discussions during each panel's Question and Answer session. We hope to continue these productive conversations in the months and years to follow. Thank you for participating and enjoy!

Susan Bisom-Rapp, Julie Greenberg, and Taylor Israel

2019 Women and the Law Conference Co-Chairs

WOMEN AND THE LAW CONFERENCE 2019 SCHEDULE

12:30–12:45 WELCOMING REMARKS

Linda Keller, Interim Dean and Professor, Thomas Jefferson School of Law

Susan Bisom-Rapp, Associate Dean and Professor, Thomas Jefferson School of Law

12:45–2:15 CONNECTING THE DOTS: LEARNING FROM THE TRANSGENDER AND INTERSEX COMMUNITIES ABOUT CHALLENGING GENDER DISCRIMINATION

Julie Greenberg, Professor Emeritus, Thomas Jefferson School of Law

Pamuela Halliwell, The San Diego LGBT Community Center

Shannon Minter, Legal Director, National Center for Lesbian Rights

Mattheus Stephens, Founding Partner, Progressive Law Group

MODERATOR: Danna J. Cotman, President, ARC IP Law, PC; President, Lawyers Club of San Diego

2:15–2:30 BREAK

2:30–3:15 SEVENTEENTH ANNUAL RUTH BADER GINSBURG LECTURE

Religious Liberty and LGBTQIA Rights: Finding the Balance

The Honorable Chai Feldblum, U.S. EEOC Commissioner

INTRODUCTION: Susan Bisom-Rapp, Associate Dean and Professor, Thomas Jefferson School of Law

3:15–4:45 BALANCING LGBTQIA RIGHTS AND RELIGIOUS LIBERTIES – COMMENTARY ON THE RUTH BADER GINSBURG LECTURE

Alan Brownstein, Professor Emeritus, UC Davis School of Law

Jocelyn Samuels, Executive Director, The Williams Center, UCLA School of Law

Maimon Schwarzschild, Professor, University of San Diego Law School

MODERATOR: Judge Paula Rosenstein, Judge, San Diego Superior Court

4:45–5:00 CLOSING REMARKS

Julie Greenberg, Professor Emeritus, Thomas Jefferson School of Law

5:00–6:00 RECEPTION AND DEDICATION OF THE MARYBETH HERALD CLASSROOM



RUTH BADER GINSBURG LECTURER

Chai Feldblum has served as a Commissioner of the U.S. Equal Employment Opportunity Commission since 2010. Prior to her appointment to the EEOC, Commissioner Feldblum was a Professor of Law at the Georgetown University Law Center for 18 years, and prior to that, a lawyer with the national office of the ACLU. During those years, she played a leading role in drafting and negotiating various laws and bills, including the Americans with Disabilities Act of 1990, the ADA Amendments Act of 2008, and the Employment Nondiscrimination Act.

At the EEOC, Commissioner Feldblum has focused on a range of employment civil rights issues, including disability rights, pregnancy accommodation, and coverage of LGBT people under Title VII. Together with her colleague Commissioner Victoria Lipnic, Feldblum co-chaired a Select Task Force on the Study of Harassment in the Workplace in 2015 and co-authored and issued a comprehensive report on harassment prevention in 2016.

Commissioner Feldblum clerked for Judge Frank Coffin of the First Circuit Court of Appeals and for Supreme Court Justice Harry A. Blackmun. She received her J.D. from Harvard Law School and her B.A. from Barnard College.

SPEAKERS, MODERATORS, AND CONFERENCE ORGANIZERS



Susan Bisom-Rapp is Associate Dean for Faculty Research and Scholarship and Professor of Law at Thomas Jefferson School of Law. She joined the faculty in 1996. She teaches Torts I, Torts II, Employment Law, International and Comparative Employment Law, and Public and Private Sector Labor Law.

She also serves on the teaching faculty and the Academic Advisory Board of the Doctoral Research School in Labor, Development and Innovation at the Marco Biagi Foundation, University of Modena and Reggio Emilia (Italy). She has taught at Chicago-Kent College of Law and Seton Hall Law School.

Professor Bisom-Rapp writes about trends affecting the modern workplace, including those related to globalization, equal employment opportunity, occupational safety and health, and the gig economy. She is co-author of the path-breaking casebook, *The Global Workplace: International and Comparative Employment Law - Cases and Materials* (1st ed., Cambridge University Press 2007; 2nd ed., Aspen 2012). Her latest book, co-authored with Malcolm Sargeant, is *Lifetime Disadvantage, Discrimination and the Gendered Workforce* (Cambridge University Press 2016). She is the author of numerous articles and book chapters in the field of comparative work law and employment discrimination law.

She is a member of the American Law Institute and the Order of the Coif, and a Fellow of the American Bar Foundation. She serves on the Editorial Board of the *Employee Rights and Employment Policy Journal*. Professor Bisom-Rapp is currently treasurer and previously served on the Executive Committee of the Association of American Law School's Section on Women in Legal Education. Before beginning her academic career, Professor Bisom-Rapp practiced labor and employment law at Stroock & Stroock & Lavan in New York City. She holds J.S.D. and LL.M. degrees from Columbia University. She earned her J.D. from the University of California, Berkeley School of Law. Professor Bisom-Rapp's B.S. is from Cornell University's School of Industrial and Labor Relations.



Alan Brownstein is a professor of law emeritus at the University of California, Davis School of Law. Although the primary focus of his scholarship relates to church-state issues and free exercise and establishment clause doctrine, he has also written extensively on freedom of speech, privacy

and autonomy rights, and other constitutional law subjects. His articles have been published in numerous academic journals including the *Stanford Law Review*, *Cornell Law Review*, *Northwestern Law Review*, *UCLA Law Review* and *Constitutional Commentary*. He is a member of the American Law Institute and serves on the Legal Committee of the Northern California American Civil Liberties Union. Professor Brownstein is a frequent invited lecturer at academic conferences and regularly participates as a speaker or panelist in law related programs before civic, legal, religious, and educational groups. He has testified on several occasions before California Assembly and Senate Committees on legislation promoting religious liberty and bills that raise Establishment Clause concerns.

Professor Brownstein received his B.A. degree from Antioch College. He earned his J.D. (magna cum laude) from Harvard Law School where he served as a Case Editor of the *Harvard Law Review*. After graduating from Harvard, he clerked for the Honorable Frank M. Coffin, Chief Judge of the U.S. Court of Appeals for the 1st Circuit in Portland, Maine. Professor Brownstein practiced law in Los Angeles before joining the UC Davis law faculty in 1981. He has also taught as a visiting professor at the University of Texas, Austin; BYU School of Law; Dalhousie University, Halifax, Nova Scotia; and the University of New South Wales, Sydney, Australia.



Danna Cotman is the owner of a boutique intellectual property law firm in La Jolla, ARC IP Law. With clients spanning industries from medical devices to fashion, she represents both established and startup companies. Her work includes patent, trademark, copyright, trade secret portfolio development

and monetization; Intellectual Property litigation including infringement proceedings and cease and desist matters; licensing negotiations; Non-Disclosure Agreements (NDA's); International Trade Commission (ITC) customs enforcement anti-counterfeit efforts; internet agreements (such as end user license agreements and terms of use); and general contract and business matters and disputes.

In addition to her dedication and commitment to her firm and clients, Ms. Cotman is committed to community involvement. Ms. Cotman became the current President of Lawyers Club of San Diego after serving on the board of Lawyers Club from 2015 to 2018 and as co-chair of various committees. Lawyers Club of San Diego provides resources for advancing women in law and society, and is committed to various charitable organizations that further women in society. Danna is also a member of the San Diego County Bar Association, and has held the positions of President, board member, and social committee member in the La Jolla Bar Association.

Danna holds a J.D. from Thomas Jefferson School of Law, where she graduated with honors; an M.B.A. from California Coast University (while attending law school); a Bachelor of Science in Business Administration and Marketing (BSBA) from Chapman University; and an Associate of Arts (AA) in Fashion Design from the Fashion Institute of Design and Merchandising in Los Angeles.



Julie Greenberg is an internationally recognized expert on the legal issues relating to gender, sex, sexual identity and sexual orientation. Her path-breaking work on gender identity has been cited by a number of state and federal courts, as well as courts in other countries. Her work has

been quoted in hundreds of books and articles and she has been invited to speak at dozens of national and international conferences on the subject. Her book, *Intersexuality and the Law: Why Sex Matters* provides an invaluable description, analysis, and critique of how people with an intersex condition are treated under existing legal regimes. It was the recipient of the 2013 Bullough Book award for the most distinguished book written for the professional sexological community. Professor Greenberg's work on behalf of LGBTI rights was recognized by the Tom Homann Association in 2006 when it presented her with the "Friend of the Community" award. She also was voted by her peers as one of San Diego's Top Attorneys in Academics for 2006, 2008, 2009, 2011, 2012, 2013, and 2014.

WOMEN AND THE LAW CONFERENCE 2019 BIOGRAPHIES



Pamuela Halliwell is a licensed Marriage and Family Therapist who specializes in working with children, youth, and families in the LGBTQIA communities. She attended UCSD where she obtained her B.A. in Psychology, and graduated from Argosy University with her Master's

Degree in Counseling Psychology. She interned at Community Research Foundation, a not-for-profit organization where she expanded her knowledge on available resources and services throughout the San Diego and North County areas for mental health by working in short term acute residential treatment programs (S.T.A.R.T.) and outpatient clinics. Previously, Ms. Halliwell also spent several years working with children and youth on the autism spectrum. She is very passionate about helping people find their own paths and their own ways, and she uses her knowledge of resources and experiences to help navigate the process. She uses a strengths-focused, humanistic approach, working with clients to create goals, find solutions, and build stronger relationships to help them reach their desired goals. For many of the communities she works with, working together and being aware of socio-economical-political constructs are critically important, as many laws and policies are either enforced or enacted that can cause discrimination. As a therapist, a woman, a transgender woman, and an African American woman, she is aware of both her role in the community and her work to fight against discrimination in and outside the office.



Taylor Israel is the Associate Director for Academic Support and Bar Programs at Thomas Jefferson School of Law. She is an alumna of The University of Texas at Austin, where she received a Bachelor of Arts in Government and The University of San Diego School of Law where she received her Juris

Doctorate. She has been working with students to help them be successful on the bar exam since 2011 when she joined Kaplan Bar Review. While at Kaplan, Professor Israel worked with hundreds of students in California, Arizona, Hawaii, and Nevada during their law school careers and while preparing for the exam. She found her passion in helping students during one of the most difficult tests of their professional careers and has since focused her energy and passion on helping students at individual schools - first at USD and now at Thomas Jefferson. There is no greater achievement than receiving communications from students sharing the news with her that they passed the bar exam.



Shannon Minter is the Legal Director of the National Center for Lesbian Rights (NCLR), one of the nation's leading advocacy organizations for lesbian, gay, bisexual, and transgender people. Mr. Minter was lead counsel for same-sex couples in the landmark California marriage equality case that held

that same-sex couples have the fundamental right to marry and that laws that discriminate based on sexual orientation are inherently discriminatory and subject to the highest level of constitutional scrutiny. Mr. Minter was also NCLR's lead attorney in *Christian Legal Society v. Martinez*, a U.S. Supreme Court decision upholding student group policies prohibiting discrimination based on sexual orientation and gender identity, and rejecting the argument that such policies violated a student group's rights to freedom of speech, religion, and association. NCLR represented Hastings Outlaw, an LGBT student group who intervened to help defend the nondiscrimination policy.

In 2009, Mr. Minter was named a California Lawyer of the Year by California Lawyer. In 2008, he was named among six Lawyers of the Year by Lawyers USA and among California's Top 100 Lawyers by the legal publication The Daily Journal. He also received the 2008 Dan Bradley Award from the National Gay and Lesbian Bar Association for outstanding work in marriage cases and was the recipient of the Cornell Law School Exemplary Public Service Award. In 2005, Mr. Minter was one of 18 people to receive the Ford Foundation's Leadership for a Changing World award. In 2004, he was awarded an Honorary Degree from the City University of New York School of Law for his advocacy on behalf of same-sex couples and their families. Mr. Minter has also received the Anderson Prize Foundation's Creating Change Award by the National Gay and Lesbian Task Force; the Distinguished National Service Award from GAYLAW, the bar association for LGBT lawyers, law students, and legal professionals in Washington, D.C.; Cornell Law School's Exemplary Public Service Award; the Unity Award from Bay Area Lawyers for Individual Freedom; the Advocacy Award from the San

Francisco Bar Association; and the Justice Award from Equality California.

Mr. Minter serves on the boards of Faith in America and the Transgender Law & Policy Institute. He has previously served on the American Bar Association Commission on Sexual Orientation and Gender Identity. Mr. Minter received his J.D. from Cornell Law School in 1993. He is originally from Texas.



Judge Paula S. Rosenstein was appointed to the California Superior Court by Governor Jerry Brown in November 2012. She was assigned to the Family Law Division for five years and during that time served downtown, South Bay and then in the central Family Law courthouse on Cedar at 6th

until December 2017. At that point, she was assigned to the criminal division and for the last year has served in a moving misdemeanor department. As of January 22, 2019, Judge Rosenstein was assigned to a criminal trial department.

A graduate of UC San Diego and USD School of Law, she was a civil litigator for more than 25 years. For the 15 years prior to her appointment, she was a shareholder in the law firm of Rosenstein, Wilson & Dean, P.L.C. focusing primarily on advisory and litigation matters related to employment law.

Outside of the courtroom, Judge Rosenstein has served on the Court's ADR, SJO Investigations, Technology and Family Law Policy committees. She is also a member of the National Association of Women Judges, the International Association of LGBT Judges, Lawyers Club of San Diego and other local bar associations.

Prior to joining the court, Judge Rosenstein had been active in the San Diego legal community including with Lawyers Club of San Diego (past president, various committees, advisory board member) and Tom Homann LGBT Bar Association (past president and various committees). Judge Rosenstein, before being appointed, was an AV rated attorney, voted a Super Lawyer (employment law) in multiple years and a San Diego Top Lawyer.



Jocelyn Samuels is the Executive Director and the Roberta A. Conroy Scholar of Law and Policy at the Williams Institute. From 2014 through early 2017, Ms. Samuels was the Director of the Office for Civil Rights at the U.S. Department of Health & Human Services, where she

oversaw civil rights enforcement with respect to healthcare providers, insurers, and human services agencies. She also served as Acting Assistant Attorney General for Civil Rights at the U.S. Department of Justice, overseeing work across a range of civil rights issues, including voting rights, police reform, prosecution of hate crimes, and protections for individuals with disabilities. She also managed efforts to extend civil rights protections against sex discrimination for LGBT people, and oversaw the Civil Rights Division's work to implement *United States v. Windsor*, the Supreme Court's landmark decision striking down the Defense of Marriage Act. Earlier in her career, she worked as a senior policy attorney at the U.S. Equal Employment Opportunity Commission, as Labor Counsel to Sen. Ted Kennedy, and as Vice President for Education & Employment at the National Women's Law Center.



Maimon Schwarzschild is professor of law at the University of San Diego, where he teaches constitutional and international law (among other courses). He studied philosophy as an undergraduate at Columbia, and has a law degree from Columbia Law School. He was a lawyer in the Civil Rights

Division of the US Department of Justice from 1976 to 1981, and has taught at University of San Diego since 1982. He is a British barrister as well as an American lawyer.

He has been a Visiting Professor of Law at the University of Paris/Sorbonne for several years, and he was Visiting Professor of Law at the Hebrew University in Jerusalem in 2009. Since 2005 he has been an Affiliated Professor at the University of Haifa in Israel. He has chaired the American Association of Law Schools (AALS) Section on Jurisprudence and the Section on Jewish Law.

He was book review editor of the *Journal of Law and Philosophy* from 2005 to 2010. He is the author of numerous articles and book chapters. His most recent writing has been about religious exemptions from secular laws, about Brexit, and about illiberal trends on campus and beyond the campus. He has also written recently about criminal sentencing in the federal courts, about judicial independence and international courts, and about social class affirmative action.



Matthew E. Stephens began his legal career at Gray Cary Ames & Frye (now DLA Piper) as a litigation associate after graduating from Rutgers School of Law. Currently “Of Counsel” to Schor Vogelzang LLP, he also maintains a civil litigation law firm called Progressive Law Group and consults regularly

with trial counsel to assist in litigation strategy, trial design, jury selection and persuasive argument. He has also been a lecturer at the University of California, San Diego, since 1999. In addition to teaching and practicing law, he serves as President of the City of San Diego Civil Service Commission.

Stephens has lectured widely on employment law, diversity, reproductive rights, marriage equality and LGBT civil rights. He provides diversity training to such entities as the San Diego Volunteer Lawyers Program, DLA Piper, Sony Electronics and Morrison & Foerster, among others. He has

guest lectured for many organizations, including Lawyers Club of San Diego and the Foothills Bar Association, and has been asked to provide guest commentary on KPBS (television and radio).

He has been named Top Attorney by San Diego Magazine each year since 2013, Top Attorney by the San Diego Daily Transcript in 2008 (in Academics), KPBS/Union Bank Community Hero in 2016, and Champion of San Diego Pride in 2000. He has received the UCSD Chancellor’s Commendation for Dedication to Social Justice Issues, the Defender of Choice Award from the Coalition for Reproductive Choice in 2014, and the California State Assembly LGBT Caucus Leadership Award in 2015.

Important impact litigation matters have included the groundbreaking Title IX case against the San Diego Community College District resulting in constructive change for women athletes in the District and the case against the City of San Diego concerning the public parkland leases with Boy Scouts of America, resulting in positive policy change within Boy Scouts of America.

CONFERENCE READINGS

Also available on the conference website.

Brownstein, Alan, *Gays, Jews, and Other Strangers in a Strange Land: The Case for Reciprocal Accommodation of Religious Liberty and the Right of Same-Sex Couples to Marry*, 45 University of San Francisco L. Rev. 389 (2010), available at: <https://ssrn.com/abstract=1725610>.

Brownstein, Alan, *Choosing Among Non-negotiated Surrender, Negotiated Protection of Liberty and Equality, or Learning and Earning Empathy*, in "Religious Freedom, LGBT Rights and Prospects for Common Ground" (William Eskridge and Robin Fretwell Wilson, eds.) (Cambridge University Press 2018) (forthcoming).

Brownstein, Alan, *Perception and Reality: The Impact of Obergefell v. Hodges on Religious Liberty*, Liberty Magazine, 4 - 7 (November/December 2015), available at: <http://libertymagazine.org/article/perception-and-reality>.

Brownstein, Alan, *How First Amendment Speech Doctrine Ought to Be Created and Applied in the Colorado Baker/Gay Wedding Dispute at the Supreme Court*, Verdict, Justia.com, Sept. 22, 2017 (with Vikram Amar), available at: <https://verdict.justia.com/2017/09/22/first-amendment-speech-doctrine-created-applied-colorado-bakergay-wedding-dispute-supreme-court>.

Brownstein, Alan, *Attitudinal and Doctrinal Takeaways from the Masterpiece Cakeshop Case*, Verdict, Justia.com, June 15, 2018 (with Vikram Amar), available at: <https://verdict.justia.com/2018/06/15/attitudinal-and-doctrinal-takeaways-from-the-masterpiece-cakeshop-case>.

Ehrensaft, Diane, "Gender Born, Gender Made: Raising Healthy Gender-Nonconforming Children" (The Experience 2011).

Feldblum, Chai, *What I Really Believe About Religious Liberty and LGBT Rights*, Medium.com, Aug. 1, 2018, available at: <https://medium.com/@chaifeldblum/what-i-really-believe-about-religious-liberty-and-lgbt-rights-2cc64ade95a2>.

Feldblum, Chai, *Moral Conflict and Liberty: Gay Rights and Religion*, 72 Brook. L. Rev. 61-123 (2006), available at: <https://works.bepress.com/chaifeldblum/13/>.

Feldblum, Chai, *Gay Is Good: The Moral Case for Marriage Equality and More*, 17 Yale J.L. & Feminism 139-184 (2005), available at: <https://works.bepress.com/chaifeldblum/14/>.

Feldblum, Chai, *Rectifying the Tilt: Equality Lessons From Religion, Disability, Sexual Orientation, and Transgender*, 54 Me. L. Rev. 159-193 (2002), available at: <https://works.bepress.com/chaifeldblum/12/>.

Feldblum, Chai, *Gay People, Trans People, Women: Is It All About Gender?*, 17 N.Y.L. Sch. J. Hum. Rts. 623-702 (2000), available at: <https://works.bepress.com/chaifeldblum/7/>.

Greenberg, Julie, "Intersexuality and the Law: Why Sex Matters" (NYU Press 2012), available at: <https://ssrn.com/abstract=1996227>.

Greenberg, Julie, *The Legal Status of Intersex Persons in the United States*, in "The Legal Status of Intersex Persons" (Jens Scherpe, Anatol Dutta, Tobia Helms, eds., Intersentia 2018), available at: <https://ssrn.com/abstract=3148013> or <http://dx.doi.org/10.2139/ssrn.3148013>.

Greenberg, Julie, *Legal, Ethical, and Human Rights Considerations for Physicians Treating Children with Atypical or Ambiguous Genitalia*, 41 Seminars in Perinatology 252 (Ian Gross, Christopher Houk, and Peter Lee, eds., Elsevier, 2017), available at: <https://ssrn.com/abstract=3024116>.

Greenberg, Julie, *Unequal Protection for Sex and Gender Nonconformists*, in "Controversies in Equal Protection Cases in America" (Anne Richardson Oakes, ed.) (Ashgate 2015), available at: <https://ssrn.com/abstract=2631363>.

Greenberg, Julie, Herald, Marybeth, and Strasser, Mark, *Beyond the Binary: What Can Feminists Learn From Intersex and Transgender Jurisprudence?*, 17 Mich. J. of Gender and the Law 13 (2010), available at: <https://ssrn.com/abstract=1651285>.

Greenberg, Julie, *The Roads Less Traveled: The Problem with Binary Sex Categories*, in “Transgender Rights” 51 (Paisley Currah, Richard Juang, Shannon Minter, eds) (Univ. of Minn. Press 2006).

Greenberg, Julie and Herald, Marybeth, *You Can't Take It With You: Constitutional Consequences of Interstate Gender Identity Rulings*, 80 Wash. L. Rev. (2005), available at: <https://ssrn.com/abstract=823764>.

Greenberg, Julie, *Defining Male and Female: Intersexuality and the Collision Between Law and Biology*, 41 Ariz. L. Rev. 265 (1999), available at: <https://ssrn.com/abstract=896307>.

Laycock, Douglas, *The Religious Exemption Debate*, 11 Rutgers J. of Law and Religion 139 (2009), available at: <https://lawandreligion.com/sites/law-religion/files/Religious-Exemption-Laycock.pdf>.

Lund, Christopher, *Religion is Special Enough*, 103 Vir. L. Rev. 481 (2017), available at: <https://ssrn.com/abstract=2972864>.

Masterpiece Cakeshop v. Colorado Civil Rights Commission, 138 S.Ct. 1719 (2018), available at: <https://supreme.justia.com/cases/federal/us/584/16-111/>.

Masterpiece Cakeshop v. Colorado Civil Rights Commission, Brief of Amici Curiae Meyer and other Social Scientists and Legal Scholars, available at: 2017 WL 5036301 (2017).

Mock, Janet “Redefining Realness: My Path to Womanhood, Identity, Love & So Much More,” (Atria 2014).

Olson, Kristina, Key, Aidan, and Eaton, Nicholas, *Gender Cognition in Transgender Children*, 26(4) Psychological Science 467 (2015), available at: <https://journals.sagepub.com/stoken/default+domain/iAZurUjEn4Z7SExt6uPm/full>.

Schwarzschild, Maimon, *Do Religious Exemptions Save?*, 53 San Diego L. Rev. 185 (2016), available at: <https://ssrn.com/abstract=2930391> or <http://dx.doi.org/10.2139/ssrn.2930391>.

Schwarzschild, Maimon, *How Much Autonomy Do You Want?*, 51 San Diego L. Rev. 1105 (2014), available at: https://digital.sandiego.edu/law_fac_works/19/.

Schwarzschild, Maimon, *Liberalism, Liberal and Illiberal*, 54 San Diego L. Rev. 299 (2017), available at: <https://ssrn.com/abstract=3119758>.

Volokh, Eugene, “A Brief Political History of Religious Exemptions,” Washington Post, January 21, 2015, available at: https://www.washingtonpost.com/news/volokh-conspiracy/wp/2015/01/21/a-brief-political-history-of-religious-exemptions/?noredirect=on&utm_term=.1d9ccac5ac17.

The Williams Institute, Commentary on the Notice of Proposed Rulemaking of the OCR title “Protecting Statutory Conscience Rights in Health Care; Delegations of Authority” (Proposed Rule), available at: <https://www.tjst.edu/sites/default/files/Williams%20Institute%20OCR%20Provider%20Conscience%20Laws%20Comment%202018-03-27%20FINAL.pdf>.

SUGGESTED VIDEOS

Movie: *MAJOR!*, available at: <https://www.missmajorfilm.com/>.

Television Series: *I Am Jazz*



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