

Judith Resnik

Address

Yale Law School
127 Wall Street, P.O. Box 208215
New Haven, CT 06520-8215

Tel: (203) 432-1447
Email: judith.resnik@yale.edu

Employment

Arthur Liman Professor of Law, Yale Law School, 1997-present
Founding Director, Arthur Liman Center for Public Interest Law
Honorary Visiting Professor, University College London Faculty of Law, 2009-2022
Visiting Professor, Dauphine Université Paris, March 2016
Visiting Professor, Université Panthéon-Assas Paris II, May 2015, May 2020
Convening Professor, Constituting Federalism, a seminar for the Institute for
Constitutional History in conjunction with the New York Historical Society,
February 2014

Scholar in Residence, Columbia Law School, Spring 2011; 2012
Distinguished Visiting Professor, University of Toronto School of Law, 2005
Parsons Visitor, Sydney University School of Law, 2004

Visiting Professor, New York University School of Law, 1996-1997
Visiting Professor, Harvard Law School, Fall 1989
Visiting Professor, Yale Law School, Spring 1989
Visiting Professor, University of Chicago Law School, Fall 1988

Orrin B. Evans Professor of Law, University of Southern California, 1989-1997;
Professor of Law: 1985-1989; Associate Professor: 1982-1985;
Assistant Professor: 1980-1982
Member, Faculty, The Salzburg Seminar on U.S. Legal Institutions, July 1988

Acting Director, Daniel and Florence Guggenheim Program in Criminal Justice, Yale
Law School, 1979-1980
Lecturer in Law and Supervising Attorney, Yale Law School, 1977-1979
Instructor, New York University School of Law, 1976-1977
Law Clerk, Honorable Charles E. Stewart, United States District Court, Southern District
of New York, 1975-1976

Selected Professional Activities

Chair of Fellows Selection Committee and Founding Director, Arthur Liman Center
for Public Interest Law, Yale Law School, 1997-present
Chair, Yale Law School Global Constitutionalism Seminar, A Part of the Gruber Program
for Global Justice and Women's Rights, 2012-2022
Fellow, American Academy of Arts and Sciences
Member, American Philosophical Society

Member, Board of Managerial Trustees, International Association of Women Judges, 2001-present
 Adviser, American Law Institute's Principles of the Law, High-Volume Civil Adjudication Project, 2023 - present
 Advisory Committee Member, European Law Institute, ELI Third-Party Funding of Litigation, 2023-present
 Academic Fellow, National Civil Justice Institute, 2016-present
 Member, Advisory Board, Freedom Reads, 2020-present.
 Chair, Order of the Coif Book Award Committee, 2018-2020, Member, 2021-2022
 Advisor, American Law Institute, Project on Sexual and Gender-Based Misconduct on Campus, 2015-present
 Member, Task Force on Federal Judicial Selection, Project on Government Oversight of The Constitution Project, 2019-2021
 Member, Academic & Scientific Council, EDGE—The Global Business Certification for Gender Equality Project, Switzerland, 2009-present
 Member, Advisory Board for the Max Planck Institute Luxembourg's Global Project on "Comparative Procedural Law and Justice," 2020-2023
 Member, International Legal Advisory Board, Raoul Wallenberg Centre for Human Rights, Toronto, Ontario, 2018-present
 American Association of Law Schools
 Chair, Section on its Sections, 2019-2020
 Chair, Section on Law and Humanities, 2020, and Member, Executive Committee 2015-2021
 Member, Executive Committee, Section on Federal Courts, 1999-2004, 2014-present; chair, 2002
 Chair, Section on Civil Procedure, 1991, 2003, 2018
 Liaison, American Association of Law Schools to the American Bar Association Commission on Women, 2000-2005
 Chair, Section on Women in Legal Education, 1989

Yale University

Steering Committee, Women Faculty Forum, Yale University, 2001-present
 Co-chair, 2001-2003, 2006-2008
 Fellow, Davenport College, 2002-present
 Fellow, Whitney Humanities Center, 2020-2022
 Member, Standing Advisory and Appointments Committee for the Arts Schools, 2019-2021
 Member, Editorial Board, Yale Journal of Law and Feminism
 Member, Editorial Advisory Board, Yale Journal of Law and the Humanities
 Member, Advisory Board, Journal of Law and Ethics of Human Rights
 Member, Advisory Board, Litigation and Procedure, and Negotiation and Dispute Resolution eJournals (Social Science Research Network, online)
 Member, Advisory Board, Women's Studies Quarterly

Other Activities

- Co-Chair, Judicial-Academic Network, National Association of Women Judges, 2009-2019, 1998-2001
- Co-chair of the Board, Fansler Foundation, 2003-2014
- Advisor, European Law Institute and International Institute for the Unification of Private Law Project, From Transnational Principles to Rules of European Civil Procedure, 2015-2016
- Member, Executive Session, State Courts in the Twenty-First Century, The Kennedy School, Harvard University, 2008-2011
- Member, Advisory Group, Principles of the Law of Aggregate Litigation, American Law Institute, 2004-2009
- Member, Standing Committee on Federal Judicial Improvements, American Bar Association, 2006-2010 (prior three-year term in the late 1990s);
Chair, Academic Advisory Committee to the Standing Committee on Federal Judicial Improvements, American Bar Association, 2010-2014
- Member, National Board of Academic Advisors for the William H. Rehnquist Center on the Constitutional Structures of Government, 2007-2009
- Member, Advisory Board of the Science for Judges Project, Brooklyn Law School, 2003-2007
- Board Member, Lawyers' Committee for Civil Rights, 2004-2007
- Member, Advisory Board of the Center for Judicial Process, Albany Law School, 2000-2004
- Member, Editorial Board, Law and Social Inquiry, 1998-2004
- Member, Committee on Diversity in Legal Education of the Section of Legal Education and Admissions to the Bar of the American Bar Association, 1996-2002
- Consultant, RAND, Institute for Civil Justice, 1980-2002
- Member, Editorial Board, The Justice System Journal
- Member, Board of Governors, Society of American Law Teachers, 1980-1997
- Co-Chair, University of Southern California Feminist Council, 1990-1996
- Member, Ninth Circuit Gender Bias Task Force, 1990-1994
- Co-Chair, Robert M. Cover Memorial Public Interest Retreat, Society of American Law Teachers, 1988-1992
- Member of and a general reporter for the International Association of Procedural Law, 1991 Conference
- Member, Planning Committee, ABA-AALS Conference on Women in Legal Education, 1990
- Member, Advisory Panel to a Subcommittee of the Federal Courts Study Committee, 1989-1990
- Member, Steering Committee for the Center for Feminist Research, University of Southern California, 1990-1994
- Member, American Bar Association, Litigation Section, Federal Initiatives Task Force, 1991-1993
- Member, Twentieth Century Fund Task Force on Judicial Responsibility, 1988-1989
- Member, Board of ACLU of Southern California, 1985
- Chair, Bryn Mawr College Centennial Campaign for Southern California, 1983-1985

Courses taught at Yale Law School, 1997-2024

Federal and State Courts in the Federal System
 Procedure
 Equality, Sovereignty, and Citizenship (with Prof. Reva Siegel)
 Gender: Globally and Locally (with Prof. Vicki Jackson)
 Liman Workshops (topics and co-teachers vary yearly), 2003-present.
 Imprisoned: Conception, Construction, Abolition, Alternatives
 Poverty and the Courts: Fines, Fees, Bail, and Collective Redress
 Who Pays? Fines, Fees, Bail, and the Cost of Courts
 Rationing Law: Subsidizing Access to Justice in Democracies
 Moving Criminal Justice: Practices of Reform
 Borders
 Racial Justice and Immigrants' Rights: Debates and Dialogue
 Abolition, Slavery, Supermax, and Social Movements
 Rationing Law: Constitutional Entitlements to Courts in an Era of Fiscal Austerity
 Community, Confinement, Labor, and Rights
 Accessing Justice and Rights—From Streets to Prisons
 Equality, Punishment, and Incarceration
 Detention
 The Horizons of Clinical Education: Practicing the Theory of Local Change
 Federalism and Social Movements: Public Interest Lawyering in Cities and States
 Citizenship—What is it? Who wants it? What should it be?
 Research for Reform
 Constitutional Law as Public Interest Law
 Public Interest Law Reading Group

Publications

Books and Monographs

Impermissible Punishments: How Prison Became a Problem for Democracy, The University of Chicago Press (forthcoming 2025)

Representing Justice: Invention, Controversy, and Rights in City States and Democratic Courtrooms, (with Dennis E. Curtis), Yale University Press 2011, reissued as an ebook 2022, <http://hdl.handle.net/20.500.13051/18178>

Weighing Judicial Authority, Yale Global Constitutionalism Seminar, A Part of the Gruber Program for Global Justice and Women's Rights (editor, 2022) ebook available at <https://documents.law.yale.edu/sites/default/files/global-constitutionalism-2022.pdf#overlay-context=news/global-constitutionalism-2022-weighing-judicial-authority>

Time-in-Cell 2021: A Snapshot of Restrictive Housing based on a Nationwide Survey of U.S. Prison Systems (co-authored) Arthur Liman Center for Public Interest Law,

2022), available at https://law.yale.edu/sites/default/files/area/center/liman/document/time_in_cell_2021.pdf

Urgency and Legitimacy (Yale Global Constitutionalism Seminar, A Part of the Gruber Program for Global Justice and Women’s Rights, 2021), available at <https://documents.law.yale.edu/sites/default/files/gcs2021.pdf>

Money and Punishment (co-editors Anna VanCleave, Brian Highsmith, Jeff Selbin, and Lisa Foster, Arthur Liman Center for Public Interest Law, 2020), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3706529

Fees, Fines, and the Funding of Public Services: A Curriculum for Reform (editor Brian Highsmith, Arthur Liman Center for Public Interest Law, 2020), available at https://law.yale.edu/sites/default/files/area/center/liman/document/fees_fines_and_the_funding_of_public_services.pdf

Seeking Safety, Knowledge, and Security in a Troubling Environment (Yale Global Constitutionalism Seminar, A Part of the Gruber Program for Global Justice and Women’s Rights, 2020), available at <https://documents.law.yale.edu/news/global-constitutionalism-2020-seeking-safety-knowledge-and-security-troubling-environment>

Time-in-Cell 2019: A Snapshot of Restrictive Housing based on a Nationwide Survey of U.S. Prison Systems (co-editors Leann Bertsch, Wayne Choinski, Kevin Kempf, John Baldwin, Harold Clark, Bob Lampert, Rick Raemisch, Stephen Sinclair, Dean Williams, Anna VanCleave, Alexandra Harrington, Zal Shroff, Jonathan Petkun, Brian Highsmith, Atticus Ballesteros, Jaster Francis, Eli Feasley, Molly Petchenik, Jaelyn Willner, and Arianna Zoghi, Arthur Liman Center for Public Interest Law, 2020), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3694548

Fragile Futures and Resiliency: Litigating Climate Change, Judging Under Stress (co-editor Clare Ryan, Yale Global Constitutionalism Seminar, A Part of the Gruber Program for Global Justice and Women’s Rights, 2019), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3485199

Ability to Pay (co-editors Anna VanCleave, Alexandra Harrington, Jeff Selbin, Lisa Foster, Joanna Weiss, Faith Barksdale, Alexandra Eynon, Stephanie Garlock, and Daniel Phillips, Arthur Liman Center for Public Interest Law Colloquium, 2019), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3387647

Working to Limit Restrictive Housing: Efforts in Four Jurisdictions to Make Changes (editor, Arthur Liman Center for Public Interest Law and Association of State Correctional Administrators, 2018), available at https://law.yale.edu/sites/default/files/area/center/liman/document/asca_liman_2018_restrictive_housing_efforts_in_four_jurisdictions_to_make_changes.pdf

- Reforming Restrictive Housing: The 2018 ASCA-Liman Nationwide Survey of Time-in-Cell* (co-author, Arthur Liman Center for Public Interest Law and Association of State Correctional Administrators, 2018), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3264350
- Global Reconfigurations, Constitutional Obligations, and Everyday Life* (co-editor Clare Ryan, Yale Global Constitutionalism Seminar, A Part of the Gruber Program for Global Justice and Women's Rights, 2018), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3276293
- Who Pays? Fines, Fees, Bail, and the Cost of Courts* (co-editors Anna VanCleave, Kristen Bell, Skylar Albertson, Natalia Friedlander, Illyana Green, and Michael Morse, Arthur Liman Center for Public Interest Law Colloquium, 2018), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3165674
- Reconstituting Constitutional Orders* (co-editor Clare Ryan, Yale Global Constitutionalism Seminar, A Part of the Gruber Program for Global Justice and Women's Rights, 2017), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3086793
- Aiming to Reduce Time-In-Cell: Reports from Correctional Systems on the Numbers of Prisoners in Restricted Housing and on the Potential of Policy Changes to Bring About Reforms* (co-author, Yale Law School Arthur Liman Public Interest Program and Association of State Correctional Administrators, 2016), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2874492
- Rethinking 'Death Row': Variations in the Housing of Individuals Sentenced to Death* (co-authors Celina Aldape, Ryan Cooper, Katie Haas, April Hu, Jessica Hunter, and Shellie Shimizu, Arthur Liman Public Interest Program, 2016), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2874492
- Acts of State, Acts of God* (editor, Yale Global Constitutionalism Seminar, A Part of the Gruber Program for Global Justice and Women's Rights, 2016), available at <http://documents.law.yale.edu/sites/default/files/GCS2016.pdf>
- Time-in-Cell: The ASCA-Liman 2014 National Survey of Administrative Segregation in Prison* (co-author, Yale Law School Arthur Liman Public Interest Program and Association for State Correctional Administrators, 2015), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2655627
- The Reach of Rights* (editor, Yale Global Constitutionalism Seminar, A Part of the Gruber Program for Global Justice and Women's Rights, 2015), available at <http://documents.law.yale.edu/sites/default/files/Global-constitutionalism-2015.pdf>

The Invention of Courts, Daedalus: Journal of the American Academy of Arts and Sciences (co-editor Linda Greenhouse, Summer 2014)

Isolation and Reintegration: Punishment Circa 2014 (co-editors Hope Metcalf and Megan Quattlebaum, Arthur Liman Public Interest Program Colloquium, 2014), available at https://law.yale.edu/sites/default/files/area/center/liman/document/Liman_Colloquium_2014_Isolation_and_Reintegration_Punishment_Circa_2014_revised_Jan_8_2015.pdf

Sources of Law and of Rights (editor, Yale Global Constitutionalism Seminar, A Part of the Gruber Program for Global Justice and Women's Rights, 2014), available at <http://documents.law.yale.edu/sites/default/files/Global-constitutionalism-2015.pdf>

Governments' Authority (editor, Yale Global Constitutionalism Seminar, A Part of the Gruber Program for Global Justice and Women's Rights, 2013), available at <http://documents.law.yale.edu/sites/default/files/Global-constitutionalism-2013.pdf>

Administrative Segregation, Degrees of Isolation, and Incarceration: A National Overview of State and Federal Correctional Policies (co-authors Hope Metcalf, Jamelia Morgan, Samuel Oliner-Friedland, Julia Spiegel, Haran Tae, Alyssa Work, and Brian Holbrook, Arthur Liman Public Interest Program, 2013), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2286861

Law's Borders (editor, Yale Global Constitutionalism Seminar, A Part of the Gruber Program for Global Justice and Women's Rights, 2012), available at <http://documents.law.yale.edu/sites/default/files/Global-constitutionalism-2012.pdf>

Representing Justice: Invention, Controversy, and Rights in City-States and Democratic Courtrooms (with Dennis E. Curtis, Yale University Press, 2011)

Federal Courts Stories (co-editor Vicki Jackson, Foundation Press, 2010)

Migrations and Mobilities: Citizenship, Borders, and Gender (co-editor Seyla Benhabib, New York University Press, 2009)

The Processes of the Law: Understanding Courts and Their Alternatives (Foundation Press, 2004)

Adjudication and Its Alternatives: An Introduction to Procedure (with Owen Fiss, Foundation Press, 2003)

The Effects of Gender: The Final Report of the Ninth Circuit Gender Bias Task Force (July 1993) (with The Hon. John C. Coughenour, The Hon. Proctor Hug, Jr., The Hon. Marilyn Patel, Terry W. Bird, Deborah R. Hensler, M. Margaret McKeown, and Henry Shields, Jr.), also reprinted in 67 *Southern California Law Review* 745 (1994)

Procedure (with Robert Cover and Owen Fiss, Foundation Press, 1988)

The Federal Procedural System: A Rule and Statutory Source Book (with Robert Cover and Owen Fiss, Foundation Press, 1988, 1989, 1991)

Chapters in Books

Courts: A Template and A Site of Transitional Justice Collapsing as a Model, in *The Oxford Handbook of Transitional Justice* (Jens Meierhenrich, Alexander Hinton, and Lawrence Douglas, eds., Oxford University Press, online; print, forthcoming 2024)

Procedure, Contract, Public Authority, Autonomy, Aggregate Litigation, and Power (with Helen Hershkoff) in *Contractualisation of Civil Litigation in the United States* (Anna Nylund & Antonio Cabral eds., Intersentia, 2023)

Tolerating the Harms of Detention: With and Without COVID-19 (with Jaimie Meyer and Marisol Orihuela), in *COVID-19 and the Law: Disruption, Impact, and Legacy* (I. Glenn Cohen, Abbe R. Gluck, Katherine L. Kraschel, and Carmel Shachar, eds., Cambridge University Press, 2023)

On Personhood for Everyone: Brenda Hale's Jurisprudence and Her Institution-Building, in *Justice for Everyone: The Jurisprudence and Legal Lives of Brenda Hale* (Rosemary Hunter and Erika Rackley, eds., Cambridge University Press, 2022)

Why Procedure is Critical, Constructive and Vulnerable: A Reconstruction Foreword in *A Guide to Civil Procedure: Integrating Critical Legal Perspectives* (Brooke Coleman, Suzette Malveaux, Portia Pedro, and Elizabeth Porter, eds., 2022)

Class in Courts: Incomplete Equality's Challenges for the Legitimacy of Procedural Systems in *A Guide to Civil Procedure: Integrating Critical Legal Perspectives* (Brooke Coleman, Suzette Malveaux, Portia Pedro, and Elizabeth Porter, eds., 2022)

Constituting a Civil Legal System Called "Just": Law, Money, Power, and Publicity, in *New Pathways to Civil Justice in Europe* (Xandra Kramer, Alexandre Biard, Jos Hoevenaars, and Erlis Themeli, eds., Springer, 2021)

- Iconic, Complex and Contested Institutions, Foreword*, in *Courthouse Architecture, Design and Social Justice* (Kirsty Duncanson and Emma Henderson, eds., Routledge, 2021)
- Not Isolating Isolation*, in *Solitary Confinement: History, Effects, and Pathways to Reform*, at 89-114 (Jules Lobel and Peter Scharff-Smith, eds., Oxford University Press, 2020)
- Courts and Economic and Social Rights/Courts as Economic and Social Rights*, in *The Future of Economic and Social Rights*, at 259-286 (Katharine G. Young, ed., Cambridge University Press, 2019)
- The Functions of Publicity and of Privatization in Courts and their Replacements (from Jeremy Bentham to #MeToo and Google Spain)*, in *Open Justice: The Role of Courts in a Democratic Society*, at 177-252 (Burkhard Hess and Ana Koprivica, eds., Max Planck Institute, Luxembourg, Nomos, 2019)
- Judicial Methods of Mediating Conflicts: Recognizing and Accommodating Differences in Pluralist Legal Regimes*, in *Judicial Power: How Constitutional Courts Affect Political Transformations*, at 250-280 (Christine Landfried, ed., Cambridge University Press, 2019)
- On Darkness and Light in Legal Imagination and in Practice*, in *The Dark Sides of the Law: Perspectives on Law, Literature, and Justice in Common Law Countries*, at 13-29 (Geraldine Gadbin-George, Yvonne-Marie Rogez, Armelle Sabatier, and Claire Wrobel, eds., Editions Michel Houdiard, 2019)
- Bordering by Law: The Migration of Law, Crimes, Sovereignty, and the Mail*, in *Nomos LVII: Immigration, Emigration, and Migration*, at 79-201 (Jack Knight, ed., New York University Press, 2017)
- Why Eyes? Cautionary Tales from Law's Blindfolded Justice* (with Dennis E. Curtis), in *Blinding as a Solution to Bias in Biomedical Science and the Courts: A Multidisciplinary Approach*, at 227-247 (Aaron Kesselheim and Christopher Robertson, eds., Elsevier Press, 2016)
- Constructing the "Foreign": American Law's Relationship to Non-Domestic Sources*, in *Courts and Comparative Law*, at 437-471 (Mads Andrenas and Duncan Fairgrieve, eds., Oxford University Press, 2015)
- Epistemological Doubt and Visual Puzzles of Sight, Knowledge, and Judgment: Reflections on Clear-Sighted and Blindfolded Justices* (with Dennis E. Curtis), in *Genealogies of Legal Vision*, at 201-242 (Peter Goodrich and Valérie Hayaert, eds., London: Routledge, 2015)

- Federalism(s)'s Forms and Norms: Contesting Rights, De-Essentializing Jurisdictional Divides, and Temporizing Accommodations*, in *Nomos LV: Federalism and Subsidiarity*, at 363-435 (James E. Fleming and Jacob T. Levy, eds., New York University Press, 2014)
- Constructing Courts: Architecture, the Ideology of Judging, and the Public Sphere* (with Dennis E. Curtis and Allison Tait), in *Law, Culture & Visual Studies*, at 547-572 (Richard K. Sherwin and Anne Wagner, eds., Springer Publishing Company, 2013)
- "Hear the Other Side:" Miranda, Guantánamo, and Public Rights to Fairness and Dignity*, in *Law and the Quest for Justice*, at 85-109 (Marjorie S. Zatz, Doris Marie Provine, and James P. Walsh, eds., Quid Pro Books, 2013)
- Old and New Depictions of Justice: Reflections, Circa 2011, on Hill-Thomas*, in *I Still Believe Anita Hill*, at 51-70 (Amy Richards and Cynthia Greenberg, eds., The Feminist Press, 2012)
- Changing the Climate: The Role of Translocal Organizations of Government Actors (TOGAs) in American Federalism(s)*, in *Navigating Climate Change Policy: The Opportunities of Federalism*, at 120-143 (Edella C. Schlager, Kirsten H. Engel, and Sally Rider, eds., The University of Arizona Press Tucson, 2011)
- Sisterhood, Slavery and Sovereignty: Transnational Women's Rights Movements from 1840 through the Beginning of the Twenty-first Century*, in *Women's America: Seventh Edition*, at 781-790 (Linda Kerber, Cornelia Hughes Dayton, and Jane De Hart, eds., Oxford University Press, 2010)
- New Federalism(s): Translocal Organizations of Government Actors (TOGAs) Reshaping Boundaries, Policies, and Laws*, in *Why the Local Matters: Federalism, Localism, and Public Interest Advocacy*, at 83-99 (published by the Liman Public Interest Program at Yale Law School and the National State Attorneys General Program at Columbia Law School, 2010)
- Managerial Judges, Jeremy Bentham and the Privatization of Adjudication*, in *Common Law, Civil Law and the Future of Categories*, at 205-224 (Janet Walker and Oscar G. Chase, eds., LexisNexis Canada, 2010), also published in 49 *S.C.L.R.* (2d) 205 (2010)
- What's Federalism For?*, in *The Constitution 2020*, at 269-284 (Jack Balkin and Reva Siegel, eds., Oxford University Press, 2009)
- Judicial Independence*, in *Global Perspectives on Constitutional Law*, at 15-33 (Vikram David Amar and Mark V. Tushnet, eds., Oxford University Press, 2008)

From "Rites" To "Rights" of Audience: The Utilities and Contingencies of the Public's Role in Court-Based Processes (with Dennis E. Curtis), in *Representation of Justice*, at 195-236 (Antoine Masson and Kevin O'Connor, eds., P.I.E. - Peter Lang, 2007)

Sisterhood, Slavery, and Sovereignty: Transnational Antislavery Work and Women's Rights Movements in the United States During the Twentieth Century, in *Women's Rights and Transatlantic Antislavery in the Era of Emancipation*, at 19-54 (Kathryn K. Sklar and James Brewer Stewart, eds., Yale University Press, 2007)

Gendered Borders and United States' Sovereignty, in *Women and Immigration Law: New Variations on Classical Feminist Themes*, at 44-63 (S.K. Van Walsum and T. Spijkerboer, eds., Routledge-Cavendish Press, 2006)

Contracting Civil Procedure, in *Law and Class in America: Trends Since the Cold War*, at 60-86 (Paul Carrington and Trina Jones, eds., New York University Press, 2006)

Democratic Responses to the Breadth of Power of the Chief Justice, in *Reforming the Court: Term Limits for Supreme Court Justices*, at 181-200 (Paul D. Carrington and Roger C. Cramton, eds., Carolina Academic Press, 2006)

Composing a Judiciary: Reflections on Proposed Reforms in The United Kingdom on How to Change the Voices of and the Constituencies for Judging, in *Constitutional Innovation: The Creating of A Supreme Court for the United Kingdom; Domestic, Comparative and International Reflections, A Special Issue of Legal Studies*, at 228-252 (Derek Morgan, ed., LexisNexis, United Kingdom, 2004)

The Story of Goldberg: Why This Case Is Our Shorthand, in *Civil Procedures Stories: An In-Depth Look at the Leading Civil Procedure Cases*, at 473-508 (Kevin M. Clermont, ed., Foundation Press, 2004; 2nd ed., 2007)

Federalism(s), Feminism, Families, and the Constitution, in *Women and the United States Constitution: History, Interpretation, and Practice*, at 127-152 (Sybil A. Schwarzenbach and Patricia Smith, eds., Columbia University Press, 2004)

The Rights of Remedies: Collective Accountings for and Insuring Against the Harms of Sexual Harassment in *Directions in Sexual Harassment Law*, at 247-271 (Reva Siegel and Catherine MacKinnon, eds., University Press, 2004)

Civil Processes, in *Oxford Handbook of Legal Studies*, at 478-772 (Peter Cane and Mark Tushnet, eds., Oxford Press, 2003)

Women, Meeting (Again), In and Beyond the United States, Afterword to The Difference Difference Makes: Women and Leadership, at 203-216 (Deborah L. Rhode, ed., Stanford University Press, 2003)

Procedure: Legal Aspects (Vol.18), in *International Encyclopedia of the Social & Behavioral Sciences*, at 12136-12141 (Neil J. Smelser and Paul B. Baltes, eds., Elsevier Press, 2001)

Contested Identities: Task Force on Gender, Race, and Ethnic Bias and the Obligations of the Legal Profession (with Deborah Hensler), in *Ethics in Practice, Lawyers' Roles, Responsibilities, and Regulation*, at 240-263 (Deborah L. Rhode, ed., Oxford University Press, 2000)

Federal Judicial Role (Vol. III); Single-Sex Education (Vol. V); Procedural Due Process Civil (Update I, Vol. IV), in *The Encyclopedia of the American Constitution*, 2nd edition, (Leonard Levy, Kenneth L. Karst, Adam Winkler, Dennis J. Mahoney, and John G. West, Jr., eds., Macmillan, 2000)

Singular and Aggregate Voices: Audiences and Authority in Law & Literature and in Law & Feminism, in *Law and Literature: Current Legal Issues*, Vol. II, at 687-727 (Michael Freeman and Andrew D. E. Lewis, eds., Oxford University Press, 1999)

Foreword (with Carolyn Heilbrun) to *Beyond Portia: Women, Law & Literature in the United States*, at 11-52 (Jacqueline St. Joan and Annette Bennington McElhiney, eds., Northeastern University Press, 1997)

Procedure, in *Looking at Law School*, at 177-195 (Stephen Gillers, ed., Penguin Books, NY, 4th ed., 1997; 3rd ed., 1990)

From the Senate Judiciary Committee to the County Courthouse: The Relevance of Gender, Race, and Ethnicity to Adjudication, in *Race, Gender, and Power in America, The Legacy of the Hill-Thomas Hearings*, at 177-227 (Anita Hill and Emma Jordan, eds., Oxford Press, 1995)

Gender in the Courts: The Task Force Reports, in *The Woman Advocate, Excelling in the 90's*, at 3-38 (Jean Maclean Snyder and Andra Barmash Greene, eds., Prentice Hall Law & Business, 1995)

Finding the Factfinders, in *Verdict: Assessing the Civil Justice System*, at 500-530 (Robert E. Litan, ed., Brookings, May 1993)

Independent and Inter-dependent: The Ninth Circuit and the Federal Judiciary, in *Restructuring Justice*, at 321-330 (Arthur Hellman, ed., Cornell Press, 1990)

The Perception of Justice: Tort Litigants' Views of Trial, Court-Annexed Arbitration, and

Judicial Settlement Conferences (with E. Allan Lind, Robert MacCoun, Patricia Ebener, William L.F. Felstiner, Deborah R. Hensler, and Tom R. Tyler), The RAND Corporation, Institute for Civil Justice (1989)

Should Prisoners Be Classified by Sex?, in *Criminal Corrections: Ideals and Realities*, at 109-123 (J. Doig, ed., Mass: Lexington Books, Fall 1982)

Discrimination in Education, Chapter XXVIII in Dorsen, Bender, Neuborne, and Law, in *Political and Civil Rights in the United States*, at 107-173 (Little Brown, 1979, Supplement, 1981)

Prisoners of Their Sex: Health Problems of Incarcerated Women (with Nancy Shaw), in *Prisoners' Rights Sourcebook: Theory, Practice, and Litigation*, Vol. II, at 319-413 (Ira Robbins, ed., N.Y.: Clark Boardman, 1980, reprinted in 3 *Prison Law Monitor* 57-58, March 1981)

Federal Prisoners' Access to Federal Courts: Jurisdiction and Related Procedural Matters, in *Prisoners Rights*, at 85-158 (N.Y.: PLI, 1979)

Undelivered Care: The Incapacitated and the Mentally Ill New York City Defendant, A Report to the Mayor's Criminal Justice Coordinating Council (August 1973) (co-authored)

Articles and Essays

Seeing "The Courts": Managerial Judges, Empty Courtrooms, Chaotic Courthouses, and Judicial Legitimacy from the 1980s to the 2020s, 43 *Rev. Litig.* 193 (2024).

Constraining and Licensing Arbitrariness: The Stakes in Debates about Substantive-Procedural Due Process (with Helen Hershkoff) in 76 *Southern Methodist University Law Review* 613 (2023)

Partial "Global Peace": Federalism and the Long Tail of Remedies in Opioid Litigation, *The Clifford Symposium*: 70 *DePaul Law Review* 407 (2022)

Representing What? Gender, Race, Class, and the Struggle for the Identity and the Legitimacy of Courts, 15 *Law and Ethics of Human Rights* 1 (2021)

Mature Aggregation and Angst: Reframing Complex Litigation by Echoing Frances McGovern's Early Insights into Remedial Innovation, 84 *Law and Contemporary Problems* 231 (2021)

Punishment in Prison: Constituting the "Normal" and the "Atypical" in Solitary and Other Forms of Confinement (with Hirsia Amin, Sophie Angelis, Megan Hauptman, Laura Kokotailo, Aseem Mehta, Madeline Silva, Tor Tarantola, and Meredith Wheeler), 115 *Northwestern Law Review* 45 (2020)

- Collective Preclusion and Inaccessible Arbitration: Data, Non-Disclosure, and Public Knowledge* (with Stephanie Garlock and Annie J. Wang), 24 *Lewis & Clark Law Review* 611 (2020)
- Puzzles of Prisoners and Rights: An Essay in Honor of Frank Johnson*, 71 *Alabama Law* 6; reprinted in *Civil Rights Litigation and Attorney Fees Handbook* volume 37 (Steven Saltzman, ed., 2022)
- Constituting Security and Fairness: Reflecting on Charles Reich's Imagination and Impact*, 129 *Yale Law Journal Forum* 707 (2020)
- Inability to Pay: Court Debt Circa 2020* (with David Marcus), 98 *North Carolina Law Review* 361 (2020)
- (Un)Constitutional Punishments: Eighth Amendment Silos, Penological Purposes, and People's "Ruin,"* 129 *Yale Law Journal Forum* 365 (2020); Published in Spanish in *Revista del Centro de Estudios Constitucionales*, v. 11, 2020. ISSN 24486965
- Book Review: The Challenges of Engaging "The Art of Law: artistic representations and iconography of law and justice in context, from the middle ages to the first world war,"* in 7 *Comparative Legal History* 239 (2019)
- Sentencing Inside Prisons: Efforts to Reduce Isolating Conditions* (with Kristen Bell), 87 *University of Missouri Kansas City Law Review* 133 (2018)
- A2J/A2K: Access to Justice, Access to Knowledge, Economic Inequalities, and Open Courts and Arbitrations*, 96 *North Carolina Law Review* 605 (2018)
- Reorienting the Process Due: Using Jurisdiction to Forge Post-Settlement Relationships Among Litigants, Courts, and the Public in Class and Other Aggregate Litigation*, 92 *New York University Law Review* 1017 (2017)
- "Vital" State Interests: From Representative Actions for Fair Labor Standards to Pooled Trusts, Class Actions, and MDLs in the Federal Courts*, 165 *University of Pennsylvania Law Review* 1765 (2017)
- Lawyers' Ethics Beyond the Vanishing Trial: Unrepresented Claimants, De Facto Aggregations, Arbitration Mandates, and Privatized Processes*, 85 *Fordham Law Review* 1899 (2017)
- Accommodations, Discounts, and Displacement: The Variability of Rights as a Norm of Federalism(s)*, 17 *Jus Politicum* 209 (2017)

- “Within Its Jurisdiction”*: *Moving Boundaries, People, and the Law of Migration*, 160 *Proceedings of the American Philosophical Society* 117 (2016)
- Revising Our “Common Intellectual Heritage”*: *Federal and State Courts in Our Federal System*, 91 *Notre Dame Law Review* 1831 (2016)
- Time-In-Cell: Isolation and Incarceration* (with Sarah Baumgartel and Johanna Kalb), 125 *Yale Law Journal Forum* (2016);
<http://www.yalelawjournal.org/forum/time-in-cell-isolation-and-incarceration>
- The Contingency of Openness in Courts: Changing the Experiences and Logics of Publics’ Role in Court-Based ADR*, 15 *Nevada Law Journal* 1631 (2015)
- Diffusing Disputes: The Public in the Private of Arbitration, the Private in Courts, and the Erasure of Rights*, 124 *Yale Law Journal* 2804 (2015); published in Portuguese in *Grandes Temas do Novo CPC: Justiça Multiportas: Mediação, Conciliação, Arbitragem e Outros Meios de Solução Adequada Para Conflitos* (Didier Jr., Fredie; Zaneti Jr., Hermes; Cabral, Tricia Xavier Navarro eds., Salvador: JusPodvim, 2016)
- Reinventing Courts as Democratic Institutions*, *Daedalus: Journal of the American Academy of Arts and Sciences* 9 (Summer 2014)
- The Privatization of Process: Requiem for and Celebration of the Federal Rules of Civil Procedure at 75*, 162 *University of Pennsylvania Law Review* 1793 (2014)
- Inventing Democratic Courts: A New and Iconic Supreme Court* (with Dennis E. Curtis), 38 *Journal of Supreme Court History* 207 (2013)
- Gideon at Guantánamo: Democratic and Despotic Detention* (with Hope Metcalf), 122 *Yale Law Journal* 2504 (2013)
- Administrative Segregation, Degrees of Isolation, and Incarceration: A National Overview of State and Federal Correctional Policies* (with Hope Metcalf, Jamelia Morgan, Samuel Oliner-Friedland, Julia Spiegel, Haran Tae, Alyssa Work, and Brian Holbrook) (2013)
- The Democracy in Courts: Jeremy Bentham, ‘Publicity’, and the Privatization of Process in the Twenty-First Century*, *NoFo* 10 (2013)
- Globalization(s), privatization(s), constitutionalization and statization: Icons and experiences of sovereignty in the 21st century*, 11 *International Journal of Constitutional Law (I·CON)* 162 (2013)
- Equality’s Frontiers: Courts Opening and Closing*, 122 *Yale Law Journal Online* 243 (2013)

- Opening the Door: Ruth Bader Ginsburg, Law's Boundaries, and the Gender of Opportunities*, 25 *Columbia Journal of Gender and Law* 81 (2013)
- Constitutional Entitlements to and in Courts: Remedial Rights in an Age of Egalitarianism: The Childress Lecture*, 56 *St. Louis University Law Journal* 916 (2012)
- Comparative (In) equalities: CEDAW, the jurisdiction of gender, and the heterogeneity of transnational law production*, 10 *International Journal of Constitutional Law (I·CON)* 531 (2012)
- Building the Federal Judiciary (Literally and Legally): The Monuments of Chief Justices Taft, Warren, and Rehnquist*, 87 *Indiana Law Journal* 823 (2012)
- Re-Presenting Justice: Visual Narratives of Judgment and the Invention of Democratic Courts* (with Dennis E. Curtis), 24 *Yale Journal of Law and the Humanities* 19 (2012)
- Fairness in Numbers: A Comment on AT&T v. Concepcion, Wal-Mart v. Dukes, and Turner v. Rogers*, 125 *Harvard Law Review* 78 (2011)
- The Production and Reproduction of Constitutional Norms*, 35 *New York University Review of Law & Social Change* 226 (2011)
- Bring Back Bentham: "Open Courts," "Terror Trials," and Public Sphere(s)*, 5 *Law & Ethics of Human Rights* 226 (2011)
- Compared to What?: ALI Aggregation and the Shifting Contours of Due Process and of Lawyers' Powers*, 79 *George Washington Law Review* 628 (2011)
- Reading Reinhardt: The Work of Constructing Legal Virtue (Exempla Iustitiae)*, 120 *Yale Law Journal* 539 (2010)
- Kyoto at the Local Level: Federalism and Translocal Organizations of Government Actors (TOGAs)* (with Joshua Civin and Joseph Frueh), 40 *Environmental Law Reporter* 10768 (2010)
- Detention, the War on Terror, and the Federal Courts*, 110 *Columbia Law Review* 579 (2010)
- The Internationalism of American Federalism: Missouri and Holland (Earl F. Nelson Memorial Lecture)*, 73 *Missouri Law Review* 1105 (2009)
- Courts: In and Out of Sight, Site, and Cite*, 53 *Villanova Law Review* 771 (2008)

- Interdependent Federal Judiciaries: Puzzling about Why and How to Value the Independence of Which Judges*, *Daedalus* 28 (2008)
- Ratifying Kyoto at the Local Level: Sovereignism, Federalism, and Translocal Organizations of Government Actors (TOGAs)* (with Joshua Civin and Joseph Frueh), 50 *Arizona Law Review* 709 (2008)
- Lessons in Federalism from the 1960s Class Action Rule and the 2005 Class Action Fairness Act: “The Political Safeguards” of Aggregate Translocal Actions*, 156 *University of Pennsylvania Law Review* 1929 (2008)
- Law as Affiliation: “Foreign” Law, Democratic Federalism, and the Sovereignism of the Nation-State*, 6 *International Journal of Constitutional Law (I·CON)* 33 (2008)
- Foreign as Domestic Affairs: Rethinking Horizontal Federalism and Foreign Affairs Preemption in Light of Translocal Internationalism*, 57 *Emory Law Journal* 31 (2007)
- Representing Justice: From Renaissance Iconography to Twenty-First Century Courthouses* (with Dennis E. Curtis), *Henry la Barre Jayne Lecture*, 151 *Proceedings of the American Philosophical Society* 139 (2007)
- Roscoe Pound Round-Table Discussion, in Conference of Chief Justices and Council on State Court Administrators Symposium*, 82 *Indiana Law Journal* 1157 (2007)
- No Daubert Hearing Necessary: The Extraordinary Expertise of Margaret Berger*, 16 *Journal of Law and Policy* 6 (2007)
- Whither and Whether Adjudication?*, 86 *Boston University Law Review* 1101 (2006)
- Uncovering, Disclosing, and Discovering How the Public Dimensions of Court-Based Processes are at Risk*, 81 *Chicago-Kent Law Review* 521 (2006)
- Responding to a Democratic Deficit: Limiting the Powers and the Term of the Chief Justice of the United States* (with Lane Dilg), 154 *University of Pennsylvania Law Review* 1575 (2006)
- Law’s Migration: American Exceptionalism, Silent Dialogues, and Federalism’s Multiple Ports of Entry*, 115 *Yale Law Journal* 1564 (2006)
- Living Their Legal Commitments: Paideic Communities, Courts and Robert Cover*, 17 *Yale Journal of Law & the Humanities* 17 (2005)
- Procedure as Contract*, 80 *Notre Dame Law Review* 593 (2005)

- Judicial Selection and Democratic Theory: Demand, Supply, and Life Tenure*,
26 *Cardozo Law Review* 579 (2005)
- Procedure's Projects*, 23 *Civil Justice Quarterly* 273 (2004)
- Migrating, Morphing, and Vanishing: The Empirical and Normative Puzzles of
Declining Trial Rates in Courts*, 3 *Journal of Empirical Legal Studies* 783 (2004)
- Tribes, Wars, and the Federal Courts: Applying the Myths and the Methods of Marbury
v. Madison to Tribal Courts' Criminal Jurisdiction*, 36 *Arizona State Law
Journal* 77 (2004)
- The Independence of the Federal Judiciary*, in *Proceedings of the American Academy
of Arts and Sciences*, 17 *Bulletin* 22 (2004)
- For Owen M. Fiss: Some Reflections on the Triumph and the Death of Adjudication*,
58 *University of Miami Law Review* 173 (2003)
- A Continuous Body: Ongoing Conversations about Women and Legal Education*,
53 *Journal of Legal Education* 564 (2003)
- Of Courts, Agencies, and the Court of Federal Claims: Fortunately Outliving One's
Anomalous Character*, 71 *George Washington Law Review* 798 (2003)
- Adding Insult to Injury: Questioning the Role of Dignity in Conceptions of Sovereignty
(with Julie Suk)*, 55 *Stanford Law Review* 1921 (2003)
- Constricting Remedies: The Rehnquist Judiciary, Congress, and Federal Power*,
78 *Indiana Law Journal* 223 (2003)
- Reconstructing Equality: Of Justice, Justicia, and the Gender of Jurisdiction*,
14 *Yale Journal of Law and Feminism* 393 (2002)
- Mediating Preferences: Litigant Preferences for Process and Judicial Preferences for
Settlement*, 2002 *University of Missouri-Columbia Journal of Dispute
Resolution* 155 (2002)
- Teaching Billing: Metrics of Value in Law Firms and Law Schools (with Dennis E. Curtis)*,
54 *Stanford Law Review* 1409 (2002)
- "Uncle Sam Modernizes His Justice": Inventing the Federal District Courts of the
Twentieth Century for the District of Columbia and the Nation*, 90 *Georgetown
Law Journal* 607 (2002)

Remarks, Bicentennial Celebration for the Courts of the District of Columbia Circuit,
204 Federal Rules of Decision 499 (2002)

Grieving Criminal Defense Lawyers (with Dennis E. Curtis), 70 Fordham Law Review
1615 (2002)

Engendering Democracy through Understanding Federal Family Law, 11 The Good
Society (A PEGS Journal) 79 (2002)

Tribute to Norman Dorsen, 58 Annual Survey of American Law 29 (2001)

Categorical Federalism: Jurisdiction, Gender, and the Globe, 111 Yale Law
Journal 619 (2001)

Procedure: Legal Aspects, 18 International Encyclopedia of the Social & Behavioral
Sciences (eds. Neil Smelser and Paul Baltes) 12136 (2001)

*The Modernity of Judging: Judicial Independence and the 20th Century United States
Federal Courts*, presented at The 1701 Conference, Vancouver, British Columbia,
Canada, May 9-11, 2001, on the 300th anniversary of the 1701 Act of Settlement

*The Programmatic Judiciary: Lobbying, Judging, and Invalidating the Violence Against
Women Act*, 74 Southern California Law Review 269 (2000)

*Money Matters: Judicial Market Interventions Creating Subsidies and Awarding Fees and
Costs in Individual and Aggregate Litigation*, 148 University of Pennsylvania Law
Review 2119 (2000)

Trial as Error, Jurisdiction as Injury: Transforming the Meaning of Article III,
113 Harvard Law Review 924 (2000)

Judicial Independence and Article III: Too Little and Too Much, 72 Southern California
Law Review 657 (1999)

Legal Services: Then and Now (with Emily Bazelon), 17 Yale Law & Policy Review 292
(1998)

*The Federal Courts and Congress: Additional Sources, Alternative Texts, and Altered
Aspirations*, 86 Georgetown Law Journal 2589 (1998)

"The Federal Courts": Constituting and Changing the Topic, 32 University of Richmond
Law Review 603 (1998)

On the Margin: Humanities and Law, 10 Yale Journal of Law and the
Humanities 413 (1998)

Contingency Fees in Mass Torts: Access, Risk and the Provision of Legal Services When Layers of Lawyers Work for Individuals and Collectives of Clients (with Dennis E. Curtis), 47 DePaul Law Review 425 (1998)

Changing Practices, Changing Rules: Judicial and Congressional Rulemaking in Civil Juries, Civil Justice, and Civil Judging, in a Symposium, Evaluation of the Civil Justice Reform Act, 49 Alabama Law Review 133 (1997); also published in Canadian Institute for the Administration of Justice, *The Administration of Justice in Commercial Disputes* 149 (1997)

Litigating and Settling Class Actions: The Prerequisites of Entry and Exit, 30 U.C. Davis Law Review 835 (1997)

Afterword: Federalism's Options, Symposium Issue: Yale Law & Policy Review/Yale Journal on Regulation 465 (1996)

Changing the Topic, 7 The Australian Feminist Law Journal 95 (1996); also published in 8 Cardozo Studies in Law and Literature 339 (Fall/Winter 1996)

Asking About Gender in Courts, 21 Signs: Journal of Women in Culture and Society 952 (Summer 1996)

Individuals Within the Aggregate: Relationships, Representation, and Fees (with Dennis E. Curtis and Deborah Hensler), 71 New York University Law Review 296 (1996)

History, Jurisdiction, and the Federal Courts: Changing Contexts, Selective Memories, and Limited Imagination, 98 West Virginia Law Review 171 (1995)

Sentencing Women, 8 Federal Sentencing Reporter 134 (1995)

Aggregation, Settlement, and Dismay, 80 Cornell Law Review 918 (1995)

Procedural Innovations, Sloshing Over: A Comment on Deborah Hensler, A Glass Half Full, a Glass Half Empty: The Use of Alternative Dispute Resolution in Mass Personal Injury Litigation, 73 Texas Law Review 1627 (1995)

Multiple Sovereignties: Indian Tribes, States, and the Federal Government, 79 Judicature 118 (1995)

Many Doors? Closing Doors? Alternative Dispute Resolution and Adjudication, 10 Ohio State Journal on Dispute Resolution 211 (1995)

Whose Judgment? Vacating Judgments, Preferences for Settlement, and the Role of Adjudication at the Close of the Twentieth Century, 41 UCLA Law Review 1471 (1994); also published by RAND, Institute for Civil Justice (1995).

National Courts: Imagining Alternatives to State and Federal Courts, Southern California Law Review 2 (Spring 1995)

Rereading "The Federal Courts:" Revising the Domain of Federal Courts Jurisprudence at the End of the Twentieth Century, 47 Vanderbilt Law Review 1021 (1994)

The Future of Civil Litigation: A Panel Discussion in Symposium, Reinventing Civil Litigation: Evaluating Proposals for Change, 59 Brooklyn Law Review 1199 (1994)

Ambivalence: The Resiliency of Legal Culture in the United States, 45 Stanford Law Review 1525 (1993)

Gender Bias: From Classes to Courts, 45 Stanford Law Review 2195 (1993)

Revising the Canon: Feminist Help in Teaching Procedure, Introduction to a Symposium, 61 University of Cincinnati Law Review 1181 (1993)

Hearing Women, 65 Southern California Law Review 1333 (1992)

"Naturally" Without Gender: Women, Jurisdiction, and the Federal Courts, 66 New York University Law Review 1682 (1991)

Visible on Women's Issues, 77 Iowa Law Review 41 (1991)

From "Cases" to "Litigation," 54 Law and Contemporary Problems 5 (1991); also published by RAND, Institute for Civil Justice (1991)

Housekeeping: The Nature and Allocation of Work in the Federal Trial Courts, 24 Georgia Law Review 909 (1990)

In the Eye of the Beholder: Tort Litigants' Evaluations of their Experiences in the Civil Justice System (with E. Allan Lind, Robert J. MacCoun, Patricia Ebener, William L.F. Felstiner, Deborah R. Hensler, and Tom R. Tyler), 24 Law & Society Review 953 (1990); related monograph, *The Perception of Justice*; also published by RAND, Institute for Civil Justice (1989)

Feminism and the Language of Judging, 22 Arizona State Law Journal 31 (1990)

Changing Criteria for Judging Judges, 84 Northwestern University Law Review 889 (1990)

- Convergences: Law, Literature, and Feminism* (with Carolyn Heilbrun), 99 *Yale Law Journal* 1913 (1990)
- Constructing the Canon*, 2 *Yale Journal of Law and the Humanities* 221 (Winter 1990)
- Dependent Sovereigns: Indian Tribes, States, and the Federal Courts*, 56 *University of Chicago Law Review* 671 (1989)
- Complex Feminist Conversations*, *University of Chicago Legal Forum* 1 (1989)
- The Domain of Courts*, 137 *University of Pennsylvania Law Review* 2219 (1989)
- On the Bias: Feminist Reconsiderations of the Aspirations for Our Judges*, 61 *Southern California Law Review* 1877 (1988)
- The Limits of Parity in Prison*, 13 *Journal of the National Prison Project* 26 (1987)
- Due Process: A Public Dimension, in Conference on Procedural Due Process: Liberty and Justice*, 39 *University of Florida Law Review* 405 (1987)
- Judging Consent*, *University of Chicago Legal Forum* 43 (1987)
- Images of Justice* (with Dennis E. Curtis), 96 *Yale Law Journal* 1727 (1987)
- Failing Faith: Adjudicatory Procedure in Decline*, 53 *University of Chicago Law Review* 494 (1986); also published by RAND, Institute for Civil Justice (1986)
- The Declining Faith in the Adversary System*, 13 *Litigation* 3 (1986)
- The Mythic Meaning of Article III Courts*, 56 *University of Colorado Law Review* 581 (1985)
- Precluding Appeals*, 70 *Cornell Law Review* 603 (1985)
- Managerial Judges: The Potential Costs, in Symposium, Law and Public Affairs*, 45 *Public Administration Review* 686 (Special Issue, November 1985)
- Tiers*, 57 *Southern California Law Review* 837 (1984)
- Commentaries on Prisoner Litigation*, 9 *Justice System Journal* 347 (Winter 1984)
- The Assumptions Remain*, 23 *Judges' Journal* 37 (Fall 1984)
- Managerial Judges and Court Delay: The Unproven Assumptions*, 23 *Judges' Journal* 8 (Winter 1984)

Book Review of The Brandeis/Frankfurter Connection, 71 California Law Review 776 (1983)

Managerial Judges, 96 Harvard Law Review 374 (1982); also published by RAND, Institute for Civil Justice (1982)

Patients' Rights: Disclosure, Consent, and Capacity (with Nikki Heidepriem), 1973/1974 Annual Survey of American Law 87

Selected Commentary in Newspapers, Magazines, and Journals

Ending profound prison isolation protects us all (with Anna VanCleave), *Hearst Connecticut Media Group*, May 28, 2021, <https://www.ctpost.com/opinion/article/Opinion-Ending-profound-prison-isolation-16210311.php>

Unlocking courts: Ending arbitration mandates and gag orders, *Hearst Connecticut Media Group*, March 23, 2021, <https://www.ctpost.com/opinion/article/Opinion-Unlocking-courts-Ending-arbitration-16047350.php>

The size of the Supreme Court is only part of the problem, *CNN.com*, October 14, 2020, <http://www.cnn.com/2020/10/14/opinions/supreme-court-size-only-part-problem-resnik/index.html>

Trump's demands of postal service could undermine the presidential election (with Robert Taylor), *bostonglobe.com*, May 19, 2020, <https://www.bostonglobe.com/2020/05/19/opinion/trumps-demands-postal-service-could-undermine-presidential-election/>

Protecting Prisoners in Pandemics Is a Constitutional Must, *Bloomberg.com*, March 30, 2020, <https://news.bloomberglaw.com/health-law-and-business/insight-protecting-prisoners-in-pandemics-is-a-constitutional-must>

Degrading strip search of 200 women prisoners cries out for courts to act, *CNN.com*, October 3, 2019, <https://www.cnn.com/2019/10/03/opinions/women-prisoners-have-rights-resnik/index.html>

This Question Changed the Face of the Supreme Court, *CNN.com*, September 25, 2018; <http://www.cnn.com/2018/09/25/opinions/anita-hill-patsy-mink-changed-how-we-see-kavanaugh-judith-resnik/index.html>

The Supreme Court's Arbitration Ruling Undercuts the Court System, *HuffPost*, May 25, 2018; https://www.huffingtonpost.com/entry/opinion-resnik-forced-arbitration_us_5b08395ae4b0802d69caeb47?1s

To Help #MeToo Stick, End Mandatory Arbitration, *HuffPost*, January 23, 2018;

https://www.huffingtonpost.com/entry/opinion-resnik-mandatory-arbitration_us_5a65fc39e4b0e5630071c15d?g9r

Arbitration Cuts the Public Out and Limits Redress, *National Law Journal*, August 22, 2016; <http://www.nationallawjournal.com/id=1202765654457/Arbitration-Cuts-the-Public-Out-and-Limits-Redress?slreturn=20160914112502>

With One Decision, Obama and Lynch Could Reshape the Criminal Justice System (with Robert Ferguson and Margo Schlanger), *The Washington Post* online, August 3, 2015; <https://www.washingtonpost.com/posteverything/wp/2015/08/03/with-one-decision-obama-could-totally-reform-the-criminal-justice-system/>

No Fast Track for Unfair Trade Deals (with Amy Kapczynski), *HuffPost Politics*, June 11, 2015; http://www.huffingtonpost.com/amy-kapczynski/tpp-isds-no-fast-track-for-unfair-trade-deals_b_7562084.html?1434041001

Can Less Confidentiality Mean More Fairness in Campus Sexual Assault Cases? (with Alexandra Brodsky and Claire Simonich), *The Nation*, February 23, 2015; <http://www.thenation.com/article/198713/can-less-confidentiality-mean-more-fairness-campus-sexual-assault-investigations>

Renting Judges for Secret Rulings, *The New York Times*, February 28, 2014; <http://www.nytimes.com/2014/03/01/opinion/renting-judges-for-secret-rulings.html?ref=todayspaper>

The Return of the Terrible Plan to Ship Female Inmates from the Northeast to Alabama, *Slate*, October 4, 2013; http://www.slate.com/blogs/xx_factor/2013/10/04/female_inmates_in_federal_prison_must_give_up_their_beds_to_men_and_move.html

Keep Female Prisoners Close to Family (with Nancy Gertner), *The Boston Globe*, September 3, 2013; <http://www.bostonglobe.com/opinion/2013/09/03/keep-female-prisoners-close-family/eQf4dCawmOGmQ41Ap53GxL/story.html>

Harder Time: Why are the federal prison beds for women in the Northeast going to men—while the women get shipped to Alabama?, *Slate*, July 25, 2013; http://www.slate.com/articles/news_and_politics/jurisprudence/2013/07/women_in_federal_prison_are_being_shipped_from_danbury_to_aliceville.html

How “Robust” is Appellate Review of Courts-Martial? (with Eugene R. Fidell, Elizabeth L. Hillman, Dwight H. Sullivan, Stephen A. Saltzburg and Kate Stith) (2013), *Balkinization*; <http://balkin.blogspot.com/2013/05/how-robust-is-appellate-review-of.html>

- Abolish the Death Penalty and Supermax, Too: Updating the Ban against Cruel and Unusual Punishment (with Jonathan Curtis-Resnik), *Slate*, June 18, 2012; http://www.slate.com/authors.judith_resnik_and_jonathan_curtisresnik.html
- War, Terror, and the Federal Courts, Ten Years After 9/11—Conference (a discussion with Judge Brett Kavanaugh, Martin Lederman, Sarah Cleveland, Curt Bradley, and Stephen Vladeck), from the 2012 Annual Meeting of the Association of American Law Schools, 61 *American University Law Review* 1253 (2012)
- A Collective Collage: Women, the Structure of American Legal Education, and Histories yet to be Written (with Dennis E. Curtis), 80 *University of Missouri Kansas City Law Review* 737 (2012)
- The Changing Face of Justice: The Visual Vocabulary of Courts is a Transnational Symbol of Government (with Dennis E. Curtis), *The Guardian*, March 24, 2011; <http://www.guardian.co.uk/law/2011/mar/24/changing-face-justice-judith-resnik>
- Designing Justice (with Dennis E. Curtis), *Los Angeles Daily Journal*, January 21, 2011
- What Does Justice Look Like? (with Dennis E. Curtis), *Slate*, January 21, 2011; <http://www.slate.com/id/2281277/>
- From Fool's Blindfold to the Veil of Ignorance (with Dennis E. Curtis), *Yale Law Report* (Winter 2011)
- Object Lesson: On and Off Her Pedestal (with Dennis E. Curtis), *Yale Alumni Magazine* (November/December 2010)
- Citizenship for the 21st Century: A Conversation with Seyla Benhabib and Judith Resnik, 38 *Women Studies Quarterly* 271 (Spring/Summer 2010)
- Drafting, Lobbying, and Litigating VAWA: National, Local, and Transnational Interventions on Behalf of Women's Equality, 11 *Georgetown Journal of Gender and the Law* 557 (2010)
- Open the Door and Turn on the Lights, *Slate*, May 21, 2010; <http://www.slate.com/id/2253500/>
- Judicial Independence, Panel Discussion, Sandra Day O'Connor, Linda Greenhouse, Judith Resnik, Bert Brandenburg, and Viet D. Dinh, *Bulletin of the American Academy* 29 – 56 (Winter 2009)
- There's a New Lawyer in Town (with Emily Bazelon), *Slate*, February 9, 2009; <http://www.slate.com/id/2210637/>

- Revival of Justice, *Slate*, January 6, 2009; <http://www.slate.com/id/2208017/>
- Translocal Transnationalism: Foreign and Domestic Affairs, 102 *American Society of International Law Proceedings* 214 (2008)
- Sitting on Great Judges (with Emily Bazelon), *Slate*, December 19, 2008; <http://www.slate.com/id/2207071/>
- The Return of Regency (with Allison Tait), *The XX Factor*, September 11, 2008, guest post; <http://www.slate.com/blogs/blogs/xxfactor/archive/2008/09/11/the-return-of-regency.aspx>
- Courts and Democracy: The Production and Reproduction of Constitutional Conflict in The Courts and Social Policy in the United States (Oxford: Foundation for Law, Justice and Society, 2008); http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1148202
- Moving American Mores: From Women's Education to Torture, 36 *Women Studies Quarterly* 339 (Spring/Summer 2008)
- When the Justice Department Played Defense, *Slate*, October 27, 2006; <http://www.slate.com/id/2152211/>
- Borders, Law, and Doors—Opening, Bryn Mawr College Convocation, May 2006
- Opening the Door: Court Stripping: Unconscionable and Unconstitutional? *Slate*, February 1, 2006; http://www.slate.com/articles/news_and_politics/jurisprudence/2006/02/opening_the_door.html
- So Long: Changing the Judicial Pension System Could Keep Judges from Staying on the Bench for Too Many Years, July/August *Legal Affairs* 20 (2005)
- One Robe, Two Hats (with Theodore Ruger), *New York Times*, Op-Ed, Section 4 at 13, July 17, 2005
- Looking Back, Looking Forward: One Hundred Years, Concluding Remarks in Women Faculty Forum, *Gender Matters: Women and Yale in its Third Century* (2004)
- The Courts, the Legislature, and the Executive: Separate and Equal? Issues at the Federal Level, 87 *Judicature* 220 (2004)
- Judicial Selection, Independent Jurists, and Life-Tenure (2004); <http://www.jurist.org/forum/symposium-jc/resnik.php>

At Home and Work, Still a Man's World, Commentary (with Emily Bazelon), *Los Angeles Times*, January 2, 2004

Engendering Equality: A View from the United States, 35 *The European Lawyer* 21, (February 2004)

Supermajority Rule, *New York Times*, Op-Ed, Section A at 31, June 11, 2003

Testimony

Statement, The Protect Act, Regulating Solitary Confinement in Connecticut (co-authored), before the Connecticut Legislature, available at https://law.yale.edu/sites/default/files/area/center/liman/document/solitary_protect_act_2022_sb_459_limn_center_testimony_revised_3_march_23_2022_.pdf

Statement, Legislative Regulation of Isolation in Prison, re: An Act Amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, providing for solitary confinement (with Jenny Carroll, Skylar Albertson, Sarita Benesch, and Wynne Muscatine Graham), submitted and presented to the Senate's Democratic Policy Committee of the Commonwealth of Pennsylvania, August 10, 2021

Statement, Changes in the Federal Courts and Changes Needed on the U.S. Supreme Court, submitted and presented to the Presidential Commission on the Supreme Court of the United States, June 30, 2021

Above the Fray, Report of the Task Force on Federal Judicial Selection of the Project on Government Oversight of The Constitution Project, 2019-2021, submitted for the Record to the Presidential Commission on the Supreme Court of the United States; available at <https://www.pogo.org/report/2021/07/above-the-fray-changing-the-stakes-of-supreme-court-selection-and-enhancing-legitimacy/>

Statement submitted for the record, Women in Prison: Seeking Justice Behind Bars, before the U.S. Commission on Civil Rights, March 22, 2019, U.S. Commission on Civil Rights, *Women in Prison: Seeking Justice Behind Bars* (February 2020); <https://www.usccr.gov/pubs/2020/02-26-Women-in-Prison.pdf>

Comments submitted on Proposed Changes to Code of Conduct for U.S. Judges and Judicial Conduct and Disability Rules (with Abbe R. Gluck), submitted to the Judicial Conference committees on Codes of Conduct and Judicial Conduct and Disability, November 13, 2018

Comments submitted for the Telephonic Hearing on Proposed Amendments to the Federal Rules of Civil Procedure before the Advisory Committee on Civil Rule of the Judicial Conference of the United States, February 16, 2017

Statement submitted for the record, Women in Detention: The Need for National Reform, Charles Colson Task Force on Federal Corrections Public Hearing, Washington, D.C., March 11, 2015

Statement submitted for the record, Women in Detention: The Need for a National Agenda, Hearing before the Senate Judiciary Subcommittee on the Constitution, Civil Rights, and Human Rights, December 9, 2014

The Policies Governing Isolation in U.S. Prisons, Statement submitted for the Hearing before the Senate Judiciary Subcommittee on the Constitution, Civil Rights and Human Rights, Reassessing Solitary Confinement II: The Human Rights, Fiscal and Public Safety Consequences, February 25, 2014;
http://www.law.yale.edu/documents/pdf/Liman/Liman_Senate_Statement_Reassessing_Solitary_Confinement--_Resnik_Metcalf_--_final_Feb_28_2014.pdf

Statement submitted for the record, Oversight of the Bureau of Prisons and Cost-Effective Strategies for Reducing Recidivism, Hearing before the Senate Judiciary Committee, U.S. Senate, November 13, 2013;
http://www.law.yale.edu/documents/pdf/Liman/Senate_Judiciary_Committee_BO_P_Oversight_Hearing_Liman_Statement_for_the_Record_

Statement submitted for the record, Reassessing Solitary Confinement: The Human Rights, Fiscal, and Public Safety Consequences, Hearing before the Senate Judiciary Subcommittee on the Constitution, Civil Rights, and Human Rights, U.S. Senate, June 19, 2012

Courtroom Use: Access to Justice, Effective Judicial Administration and Courtroom Security, Hearing before the Subcommittee on Courts and Competition Policy of the United States Committee on the Judiciary, U.S. House of Representatives, September 24, 2010

Statement submitted for the record, Recommendations on Courthouse Construction, Courtroom Sharing and Enforcing Congressionally Authorized Limits on Size and Cost, Hearing before the Subcommittee on Economic Development, Public Buildings and Emergency Management Committee on Transportation and Infrastructure, U.S. House of Representatives, May 21, 2010

Statement submitted for the record, Sunshine in Litigation Act: Does Court Secrecy Undermine Public Health and Safety, Hearing before the Subcommittee on Antitrust, Competition Policy and Consumer Rights of the Committee on the Judiciary, 110th Cong. 181, December 11, 2007

Hearings on the Judicial Nomination of John G. Roberts, Jr., to be Chief Justice of the United States, held by the Committee on the Judiciary of the United States Senate, Washington, D.C., September 15, 2005

Hearings on the Judicial Selection before the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness, held by the House of Commons, Ottawa, Canada, April 20, 2004

Hearings on the Proposed Amendments to Federal Rule of Civil Procedure 23, held by the Committee on Rules of Practice and Procedure, Judicial Conference of the United States, January 2002

Hearings on the Senate's Role in the Nomination and Confirmation Process: Whose Burden?, held by the Senate Committee on the Judiciary, Subcommittee on Administrative Oversight and the Courts, 107th Cong., September 4, 2001, also published in 50 *Drake Law Review* 539 (2001-02)

Hearings on the Proposed Amendment to Federal Rule of Civil Procedure 23, held by the Committee on the Rules of Practice and Procedure, Advisory Committee to the Standing Committee on the Rules of Practice and Procedure of the United States Judicial Conference, November 1996

Hearings on the Proposed Long Range Plan of the Judicial Conference of the United States, held by the Committee on Long Range Planning, December 16, 1994

Hearings on the Proposed Changes in the Federal Rules of Civil Procedure, held by the Standing Committee on Rules of Practice and Procedure of the United States Judicial Conference, November 1991

Hearings on the Tentative Report of the Federal Courts Study Committee, held by members of the Committee, San Diego, California, January 29, 1990

Hearings on the Proposed Amendments to Rule 63 of the Federal Rules of Civil Procedure, held by the Advisory Committee to the Standing Committee on the Rules of Practice and Procedure of the United States Judicial Conference, January 1990

Hearings on the Confirmation of Robert H. Bork to be an Associate Justice of the United States Supreme Court, held by the Committee on the Judiciary, United States Senate, September 25, 1987

Hearings on Proposed Amendments to Rule 52(a) of the Federal Rules of Civil Procedure, held by the Subcommittee on Criminal Justice of the Judiciary Committee of the U.S. House of Representatives, June 26, 1985

Hearings on Proposed Amendments to Rule 68 of the Federal Rules of Civil Procedure, held by the Advisory Committee to the Standing Committee on the Rules of Practice and Procedure of the United States Judicial Conference, 1985

Hearings on Proposals to Amend the Rules Governing Section 2254 Cases in the United States District Courts, and Rules Governing Section 2255 Proceedings in the United States District Courts, held by the Advisory Committee to the Standing Committee on the Rules of Practice and Procedure of the United States Judicial Conference, 1984

Female Offender: 1979-80, Part 1: Hearings before the Subcommittee on Courts, Civil Liberties, and Administration of Justice of the House Committee. on Judiciary, 96th Cong. 59, October 11, 1979

Drug Abuse Treatment: Part 2: Hearings before the Select Committee on Narcotics Abuse and Control, House of Representatives, 96th Cong., July 25, 1978

Honors and Awards

Recipient with Professor Vicki Jackson, of the AALS Federal Courts Section's triannual Meltzer Award, AALS Annual Meeting Washington, D.C. 2024

Honoree, *Managerial Judges @ 40*: A Conference on the Fortieth Anniversary of Judith Resnik's *Managerial Judges*, Yale Law School, November 2022; University of Texas, April 2023

Andrew Carnegie Fellowship, 2018-2020

Honorary Doctorate of Laws, University College London, 2018

Visiting Scholar, Max Planck Institute for Procedural Law, Luxembourg, February 2018

Establishment of the Resnik-Curtis Fellowship in Public Interest Law on the 20th anniversary of the Liman Program at Yale, 2017

Visiting Scholar, Phi Beta Kappa, 2014-2016

Recipient, Arabella Babb Mansfield Award, National Association of Women Lawyers, July 2013

Representing Justice: Invention, Controversy, and Rights in City-States and Democratic Courtrooms (with Dennis E. Curtis)

Selected as one of the "Best legal reads of 2011" by The Guardian

Recipient, SCRIBES Award from the American Society of Legal Writers, 2012

Recipient, PROSE Award, Excellence in Social Sciences, 2012

PROSE Award, Excellence in Law & Legal Studies, 2012

Selected as an Outstanding Academic Title of the Year by Choice Magazine, January 2012

Recipient, The Order of the Coif Biennial Book Award, January 2014

New York University Alumna of the Month Award, June 2012,
<http://www.law.nyu.edu/alumni/almo/pastalmos/2011-12almos/judithresnikjune>

Elizabeth Hurlock Beckman Award, Awarded to Outstanding Faculty in Higher
 Education in the Fields of Psychology or Law, Columbia University, March 2011

Migrations and Mobilities: Citizenship, Borders, and Gender, Selected as an Outstanding
 Academic Title of the Year by Choice Magazine, January 2011

Outstanding Scholar of the Year Award 2008, from the Fellows of the American Bar
 Foundation

Oral History, 2007, Women Trailblazers in the Law Project, American Bar Association
 Commission on Women in the Profession, deposited in the Library of
 Congress, 2009

Convocation Speaker, Bryn Mawr College Commencement, May 2006

Member, American Philosophical Society, elected Spring 2002

Fellow, American Academy of Arts and Sciences, elected Spring 2001

Recipient, Margaret Brent Women Lawyers of Achievement Award, American Bar
 Association Commission on Women in the Profession, August 1998

Recipient, NYU School of Law, Legal Teaching Award, Spring 1995

Recipient, USC Associates Award for Creativity in Research, Spring 1994

Recipient, Florence K. Murray Award, National Association of Women Judges, Fall 1993

Recipient, "Big Splash Award" from the Program of Women and Men in Society (SWMS),
 University of Southern California, 1992

Member, Phi Kappa Phi, elected by the USC Chapter, 1991

University Scholar, University of Southern California, 1982-1983

Recipient, Student Bar Association Outstanding Faculty Award, University of Southern
 California Law Center, 1982-1983

Arthur Garfield Hays Fellow, 1974-1975, New York University

Education

Bryn Mawr College, B.A., cum laude, 1972
 New York University School of Law, J.D., cum laude, 1975

Bar Memberships

Connecticut

United States District Courts: District of Connecticut, Southern District of New York,
 Eastern District of New York
 United States Court of Appeals for the First, Second, Third, Fourth, Ninth and
 Eleventh Circuits
 United States Supreme Court

Selected Litigation

United States Supreme Court

Brief of Law Professors as Amici Curiae in Support of Respondent, Tim Shoop v. Raymond
 A. Twyford, Supreme Court of the United States, Case No. 21-511, filed April 4,
 2022

Brief of Scholars of Constitutional Law and the Law of Federal and State Courts as Amici
 Curiae in Support of Petitioner, Le Roy Torres v. Texas Department of Public
 Safety, Supreme Court of the United States, Case No. 20-603, filed March 18, 2022

Brief of Amici Constitutional Law, Federal Courts, Civil Rights, and Civil Procedure
 Scholars in Support of Petitioners, Whole Women's Health, et al. v. Austin Reeve
 Jackson, et al., Supreme Court of the United States, Case No. 21-463, filed October
 27, 2021

Of counsel on Brief of Amici Curiae, Law Professors in Support of Petitioners (No. 18-
 622), on Petition for a Writ of Certiorari to the United States Court of Appeals for
 the Fifth Circuit, Whole Woman's Health, et. al. v. Texas Catholic Conference of
 Bishops (2018) (on the question of standing)

Of counsel on Brief of Amici Curiae, Former Judges, Former Prosecutors, Former
 Government Officials, Law Professors, and Social Scientists in Support of
 Respondents (No. 17-312), United States of America v. Sanchez-Gomez 138 S.Ct.
 1532 (2018) (on the use of shackles for defendants in federal court)

Of counsel on Brief of Amici Curiae, Professors of Federal Courts Jurisprudence,
 Constitutional Law, and Immigration Law in Support of Respondents (Nos. 16-
 1436 and 16-1540), Donald J. Trump, et al. v. International Refugee Assistance
 Project, et al, Donald J. Trump, et al. v. State of Hawaii, et al. (2017), 138 S.Ct.
 2392 (2018) (on travel bans)

Of counsel on Brief of Amici Curiae, Constitutional Law, Federal Courts, Citizenship, and
 Remedies Scholars in Support of Respondent Luis Ramon Morales-Santana (No.

15-1191), *Lynch v. Morales-Santana*, 136 S.Ct. 2545 (2016) (on citizenship and gender)

Oral Argument and brief presented on behalf of the Respondent Norman Carpenter in *Mohawk Industries, Inc. v. Carpenter* (No. 08-678, 2009 WL 3169419) (argued October 5), 558 U.S. 100 (2009) (on appealability of district court decisions)

Of counsel on Brief of Law Professors as Amici Curiae, in Support of Respondent Jacob Denedo (No. 08-267, 2009 WL 418793), *United States v. Denedo*, 556 U.S. 904 (2009) (on jurisdiction)

Of counsel on Brief of Amici Curiae Professors of Constitutional Law and of Federal Jurisdiction in Support of Petitioner Keith Haywood (No. 07-10374), *Haywood v. Drown*, 556 U.S. 729 (2009) (on state law and Section 1983)

Of counsel on Brief of Amici Curiae Professors of Constitutional Law and of the Federal Courts in Support of the Habeas Petitioners Omar and Munaf (Nos. 07-394, 06-1666), *Munaf v. Geren*, 553 U.S. 674 (2008) (on the scope of habeas corpus)

Of counsel on Brief of Professors of Constitutional Law and of the Federal Jurisdiction as Amici Curiae in Support of Petitioners Boumediene et al. (Nos. 06-394, 06-1196), *Boumediene v. Bush*, 553 U.S. 723 (2008) (on the scope of habeas corpus)

Brief of Amici Curiae Norman Dorsen, Frank Michelman, Burt Neuborne, Judith Resnik, and David Shapiro in Support of Petitioner Salim Ahmed Hamdan (No. 05-184), *Hamdan v. Rumsfeld*, 548 U.S. 557 (2006) (on due process)

Brief of Amici Curiae of Law Professors in Support of Petitioner Paula Jones (No. 95-1853, 1996 WL48092), *Clinton v. Jones*, 520 U.S. 681 (1997) (on immunity)

Oral Argument presented on behalf of the Rotary Club of Duarte:
Board of Directors of Rotary International v. Rotary Club of Duarte,
481 U.S. 537 (1987) (on California public accommodations law, women's entry to the Rotary Club, and associational rights under the First Amendment)

United States Courts of Appeals

Of counsel on Brief of Amici Law Professors on the Remedial Powers of Federal Courts, Kelvin Hernandez Roman, et al. v. Chad Wolf, et al., No. 5:20-cv-00768TJH-PVC (filed August 17, 2020) (on remedial powers in habeas corpus)

Brief of Amici Curiae, Scholars of the Law of Prisons, the Constitution, and the Federal

Courts in Support of the Appellants and in Support of Reversing the Dismissal of the Fourth Amendment Claim, Delores Henry, et al., v. Melody Hulett, et al., No. 16-4234, United States Court of Appeals for the Seventh Circuit; 969 F.3d 769 (7th Cir. 2020) (en banc reversal of the prior ruling) (on the privacy rights of incarcerated people)

Brief of Amici Curiae of Constitutional Law and Procedure Scholars Judith Resnik and Brian Soucek in Support of Petitioner (No. 16-73801), submitted for the hearing en banc, C.J.L.G. v. Jefferson B. Sessions III (9th Cir., 880 F.3d 1122 (2019) (on due process, right to counsel, and immigrant children)

Of counsel on Brief of Amici Curiae, Professors of Federal Courts Jurisprudence, Constitutional Law, and Immigration Law in Support of Plaintiffs-Appellees, (No. 17-17168), Ninth Circuit, State of Hawaii, et al., v. Donald Trump (2017) (on travel bans)

Of counsel on Brief of Amici Curiae, Professors of Federal Courts Jurisprudence, Constitutional Law, and Immigration Law in Support of Plaintiffs-Appellees, (No. 17-2231 (L), 17-2232, 17-2233, 17-2240 (Consolidated)), Fourth Circuit, International Refugee Assistance Project, et al., Iranian Alliances Across Borders, et al., Eblal Zakzok, et al., v. Donald Trump (2017) (on travel bans)

Of counsel on Brief of Amici Curiae, Constitutional Law Professors in Support of Appellees and Affirmance (No. 17-1351), International Refugee Assistance Project et al. v. Donald J. Trump, et. al. (4th Cir. 2017) (on travel bans)

Appellate Counsel

In re San Juan Dupont Plaza Hotel Fire Litigation, 111 F.3d 220 (1st Cir. 1997)
(on awards of fees and costs in a mass tort multi-district litigation)

In re Thirteen Appeals Arising Out of San Juan Dupont Plaza Hotel Fire Litigation,
56 F.3d 295 (1st Cir.1995) (on costs and fees in a mass multi-district litigation)

In re Nineteen Appeals Arising Out of San Juan Dupont Plaza Hotel Fire Litigation,
982 F.2d 603 (1st Cir. 1992) (on costs and fees in a mass multi-district litigation)

United States District Court

Declaration Regarding Provisional Remedies for Detained Individuals, submitted in Money v. Jeffries (N.D. Ill., Eastern Division, No. 20 cv 2-14, filed April 8, 2020); Martinez-Brooks v Easter (Civ. No. 3:20-cv-00569-MPS - 459 F. Supp. 3d 411 (D. Conn. 2020)), and in other lawsuits requesting remedies for people in immigration or in criminal detention and at risk of COVID-19

Of counsel on Brief of Amici Law Professors on the Remedial Powers of Federal

Courts, Roman Vazquez Barrera, et al. v. Chad Wolf, et al., U.S. District Court for the Southern District of Texas Case No. 4:20-cv-01241-KPE, filed September 9, 2020, 2020 U.S. Dist. LEXIS 172231 (S.D. Tex. 2020)

Of counsel on Unopposed Motion for Leave to File Amicus Curiae Statement of Correctional Expert Rick Raemisch, in *Coleman v. Newson* (No. 2:90-CV-00520-KJM-DB), and in *Plata v. Newsom* (No. 01-cv-01351 JST) (2020), filed March 30, 2020, granted April 17, 2020, 2020 U.S. Dist. LEXIS 70271 (to provide parties and court with expert information)

Of counsel on Motion for Leave to File Amicus Curiae Statement of Correctional Expert Rick Raemisch, *Savino v. Hodgson*, 1:20-cv-10617-WGY, motion granted, 2020 U.S. Dist. LEXIS 70406 (D. Mass, 2020) (to provide parties and court with expert information)

Court-appointed trustee in re: MDL-926 Global Breast Implant Settlement, 173 F.Supp.2d 1381 (Judicial Panel on Multidistrict Litigation, N.D. Alabama, N.D. Texas, 1994) (overseeing the court-created “common benefit fund”) from 1994-2020

Expert appointed by the district court to assist the Special Master in *McLendon v. Continental Group, Inc.*, 802 F.Supp. 1216 (D.N.J. 1992) (in relationship to a settlement in an ERISA class action)

Exhibits, Co-Curator

The Remarkable Run of a Political Icon: Justice as a Sign of the Law. Rare Book Exhibition Gallery, Lillian Goldman Law Library, Yale Law School, September–December 2011 (with Dennis E. Curtis, Allison Tait & Michael Widener); <http://library.law.yale.edu/justice-sign-law-exhibit>

Courts: Representing and Contesting Ideologies of the Public Sphere. Yale Art Gallery, Study Galleries, January-May 2011 (with Dennis E. Curtis)

Selected Media

Interview, NPR – *All Things Considered*, June 16, 2020; <https://www.npr.org/2020/06/15/877457603/as-covid-spreads-in-u-s-prisons-lockdowns-spark-fear-of-more-solitary-confinemen>

Interview, Women, Judging, Equality, and Constitutional Law, RAI Storia (Italian television) – *La Corte Costituzionale e le Donne, Pt. 6*, January 2020, <https://vimeo.com/377835690>

Interview, WNPR – Connecticut Public Radio’s *Where We Live*, presented by John Dankosky, August 5, 2013; <http://wnpr.org/post/connecticuts-criminal-justice-system>

Interview, BBC Radio 4 – *Law in Action*, presented by Joshua Rozenberg, March 12, 2013; <http://www.bbc.co.uk/programmes/b01r5ln5>

Cameo in *Fair Game*, directed by Doug Liman, Fall 2010, and panel moderator, discussion of the film with Valerie Plame, Joseph Wilson, Emily Bazelon and Doug Liman, Paris Theatre, New York City, October 5, 2010