

Judith Resnik

Address

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

Tel: (203) 432-1447
Fax: (203) 432-1719
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, 2009-2021
 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-present
 Fellow, American Academy of Arts and Sciences
 Member, American Philosophy Society
 Member, Board of Managerial Trustees, International Association of Women Judges, 2001-present
 Academic Fellow, Pound Civil Justice Institute, 2016-present
 Chair, Order of the Coif Book Award Committee, 2018-2020, Member, 2021-present
 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-present
 Member, International Legal Advisory Board, Raoul Wallenberg Centre for Human Rights, Toronto, Ontario, 2018-present
 Member, Advisory Board, Million Book Project (to bring curated 500-book literary time-capsules to 1,000 U.S. prisons and juvenile detention centers), 2020-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-present
 Member, Executive Committee, Section on Federal Courts, 1999-2004, 2014-present; chair, 2002
 Chair, Section on Civil Procedure, 2018, 2003, 1991
 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

Fellow, Whitney Humanities Center, 2020-2022
 Member, Standing Advisory and Appointments Committee for the Arts Schools, 2019-2021
 Steering Committee, Women Faculty Forum, Yale University, 2001-present
 Co-chair, 2001-2003, 2006-2008
 Fellow, Davenport College, 2002-present

Journals

- 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, 1997-2021

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: From Conception and Construction to Abolition
 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
 Incarceration
 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?
 Access to Knowledge
 Constitutional Law as Public Interest Law
 Public Interest Law Reading Group

Publications

Books and Monographs

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 Olikier-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

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, forthcoming 2022)

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, forthcoming 2021)

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, forthcoming 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, *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

Partial “Global Peace”: Federalism and the Long Tail of Remedies in Opioid Litigation, The Clifford Symposium: *DePaul Law Review* (forthcoming 2021)

Mature Aggregation and Angst: Coordination and Reconsideration in Complex Litigation to Build on Frances McGovern’s Early Insights into Remedial Innovation, 84 *Law and Contemporary Problems* (forthcoming 2021)

Representing What? Descriptive Discrimination, Gender, Race, Class, and Changing Metrics of U.S. Courts’ Legitimacy, *Law and Ethics of Human Rights* (forthcoming 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 Review* 665 (2020)

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)
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- 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

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

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. Newsom (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